



**U.S. Citizenship
and Immigration
Services**

18-Month Extension of Temporary Protected Status for El Salvador *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 eligible nationals of El Salvador from the current expiration of Sept. 9, 2010, through the new expiration date of March 9, 2012. During the past year, DHS and the Department of State have reviewed the conditions in El Salvador. 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 2001 TPS designation of El Salvador following a series of severe earthquakes persist and temporarily prevent El Salvador 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. There are approximately 217,000 nationals of El Salvador (and people having no nationality who last habitually resided in El Salvador) who may be eligible for re-registration. TPS does not apply to Salvadoran nationals who first entered the United States after Feb. 13, 2001.

To maintain TPS status, Salvadoran TPS beneficiaries must re-register during the re-registration period from July 9 until Sept. 7, 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 Salvadoran TPS beneficiaries will not be accepted before July 9.

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 Salvadoran TPS beneficiaries for six months, through March 9, 2011. This automatic extension will allow sufficient time for eligible TPS beneficiaries to re-register and receive an EAD 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 Form I-765, Application for Employment Authorization, 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

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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.

Further details on the extension of TPS for El Salvador, including the application requirements and procedures, are available at 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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[Plug-ins](#)



U.S. Citizenship and Immigration Services

Questions and Answers: 18-Month Extension of Temporary Protected Status for El Salvador

Introduction

The Department of Homeland Security (DHS) will extend Temporary Protected Status (TPS) for 18 months, through March 9, 2012, to eligible nationals of El Salvador and people having no nationality who last habitually resided in El Salvador. This extension does not apply to Salvadorans who entered the United States after Feb. 13, 2001. Certain nationals of El Salvador 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 El Salvador appear in the Federal Register Notice announcing the most recent extension of TPS.

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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 El Salvador designated for TPS?

A2. El Salvador was designated for TPS in 2001 based on environmental conditions resulting from a series of severe earthquakes.

Q3. Why was the TPS designation for El Salvador extended through March 9, 2012?

A3. During the past year, DHS and the Department of State reviewed conditions in El Salvador. Based on this review, the Secretary has determined that an 18-month extension is warranted because the living conditions resulting from a series of severe earthquakes that prompted the initial TPS designation of El Salvador in 2001 persist and temporarily prevent El Salvador 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 El Salvador for TPS and would like to maintain them?

A4. Yes. If you have already received TPS benefits through the TPS designation of El Salvador, your benefits will expire on Sept. 9, 2010. All TPS beneficiaries must comply with the re-registration requirements and submit any required biometric 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 March 9, 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 El Salvador?

A5. The extension covers an estimated 217,000 individuals who currently have TPS. To qualify, you must:

1) be a national of El Salvador, or an individual without nationality who last habitually resided in El Salvador;

2) have continuously resided in the U.S. since Feb. 13, 2001;

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- 3) have been continuously physically present in the U.S. since March 9, 2001;
- 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(c) of the INA and 8 C.F.R. §§ 244.1-9.

Q6. What is the re-registration period for TPS for El Salvador?

A6. The 60-day re-registration period will start on July 9, 2010 and end on Sept. 7, 2010. You must re-register for TPS during the 60-day re-registration period. Failure to re-register in a timely manner 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. Salvadorans 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 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 El Salvador

P.O. Box 8635

Chicago, IL 60680-8635

For courier deliveries, please mail your application to:

USCIS

Attn: TPS El Salvador

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 El Salvador

P.O. Box 7332

Chicago, IL 60680-7332

Electronically (e-file):

Follow the instructions on the [File My Application Online \(E-Filing\)](#) page on the www.uscis.gov website

Q8. What is the cost of applying to re-register for TPS?

There is no fee required to submit Form I-821 if you are applying for TPS re-registration. 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 and you are age 14 through 65. If you are under age 14 or older than 65 and want an EAD, you do not need to pay the EAD fee. If you are not seeking employment authorization, you must still submit Form I-765 without fee. Late initial filers must pay the \$50 Form I-821 application fee, biometric services fee, and EAD fee if you wish to receive an EAD. You may request and receive a fee waiver if you have an inability to pay any of the fees. You must submit sufficient supporting documentation with your fee waiver request. Please check the USCIS website at www.uscis.gov under Temporary Protected Status for El Salvador for more information on fees and fee waiver requests.

