



NEWS RELEASE

Contact: Media Services
Office of Public Affairs
(202) 514-2648 Fax: (202) 514-1776

May 5, 2000

INS Grants 12 Month Extension of Temporary Protected Status (TPS) for Eligible Hondurans and Nicaraguans

WASHINGTON – As part of the Clinton Administration's ongoing efforts to assist countries affected by Hurricane Mitch, Immigration and Naturalization Service (INS) Commissioner Doris Meissner announced today the extension of Temporary Protected Status (TPS) for Honduras and Nicaragua for a period of 12 months until July 5, 2001.

This extension covers an estimated 100,000 Hondurans and 6,000 Nicaraguans who have already applied for TPS. The re-registration period begins upon publication in the *Federal Register*, which is expected early next week, and continues for 30 days from that date.

"While these countries have begun the process of recovering from the devastation of Hurricane Mitch, severe disruption to the living conditions continues. This decision reflects the Administration's continued commitment to provide assistance to the countries devastated by Hurricane Mitch," Meissner said.

Hondurans and Nicaraguans currently registered under TPS who desire an extension must re-register by filing both the TPS application (Form I-821) and an application for employment authorization (Form I-765) with an INS Service Center. For re-registration, there is no fee for Form I-821. However, a \$100 fee must accompany Form I-765 if an applicant requests employment authorization. If the applicant does not require employment authorization or already has employment authorization, Form I-765 is still required but no fee is necessary. These forms are available from the toll-free INS Forms line, 1-800-870-3676, and from the INS Website, www.ins.usdoj.gov.

An applicant may request a waiver of TPS-related application fees by submitting proper documentation of inability to pay.

This extension does not allow Nicaraguans or Hondurans who entered the United States after December 30, 1998 to file for TPS. This extension covers only Nicaraguans and Hondurans who have been continually present in the United States as of January 5, 1999 and who have continually resided in the United States since December 30, 1998; unless they are eligible for late initial registration. An extension of TPS does not change the required dates of continuous physical presence and residence

(more)

Temporary Protected Status Extended for Honduras, Nicaraguans

Page 2

in the United States. However, late initial registration is possible in some circumstances. In order to qualify for late initial registration, applicants must meet the original continuous physical presence and residency requirements and they must demonstrate that during the initial registration period they:

- Were in a valid nonimmigrant status, or had been granted voluntary departure, or any relief from removal;
- Had an application for change of status, adjustment of status, asylum, voluntary departure, or any relief from removal pending or subject to further review or appeal; or
- Were the spouse or child of an alien currently eligible to be a TPS registrant.

Applications for late initial registration must be submitted no later than 60 days from the expiration or termination of the alien's previous status.

Section 244 of the Immigration and Nationality Act authorizes the Attorney General to grant TPS to aliens in the United States who are nationals of countries where armed conflict, natural disaster, or other extraordinary conditions have created a temporary situation to which return is either unsafe or unfeasible.

Honduras and Nicaragua join Bosnia, Burundi, Kosovo Province in the state of Serbia-Montenegro, Liberia, Montserrat, Sierra Leone, Somalia, Angola and Sudan as countries currently designated for TPS. The United States also granted TPS to Lebanon from March 1991 to March 1993; Kuwait, from March 1991 to March 1992; and Rwanda, from June 1994 to June 1995.

- INS -

FACT SHEET

05/05/00

Temporary Protected Status (TPS) for Hondurans, Nicaraguans

TPS Extension Will Last 12 Months

The extension of TPS for Honduras and Nicaragua, announced today by the Immigration and Naturalization Service (INS) will last 12 months, until July 5, 2001. **This extension does not allow Nicaraguans or Hondurans who entered the United States after December 30, 1998 to file for TPS.**

TPS is a temporary immigration status granted to eligible nationals of designated countries. TPS beneficiaries are granted a stay of removal and work authorization for the designated TPS period and for any extensions of the designation. **TPS is not a basis for obtaining permanent resident status.**

■ Who is eligible?

The extension covers an estimated 100,000 Hondurans and 6,000 Nicaraguans who have already applied for TPS.

■ What is the procedure to apply for the TPS extension?

Hondurans and Nicaraguans currently registered under TPS who desire an extension must re-register by filing both the TPS application (Form I-821) and an application for employment authorization (Form I-765) with an INS Service Center. For re-registration, there is no fee for Form I-821. However, a \$100 fee must accompany Form I-765 if an applicant requests employment authorization. If the applicant does not require employment authorization or already has employment authorization, Form I-765 is still required but no fee is necessary. These forms are available from the toll-free INS Forms line, 1-800-870-3676, and from the INS Website, www.ins.usdoj.gov.

An applicant may request a waiver of TPS-related application fees by submitting proper documentation of inability to pay.

Applicants should re-register for TPS at the INS Service Centers, not at their local INS district office.

■ Will Hondurans or Nicaraguans who arrive in the United States after December 30, 1998, be eligible for the extension of TPS?

No. TPS is an emergency relief measure intended to assist those nationals of a given country who are already in the United. **This extension does not allow Nicaraguans or Hondurans who entered the United States after December 30, 1998 to file for TPS.**

(more)

■ **Can Hondurans or Nicaraguans who were in the United States as of December 30, 1998, but did not apply for TPS during the initial registration, be eligible for the extension of TPS?**

Yes, late initial registration is available to applicants who meet the following requirements:

- Are nationals of Nicaragua or Honduras;
- Have been in the United States since January 5, 1999;
- Have resided in the United States since December 30, 1998; and
- Are admissible as an immigrant, except as otherwise provided.

