



FACT SHEET

July 9, 2002

Department of Justice Extension of Temporary Protected Status for Eligible El Salvadorans

- **Attorney General Ashcroft is extending the validity of the relevant Employment Authorization Documents (EADs) to prevent gaps in employment authorization for qualified re-registrants, until March 9, 2003.** Given the large number of Salvadorans affected by this notice and given that the initial registration period runs for the duration of the initial 18-month designation period, the Immigration and Naturalization Service recognizes that many re-registrants will not receive their new EADs until after their current EADs expire on September 9, 2002. The applicable EADs will be automatically extended for six months.
- **This automatic extension of employment authorization documentation is limited to those individuals who qualify.** 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 XXX 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 for information regarding the automatic extension.
- **Salvadorans currently registered under TPS who desire an extension must re-register by filing both the TPS application (Form I-821) and an application for employment authorization (Form I-765) with the**

appropriate INS Service Center. In addition to the aforesaid documents, two identification photographs (1 ½” x 1 ½”) must be included as well. For re-registration, there is no fee for Form I-821. However, a \$120 fee must accompany Form I-765 if an applicant requests documentation of employment authorization. If the applicant does not require employment authorization documentation, Form I-765 is still required but no fee is necessary. These forms are available from the toll-free INS Forms line, 1-800-870-3676, and from the INS Web site, www.ins.gov.

- **An applicant may request a waiver of TPS-related application fees 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 who are beneficiaries of TPS and who have reached the age of 14, but who were not previously fingerprinted, must pay the \$50 fingerprint fee with their application for extension. Furthermore, attesting in part 1 of the Form I-821 to the continued maintenance of the conditions of eligibility will generally preclude the need for supporting documents or evidence. *INS, however, reserves the right to request additional information and/or documentation on a case-by-case basis.*
- **Some individuals may be eligible for late initial registration.** To qualify, applicants must meet the original continuous physical presence and residency requirements of the initial registration period and they must demonstrate that during the initial registration period they:
 - Were in a valid nonimmigrant status, or had been granted voluntary departure or other relief from removal;
 - Had an application for change of status, adjustment of status, asylum, voluntary departure or other relief from removal pending or subject to further review or appeal; or
 - Were a parolee or had a pending request for reparole;
- **An applicant for late initial registration must register within a 60-day period immediately following the expiration or termination of the conditions described above. 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.**
- **A late initial registrant must file a complete application package, including supporting documentation and all applicable fees, in accordance with the regulations. In addition to the requirements described above for re-registration under the extension, a late initial registrant must submit a \$50 fee with Form I-821 and, if 14 years of age or older, a \$50 fingerprint fee. These forms are available from the toll-**

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www.ins.gov.**

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