



## U.S. Citizenship and Immigration Services

# Temporary Protected Status - Haiti

The Department of Homeland Security (DHS) Secretary, Janet Napolitano, has determined that an 18-month designation of Temporary Protected Status (TPS) for Haiti is warranted due to the devastating earthquake and aftershocks which occurred on Jan. 12, 2010. As a result of the earthquake, Haitians who live in the United States are unable to return safely to their country. DHS will continue to work with other branches of the U.S. Government to closely monitor developments in Haiti to determine the need for additional action.

U. S. Citizenship and Immigration Services (USCIS) will process immigration applications for TPS filed by nationals of Haiti (and other individuals without nationality who last habitually resided in Haiti). Additional information was published in the Federal Register on Jan. 21, 2010 announcing the Secretary's decision to designate TPS for Haiti. DHS estimates that approximately 100,000 to 200,000 individuals will be eligible for TPS.

## Questions and Answers

### **Q. What is Temporary Protected Status?**

TPS is granted by the Secretary of Homeland Security to eligible nationals of a certain country (or persons without nationality who last habitually lived in that country) who have experienced temporary negative conditions, such as armed conflict, environmental disaster, or extraordinary and temporary conditions, that prevent nationals of the country from returning safely or for the country to handle their return adequately. TPS allows for beneficiaries to remain in the United States and legally work for a set time period until they can safely return home. (See Section 244 of the Immigration and Nationality Act (INA), 8 U.S.C. § 1254a.)

### **Q. I am a Haitian national; and currently I cannot return to Haiti due to the earthquake and would like to apply for TPS. Am I eligible to apply for TPS?**

To qualify, you must:

- Be a national of Haiti, or a person without nationality who last habitually resided in Haiti;
- Have continuously resided in the United States since Jan. 12, 2010.
- Have been continuously physically present in the United States since the date of the Federal Register Notice publication, which will be Jan. 21, 2010.
- Meet certain immigrant admissibility requirements, and other TPS eligibility requirements (See INA § 244(c), 8 U.S.C. § 1254a and 8 C.F.R. §§ 244.2 - 244.4)
- Satisfactorily complete all TPS application procedures as described in the Federal Register notice announcing Haitian TPS, the TPS application instructions (Form I-821), and regulations at 8 C.F.R. §§ 244.6 - 244.9.

### **Q. If I am a student or have another immigration status, can I also apply for TPS?**

A. Yes. If you are eligible, you may have TPS in addition to your other status.

### **Q. Who is a Haitian national?**

A. Section 101(a)(21) of the INA defines a "national" as "a person owing permanent allegiance to a

state." USCIS also looks to Haitian law to determine who meets the definition of a national. Haiti's constitution states "any person born of a Haitian father or Haitian mother who are themselves native-born Haitians and have never renounced their nationality possesses Haitian nationality at the time of their birth." A person can also acquire Haitian citizenship through naturalization under Haitian law. There are circumstances under which a Haitian can lose his or her citizenship, such as voluntary renunciation of Haitian citizenship. You will be accepted as a Haitian national for TPS purposes if you provide documentary support that satisfactorily demonstrates you meet the criteria for such a national as defined by Haitian law. If you have any questions as to whether you are a Haitian national, USCIS encourages you to contact a consulate or embassy of Haiti, and obtain private legal assistance, where necessary.

**Q. When can I submit my initial application for TPS?**

A. The six-month registration period began on Jan. 21, 2010, the date the Federal Register Notice is published, and continues through July 20, 2010. You must file during the registration period and your application must be postmarked on or before the last day of the registration period.

**Q. How do I apply for TPS?**

A. You must register for TPS by filing both an Application for Temporary Protected Status, Form I-821, and an Application for Employment Authorization, Form I-765, with any appropriate fees (see table below) or fee waiver requests, and supporting documentation.

