

Temporary Protected Status (TPS) for Honduran and Nicaragua nationals

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The U.S. Citizenship and Immigration Services (USCIS) announced the Department of Homeland Security (DHS) will extend Temporary Protected Status (TPS) for nationals of Honduras and Nicaragua from the current expiration of July 5, 2010, to the new expiration date of January 5, 2012.

On the basis of a review of the conditions in Honduras and Nicaragua in the past year, Secretary of Homeland Security Janet Napolitano has determined 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 national of Honduras and Nicaragua 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 3,000 nationals of Nicaragua who may be eligible for re-registration. TPS does not apply to Honduran and Nicaraguan nationals who entered the United States after December 30, 1998.

To maintain TPS status, Honduran and Nicaraguan TPS beneficiaries must re-register during the re-registration period from May 5 until July 5, 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 and Nicaraguan 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 and Nicaraguan TPS beneficiaries for six months, through January 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.

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.