Additionally, the applicant must be able to demonstrate that, during the initial registration period, he or she:

- Was in a valid nonimmigrant status, or had been granted voluntary departure, or any relief from removal;
- Had an application for change of status, adjustment of status, asylum, voluntary departure, or any relief from removal pending or subject to further review or appeal; or
- Was the spouse or child of an alien currently eligible to be a TPS registrant.

An applicant for late initial registration must register no later than 60 days from the expiration or termination of the qualifying condition.

■ **Will Honduran and Nicaraguan nationals protected by TPS be permitted to travel to their home countries during the TPS period?**

Applicants for re-registration must obtain advance parole prior to travel to prevent losing their TPS approval.

- INS -



CC: Irene Bero
Spec Envoy

EMBAJADA DE HONDURAS

WASHINGTON, D.C.

THE AMBASSADOR

March 1, 2000

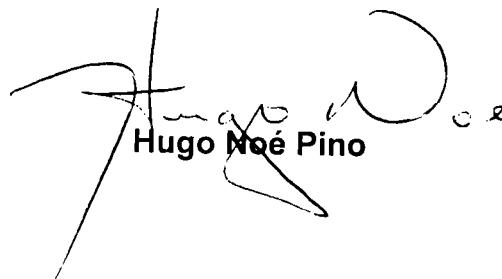
The Honorable
María Echaveste
Assistant to the President and
Deputy Chief of Staff
The White House
Washington, DC 20500

Dear Mrs. Echaveste:

I am forwarding a letter from the Minister of Foreign Affairs of Honduras, H.E. Roberto Flores Bermúdez, to the Secretary of State Madeleine Albright, requesting the extension of TPS for Hondurans for an 18-month period to begin July 5, 2000, the date on which the first period expires.

I thank you for your attention and consideration to this important matter.

Sincerely,



Hugo Noel Pino



EMBAJADA DE HONDURAS

WASHINGTON, D.C.

THE AMBASSADOR

March 1, 2000

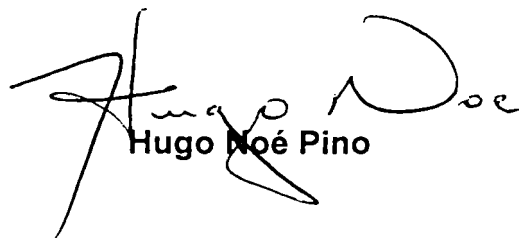
The Honorable
Madeleine Albright
Secretary of State
United States Department of State
Washington, DC 20520

Dear Secretary Albright:

I am forwarding a letter from the Minister of Foreign Affairs of Honduras, H.E. Roberto Flores Bermúdez, requesting the extension of TPS for Hondurans for an 18-month period to begin July 5, 2000, the date on which the first period expires.

I thank you for your attention and consideration to this important matter.

Sincerely,


Hugo Noé Pino

**SECRETARIA DE RELACIONES EXTERIORES
DE LA
REPUBLICA DE HONDURAS**

Oficio No. 068-DSM.

Tegucigalpa, M.D.C., 1 de marzo de 2000

Excelentísima Señora
Madeleine Albright
Secretaria de Estado de los Estados Unidos de América
Washington, D.C.

Señora Secretaria de Estado:

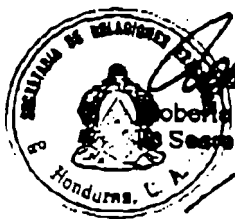
El otorgamiento del Status de Protección Temporal (TPS) a los aproximadamente 96,000 hondureños que se han acogido a este programa es una decisión que el Pueblo y el Gobierno de Honduras agradecen profundamente.

La superación de las condiciones ambientales, sociales y económicas sin precedentes que resultaron del Huracán Mitch a finales de 1998 continúan siendo el desafío más grande que enfrenta Honduras. El otorgamiento del TPS en diciembre de 1998 a ciudadanos de mi país contribuye sin duda a la estabilidad social de Honduras en este período difícil y complementa el programa de reconstrucción y transformación nacional que el Presidente Carlos R. Flores está desarrollando.

A pesar de los avances en este programa las condiciones que motivaron el otorgamiento original del TPS continúan debido en parte a las destructivas lluvias e inundaciones que sostuvo Honduras el año pasado. Como resultado el país aún no cuenta con la capacidad para acoger de manera adecuada a los hondureños inscritos en el TPS y de ser obligados a regresar su bienestar podría verse perjudicada.

Por este motivo solicito el apoyo de su Gobierno para lograr una extensión del período de TPS por dieciocho meses luego de su fecha de vencimiento el día 5 de julio de 2000. En tal sentido le adjunto un documento que detalla las condiciones existentes en mi país y que justifica ampliamente esta solicitud.

Le ruego reciba las seguridades de mi alta y distinguida consideración, así como mi aprecio personal.



[Handwritten Signature]
Roberto Flores Bermúdez
Secretario de Estado

REQUEST FOR EXTENSION OF DESIGNATION OF HONDURAS UNDER TEMPORARY PROTECTIVE STATUS (TPS) PROGRAM

March 1, 2000

**Submitted to the Government of the United States of America
through the Department of State
by the Ministry of Foreign Affairs of the Republic of Honduras**

I. INTRODUCTION

A. Original Findings for TPS Designation and Review of Such Designation

On January 5, 1999, the Attorney General designated eligible nationals of Honduras (or aliens having no nationality who last habitually resided in Honduras) for Temporary Protective Status (TPS) until July 5, 2000 (64 Fed. Reg. 524). To be eligible, these Honduran nationals must have been "continuously present" in the United States since January 5, 1999, and have "continuously resided" in the United States since December 30, 1998.

The Attorney General's original findings in support of TPS designation were that:

"There exists an environmental disaster in Honduras, and, due to this disaster, which has substantially disrupted living conditions, Honduras is unable, temporarily, to handle adequately the return of Honduran nationals (or aliens having no nationality who last habitually resided in Honduras)." 64 Fed. Reg. 525 (1/5/99).