Applicant Age	I-821 Fee	Biometrics Fee	Requesting EAD	I-765 Fee	I-821 & I-765 Fee Total
< 14	\$50	-	Yes	\$0	\$50
< 14	\$50	-	No (You still must file the I-765)	\$0	\$50
14 – 65	\$50	\$80	Yes	\$340	\$470
14 – 65	\$50	\$80	No (You still must file the I-765)	\$0	\$130
66+	\$50	\$80	Yes	\$0	\$130
66+	\$50	\$80	No (You still must file the I-765)	\$0	\$130

PLEASE NOTE:

- You must use the Form I-821 version dated Oct. 17, 2007 or later and the Form I-765 version dated May 27, 2008 or later. Failure to use these versions of the forms may result in rejection of your applications.
- You must take care in filling out the forms and ensure that all questions are answered. Failure to completely answer any questions may result in a delay of case processing. Please see the separate document on "Tips for Filing Form I-821".

**Q. Where can I obtain the necessary forms for TPS?**

A. TPS forms are available by calling the toll-free USCIS Forms Hotline (800) 870-3676 or by selecting Forms on the USCIS Web site.

**Q. What if I cannot afford to pay for filing and/or biometrics fees?**

A. If you are unable to pay the fees, you may request a fee waiver for the TPS application fee (Form I-821), the Employment Authorization Document (EAD) application fee (Form I-765) and the biometrics fee. You may also request a fee waiver for the application for a waiver of a ground of inadmissibility (Form I-601), if your case requires such a waiver. The fee for an application for an advance parole travel document (Form I-131) is non-waivable. To apply for a fee waiver, you must submit a written statement, made under oath, affirmation, or pursuant to 28 U.S.C. 1746 containing the statement: "I declare under penalty of perjury that the foregoing is true and correct," requesting a

fee waiver(s) and stating the reasons why you are unable to pay the filing fee(s) or the separate biometrics fee. This statement must be on the request. If it is not, the request will be denied. You must also state which specific fees you are requesting to be waived in your sworn statement.

The signed written statement and any supporting documentation must be submitted along with your benefit application(s). Your fee waiver request must explain why you are unable to pay the fees and also include:

- Any evidence that you are receiving a federal or state means-tested public benefit (e.g., Medicaid, food and nutrition benefits (SNAP program), housing assistance, etc.),\*
- Your monthly Gross Income from all sources for each of the three months prior to the filing of the fee waiver request,
- A list of all assets owned, possessed or controlled by you or your dependents,
- Your monthly essential expenditures, including any extraordinary expenses (e.g., high medical bills), for each of the three months prior to the filing of the fee waiver request,
- A list of your dependents in the United States, their address and relationship to you, and any income earned or received by your dependents,
- Any evidence of humanitarian considerations (e.g., disability, age, homelessness, unemployment),\* and
- Any other information that you believe supports your inability to pay the fees that you would like waived.

\*The starred items are not mandatory requirements, however such evidence will be given significant weight in determining your eligibility for a fee waiver.

#### **Q. What type of basic supporting documentation must I submit?**

A. The filing instructions for Form I-821 list all the documents needed to establish basic eligibility for TPS. In addition to your applications, you must submit:

- Two color passport-style photographs of yourself;
- Evidence that you are a national of Haiti or a person with no nationality who last habitually resided in Haiti. (See responses to questions below for examples of documentation that may be submitted to demonstrate that you meet this requirement for TPS).
- Evidence that you have continuously resided in the United States since January 12, 2010; and have been continuously physically present in the United States since Jan. 21, 2010, the date of the publication of the Federal Register Notice (such as letters from your current and former employers showing where you have worked, rent receipts, payroll stubs, bank statements, school records, or any other documents you may have showing your continuous physical presence and residence in the United States.)

Depending on the nature of the questions you are addressing in the Form I-821, you may also need to submit written explanations of certain answers. Please read the instructions to the Form I-821 carefully.

