

Immigration Weekly for the Week of September 5, 2014

9/10/2014

TEMPORARY PROTECTED STATUS EXTENDED AND REDESIGNATED FOR SOUTH SUDAN

The Department of Homeland Security (DHS) announced this week that it has extended the designation of South Sudan and that it is redesignating South Sudan for Temporary Protected Status (TPS) from November 3, 2014 to May 2, 2016. The extension will enable individuals who are already covered by TPS to retain this protection and the redesignation will permit eligible South Sudanese nationals who have been continuously living in the United States since September 2, 2014 to apply for TPS. Furthermore, individuals who are covered by TPS will be able to apply for a new employment authorization document. Eligible individuals will have to re-register for TPS from September 2, 2014 to November 3, 2014 and will be issued employment authorization documents with an expiration of May 2, 2016. Individuals can find more information, including the applications for TPS at: <http://www.uscis.gov/humanitarian/temporary-protected-status-deferred-enforced-departure/temporary-protected-status>

DHS is automatically extending the employment authorization for eligible individuals for six months (May 2, 2015) in order to allow them to apply and receive their new employment authorization documents. A copy of the Federal Register Notice granting this automatic extension of employment authorization is sufficient documentation for Form I-9, Employment Eligibility Verification, purposes. The copy of the Notice can be found at: <http://www.aila.org/content/fileviewer.aspx?docid=49953&linkid=279933> Employers should re-verify the employment authorization of these individuals prior to May 2, 2015. At that point, the individuals must provide a valid employment authorization document in order to continue to demonstrate their ability to continue working in the United States.

The DHS designates a country for TPS when conditions in the country are dangerous. This may be due to armed conflict, environmental disasters or other temporary events. TPS provides certain protections to nationals of the designated country such as protection from removal from the United States, eligibility for an employment authorization document and travel authorization. TPS is not a path to US lawful permanent residence. The following countries are currently designated by the DHS for TPS: El Salvador, Haiti, Honduras, Nicaragua, Somalia, Sudan, South Sudan and Syria.

Weekly Immigration Updates are provided under the Legal Update link of the Immigration Group Section of our firm's website at www.masudafunai.com.