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Extension of Work Authorization for TPS or DED Recipients from Haiti, Honduras and Nicaraguan, El Salvador, Liberia, Sudan and Somalia

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- The Secretary of Homeland Security is authorized to grant Temporary
 Protected Status (TPS) to eligible nationals of designated countries.
 Countries may be designated that are suffering the effects of an ongoing
 armed conflict, environmental disaster, or extraordinary and temporary
 conditions within a country.
- TPS beneficiaries may remain in the United States and obtain work authorization during the period for which a country is designated under the TPS program.
- Informational videos 'How to register for TPS' in Creole, French and English are available under the Resources tab on the USCIS web site.

Haiti

On January 12, 2010, an earthquake devastated Haiti leaving thousands of Haitians dead and hundreds of thousands without homes. As a result of the earthquake, on January 21, 2010, the United States Department of Homeland Security (DHS) granted Temporary Protected Status (TPS) for eligible Haitian nationals for eighteen months. TPS was granted because of TPS beneficiaries are allowed to remain in the U.S. and can legally work for a set time period. Initially, the registration period started on January 21, 2010 and ended on July 20, 2010. On July 13, 2010, DHS extended the registration period to January 18, 2011. The extension was granted to give individuals additional time to register.

An individual is eligible for TPS if he or she (1) is a national of Haiti (or an alien having no nationality who last habitually resided in Haiti); (2) has continuously resided in the U.S. since January 12, 2010; (3) has been continuously present in the US since January 21, 2010 - the date of the Federal Register publication; (4) has met certain eligibility requirements; and (5) has completed all TPS application procedures described in the <u>Federal Register</u> notice announcing Haitian TPS, including, but not limited to, filing an Application for TPS (Form I-821) and Application for Employment Authorization (I-765).

Individuals must submit their TPS applications with the proper fees or fee waiver requests. All applications and fee waiver requests must be received by United States Citizenship and Immigration Services (USCIS) by January 18, 2011. If USCIS rejects an individual's TPS application because his or her fee waiver request was denied, he or she may re-file his or her TPS application with the required fees or a new fee waiver request as long as the TPS application is received by USCIS no later than the January 18, 2011 deadline. Furthermore, if an individual's TPS application package is received by January 18, 2011, and fee waiver request is denied on or after December 3, 2010, an individual will be given 45 days from the denial date to re-file his or her application packet with the required fee or a new fee waiver request.

For detailed TPS information on the DHS website, please click <u>Haiti</u>.

Honduras and Nicaragua

On May 5, 2010, the Department of Homeland Security (DHS) formally announced an eighteen-month extension of the TPS designation for eligible Honduran and Nicaraguan nationals from July 5, 2010 to January 5, 2012. In addition, EADs for Honduran and Nicaraguan TPS beneficiaries bearing an expiration date of July 5, 2010 and category A-12 or C-19 will be automatically extended for a six month period, through January 5, 2011. Employers should accept the EADs as valid ``List A" documents. Employers should not request proof of Honduran or Nicaraguan citizenship, or ask for additional Form I-9 documentation if a worker presents an EAD that has been automatically extended.

Please see the Federal Register Notices for $\underline{\text{Honduras}}$ and $\underline{\text{Nicaragua}}$ for more details.

For more information please click Q & As for <u>Honduran</u> and <u>Nicaraguan TPS</u> recipients.

What documents may a qualified individual show to his or her employer as proof of employment authorization and identity when completing Form I-9?

After January 5, 2011, TPS beneficiaries may present their new EADs on Form I-766 bearing an expiration date of January 5, 2012, to their employers as proof of employment authorization and identity. After January 5, 2011, employers may not accept EADs that no longer have a valid date. Employees also may present any other legally acceptable document or combination of documents listed on the Form I-9 as proof of identity and employment eligibility.

El Salvador

On July 9, 2010, the Department of Homeland Security (DHS) formally announced an eighteen-month extension of the TPS designation for eligible Salvadoran nationals from September 9, 2010 to March 9, 2012. In addition, EADs for Salvadoran TPS beneficiaries bearing an expiration date of September 9, 2010 and category A-12 or C-19 will be automatically extended for a six month period, through March 9, 2011. Employers should accept the EADs as valid ``List A" documents. Employers should not request proof of Salvadoran citizenship, or ask for additional Form I-9 documentation if a worker presents an EAD that has been automatically extended.

Please see the Federal Register Notices for El Salvador for more details.

• For more information please click Q & As for Salvadoran TPS recipients.

Liberia

On March 19, 2010, President Obama extended Deferred Enforced Departure (DED) through September 30, 2011, for qualified Liberians and those persons without nationality who last habitually resided in Liberia. The President also automatically extended the employment authorization for Liberian nationals covered by DED for six months, from April 1, 2010 until September 30, 2010. For employment eligibility verification purposes, DED recipients from Liberia may present an EAD issued to a Liberian national having an expiration date of March 31, 2010, and this expired EAD is acceptable for completion of the Form I-9.

USCIS has published a notice in the <u>Federal Register</u> extending the validity of employment authorization documents for Liberian nationals covered under DED. During the first 6 months, Liberian receiving DED may present their automatically extended Form I-766 with an expiration date of March 31, 2010, to their employers as proof of employment authorization and identity. The EAD must bear the notation ``A-11" on the face of the card under ``Category." To minimize confusion over this automatic extension at the time of hire or re-verification, qualified individuals may also present a copy of this <u>Federal Register notice</u> regarding the automatic extension of EADs through September 30, 2010.

The Federal Register notice also provides instructions on how to obtain employment authorization for the remainder of the DED extension.

 For detailed TPS information on the DHS website, please click <u>Liberia</u> and Deferred Enforced Departure Extended for Liberians Questions and Answers.

Somalia

On July 27, 2009, the USCIS announced through a <u>Federal Register</u> notice an extension of TPS for eligible Somalian nationals for eighteen months through March

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17, 2011. DHS has issued new EADs to eligible TPS beneficiaries who timely reregistered by the September 24, 2009, deadline and apply for a new EAD.

• For detailed TPS information on the DHS webstie, please click <u>Somalia</u>.

Sudan

On, December 31, 2009, the USCIS announced through a Federal Register notice an extension of TPS for eligible Sudan nationals for eighteen months, through November 2, 2011. Eligible Sudanese were required to re-register with USCIS by March 2, 2010. For detailed information, please click <u>Sudan</u>.

Worker Hotline: 1-800-255-7688 • Employer Hotline: 1-800-255-8155

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