#### **Q. What is acceptable evidence of Haitian nationality? What if I cannot get the documentation proving that I am a Haitian national due to the devastation in my country?**

A. There are many different types of documents you can submit to us proving you are a Haitian national, such as a copy of your Haitian passport, a copy of your Haitian Identity Card, a copy of your Haitian naturalization documentation, a copy of your birth certificate, copies of your Haitian school records (if you have them), your baptismal certificate, or nationality documentation issued by a Haitian Embassy or Consulate in the U.S. These are examples of primary evidence. In some instances, additional evidence showing that one of your parents is a Haitian national may be required if it is not

clear from the totality of the documentation you provided that you or a parent is Haitian. This is because under Haiti's law, an individual must have been born to a Haitian national parent in order to be a Haitian national himself or herself, or the individual must be a naturalized Haitian. Some Haitian TPS applicants will have a passport or a Haitian Identity Card, but we recognize that the earthquake in Haiti will prevent some applicants from being able to obtain a passport or certain other documents. Please note that you can submit a copy of your Haitian passport to us, even if it has expired. If you do not have any primary evidence of your Haitian nationality, then you can submit secondary evidence, such as affidavits from friends or family members who have close personal knowledge of the date and place of your birth and your parents' nationality. The person making the affidavit should include information about how he or she knows you or is related to you, and how he or she knows the details of the date and place of your birth. If you are unable to submit primary evidence of your nationality, several reliable secondary source documents will often help the adjudicator to confirm your nationality.

Please also note that any document that is not in English must be accompanied by a complete word-for-word English translation. The person translating the document must certify that he or she is competent in English and the foreign language from which the document is being translated and that the translation is true and correct to the best of his or her ability, knowledge and belief.

If you are a person with no nationality who last habitually resided in Haiti, you must submit a statement explaining why you are stateless and any documentation you may have from Haiti showing that you last habitually resided there.

**Q. What is an example of a person of no nationality who last habitually resided in Haiti?**

A. An example of a person with no nationality is someone who is stateless. An individual can become stateless in a number of different ways, such as when the foreign country where the person previously held nationality no longer exists and there is no successor state or the person's nationality has been cut off by their own state. This situation does not occur very often in the TPS context.

If you are stateless and you last habitually resided in Haiti, you need to include with your TPS application an explanation of how you became stateless, along with documents showing that Haiti was your last habitual, or regular, place of residence. Since a stateless person is not likely to have any passport at all, it would also be helpful for your explanation to include details on the date of entry to the U.S. and the manner of arrival. While we understand the difficulties associated with obtaining documents from Haiti, we encourage anyone who is claiming to be a person without nationality who last habitually resided in Haiti to submit copies of whatever documents you may have at this time. If no documents are available at all to you, you may submit affidavits from other persons who have close personal knowledge of your habitual residence in Haiti and lack of nationality.

**Q. How do I prove continuous physical presence and continuous residence in the United States?**

A. There are a number of different types of documents that you can submit to prove that you have continuously resided in the United States since January 12, 2010, and that you have been continuously present in the United States since Jan. 21, 2010, the effective date of the designation of Haiti for TPS. For example, you can submit job letters from your current and former employers showing where you have worked, rent receipts, payroll stubs, bank statements, school records, or any other documents you may have showing your continuous physical presence and continuous residence in the United States. You may see a listing of many other examples of documents that you may submit to show residence and continuous presence in the regulations at 8 C.F.R. § 244.9(a)(2).

**Q. Where do I submit my TPS package applications?**

A. This information is available in the Federal Register Notice published on Jan. 21, 2010. Electronic

filing is not available for initial TPS registrations.

If you live in...	Mail your application to:
The state of Florida	USCIS P.O. Box 4464 Chicago, IL 60680-4464  For Express mail and courier deliveries: USCIS Attn: Haiti TPS 131 South Dearborn, 3 <sup>rd</sup> Floor Chicago, IL 60603-5520
The state of New York	USCIS P.O. Box 660167 Dallas, TX 75266-0167  For Express mail and courier deliveries: USCIS Attn: Haiti TPS 2501 S. State Hwy. 121 Business, Suite 400 Lewisville, TX 75067
All other states	USCIS P.O. Box 24047 Phoenix, AZ 85074-4047  For Express mail and courier deliveries: USCIS Attn: Haiti TPS 1820 E. Skyharbor Circle S Suite 100, Phoenix, AZ 85034

**Q. What should I do if I am scheduled for an appointment at the Application Support Center (ASC) but am unable to make my appointment?**

A. If you are unable to make your scheduled appointment, it is possible for you to reschedule, however this may result in processing delays. If you fail to appear for your ASC appointment without rescheduling, or if you repeatedly miss scheduled ASC appointments, your TPS application could be denied for abandonment.