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; 8 CFR 103.7(c). For further information on fee waiver requirements, please see the USCIS [Fee Waiver Guidance](#) available at www.uscis.gov. Specific Questions and Answers on filing for fee waivers related to TPS applications are [online](#).

Q10. Can I re-register electronically via the Internet?

A10. If you are re-registering for TPS during the re-registration period and do not need to submit additional documentation, you may electronically file your application. Please visit the [TPS page](#) of the USCIS Web site to determine if you need to submit supporting documentation with your application package. If you do need to submit supporting documentation, you are not eligible to file electronically.

For information about filing electronically, visit the USCIS Web site at www.uscis.gov/e-filing. Please review the links on that Web page, including the [USCIS E-Filing Reference Guide](#).

Q11. What if the IJ or BIA granted me TPS?

A11. If an Immigration Judge (IJ) or the Board of Immigration Appeals (BIA) granted you TPS, you must provide proof of the TPS grant (such as a final order from the IJ or final decision from the BIA) when you apply for your first TPS benefit (such as an EAD or travel authorization). You should also submit a copy of the I-821 TPS application that the IJ or the BIA approved. See Question 7 for mailing instructions on how to apply for the TPS extension. Visit the [TPS page](#) of the USCIS Web site for further detailed filing and requirements based on the first TPS benefit you are requesting after an IJ or BIA granted you TPS.

Q12. Can a Salvadoran who was in the United States as of February 13, 2001, but did not re-register for TPS during the initial designation of El Salvador in 2001, register for TPS?

A12. Yes, late initial registration is available if you:

- are a national of El Salvador, or an alien without nationality who last habitually resided in El Salvador;
- have continuously resided in the United States since Feb. 13, 2001;
- have been continuously physically present in the United States since March 9, 2001;
- satisfactorily complete the routine background checks required of all applicants; and

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- meet certain other admissibility and eligibility criteria as specified by section 244(c) of the INA, 8 USC 1254a(c), and the regulations at 8 CFR 244.1-244.9.

Additionally, if you register late, you must also demonstrate that at the time of the initial TPS designation for El Salvador in 2001, you:

- were in a valid nonimmigrant status, or had been granted voluntary departure, or any relief from removal;
- had a pending application for:
 - Change of status,
 - Adjustment of status,
 - Asylum,
 - Voluntary departure or
- Any relief from removal pending or subject to further review or appeal;
- were a parolee or had a pending request for re-parole; or
- you were the spouse or child of an alien currently eligible to be a TPS registrant. See 8 CFR 244.2(f)(2).

If you are an applicant for late initial registration, you must register no later than 60 days after the expiration or termination of the qualifying condition described above. There is one exception, however: your relationship to an eligible TPS registrant (as a spouse or child) that existed when the TPS designation of El Salvador was last extended in 2008 does not have to have terminated.

Q13. Do I have to report to an Application Support Center (ASC) to submit biometrics?

A13. To increase efficiency and improve customer service, whenever possible, USCIS will reuse previously-captured biometrics and will conduct necessary security checks using those biometrics. Due to systems limitations, it may not be possible in every case to reuse biometrics. USCIS will mail you a notice with instructions if you are required to appear at an ASC for biometrics collection.

Even if you do not need to attend an ASC appointment, you are required to pay the separate biometric services fee or submit an appropriately supported fee waiver request if you are age 14 or older. This fee will help cover the USCIS costs associated with use and maintenance of collected biometrics (such as fingerprints) for background checks, identity verification and document production.

Q14. What if I am scheduled for an appointment at the ASC but am unable to make my appointment?

A14. Failure to appear for an ASC appointment will result in denial of your case due to abandonment unless you submit an address change notification or a rescheduling request prior to your appointment. USCIS must conclude that your request for rescheduling is valid.

Q15. How do I reschedule my ASC appointment for biometrics?

