

TPS Designation Ends for El Salvador, Making Expiring Work-Authorization Docs an Issue

Article By:

Ronald J. Stolkin

The U.S. Department of Homeland Security announced on January 8 that it will not renew the Temporary Protected Status (TPS) designation for El Salvador, giving protected Salvadorans until September 9, 2019, to either leave the United States or find another way to stay in the country lawfully.

This action by the Trump administration follows the recent termination of TPS for Sudanese, Nicaraguans, and Haitians, who will have to leave the United States by November 2018, January 2019, and July 2019, respectively.

Similarly, TPS for Hondurans is set to expire in July, and could potentially be terminated at that time.

TPS is a form of humanitarian relief established by the Immigration Act of 1990. Under the Act, the Secretary of the Department of Homeland Security may designate a country for TPS when there is an environmental disaster, armed conflict, or other extraordinary event in that country that prevents migrants from returning. Through the TPS program, eligible individuals may obtain work permits, but otherwise do not have a path to U.S. citizenship.

El Salvador was first designated for TPS after two earthquakes shook the country in 2001. Roughly 200,000 Salvadorans are now living and working in the United States with TPS. In order to comply with their obligations under the Immigration Reform and Control Act of 1986, employers must re-verify the work eligibility of employees before the date their employment-authorization document expires.

Employment authorization for Salvadorans with TPS status will expire on March 9, 2018. They will be required to re-register and apply for employment-authorization documents in order to legally work in the United States until the termination of El Salvador's TPS designation becomes effective Sept. 9, 2019. Further details about the re-registration period will be forthcoming.

Jessica Federico and Maya Salah contributed to this post.

Copyright © by Ballard Spahr LLP

Source URL: <https://natlawreview.com/article/tps-designation-ends-el-salvador-making-expiring-work-authorization-docs-issue>