The environmental disaster subject of the Attorney General's findings was the passage of Hurricane Mitch through Honduras in October of 1998 and the massive devastation and disruption that it wreaked on the country. On July 5th of this year, the initial TPS designation is scheduled to expire.

Section 244(b)(3)(A) of the Immigration and Nationality Act states that at least 60 days before the end of an extension or a designation, the Attorney General must review conditions in the foreign state for which the designation is in effect. 8 U.S.C. 1254a(b)(3)(A). If the Attorney General determines that the foreign state continues to meet the conditions for TPS designation, the period of designation is extended, pursuant to section 244(b)(3)(C) of the Act. 8 U.S.C. 1254(b)(3)(C). It is understood that the process of review of the conditions affecting Honduras is underway.

The Ministry of Foreign Affairs submits this document in connection with the review to be conducted by the Attorney General pursuant to 8 U.S.C. 1254a(b)(3)(A). This document

intends to establish that the magnitude of the damages experienced by Honduras, the recent destruction caused by rains and flooding in the Fall of 1999, and the slow implementation of various foreign aid programs (due to the need to assess reconstruction priorities and lay the groundwork), result in the continued existence of an environmental disaster which prevent Honduras from being able to adequately and safely handle the return of its citizens protected by TPS. As a result, the the Ministry of Foreign Affairs of Honduras submits that the extension of this designation after July 5, 2000, is justifiable. This document also presents a brief overview of the reconstruction efforts undertaken by the government of Honduras in the aftermath of Mitch and of the foreign support that has been received, particularly from the United States.

B. Extension of TPS Designation - Earlier Precedents and Other Criteria

The Act provides that TPS extensions may be granted automatically for a six-month period, or for up to 12-18 months at the discretion of the Attorney General. The initial TPS designation for nationals of Honduras is considered unique because it was granted as a consequence of the environmental disaster caused by Hurricane Mitch, one of the worst natural catastrophes to affect the Western Hemisphere in the last 200 years.

A natural catastrophe of this magnitude requires a substantial recovery effort and time. Similarly, the environmental disaster which supported the initial TPS designation for the Island of Montserrat in the Caribbean was not susceptible to cure. On September 2, 1999, Montserrat's TPS designation was extended for a one-year period based on the Attorney General's findings "that extraordinary and temporary conditions that would prevent aliens who are nationals of Montserrat ... from returning to Montserrat in safety persist and that permitting such aliens to remain temporarily in the United States is not contrary to the national interest." These findings refer to the continuing volcanic eruptions affecting that island.

As the period for TPS designation of eligible Honduran nationals comes to an end on July 5, 2000, a similar case based on the safety and well-being of the designees and U.S. national interest exists in support of an extension of TPS designation for Honduras. Living conditions in Honduras continue to be "substantially disrupted" in the aftermath of Mitch and many development experts consider that it will take at least a generation for Honduras to reach the level of development it had achieved before it was devastated by Mitch. In its 1999 annual Country Report on Human Rights Practices in Honduras, the State Department indicates that "...international humanitarian assistance saved many lives and met basic needs, but substantial additional foreign aid is needed to help rebuild infrastructure and productive economic capacity."

More importantly, the programs financed by international reconstruction assistance are just beginning to be implemented. By the next rainy season this Fall, it is anticipated that actual reconstruction work on many programs will be underway. The conditions that supported the Attorney General's original findings concerning TPS designation for eligible Honduran nationals continue to exist to such an extent as to warrant an extension of the TPS designation for 18 months.

C. The Environmental Disaster Continues

1. Mitch's Destruction

The destruction caused by Hurricane Mitch was unparalleled in Honduran history and is well-documented. Official figures record approximately 5,657 dead, 8,058 disappeared, 12,272 injured, and 1.5 million who sustained property losses. According to the Economic Commission for Latin America and the Caribbean (ECLAC), total damages sustained by Honduras amount to US\$3,794 million or about 70% of the country's GDP. It is estimated that the total cost of rebuilding what was destroyed by Mitch will exceed US\$5 billion.

About 70% of the damages occurred in the key productive sectors such as farming, industry, commerce, mining, finances, and forestry, followed by infrastructure at 17.3% and the social sectors with 11.4%. The critical agriculture sector, from which 60% of Hondurans make a living, sustained severe damages with approximately 70% of the country's production destroyed, 29% of the country's arable land damaged, and tens of thousands of workers losing their jobs. The losses in the banana industry alone accounted for 50% of the losses in the agriculture sector. Losses in the grain (7% of the total losses for the agriculture sector), coffee (7%), African palm (7%), sugar cane (6%), and dairy (6%) industries were also substantial. As a result, employment levels in all of these industries have been severely affected.

The country's road network suffered damages totalling 11,243 kilometers, or 76% of the total, and over 100 bridges were destroyed. The rehabilitation of this network is key to Honduras' ability to access agricultural areas and transport agricultural products for export.

2. Mitch's Continued Effects

One year and a half after Mitch, the environmental disaster that this hurricane caused continues to impact the daily lives of most Hondurans and is an obstacle to the safe return of Hondurans protected by TPS in the United States. The destruction of water and sewer infrastructure and contaminated food, for example, has contributed to a rise in diseases and health problems. Damages to the water and sanitation systems of the country have been estimated at US\$158.6 million. As of August 1999, 60% of the potable water service had not yet been reestablished in the cities along the Atlantic coast. In addition, 60% and 85% of aqueducts in the largest towns of central western and southern Honduras respectively as well as 62% of country's rural aqueducts had yet to be rehabilitated.¹

¹ Sources:

- (1) Avances en la Reconstrucción y Transformación Nacional. August 20, 1999
- (2) Plan Maestro de Reconstrucción Nacional: Estrategia para impulsar el desarrollo acelerado, equitativo, sostenible y participativo. Versión Ampliada-Reunión del Grupo Consultivo, Estocolmo, Suecia, Mayo 25-29, 1999.

