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LADB Staff

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## Region Gets Extended Protection For Citizens in US

by LADB Staff

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On April 16, a group of Salvadoran activists in Los Angeles initiated a campaign to extend the period of Temporary Protective Status (TPS) to citizens of El Salvador living in the US. TPS is, according to the Bureau of Citizenship and Immigration Services (BCIS), "a temporary immigration status granted to eligible nationals of designated countries (or parts thereof). In 1990, Congress established a procedure by which the Attorney General may provide TPS to aliens in the United States who are temporarily unable to return to their homeland because of ongoing armed conflict, environmental disasters, or other extraordinary and temporary conditions. During the period for which the Attorney General has designated a country under the TPS program, TPS beneficiaries are not required to leave the United States and may obtain work authorization.

However, TPS does not lead to permanent resident status. When the Attorney General terminates a country's TPS designation, beneficiaries return to the same immigration status they maintained before TPS (unless that status had since expired or been terminated) or to any other status they may have acquired while registered for TPS. Accordingly, if an alien had unlawful status prior to receiving TPS and did not obtain any status during the TPS period, s/he will revert to that unlawful status upon the termination of that TPS designation."

Saul Solorzano, director of the Centro de Recursos para Centroamericanos (Carecen), said that there are currently 280,000 Salvadorans living in the US under the provisions of TPS, and they send home about US\$2 billion a year. "We want Bush to extend TPS as a humanitarian gesture to the Salvadorans who contribute to the economy of this country, and help their families in El Salvador." Solorzano explained that it was necessary that the government of El Salvador present an official request for extension to the US government. The request would coordinate with lobbying efforts by Carecen and other groups in the US before federal agencies, as well as with professional and church groups. The designation for El Salvador was to expire next Sept. 9, and Bush must announce an extension at least 60 days prior to expiration, making the effective deadline July 9.

Carecen was also working for extensions for Honduras and Nicaragua, countries whose citizens covered by TPS number somewhere between 100,000 and 150,000. For Hondurans and Nicaraguans the deadline was May 5. These dates are important for individual applicants for the status because, once the designation expires, nationals of these countries who revert to illegal status have 60 days to leave the US, but BCIS does not accept applications for renewal of eligibility until the White House officially announces an extended TPS. If renewal is announced, there is no automatic extension of the status of individuals currently covered; each must apply anew.

Clearly recognizing the threat that a mass return would pose, on April 23, El Salvador's Foreign Minister Maria Eugenia Brizuela formally requested of her US counterpart, Secretary of State Colin Powell, an extension of TPS. She emphasized in her letter that TPS "has given a chance for our compatriots to support the process of reconstruction of El Salvador through funds sent to their

families to confront difficulties like the loss of their homes" by the two earthquakes that occurred in early 2001 (see NotiCen, 2001-01- 25). This would be the second extension for El Salvador since the status was granted in 2001 following the earthquakes.

As a technical matter, the extension is not TPS, but rather, Deferred Enforced Departure (DED). "Unlike TPS, DED is designated by the Office of the President of the United States of America, as a constitutional power to conduct foreign relations. The Attorney General can designate a country for TPS, but the President is the one to designate DED for nationals of a particular country by Executive Order or Presidential Memorandum. DED was first used in 1990 and has been used a total of five times," according to BCIS.

Also recognizing a danger to his fragile economy was President Ricardo Maduro of Honduras. Maduro was back in Washington for the second time in two weeks, this time, among other chores, to head off the possibility of the loss of the migratory concession that would spell disaster should tens of thousands of citizens suddenly return home. For Honduras, this would be the fourth extension since TPS was granted his country following Hurricane Mitch in 1998 (see NotiCen, 1998- 11-12). Hondurans send home almost US\$800 million annually, the single largest source of income for the country. Maduro was in Washington on April 10 along with the four other Central American presidents to confer with Bush on the free-trade agreement (see NotiCen, 2002-06-27). It was reported that TPS came up at that meeting, but apparently not definitively.

TPS puts Bush in a similar position with respect to Central America that Cuban President Fidel Castro finds himself in with respect to the US. Both have at their disposal the threat of mass migrations as a means to their political ends. President Enrique Bolanos of Nicaragua had previously requested an extension of TPS during a meeting with Colin Powell and was not reported to have joined Maduro in the present effort. The expiration date was the same for both countries, as both received the designation at the same time, and for the same reason: Mitch. Nicaragua, too, counts the money sent home from the US by its citizens as its principal source of hard currency. The remittances account for about 25% of the GDP, double that of traditional and nontraditional exports combined. Half the economically active population (EAP) of the country, about a million people, is in the US, according to reports.

Only a tiny proportion of these, about 60,000, however, are covered by TPS. On April 29, the US administration announced an 18-month extension of the status. Maduro duly expressed his gratitude. "The United States has demonstrated once more that it is a traditional friend of Honduras upon granting the fourth TPS, which, moreover, is for 18 months." The Honduran president is reported to have used his time in the US to parley his good fortune. He was seeking support for a law in the US that would grant permanent residency to Central Americans.

Nicaragua also expressed gratitude. Said Nicaraguan Ambassador to Washington William Carlos Ulvert, "Our countrymen can continue working and developing their lives normally in the United States." According to the Inter-American Development Bank (IDB), Honduras received about US\$770 million in remittances last year, an increase of 22% since 2001. Nicaragua took in US\$759 million, a 15% increase since 2001. Washington sources also revealed under anonymity that the resolution for amplification of TPS had to be approved by Secretary of Homeland Security Tom

Ridge, whose office has assumed the functions of the former Immigration and Naturalization Service (INS), now the BCIS.

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