**Q. How do I reschedule my ASC appointment for biometrics?**

A. To request rescheduling of an ASC appointment, please make a copy of your appointment notice to retain for your records, then mail the original notice with your rescheduling request to the ASC address listed on the notice. You should submit your request for rescheduling as soon as you know you have an unavoidable conflict on your scheduled ASC date. A new appointment notice will be sent to you by mail. Please note that rescheduling a biometrics appointment may cause the adjudication of your applications to be delayed.

**Q. How long will it take to process my case, and can I request expedited processing if I have an emergency?**

A. Please understand that USCIS considers this caseload to be a priority due to the emergency situation resulting from the earthquake. We are treating each TPS application as an urgent matter and are making every effort to ensure that each applicant receives the quickest possible response. We ask that applicants be as patient as possible as we work hard to process each application in a timely manner.

To ensure that your application is filed properly, it is very important for you to:

- Read the "Tips for Filing Form I-821, Application for Temporary Protected Status" before you file your application. This document may be found on the Forms page at USCIS.gov.
- Fill out the entire application and sign.
- Include the correct fees. If you are requesting a fee waiver for a fee that can be waived (ONLY for the Form I-821, Form I-765, the Biometrics fees, and the Form I-601 ONLY), please make sure you submit a properly documented fee waiver request. By regulation, a fee waiver is not available for Form I-131 for advance parole. For information about paying filing and biometric fees, see the "Paying Immigration Fees" link on the Forms page at USCIS.gov.
- Include all the required documents.
- Make sure that the address you indicate on your application for correspondence is correct and up to date.
- Contact USCIS National Customer Service Center if you move while your application is pending. Call Customer Service at 1-800-375-5283 right away to report the address change. You may also [change your address online](#).
- Respond quickly to any requests for evidence if we ask you for additional information or documents.
- Appear for your scheduled biometrics appointment.

### **Q. What steps does my TPS application go through?**

A. Once you file, your case will undergo several steps along the way. It is important to understand what these steps are so you can monitor the progress along the way and know when and how to ask for help. These steps are: Intake, ASC Appointment Scheduling and Biometrics Capture, and Adjudication.

**1. Intake:** When you file your TPS application with the Lockbox facility, the Lockbox facility will review your application for completeness and for the proper fee or a properly documented fee waiver request. If your case meets the basic acceptance criteria, your application will be received into our system and you will receive a receipt notice. If there is an emergent humanitarian travel need, you may request expedited processing on your advance parole application, (Form I-131) after intake and after you have appeared at an ASC for your biometrics appointment. Please note the travel warnings further below. If you do not received your receipt notice within 3 weeks of filing,, you can call Customer Service at 1-800-375-5283 to request assistance.

**2. ASC Scheduling Appointment and Biometrics Capture:** After your application has been accepted, you will be scheduled for an appointment at an ASC for your biometrics capture. Due to the large volume of TPS applications, it may take longer to receive an ASC appointment at some ASC facilities where there are extremely large Haitian populations, such as Florida. We are making every effort to address this situation to avoid these delays.

**3. Adjudication:** USCIS will review your case initially to determine whether you are eligible for an Employment Authorization Document (EAD), if you have requested one, prior to a final decision on your TPS application. If eligible, you will receive an EAD after you have appeared for your biometrics appointment at an ASC. USCIS is making every effort to avoid backlogs at this stage that would hinder meeting this goal, but we urge you to remember that the volume of applications in the first few months is expected to be very high.

After this initial review of your TPS application, USCIS will complete final adjudication of your request for TPS. During this phase, we may ask you for additional documents to establish your eligibility for TPS. If you receive a request for evidence (RFE) or an intent to deny, it is extremely important that you respond immediately to avoid processing delays and possible denial, simply for

failure to respond timely. USCIS will issue you notice of your TPS grant or denial upon completion of your case. If one of the grounds of inadmissibility that may be waived applies to you, USCIS will give you an opportunity to submit Form I-601 to request a waiver. Please submit this form within the time frame specified in the USCIS notice, or your case will be denied.