Food supplies, housing, and health services continue to be inadequate. Nearly 85,000 housing units, for example, were either completely or partially damaged by Mitch. Over 50% of these remain to be repaired/built. Meanwhile, an estimated 256,594 people whose housing was damaged or destroyed remain in temporary housing arrangements - hosted by family and/or friends or housed in shelters. With regards to schools, as of August 1999, of the 2,465 classrooms damaged by Mitch, 1587 remained to be repaired or rebuilt.

Many of the road network infrastructure projects are still underway or in the planning stages. Finished projects include 1,098.7 kilometers of road and bridges. Projects currently underway include the construction of 1,525 mts of bridges and the rehabilitation of 2,000 kms of local roads. The rehabilitation of roads totalling 359 kms and the paving of 46 kms of roads in the planning process. Among the planned projects, the highlights include the installation of 25 bridges with a total length of 1,570 kms.

Earnings in one of Honduras' traditional exports, bananas, experienced a decrease of 84%; earnings amounted to only US\$28 million compared to \$172 million for the same period the year before. Another important export, coffee, experienced a decrease of 41% in earnings. Employment levels in all of these industries continue to be severely affected.

National unemployment levels in 1999 stood at 26.9%. Figures for the rural sector show levels as high as 30.2%. It is expected that unemployment will remain high until sectors such as agriculture, commerce, and forestry recover. The lack of employment opportunities as well as general conditions of poverty have resulted, among various social ills, in a rapid rise in crime rates with negative impacts on the country's social and economic stability.

a. Further Rains and Flooding in 1999

In September-October 1999 heavy rains and flooding caused further damage to crops, roads, and bridges. It is estimated that losses amounted to US\$200 million. The floods resulted in 40 deaths, forced the evacuation of 30,000 people, and destroyed more than a dozen bridges, many of which had been recently rehabilitated after Mitch. This additional meteorological blow was a further setback to the government's efforts to recover from Mitch.

b. Delays in the Implementation of Reconstruction Assistance

One of the problems faced by in the reconstruction effort is that international aid has been slow in arriving and most countries have committed to delivering their aid towards the end of 2000 and beyond. According to official figures, as of October of 1999 Honduras had only received approximately 20% of the total amount expected from the Stockholm meeting of the Consultative Group. The United States committed US\$291 million in assistance to Honduras to be channeled through USAID under the Emergency Supplemental Appropriation approved by the

U.S. Congress in September of 1999. Disbursement, however, has been slow for a number of reasons and it is only recently that many of the projects have begun. Part of the problem, is that much of the aid received to date has been focused on emergency measures and laying the groundwork for the reconstruction efforts to be fully implemented. A review of the appendices to the report presented by the Government of Honduras to the Consultative Group Meeting in Tegucigalpa on February 7-8, 2000, indicates that the majority of projects in the critical agriculture sector are “in progress” or “under negotiation.”²

One example of how damaging these delays have been is the loss of an entire season in this sector last year. The destruction of many of Honduras’ most agriculturally productive lands during Mitch’s onslaught combined with these delays led to a contraction of 8.7% in this labor intensive sector.

3. *The Unremedied Environmental Problem Endangers the Safety of Honduran Returnees*

It will take years to restore productive agricultural lands, reforest denuded hillsides, clean up river causeways, and rehabilitate lost infrastructure. Furthermore, as was experienced last Fall, the destructive potential of seasonal rains is magnified by the already fragile and weakened conditions in many parts of the country. The various recovery programs which are intended to correct problems of environmental sustainability have yet to be implemented. For example, 4,039 hectares along the banks of the rivers that provide water to El Cajon dam, Honduras’ largest, must still be reforested. Denuded hillsides and undredged river causeways will continue to cause floods and destruction until these problems are addressed. In this regard, a press release issued by the Inter-American Development Bank on February 9, 2000, concerning the results of the Consultative Group meeting for Honduras, stated that:

“Honduras continues to be vulnerable to a variety of natural disasters as witnessed by the adverse weather again in 1999. Hurricane Mitch clearly demonstrated that poverty and ecological degradation are closely linked, as the poorest segments of population living in high risk areas experienced the greatest losses.”

According to figures obtained from the Immigration and Naturalization Service (INS) as of January 2000, up to 96,000 Hondurans had applied for Temporary Protective Status (TPS) and approximately 83,000 had obtained working permits. Repatriating nearly 100,000 Hondurans under these conditions would certainly expose many of them to a hazardous and unsafe situation. The returnees would have adequate housing, health and other social services, would be vulnerable to future rains/flooding, and would have few possibilities of employment, thereby

² Honduras and the International Community: Strategic Alliance for National Reconstruction and Transformation, report presented by the Government of the Republic of Honduras at the Consultative Group Meeting in Tegucigalpa, February 7-8, 2000.

straining the country's already fragile social safety net and contributing to increases in criminal activity. In spite of the government's efforts and the promise of international assistance, Honduras cannot yet adequately and safely handle these potential returnees.

