



TEMPORARY PROTECTED STATUS (TPS) FOR EL SALVADOR

Frequently Asked Questions

On January 8, 2018, the Department of Homeland Security (DHS) announced that it terminated the Temporary Protected Status (TPS) designation for El Salvador. This TPS designation was supposed to expire on March 9, 2018. DHS has extended TPS for El Salvador for a final 18 month period (until September 9, 2019) and has not indicated that they plan to extend or renew TPS for El Salvador past that date.

On January 18, 2018, DHS published a notice in the Federal Register explaining how TPS holders from El Salvador can re-register and re-apply for work permits, or Employment Authorization Documents (EAD). A summary of what you can do now is below.

If TPS for El Salvador has been terminated do I still need to re-register for TPS?

If you are a TPS holder from El Salvador and wish to maintain your status through September 9, 2019, **you must re-register and file [Form I-821 \(Application for Temporary Protected Status\)](#). This form must be postmarked by March 19, 2018**. To ensure you don't miss the chance to re-register, do not wait until your work permit expires and do not wait until the last minute to file your forms. Submit them as soon as possible.

You do **not** need to pay the \$50 filing fee for Form I-821. However, you do have to pay the \$85 biometrics services fee. If you are unable to pay the \$85 biometrics fee, there are two ways you can request that the fee be waived. You can either send a completed Form I-912 Request for Fee Waiver, or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee.

Do I need to file for a new work permit?

If you have a work permit as a TPS holder from El Salvador, your current work permit has the expiration date of March 9, 2018. Under the announced changes, you have automatically been authorized to work for 180 additional days (through September 5, 2018). As long as you apply to re-register your TPS by March 19, 2018, you can work legally through September 5, 2018 even if you do not apply for a new work permit. If you choose not to apply for a new work permit, print a copy of the [Federal Register Notice](#) announcing the TPS extension for El Salvador to your employer to show that the validity of your current work permit has been automatically extended through September 5, 2018.

However, if you want to obtain a new work permit card that shows an expiration date of September 9, 2019 on its face, you must file a [Form I-765 \(Application for Employment Authorization\)](#) and pay the \$410 filing fee that goes with it, in addition to filing your Form I-821 re-registration application. If you are unable to pay the \$410 work permit filing fee, there are two ways you can request that the fee be waived. You can either send a completed Form I-912 Request for Fee Waiver, or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee.

What happens at the end of the TPS period?

If you do nothing, your work permit will expire and your TPS will end on March 9, 2018. If you apply by March 19, 2018 to re-register, your work permit will expire and your TPS will end on September 9, 2019. You should consult with a trusted legal services provider about other immigration options you might be eligible for. Search for a legal service provider near you here: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>. If you live in the 9th Circuit (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington) or the 6th Circuit (Kentucky, Michigan, Ohio, Tennessee), you may be eligible for additional immigration options. For more information, see the [ILRC Practice Alert on Ramirez v. Brown](#).