**Q. Will I receive authorization to work? What documents do I use as proof of employment authorization?**

A. After you file your Forms I-765 and I-821, and pay the appropriate fees (or you are granted a fee waiver), USCIS will review your applications to make a preliminary assessment of your eligibility for TPS. If eligible, your applicant for employment authorization will be approved and an EAD will be mailed to you.

You may present your valid EAD to an employer as proof of employment authorization and identity. You may also present any other legally acceptable document or combination of documents listed on the Form I-9 as proof of identity and employment eligibility.

**Q. I am a national of Haiti and arrived in the United States after Jan. 12, 2010. Am I eligible for TPS?**

A. No. To be eligible for benefits, nationals of Haiti (or persons having no nationality who last habitually resided in Haiti) must have continuously resided in the United States since January 12, 2010.

**Q. If I resided in the United States before Jan. 12, 2010, but was temporarily out of the country on either Jan. 12, or on Jan. 21, when the TPS designation became effective, or both dates, am I eligible for TPS?**

A. You must demonstrate with supporting documentation that you have both continuously resided in the United States since Jan. 12, 2010, and have been continuously present since Jan. 21, 2010, the effective date of the TPS designation for Haiti. However, a "brief, casual and innocent absence" from the United States will not break continuous residence or presence.

Such an absence is defined as an absence from the United States of short duration, reasonably calculated to accomplish the purpose(s) for the absence; the absence was not the result of an order of deportation, order of voluntary departure, or an administrative grant of voluntary departure without deportation proceedings; and the purposes for the absence from the United States were not contrary to law. 8 C.F.R. § 244.1. Therefore, if you have resided in the United States since Jan. 12, 2010, but you were out of the country for any period of time covering that date or later, then you must submit supporting evidence demonstrating that your period of absence from the United States meets the criteria for a "brief, casual and innocent absence." There is no set amount of time that defines such an absence and each case will be determined on its own merits. An applicant who demonstrates that his absence from the United States was due merely to a brief temporary trip abroad required by emergency or extenuating circumstances outside of his or her control also does not break continuous residence. See *id.*

**Q. Can I use TPS as a basis for obtaining permanent resident status?**

A. No. TPS is a temporary benefit that does not lead to lawful permanent resident status or confer any other immigration status.

**Q. May I apply for another immigration benefit while registered for TPS?**

A. Yes. Registration for TPS does not prevent you from applying for nonimmigrant status, filing for adjustment of status based on an immigrant petition, or applying for any other immigration benefit or protection for which you may be eligible.

**Q. How does an application for TPS affect my application for asylum or other immigration benefits?**

A. An application for TPS does not affect an application for asylum or any other immigration benefit and vice versa. Denial of an application for asylum or any other immigration benefit does not affect your ability to register for TPS, although the grounds of denial of that application may also lead to denial of TPS. (For example, an individual that has been convicted of an aggravated felony is not eligible for asylum or TPS.)

If you have been granted TPS and have a family or an employment-based petition approved on your behalf and a priority date that is current, you can only adjust status in the United States if you were inspected and admitted, or paroled, and (with few exceptions) have maintained lawful status while in the United States. If you entered the United States illegally or fell out of a legal status before or after having TPS, you may be ineligible to adjust status in the United States. For adjustment purposes, the time that a person is in TPS is considered as a period of lawful non-immigrant status, but merely having TPS does not "cure" all other periods of time before and after TPS when the person may not have had lawful status.

**Q. May I ask for permission to travel while my TPS application is pending or after I have been granted TPS? If I violate the terms and conditions of my TPS or have been in the U.S. without lawful status before TPS and then leave the U.S., will I be able to come back?**

A. You may request advance parole by filing a Form I-131 together with your TPS application or separately at a later date. Advance parole, if granted, will permit you to travel abroad. We will adjudicate your advance parole application after you have appeared at an ASC for your biometrics appointment. If you apply for advance parole at a later date, be sure to include copies of your receipt notices for your Forms I-821 and I-765, if they are pending, and if you have an approval notice(s), please include it as well.