II. THE HONDURAN GOVERNMENT'S RESPONSE AND U.S. SUPPORT INITIATIVES

A. The Response of the Honduran Government and the Master Plan for National Reconstruction and Transformation (MPNRT)

The response of the government of President Carlos R. Flores to Mitch was immediate and included the prevention and mitigation of damages, rescue operations, construction of shelters, and restoration/rehabilitation of basic services and roads. In addition, a Special Cabinet for National Reconstruction was created whose functions were to formulate, coordinate, and implement a Master Plan for National Reconstruction and Transformation (MPNRT). The five-year, US\$4 billion, MPNRT was introduced at the Consultative Group of Donors meeting in Stockholm, Sweden, in May of 1999. At the meeting, President Flores requested US\$ 2.2 billion to implement the MPNRT, but was promised half of this amount to be disbursed over five years.³

B. U.S. Sponsored Initiatives

Faced with the magnitude of Honduras' tragedy, world leaders visited the country to demonstrate their solidarity and support. President Clinton traveled to Honduras in the Spring of 1999 and signed the Antigua Declaration which committed the United States to a comprehensive and multifaceted response to rebuild the region after hurricanes Georges and Mitch. The U.S. government's support was expressed in various initiatives designed to provide relief and allow for Honduras' and the region's reconstruction including: 1) the granting of TPS designation to Honduran and Nicaraguan nationals, 2) the approval of an emergency supplemental aid package for the region, 3) support for foreign debt relief, 4) support for CBI enhancement legislation, and 5) support for amending the NACARA bill.

The government of President Flores has welcomed and is deeply thankful for these initiatives. However, with the exception of the granting of TPS designation to Honduran nationals and approval of the emergency supplemental appropriation, passage of these complementary initiatives has not yet been secured. Their successful implementation, for reasons discussed in more detail below, is critical to enable Honduras to overcome the environmental disaster caused by Mitch and provide it with the capacity to adequately handle the prospective return of Hondurans currently protected by TPS.

³ The destruction caused by Mitch and the Flores Administration's reconstruction and transformation objectives are well-documented in the Master Plan for National Reconstruction and Transformation presented by President Carlos Flores on May 25-28, 1999, at the Consultative Group Meeting in Stockholm, Sweden.

1. CBI Enhancement Legislation

President Flores' administration views broad CBI enhancement legislation as a critical mechanism to provide the economic opportunities necessary to strengthen the Honduran democracy, promote the country's economic recovery, and complement the reconstruction and transformation effort. This legislation is pending approval in the U.S. Congress. One of the main beneficiaries of this legislation would be the dynamic Honduran textile and apparel manufacturing sector, also known as the maquila industry, which provides employment to over 110,000 Hondurans, making it one of the largest employers in the country. Failure by the U.S. Congress and Administration to secure CBI enhancement legislation in the near future, would threaten this sector and seriously handicap the Honduran government's capacity to revitalize the economy and provide employment opportunities for its citizens including those currently benefitting from the TPS program in the United States.

2. Amending the Nicaraguan Adjustment and Central American Recovery Act (NACARA)

The amendment to NACARA, also pending in the U.S. Congress, would rectify the imbalances left by this legislation by allowing eligible Hondurans, Guatemalans, Salvadorans, and Haitians to establish their legal residency in the United States on the same terms granted to Cubans and Nicaraguans under NACARA. Legislation, such as the amendment to NACARA, which would provide amnesty to various immigrant groups, is supported by a wide gamut of groups in the United States from the business and corporate sector represented by the Essential Worker Immigration Coalition (EWIC) to labor groups such as AFL-CIO. Passage of the NACARA amendment would allow many of the Honduran nationals currently protected by TPS to legally remain in the United States. Failure to extend TPS would, therefore, deny tens of thousands of Hondurans the possibility of benefitting from this legislation and would expose them to unsafe conditions upon return to Honduras.

3. Foreign Debt Relief

Similarly, although Honduras has been included in the Highly Indebted Poor Country Initiative (HIPC), no benefits will be forthcoming until the U.S. Congress approves the President's proposed budget to fund this initiative. The HIPC Initiative would enable Honduras to obtain a pardon for at least a portion of its foreign debt obligations of US\$4 billion. Prior to Mitch, Honduras made annual payments of approximately US\$400 million in foreign debt services, equivalent to 30% of the value of its exports. Various countries, including the United States, have forgiven certain bilateral debts owed by Honduras. However, since the HIPC Initiative has not been implemented, Honduras has been obligated to continue making debt service payments on its multilateral debt, which in 1999 (one year after Mitch) amounted to over US\$200 million. These are amounts that it can ill-afford to pay under current circumstances.

III. ADDITIONAL POLICY CONSIDERATIONS

Every year, hundreds of thousands of Hondurans join the labor market in search of employment opportunities in an economy where output in certain key sectors, such as agriculture, has been drastically reduced by Hurricane Mitch's effects. The latest official unemployment figures indicate that over one third of Honduras' population is unemployed. Given this difficult socioeconomic situation, there is concern for the country's capacity to meet the needs of its citizens and combat ills such as organized crime and drug trafficking, which could grip Honduras as it has gripped other countries in the region, subverting its political and judicial institutions.

The presence of Honduran immigrants (many of which are presently covered by TPS) in the United States has had a very positive and stabilizing effect on Honduras. These immigrants provide the country's economy with its second largest source of needed foreign revenues. By some estimates as much as 25% of Honduras' population receives a substantial part of its income in the form of remittances from abroad, mostly from family members in the United States. It is estimated that remittances from the United States amount to US\$450 million annually.

Failure to grant an extension of the TPS designation to Hondurans in the United States, and their forced return, would cut off these critical remittances to hundreds of thousands of families in Honduras and would aggravate existing living and economic conditions. Moreover, absent passage of Caribbean Basin Initiative (CBI) enhancement legislation this year, which would spur economic growth and generate employment in a key Honduran sector, the country's already diminished capacity to provide food, housing, health, education, and other social services, would be severely strained by the massive arrival of tens of thousands of returnees with poor employment prospects. The potential political instability caused by such an occurrence would in turn likely generate ever increased migratory pressures towards the United States.