A15. To request rescheduling of an ASC appointment, please make a copy of your appointment notice to retain for your records, then mail the original notice with your rescheduling request to the ASC address listed on the notice. A new appointment notice will be sent to you by U.S. mail. Please note that rescheduling a biometrics appointment may result in a delay before your case is decided.

Q16. What documents should I bring to my ASC appointment?

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A16. When you report to an ASC, you must bring the following documents:

- identity documentation with a photograph;
- your receipt notice for your re-registration application,
- your ASC appointment notice, and
- your current Employment Authorization Document (EAD).

Q17. What if my address changes after I file my application?

A17. If your address changes after you file your application, you must complete and submit Form AR-11, Change of Address, by mail or electronically. The mailing address is:

U.S. Citizenship and Immigration Services
Change of Address
P.O. Box 7134
London, KY 40742-7134

Form AR-11 can also be filed electronically by following the directions on the USCIS Web site at www.uscis.gov. To facilitate processing your address change on your TPS application, you may call the USCIS National Customer Service Center at 1-800-375-5283 (TTY 1-800-767-1833) to request that your address be updated on your application. Please note that calling the USCIS National Customer Service Center does not relieve you of your burden to properly file a Form AR-11 with USCIS.

Q18. Will my current EAD that is set to expire on Sept. 9, 2010, be automatically extended for six months?

A18. Yes. USCIS will issue new EADs to eligible TPS beneficiaries who timely re-register and apply for EADs. However, USCIS will automatically extend the validity of EADs for eligible Salvadoran TPS beneficiaries for six months, through March 9, 2011. This automatic extension will allow sufficient time for eligible TPS beneficiaries to re-register and receive an EAD without any lapse in employment authorization. The Federal Register Notice explains how TPS beneficiaries and their employers may determine which EADs are automatically extended.

Q19. Will Salvadoran nationals protected by TPS be permitted to travel to their home countries during the TPS extension?

A19. As a matter of discretion, USCIS may grant you permission to travel abroad. You must apply for and obtain advance parole prior to travel outside the United States in order to prevent losing TPS status and to facilitate your re-entry to the United States.

Q20. How do I apply for advance parole?

A20. You must file Application for Travel Document, Form I-131, with the appropriate fee. The fee cannot be waived. Please follow the filing instructions for Form I-131.

TRAVEL WARNING: If you have been unlawfully present in the United States and then you leave, even on an approved advance parole document, you may become inadmissible for three (3) or ten (10) years, depending on how much unlawful presence you had before you left. In addition, you may become ineligible for certain other benefits in the future that you may seek, such as permanent resident status. If adjudication of your TPS application has not been completed, you may also risk missing important USCIS notices, such as Requests for Additional Evidence, and your application may be denied while

you are out of the country. We encourage you to read and understand the travel warning on Form I-131 before you ask for advance parole, regardless of whether you have been granted TPS. Before requesting advance parole for travel, you may also want to seek legal advice if you have been unlawfully present in the U.S. for any period of time.

Q21. Can I use TPS as a basis for obtaining permanent resident status?

A21. No. TPS is a temporary benefit that does not lead to lawful permanent resident status by itself or confer any other immigration status.

Q22. May I apply for another immigration benefit while registered for TPS?

A22. Yes. Registration for TPS does not prevent you from applying for non-immigrant status, filing for adjustment of status based on an immigrant petition, or applying for any other immigration benefit or protection for which you may be eligible. For the purposes of change of status, and adjustment of status, an alien is considered to be in, and maintaining, lawful status as a nonimmigrant during the period in which the alien is granted TPS. However, if an alien has periods of time when he or she had no lawful immigration status before, or after, the alien's time in TPS, those period(s) of unlawful presence may negatively affect the alien's ability to adjust to permanent resident status or attain other immigration benefits, depending on the circumstances of the specific case. In some cases, the alien may be eligible for a waiver of the unlawful presence ground of inadmissibility, or certain other grounds, when applying to adjust to permanent resident status or for another immigration status.

Q23. How do I ask for further questions or learn more about TPS?

A23. Please contact the USCIS National Customer Service Center at:

1-800-375-5283 or
1-800-767-1833 (TTY)

You may also the USCIS Web site's TPS page by clicking here. To learn more about USCIS' programs, visit www.uscis.gov.

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