You cannot receive a fee waiver for Form I-131. The fee for Form I-131 is \$305. If you decide to travel, either while your TPS application is pending, or after it is approved, you should also understand and consider the important travel warning below when making your travel plans. If you travel while your TPS application is still pending and USCIS requests additional information from you, this could result in processing delays or denial for abandonment if you fail to respond to the request within the time required. You could also be found ineligible for TPS for other reasons while you are out of the country, and then you may not be permitted to re-enter.

**TRAVEL WARNING:** If you have been unlawfully present in the United States and then you leave, even on an approved advance parole document, you may become inadmissible for three (3) or ten (10) years, depending on how much unlawful presence you had before you left. In addition, you may become ineligible for certain other benefits in the future that you may seek, such as permanent resident status. We encourage you to read and understand the travel warning on Form I-131 before you ask for advance parole, regardless of whether you have been granted TPS. Before requesting advance parole for travel, you may also want to seek legal advice if you have been unlawfully present in the U.S. for any period of time.

**Q. What might make me ineligible for TPS?**

A. You might be ineligible for TPS if you:

- Have been convicted of any felony, or two or more misdemeanors committed in the United States;
- Are found inadmissible as an immigrant under applicable grounds in INA, section 212(a);
- Are subject to several other criminal and security-related bars to asylum. These include, but are not limited to, participating in the persecution of another individual or engaging in or inciting terrorist activity.

**Q. Do I need to file Form I-601 with my TPS application?**

A. You are not required to file Form I-601 with your TPS application. If you are found inadmissible under a ground that can be waived under the TPS program, you will be instructed to File Form I-601, Application for Waiver of Inadmissibility. If you are unable to pay the filing fee for Form I-601, you may request a fee waiver, according to the guidance provided in this Q and A.

**Q. What will be the process for detained individuals to apply for TPS?**

A. Detained and non-detained Haitian nationals (and persons with nationality who last habitually resided in Haiti) received notice of their opportunity to apply for TPS via notice from the Federal Register. Those individuals eligible to apply for TPS may also receive notice during their immigration proceedings.

Detained individuals may also request legal assistance in completing their TPS forms from the representatives included on the local immigration legal provider lists that ICE regularly gives aliens in proceedings. In addition, free legal assistance providers may be found on the [U.S. Department of Justice's website](#).

**Q. I am in the United States on an order of removal, am I eligible to apply for TPS?**

A. Yes. Haitian nationals (and persons without nationality who last habitually resided in Haiti) with final orders of removal who are still in the United States may apply for TPS. However, whether an applicant is granted TPS depends on the applicant meeting all the eligibility criteria for TPS. Some Haitians were ordered removed on the basis of criminal grounds that will also disqualify them from receiving TPS. USCIS encourages Haitians with final orders of removal and those in removal proceedings to seek legal assistance regarding their TPS eligibility.

**Q. Will information and supporting documentation submitted with a TPS application be kept confidential? Will it be shared with ICE?**

A. The information contained in a TPS application and supporting documentation cannot be released to a third party requester except under court order or with the written consent of the individual. However, third party requesters do not include the individual, the individual's representative, representatives of the Department of Justice, or other federal or state law enforcement entities (including DHS). Information in the application and supporting documents may be used for purposes of enforcement of the Immigration and Nationality Act (INA) or any criminal laws. Along with USCIS, ICE and U.S. Customs and Border Protection (CBP) are federal agencies within DHS that enforce the INA, therefore those agencies can have access to the TPS application and supporting documents.

**Q. I am a Haitian national who has applied for TPS and recently moved. How do I make sure my address is current?**

A. Most non- U.S. citizens who are in the United States are required by law to notify DHS of any change of address within 10 days after moving to a new address. To notify DHS of your change of address, you must file a Form AR-11, Change of Address. The Form AR-11 can now be completed electronically on our website at [www.uscis.gov](http://www.uscis.gov).