Emigration of Honduran nationals is a serious loss and concern for Honduras from the perspective of its development objectives. However, there is little that can be done under existing conditions in Honduras to reverse this trend. The government understands that to stem these losses long-term responses are required that will ensure increased employment opportunities as well as adequate education, housing, health, and other services. This can only be achieved by a continuation of the policies implemented by President Carlos R. Flores and previous administrations to strengthen civilian institutions, encourage democratic processes, and ensure sustainable economic growth. The completion of the national reconstruction and transformation effort with the participation of the international community, as well as the expansion of trade opportunities through passage of CBI enhancement legislation and the establishment of the Free Trade Area of the Americas (FTAA), is key to the success of these policies.

From the perspective of the U.S. national interest and its foreign policy objectives in Central America, extension of TPS designation for Honduran nationals is consistent with U.S. efforts to promote economic development, strengthen democracy and the rule of law, increase

trade, control immigration, and combat organized crime and drug trafficking in the region. The robust health of the U.S. economy and increased labor shortages, which Federal Reserve Chairman Alan Greenspan has indicated could trigger inflation, unless restrictions on immigration are uncapped, have enabled the 96,000 Hondurans that are protected by TPS to avoid difficult conditions in their home country, provide a critical source of support to the Honduran economy, and contribute to the expansion of the U.S. economy.

It is also important to note that many of the Hondurans protected by TPS would be eligible to obtain legal residency pursuant to the legislation that President Clinton has sent to Congress to amend NACARA. It is possible that this legislation will still be considered by the U.S. Congress this year. If TPS designation is allowed to expire, Honduran nationals eligible to benefit under the amendment to NACARA would be denied this opportunity.

IV. CONCLUSION

The Honduran government is deeply thankful for the support that the United States has provided Honduras in terms of hurricane reconstruction assistance, debt relief, and TPS designation for its eligible nationals. In addition, the Honduran government is grateful for the efforts of the Clinton Administration and the U.S. Congress to secure passage of comprehensive CBI enhancement legislation and amending the NACARA Act to include Honduran nationals. The U.S. support cements a long-term friendship and the common objectives held by the peoples of the United States and Honduras, has made a difference in the lives of hundreds of thousands of Hondurans, and will allow Honduras to face the arduous process of national reconstruction and transformation.

However, conditions in Honduras continue to be "substantially disrupted" and the country remains unable to handle the return of 100,000 Hondurans after July 5, 2000. Such an occurrence would exacerbate the country's political, economic, and social situation, and could even reverse the progress made to date in the areas of democratization and free market reform, at a time when events throughout Latin America increasingly threaten gains made in these areas in the past decade.

For the above reasons, the Honduran government requests that you consider the information contained in this document and the attachments as you review the extension of TPS designation for eligible Honduran nationals.

838004.2

~~CONFIDENTIAL~~

April 11, 2000

DISCUSSION PAPER

TPS AND BOSNIA, KOSOVO, HONDURAS, AND NICARAGUA

Purpose of Meeting: General discussion of agency perspectives on mandatory review of TPS. At this point, we are not soliciting formal agency views (though such views are always welcome).

ISSUES FOR DISCUSSION:

BOSNIA AND KOSOVO (common issues for each):

What are the relevant timelines for decision?

What numbers are involved?

On what basis is each country now designated, and is termination of the designation warranted? In any event, is return to each of these countries safe?

What is the position of European governments, UNHCR and others on the following issues:

• Is it appropriate to remove temporary protection from these groups?

• Is it appropriate to remove members of these groups against their will?

With respect to Bosnians and Kosovars now in Europe, what is our position on these two issues, and how should that bear on our own actions on TPS?

HONDURAS AND NICARAGUA (common issues for each):

What are the relevant timelines for decision?

What numbers are involved?

In terms of the requirements of extension, what standards should be considered in determining whether there continues to be "a substantially, but temporary, disruption of living conditions," and whether a state remains "unable, temporarily, to handle adequately" return of its nationals.

~~CONFIDENTIAL~~

Classified by: Eric Schwartz

Reason: 1.5(d)

Declassify On: 4-11-00

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By Ry NARA, Date 9/13/2017
2017-1120-S

TPS 4/12

Process

meeting EUCS.
discussing w/ Maria, Frank, Doris
toward end of week.

INS makes mem. to DOS

Alm
perm
EUC
wudy
John
Diane
Frank
Lyle
Mike
mago
posh
mark
Bb. B. + Brad

Bosnia +
Kosovo

State mem. ~~the~~ termination
60 days before 6/9 - misdeadline 6/8 - 6 months exam
automatic - INS will publish notice 12/8
Bosnia - 8/8 expires (# = 316 w/ 46 app. pending)

Notice =
60 days
required
add 90 min
notice

Basis for TPS

- Intent armed
- temp. extraordinary conditions

European Govt ^{100% in} ~~that~~ + UNHCR view

UNHCR - Kosovo + Bosnian - no TPS agreed
but list of indiv. not returned - US agree - rather the TPS.
Eco. concern - Subs. forms, debt charges.

INS - If have TPS, can apply for asylum or even though 1 year
deadline has expired, make sure there clear guidance - to
asylum officer on ~~other~~ ~~subject~~ 1 yr. bar.

