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Immigration Update: Extension of Status for Certain EI Salvadorans

By Nancy-Jo Merritt and Matthew J. Martinez

U.S. Citizenship and Immigration Services (USCIS) announced today that it will extend Temporary Protected Status (TPS) for nationals of EI Salvador through Sep. 9, 2010. The extension will make those who have already been granted TPS eligible to reregister and maintain their status for an additional 18 months. There are approximately 229,000 nationals of EI Salvador (and people having no nationality who last habitually resided in EI Salvador) who are eligible for re-registration. TPS does not apply to Salvadoran nationals who entered the United States after Feb. 13, 2001.

Extension of TPS means that work authorization is extended. Those employees who are TPS- eligible still must extend their work authorization and receive a new employment authorization document [the EAD]. We suggest that employers with TPS employees in the workforce post a reminder of the availability of the 18 month extension.

Nancy-Jo Merritt focuses her practice in immigration law and has nearly three decades of experience representing domestic and international companies with issues concerning foreign national employees and business immigration matters. She provides strategic counseling to clients and assists employers in developing compliance programs. She earned her B.A., (1964) M.A., (1974) J.D., (1978) from Arizona State University.

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