If you are one of the few individuals not legally required to provide a change of address, you should still keep your address current if you have filed any application or petition with us and it is still pending a decision. This will ensure that you receive any notices or decisions from us. To notify us of your change of address you can call the USCIS National Customer Service Center at 1-800-375-5283 or you can file the Form AR-11, Change of Address. Form AR-11 can now be completed electronically on our website at [www.uscis.gov](http://www.uscis.gov)

**Q. Can I appeal a denial of my TPS application?**

A. Yes, if USCIS denies your application you may either file a Motion to Reopen or an appeal. You may file your motion or appeal by submitting an Appeal of Motion, Form I-290B. The fee for filing a Form I-290B is \$585, however you may request a fee waiver if you are unable to pay. If your case is denied, we recommend that you consult with an accredited legal representative to determine whether it would be better for you to pursue an appeal or a motion. If you have been placed in removal proceedings, you may request that the immigration judge adjudicate your TPS request anew. This is called requesting de novo review by the immigration judge. If an immigration judge denies your request for TPS, you may file an appeal with the Board of Immigration Appeals (BIA).

**Q. I have been granted TPS by an Immigration Judge (IJ) or the Board of Immigration Appeals (BIA). Can I receive employment authorization from USCIS?**

A. If you have been granted TPS by an IJ or the BIA, you may receive employment authorization by filing Form I-765, Application for Employment. You must follow the procedures below for notifying USCIS through a specially designated e-mail address for IJ and BIA grants of TPS.

PLEASE NOTE: Do not request an EAD if you are currently in proceedings and have not yet been granted TPS. Only request an EAD after an IJ or BIA grants you TPS.

**Q. Can I receive a travel authorization based on a grant of TPS by an IJ or the BIA?**

A. If you have been granted TPS by an IJ or the BIA, you may receive travel authorization by filing Form I-131, Application for Travel Document. You must follow the procedures below for notifying USCIS through a specially designated e-mail address for IJ and BIA grants of TPS.

PLEASE NOTE: Do not request a travel authorization if you are currently in proceedings and have not yet been granted TPS. Only request a travel authorization after an IJ or BIA grants you TPS.

**Q. How do I notify USCIS that I have been granted TPS by an IJ or the BIA?**

A. If an IJ or the BIA granted you TPS, you must provide USCIS with proof of the TPS grant (such as a final order from the IJ or final decision from the BIA) when you file for your first TPS benefit (such as an EAD or travel authorization). You should also submit a copy of the I-821 TPS application that the IJ or the BIA approved.

If you are applying for employment authorization, you must File Form I-765 with required fee(s) or fee waiver request. You must also submit a cover sheet that states "DO NOT REJECT - TPS GRANTED BY IJ/BIA." File your Form I-765 at the appropriate filing location based on the state where you live, as provided in answer 12 above. If you previously applied for TPS with USCIS and were denied, please make sure to explain that the IJ or BIA granted you TPS based on the I-821 that USCIS previously denied (known as de novo review or "new" review), make sure to explain on your cover sheet that you were granted de novo review.

If you are filing for a travel authorization, you must file Form I-131 with required fee or fee waiver request. File your Form I-131 at the appropriate filing location based on the state where you live, as provided in answer 12 above.

After following the instructions above, we will send you a receipt notice (Form I-797). When you get the receipt notice, you must immediately send an email to the Service Center that will adjudicate your application.

If your receipt notice starts with the letters "LIN," email the Nebraska Service Center at [Tpsijgrant.nsc@dhs.gov](mailto:Tpsijgrant.nsc@dhs.gov).

If your receipt notice starts with the letters "WAC," email the California Service Center at

[Tpsijgrant.csc@dhs.gov](mailto:Tpsijgrant.csc@dhs.gov).

Your email must include the following information:

- Your name
- Your date of birth
- Your A-number

The date the IJ or BIA finally granted you TPS. (Note: To be final, your IJ order granting TPS must not be subject to further appeal, or your BIA decision granting TPS must not be subject to further review.)

The email addresses are only for individuals granted TPS by an IJ or the BIA who are requesting an EAD or travel authorization. The email addresses are not for individual case status inquiries.

**Q. Where can I receive additional information?**

A. For additional information please visit the 'Temporary Protected Status' page and 'Haiti Earthquake Response' page on the column on the left . You may also contact the USCIS National Customer Service Center at: 1-800-375-5283 or 1-800-767-1833 (TTY).

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