Bosnia whom has been occurring

(TPS can designate certain areas of country)

(2)

Honduras +
Nicaragua

Expires 7/5 need to publish 5/5

Nicaragua = 5000
Honduras = 100K

Requirements
for Exemption INS = substantially + temporary conditions

Honduras - ERIC (When condition approximates the natural disaster,
relief activities are necessary + ongoing but when
emergency is over, TPS not justified)
(2) ^{TPS} Continuation is justified until country rec'd eco. etc.
pre-crisis level

INS View - unique b/c ~~both~~ crisis + Natural Disaster -
Resource Impact Center (RIC) / INS = human, eco, educ loss
etc. prospects of just beginning reconstruction phase.
Recommend a ~~prolonged~~ continuation

Mark/Schlickman - failure to extent could be devastating
President Flores -
POTUS - extend - in weekly.

Walt - ed. Balcón given - as AID reconst. ^{only} 4/10 of the aid.

John K. ~~and~~ other aid, today longer

State Dept - has not order for aid dec. but leaning toward
continuation.

(3)

Issue - When emergency is over
How do you define -- back to pre-crisis conditions.

TPS - Status does not include "civil conflict".

ES
Status - Can't absorb ~~the~~ return
- Effects of natural disaster... not still be existing, ongoing, dramatic
- Certainty that dramatic effects are temporary.

(*) Express to Govt that in the next X months, need to address the effects.

Slippery slope should not be a basis to deny TPS continuation TPS.

FACTS - 12k w/o shelter - } if adequately handle return
are clear Accepting some deportees } to policy test.
GOP ~~is~~ ?

NSC - Infrastructure
Social indicators: homes, jobs, roads, health care.
Economic conditions for Honduras - 1 mo for 12 months only.

Nicaragua - Foreign Policy - can you design it + not N.
- Using stand - Neither show one or another.

Bob - DOJ needs to know ~~the~~ DHS, ICE, need to review.
NS - If extend TPS for Hondurans, need to supply \$10 million
- Need to split to immediate people draw line.

UNIDAD HONDUREÑA
HONDURAN UNITY

6850 S.W. 24 STREET SUITE 506,
MIAMI, FL. 33155
TEL. 305-667-0884 - FAX. 305-667-3819

Call Jose

Mrs. Tipper Gore
In her hands.

Dear Mrs. Gore

First, we wish to welcome you to the city of Miami, Florida on behalf of the Honduran Unity, a National Non-Profit Organization.

The visit to Honduras that you headed after Hurricane Mitch to Central America, particularly in Honduras and Nicaragua, was crucial to provide the needed input to our President Bill Clinton and Vice-President Al Gore. In order to provide the appropriate humanitarian assistance to such devastation and tragedy.

We can never forget your being by our side, sharing our pain during the difficult time that Mitch brought to Honduras. You even slept in a shelter, shoveled mud from the ruins and made tortillas for the victims.

It was thanks to your input that the solidarity of the United States was extended to Central Americans by supplemental aid approved by Congress. But most important was the designation of TPS (Temporary Protect Status) for Honduran and Nicaraguans. This status will expire next July 5th, 2000.

The TPS provides relief from deportation and a work authorization permit issued by the INS *(Immigration and Naturalization Service). There were 100,785.00 Hondurans and nearly 7,000.00 Nicaraguans who applied for this relief.

We again have to ask you for help. Please ask President Clinton and Vice-President Gore to consider granting an extension of 18 months to the TPS beneficiaries. We also need your help in our efforts to obtain approval in Congress of Bills HR2722 & Senate Bill 1592 which will grant a Lawful Permanent Residence status to Central American and Haitians.

This extension will be necessary because of two main reasons:

- 1) The benefits of the TPS as President Clinton had promised did not inure to the intended beneficiaries because of the bureaucratic system of the I.N.S. Many Hondurans and Nicaraguans that applied for the TPS Status to this date have yet to receive their employment authorization cards.
- 2) The disaster situation in Honduras and Nicaragua has not recovered as expected. The unemployment in both countries is still staggeringly high.

Because of these two reasons we feel that the extension of the TPS Status for the Hondurans and Nicaraguans is a moral imperative.

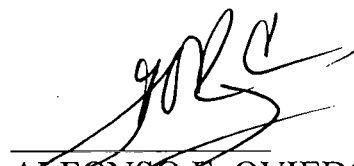
Truly yours



JOSE LAGOS
President
Unidad Hondureña



Dr. BORIS MUCHNIK
Vice- President
Unidad Hondureña



ALFONSO E. OVIEDO-REYES
President
Fraternidad Nicaraguense

Immigration and Nationality Service

[TEXT ONLY](#)
[WHAT'S NEW](#)
[FAQs](#)
[HOW DO I ... ?](#)
[WHERE IS ... ?](#)
[GLOSSARY](#)
[FEEDBACK](#)
[INS HOME](#)
[About INS and FOIA](#)
[INS Forms, Fees and Fingerprints](#)
[Immigration Services and Benefits](#)
[Law Enforcement and Border Management](#)
[Field Offices](#)
[Laws, Regulations and Guides](#)
[Public Affairs](#)
[Working for INS](#)
[Other Government Sites](#)

An agency of the
U.S. Department of Justice

How Do I Apply for Temporary Protected Status?

What is Temporary Protected Status?

Temporary Protected Status (TPS) is a temporary immigration status granted to eligible nationals of designated countries. TPS beneficiaries will not be required to leave the United States and can obtain work authorization for the initial TPS period and for any extensions of the designation. TPS does not lead to permanent resident status. When the Attorney General terminates a TPS designation, beneficiaries will return to the same immigration status they had before TPS (unless that status has expired or has been terminated) or to any other status they may have been granted while in TPS.

The Attorney General may designate a country for TPS when she determines, after consulting with appropriate government agencies, that:

- (a) There is an ongoing armed conflict within the state and, due to that conflict, return of nationals to that state would pose a serious threat to their personal safety;
- (b) The state has suffered an environmental disaster resulting in a substantial, temporary disruption of living conditions, the state is temporarily unable to handle adequately the return of its nationals, and the state has requested TPS designation; or
- (c) There exist other extraordinary and temporary conditions in the state that prevent nationals from returning in safety, unless the Attorney General finds that permitting nationals of the state to remain temporarily is contrary to the national interest of the United States.

