



# USCIS Update

May 5, 2010

## **18-Month Extension of Temporary Protected Status for Honduras** *Automatic 6-Month Extension for Employment Authorization Documents Included*

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that the Department of Homeland Security (DHS) will extend Temporary Protected Status (TPS) for nationals of Honduras from the current expiration of Jul. 5, 2010, to the new expiration date of Jan. 5, 2012. During the past year, DHS and the Department of State have reviewed the conditions in Honduras. Based on this review, Secretary of Homeland Security Janet Napolitano has determined that an 18-month extension is warranted because the conditions that prompted the TPS designation in 1999 following the environmental disaster caused by Hurricane Mitch persist and prevent Honduras from adequately handling the return of its nationals.

Under the extension, individuals who have been granted TPS are eligible to re-register and maintain their status for an additional 18 months provided they remain otherwise eligible for TPS. There are approximately 66,000 nationals of Honduras (and people having no nationality who last habitually resided in Honduras) who may be eligible for re-registration. TPS does not apply to Honduran nationals who entered the United States after Dec. 30, 1998.

To maintain TPS status, Honduran TPS beneficiaries must re-register during the re-registration period from May 5 until July 6, 2010. It is important to re-register as soon as the re-registration period opens to allow sufficient time for USCIS to complete all the routine background checks and further application processing. Applications from Honduran TPS beneficiaries will not be accepted before May 5, 2010.

USCIS will issue a new Employment Authorization Document (EAD) to eligible TPS beneficiaries who timely re-register and apply for EADs. However, USCIS will automatically extend the validity of existing EADs held by Honduran TPS beneficiaries for six months, through Jan. 5, 2011. This automatic extension will allow sufficient time for eligible TPS beneficiaries to re-register and receive new EADs without any lapse in employment authorization. The *Federal Register* Notice explains how TPS beneficiaries and their employers may determine which EADs are automatically extended.

TPS beneficiaries must submit Form I-821, Application for Temporary Protected Status, to re-register. Applicants seeking an extension of employment authorization must file an Application for Employment Authorization, Form I-765, with the required fee. If an individual is only seeking to re-register for TPS, the applicant must still file Form I-765 for data-gathering purposes; the filing fee is not required. Re-registrants age 14 and older must submit the biometric fee. Applicants who are able to demonstrate an inability to pay may request a fee waiver for the application, biometric service fees or both. Failure to submit the required application and biometric fees or a properly documented fee waiver request will result in the rejection of the re-registration application. For information on fee waivers, visit the Fee Waiver Guidance Web page at [www.uscis.gov](http://www.uscis.gov).

Further details on the extension of TPS for Honduras, including the application requirements and procedures, are available at [www.uscis.gov](http://www.uscis.gov) and in the *Federal Register* [Notice](#). TPS forms are available online or by calling the toll-free USCIS Forms line, 1-800-870-3676. For additional information, applicants may also contact the USCIS National Customer Service Center toll-free number, 1-800-375-5283.

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# Questions and Answers

May 5, 2010

## 18-Month Extension of Temporary Protected Status for Honduras

### Introduction

The Department of Homeland Security (DHS) will extend Temporary Protected Status (TPS) for 18 months, through Jan. 5, 2012, to eligible nationals of Honduras and people having no nationality who last habitually resided in Honduras. This extension does not apply to Hondurans who entered the United States after Dec. 30, 1998. Certain nationals of Honduras who have not previously applied for TPS may be able to register under the late initial registration provisions. Further details on this extension of TPS for Honduras appear in the Federal Register [Notice](#) that announces this extension.

### Questions and Answers

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**21. Can I use TPS as a basis for obtaining permanent resident status?**

**22. May I apply for another immigration benefit while registered for TPS?**

**23. Is there a place for me to call with further questions or learn more about TPS?**

**Q1. What is Temporary Protected Status (TPS)?**

A1. TPS is a temporary immigration status granted to eligible nationals of a country (or persons without nationality who last habitually resided in that specific country) designated for TPS under the Immigration and Nationality Act (INA). During the period for which the Secretary of Homeland Security (Secretary) designates a country for TPS, TPS beneficiaries are eligible to remain in the United States and may obtain work authorization, so long as they continue to meet the terms and conditions of TPS status.

TPS does not lead to permanent resident status. When the Secretary terminates a country's TPS designation, beneficiaries return to the same immigration status they maintained before TPS (unless that status has since expired or been terminated) or to any other status they may have obtained while registered for TPS.

