



U.S. Citizenship
and Immigration
Services

Fact Sheet

February 7, 2005

Contact: USCIS Public Affairs
202-272-1200

USCIS Reminds Employers of Automatic Extension of Employment Authorization Documents for Eligible Honduran and Nicaraguan Temporary Protected Status Beneficiaries

Automatic 6-month extension of existing TPS-based employment authorization:

- USCIS reminds employers that, on November 3, 2004, the Secretary of Homeland Security published notice in the Federal Register granting an 18-month extension of Temporary Protected Status for eligible Hondurans and Nicaraguans. This TPS extension, which covers approximately 81,000 Hondurans and 4,300 Nicaraguans, took effect January 5, 2005 and will remain in effect until July 5, 2006.
- Anticipating that some re-registrants might not receive their new employment authorization documents (EADs) until after the January 5, 2005 expiration date listed on their earlier EADs, the Secretary of Homeland Security extended the validity of Honduran and Nicaraguan TPS-based EADs for six months, from January 5, 2005 until July 5, 2005.
- Qualified Honduran and Nicaraguan individuals may satisfy their part of the Form I-9, Employment Eligibility Verification, requirements by presenting to their employer a TPS-based EAD as proof of identity and employment authorization until July 5, 2005. Although not required to do so, a qualified individual may minimize confusion at the time of Form I-9 verification or re-verification by providing their employer a copy of the November 3, 2004 Federal Register notice that automatically extended the TPS-based EAD.

The Federal Register announcements are available on the USCIS website at:

<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/pdf/04-24608.pdf>
<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/pdf/04-24607.pdf>

In the alternative, any legally acceptable document or combination of documents listed in List A, List B, or List C of the Form I-9 may be presented as proof of identity and employment eligibility; it is the choice of the employee.

- **Automatic extension of employment authorization is limited to individuals with EADs bearing an expiration date of January 5, 2005, 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. New EADs or extension stickers showing the July 5, 2005 expiration date will not be issued.**
- Employers should not request proof of Honduran or Nicaraguan citizenship. Employers presented with an EAD that has been extended pursuant to the relevant Federal Register notice, if the EAD appears to be genuine and appears to relate to the employee, should accept the EAD as a valid “List A” document and should not ask for additional Form I-9 documentation.

Important reminder to all employers:

- USCIS reminds all employers that laws prohibiting unfair immigration-related employment practices remain in full force. For questions, employers may call the USCIS Office of Business Liaison Employer Hotline at 1-800-357-2099 to speak to a USCIS 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 (assistance available in Spanish) for information regarding the automatic extension.

-USCIS-