



## NEWS RELEASE

Contact: Media Services  
Office of Public Affairs  
(202) 514-2648 Fax: (202) 514-1776

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### **DOJ Grants 12-Month Extension of Temporary Protected Status (TPS) For Eligible Hondurans and Nicaraguans *Employment Authorization Document (EAD) Automatically Extended to December 5, 2002***

WASHINGTON – As part of the Administration’s ongoing efforts to assist countries affected by Hurricane Mitch, the Department of Justice (DOJ) announced today the extension of Temporary Protected Status (TPS) for Honduras and Nicaragua for a period of 12 months until July 5, 2003. The extension of TPS for Hondurans and Nicaraguans is effective July 5, 2002 and will remain in effect until July 5, 2003.

In an effort both to provide ample time for eligible Hondurans and Nicaraguans to re-register for Temporary Protected Status (TPS) and to prevent potential gaps in employment authorization while such individuals wait for their applications to be processed, the Department of Justice (DOJ) is granting an automatic extension of the expiration date of the Employment Authorization Document (EAD) to December 5, 2002.

“Honduras and Nicaragua continue to make progress in recovering from the devastation of Hurricane Mitch. However, the environmental disaster following the disaster have resulted in substantial disruption of living conditions and both countries remain unable to handle adequately the return of its nationals,” said Attorney General John Ashcroft. “This one-year extension reflects the Administration’s continued commitment to provide assistance to the countries devastated by Hurricane Mitch.”

Hondurans and Nicaraguans currently registered under TPS who desire an extension must re-register by filing **both** the TPS application (Form I-821) and an application for employment authorization (Form I-765) with the appropriate INS Service Center. For re-registration, there is no fee for Form I-821. However, a \$120 fee must accompany Form I-765 if an applicant requests employment authorization. If the applicant does not require employment authorization or already has employment authorization, Form I-765 is still required but no fee is necessary. These forms are available from the toll-free INS Forms line, 1-800-870-3676, and from the INS Web site, [www.ins.gov](http://www.ins.gov).

An applicant may request a waiver of TPS-related application fees by submitting proper documentation of inability to pay.

**This extension does not allow Nicaraguans or Hondurans who entered the United States after December 30, 1998 to file for TPS.** This extension covers only Nicaraguans and Hondurans who have been continually present in the United States as of January 5, 1999 and who have continually resided in the United States since December 30, 1998. An extension of TPS does not change the required dates of continuous physical presence and residence in the United States. However, late initial registration is possible in some circumstances. In order to qualify for late initial registration, applicants must meet the original continuous physical presence and residency requirements of the initial registration period and they must demonstrate that during the initial registration period they:

- Were in a valid nonimmigrant status, or had been granted voluntary departure or other relief from removal;
- Had an application for change of status, adjustment of status, asylum, voluntary departure or other relief from removal pending or subject to further review or appeal; or
- Were a parolee or had a pending request for reparole; or
- A spouse or child of an alien currently registered for TPS may apply for late initial registration at any time if he or she is otherwise eligible and was so at the time of the initial registration period.

Section 244 of the Immigration and Nationality Act authorizes the Attorney General to grant or extend TPS to aliens in the United States who are nationals of countries where armed conflict, natural disaster or other extraordinary conditions have created a temporary situation to which return is either unsafe or unfeasible.