**Q2. When and why was Honduras designated for TPS?**

A2. Honduras was designated for TPS in 1999 based on environmental disaster conditions resulting from Hurricane Mitch, which occurred in late 1998.

**Q3. Why was the TPS designation for Honduras extended through Jan. 5, 2012?**

A3. During the past year, DHS and the Department of State reviewed conditions in Honduras. Based on this review, the Secretary has determined that an 18-month extension is warranted because the conditions that prompted the initial TPS designation of Honduras in 1999 following the environmental disaster caused by Hurricane Mitch persist and temporarily prevent Honduras from adequately handling the return of its nationals.

**Q4. Do I need to re-register for TPS if I currently have benefits through the designation of Honduras for TPS and would like to maintain them?**

A4. Yes. If you have already received TPS benefits through the TPS designation of Honduras, your benefits will expire on July 6, 2010. All TPS beneficiaries must comply with the re-registration requirements and submit any required biometrics service fee and Employment Authorization Document (EAD) application fee (if an EAD is desired), or requests for waivers of those fees, to maintain TPS benefits through Jan. 5, 2012. Failure to re-register in a timely manner without good cause will result in the withdrawal of TPS and you may be subject to removal from the United States.

**Q5. Who is eligible to re-register for TPS for Honduras?**

A5. The extension covers an estimated 66,000 individuals who currently have TPS. To qualify, you must:

- 1) be a national of Honduras, or an individual without nationality who last habitually resided in Honduras;
- 2) have continuously resided in the U.S. since Dec. 30, 1998;
- 3) have been continuously physically present in the U.S. since Jan. 5, 1999;
- 4) satisfactorily complete a routine background checks required of all applicants; and
- 5) meet certain other admissibility and eligibility criteria as specified by section 244 of the INA and in 8 C.F.R. §244.1-9.

**Q6. What is the re-registration period for TPS for Honduras?**

A6. The 60-day re-registration period will start on May 5 and end on July 6, 2010. You must re-register for TPS during the 60-day re-registration period. Failure to re-register during the re-registration period without good cause will result in a withdrawal of TPS benefits. USCIS strongly encourages you to file your applications as early as possible within the re-registration period so that background and security checks and other processing requirements can be completed promptly.

**Q7. How do I re-register for the TPS extension?**

A7. Hondurans currently registered under TPS who desire an extension must re-register by filing both Form I-821, Application for Temporary Protected Status, and Form I-765, Application for Employment Authorization, with the appropriate fees or fee waiver requests.

These forms are available on the forms section of the USCIS Website: [www.uscis.gov/forms](http://www.uscis.gov/forms) or by calling the toll-free USCIS Forms Hotline, (800) 870-3676.

To submit your application, please send it to:

Via U.S. mail:

USCIS  
Attn: TPS Honduras  
P.O. Box 6943  
Chicago, IL 60680-6943

For courier deliveries, please mail your application to:

USCIS  
Attn: TPS Honduras  
131 S. Dearborn, 3rd Floor  
Chicago, IL 60603-5517

If you were granted TPS by an IJ or BIA and you are requesting an EAD or are re-registering for the first time, please mail forms to:

USCIS  
Attn: TPS Honduras  
P.O. Box 7332  
Chicago, IL 60680-7332

Electronically (e-file):

[www.uscis.gov](http://www.uscis.gov) or click [here](#)

**Q8. What is the cost of re-registering for TPS?**

A8. There is no fee required to submit Form I-821 if you are re-registering. A biometric services fee of \$80 is required if you are 14 years of age or older. You must include the fee of \$340 for Form I-765, Application for Employment Authorization if you wish to receive an EAD. If you are not seeking employment authorization, you must still submit Form I-765 without fee. Late initial filers must pay the \$50 I-821 application fee.

**Q9. What if I cannot afford to pay the application and/or biometric fees?**

A9. You may request a waiver of the TPS-related application fee and/or the biometrics fee by submitting a fee waiver request with proper documentation of inability to pay. You must specify exactly which of the fees (e.g., I-821 application fee, if late initial filer; I-765 application fee; and/or the biometrics services fee) that you wish to be waived. Fee waiver requests must be satisfactorily documented with evidence of your inability to pay, in accordance with 8 CFR 244.20 and 8 CFR 103.7(c). For further information on



















