



## FACT SHEET

September 9, 2002

### Extension of Temporary Protected Status for Eligible Salvadorans

#### Automatic Extension of Employment Authorization Document:

- INS reminds employers that an automatic extension of employment authorization includes individuals with EADs bearing an expiration date of September 9, 2002, and the notation: "A-12" or "C-19" on the face of the card under "Category" for EADs issued on Form I-766; or "274A.12(A)(12)" or "274A.12(C)(19)" on the face of the card under "Provision of Law" for EADs issued on Form I-688B.
- For completion of the Form I-9 at the time of hire or re-verification, qualified individuals may present to their employer a TPS-related EAD as proof of identity and employment authorization until March 9, 2003.
- To minimize confusion over this extension at the time of hire or re-verification, qualified individuals may also present to their employer a copy of the Federal Register notice dated July 11, 2002 referencing the automatic extension of employment authorization documentation until March 9, 2003.
- Employers are reminded that the laws prohibiting unfair immigration-related employment practices remain in full force. For questions, employers may call the Service's Office of Business Liaison Employer Hotline at 1-800-357-2099 to speak to a Service representative. Also, employers may call the office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) Employer Hotline at 1-800-255-8155. Employees or applicants may call the OSC Employee Hotline at 1-800-255-7688 (assistance available in Spanish) for information regarding the automatic extension.

#### Re-registration Process:

- To re-register, a TPS applicant must submit Form I-821 and Form I-765 (Application for Employment Authorization), as well as two identification photographs (1 1/2" x 1 1/2"). **Both forms must be submitted for re-registration.** If the applicant only seeks to re-register for TPS and does not seek a work authorization document, there is no filing fee. However, all applicants seeking an extension of their employment authorization document through September 9, 2003, must submit a \$120 filing fee with Form I-765. The applicant may request a fee waiver in accordance with the regulations.

Applicants for an extension of TPS benefits do not need to submit new fingerprints and therefore do not need to submit a \$50 fee. Children beneficiaries of TPS who have reached the age of 14, but who were not previously fingerprinted, must pay the \$50 fingerprint fee with their application for extension.

- Attesting in part 1 of the Form I-821 to the continued maintenance of the conditions of eligibility will generally preclude the need to re-submit supporting documents or evidence. INS, however, reserves the right to request additional information and/or documentation on a case-by-case basis.

#### **Closing Date for Re-registration:**

- **The re-registration period closes on November 12, 2002.** As this is a 2-month period of re-registration, INS urges applicants not to delay in submitting their application and to ensure timely filing by mailing applications well in advance of November 12, 2002. INS forms are available, free of charge, from the toll-free INS Forms line, 1-800-870-3676, or from the INS Web site, [www.ins.gov](http://www.ins.gov).

#### **Eligibility:**

- **This extension does not allow Salvadorans who entered the United States after February 13, 2001 to apply for TPS.** This extension covers only Salvadorans who have been continually physically present in the United States as of March 9, 2001 and who have continually resided in the United States since February 13, 2001. An extension of TPS does not change the required dates of continuous physical presence and residence in the United States.

#### **Late Initial Registration:**

- Some individuals may be eligible for late initial registration. In order to qualify for late initial registration, applicants must meet the original continuous physical presence and residency requirements and must demonstrate that, during the initial registration period, they:
  - Were in a valid nonimmigrant status, or had been granted voluntary departure, or any relief from removal;
  - Had an application for change of status, adjustment of status, asylum, voluntary departure or any relief from removal pending or subject to further review or appeal; or
  - Were a parolee or had a pending request for parole.
- Applications for late initial registration must be submitted no later than 60 days from the expiration or termination of one of the conditions described above. The Service emphasizes that late initial registration is available only if

the applicant satisfies one of the conditions described above and also meets all of the original eligibility requirements. 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.

- Applicants for late initial registration must file Form I-821 with a \$50 fee, Form I-765, two identification photographs (1 1/2" x 1 1/2"), and all supporting evidence. If the applicant requests an employment authorization document, he or she must submit a \$120 fee with the Form I-765. A \$50 fingerprinting fee must also be submitted for applicants for late initial registration who are 14 years of age or older. An applicant who does not request an employment authorization document must nonetheless file Form I-765 along with Form I-821, but is not required to submit the \$120 fee for the Form I-765. The applicant may request a fee waiver in accordance with the regulations.

**Travel:**

- TPS registrants who need to travel outside the United States during the coming year must receive advance parole from their local INS office prior to departing the United States. Failure to do so may jeopardize their ability to return to the United States. Advance parole allows an individual to travel abroad and return to the United States. Advance parole is issued on a case-by-case basis. Individuals who are granted TPS may apply for advance parole by filing Form I-131 at their local INS district office.