A TPS designation will be effective for a minimum of 6 months and a maximum of 18 months. Before the end of the TPS designation period, the Attorney General will review the conditions in the designated state and determine whether the conditions that led to the TPS designation continue to be met. Unless a determination is made that those conditions are no longer met, the TPS designation will be extended for 6, 12, or 18 months. If the conditions that led to the TPS designation are no longer met, the Attorney General will terminate the TPS designation. Designations, extensions, terminations and other information regarding TPS are published in the Federal Register.

Where Can I Find the Law?

The Immigration and Nationality Act governs immigration in the United States. For the part of the law concerning temporary protected status, please see INA § 244. The specific eligibility requirements and procedures for applying for temporary protected status are included in the Code of Federal Regulations [CFR] at 8 CFR § 244.

Who is Eligible?

You may be eligible to apply for temporary protected status if:

- You are a national of a country designated by the Attorney General for temporary protected status. (You *may* also be eligible if you are a person who has no nationality but last habitually resided in a designated country). Please see our list of countries designated for temporary protected status.
- You apply for TPS during the specified registration period. The registration period is stated in the Federal Register notice of

designation and also generally advertised in INS press releases. For specific Federal Register notice cites, please see our list of countries designated for temporary protected status.

- You have been continuously physically present in the United States since the temporary protected status designation began. For dates of specific country designations, please see our list of countries designated for temporary protected status.
- You have lived in the United States since a date specified by the Attorney General. (Note: This date is listed in the Federal Register notice of designation and may be different than the date temporary protected status became effective.)
- You are admissible as an immigrant. People are considered *inadmissible* for reasons such as posing a public health threat or committing terrorist acts and other crimes. For a complete list of reasons that could make you inadmissible as an immigrant and ineligible for TPS, please see the eligibility criteria listed at 8 CFR 244.2 and 244.3 and the instructions on INS Form I-821 (Application for Temporary Protected Status).

How Do I Apply?

If you are applying for TPS for the first time, you must complete INS Form I-821 (Application for Temporary Protected Status) and submit a filing fee, supporting evidence of identity and nationality, proof of residence, two identical color photos, and, if you are age 14 or older, a fee for fingerprinting. If you are between the ages of 14 and 65 and want employment authorization, you should also complete and submit INS Form I-765 (Application for Employment Authorization) with the appropriate fee. Applicants who already have or do not wish to receive employment authorization still must submit a completed INS Form I-765, but without the accompanying fee. If you are over the age of 14, you will be called by the INS for fingerprinting after you send in your application.

If you are granted TPS, you must register with the INS every year your temporary protected status is designated. To register, you should submit a completed INS Form I-821 and INS Form I-765 during the 30-day period stated in the Federal Register notice of extension of the TPS designation. You do not have to send in another fee for INS Form I-821, but you must submit a fee for INS Form I-765 if you are between the ages of 14 and 65 and requesting employment authorization. *If you do not register every year, your temporary protected status may be withdrawn.*

Forms are available by calling 1-800-870-3676, or by submitting a request through our forms by mail system. After receiving your forms, read the instructions carefully and note the documentation that must be submitted. For further information on filing fees, please see INS filing fees, fee waiver request procedures, and the INS fee waiver policy memo. Please see our fingerprinting Webpage for more information on INS fingerprinting procedures.

If you are applying for TPS under a designation other than Kosovo, Honduras, or Nicaragua, you should submit your application package to the local INS office that serves the area where you live.

If you are from Kosovo, Honduras, or Nicaragua, you should send your application to the INS Service Center that serves that area where you live. Please see the INS field offices Homepage for more information on INS local offices and Service Centers.

Will I Get a Work Permit?

If you are approved for TPS, you are able to receive work authorization. You must submit INS Form I-765 (Application for Employment Authorization) and the appropriate fee to apply for a work permit at the same time you apply for temporary protected status. Applicants who already have or do not wish to receive employment authorization still must submit a completed INS

Form I-765, but without the required fee. Please see [How Do I Get a Work Permit?](#) for more information.

Can I Travel Outside the United States?

If you have been granted temporary protected status, you must receive advance permission to return to the United States if you are traveling abroad. This advance permission is called Advance Parole. *If you do not apply for Advance Parole **before** you leave the country, your temporary protected status may be withdrawn. You also may be prevented from returning to the United States, or you may be removed from the United States after your return.* For more information, please see [How Do I Get a Travel Document?](#).

How Can I Check the Status of My Application?

Please contact the INS office that received your application. You should be prepared to provide the INS staff with specific information about your application. Please click here for complete instructions on [checking the status of your application](#) . Please click here for more information on [INS offices](#).

Can I Appeal?

If your application for temporary protected status is denied, you will receive instructions telling you whether or not you are allowed to appeal the decision. Instructions on how to appeal will be included in the notice of denial. If you need more information, please see [How Do I Appeal the Denial of Petition or Application?](#) and the Code of Federal Regulations at [8 CFR § 244.10](#).

Can Anyone Help Me?

If advice is needed, you may contact the INS District Office near your home for a list of community-based, non-profit organizations that may be able to assist you in applying for an immigration benefit. Please see our [INS field offices home page](#) for more information on contacting INS offices. In addition, please see our Webpage that provides information on [free legal advice](#).

Frequently Asked Questions [FAQs]

Do you want further information? Click here for [Frequently Asked Questions](#) . Also see the [State Department Website](#) for more information about Temporary Protected Status.

Last Modified 12/21/99