



# Temporary Protected Status Workshops

**VOLUNTEER TRAINING**

**JANUARY 12, 2024**

# Training Overview

1. Immigration Law Overview
2. Temporary Protected Status: Overview
3. Temporary Protected Status: Bars and Red Flags
4. Temporary Protected Status and Asylum
5. The Forms and Supporting Documentation
6. Workshop Processes and Procedures

# A note about how to use this information

- Immigration law is nuanced and can be complicated to navigate even for experienced immigration legal practitioners.
- We do not expect anyone to remember all this information or to be able to make any legal determinations on behalf of workshop participants.
- This information is being presented so that that you can recognize important facts when they come up.
- Experienced immigration attorneys will be available to answer questions and review every application prepared in the workshop before it is considered ready to file.
- This information is not intended to teach anyone how to prepare immigration applications on their own, outside the context of these workshops. Filling out immigration forms is considered "practicing law" and should only be done by a licensed attorney or Department of Justice-Accredited nonprofit employee.

# Newly Arrived Migrants: Considerations

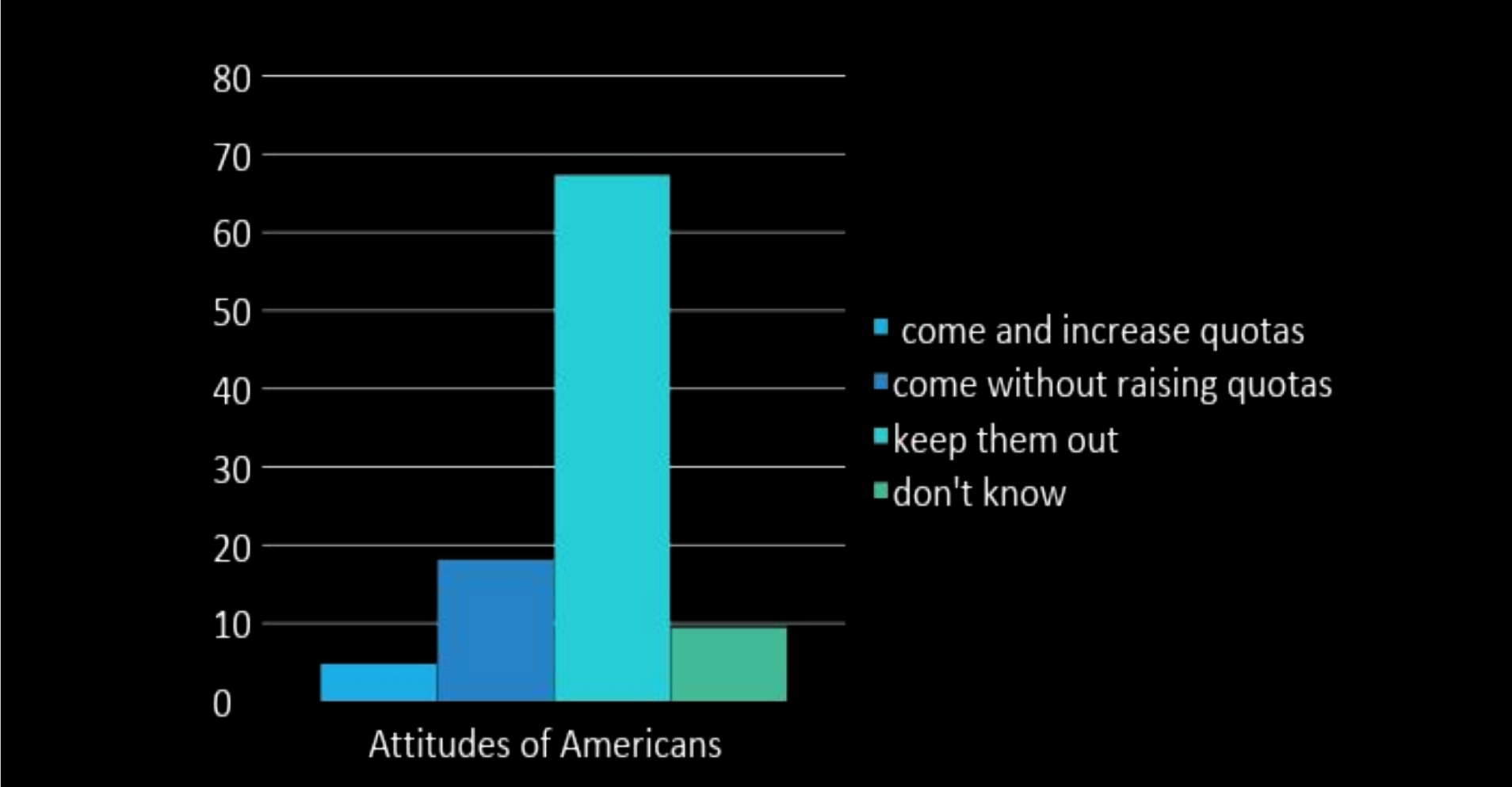
Each person has a different background and different experience. This may include:

- Professional degrees, all levels or education and experience
- Literacy challenges
- No prior experience with a legal system or an attorney
- Significant violence, famine or prior trauma in home country or during travel to the United States
- Lacking a consistently safe place to sleep and/or significant food insecurity
- Feelings of hopelessness

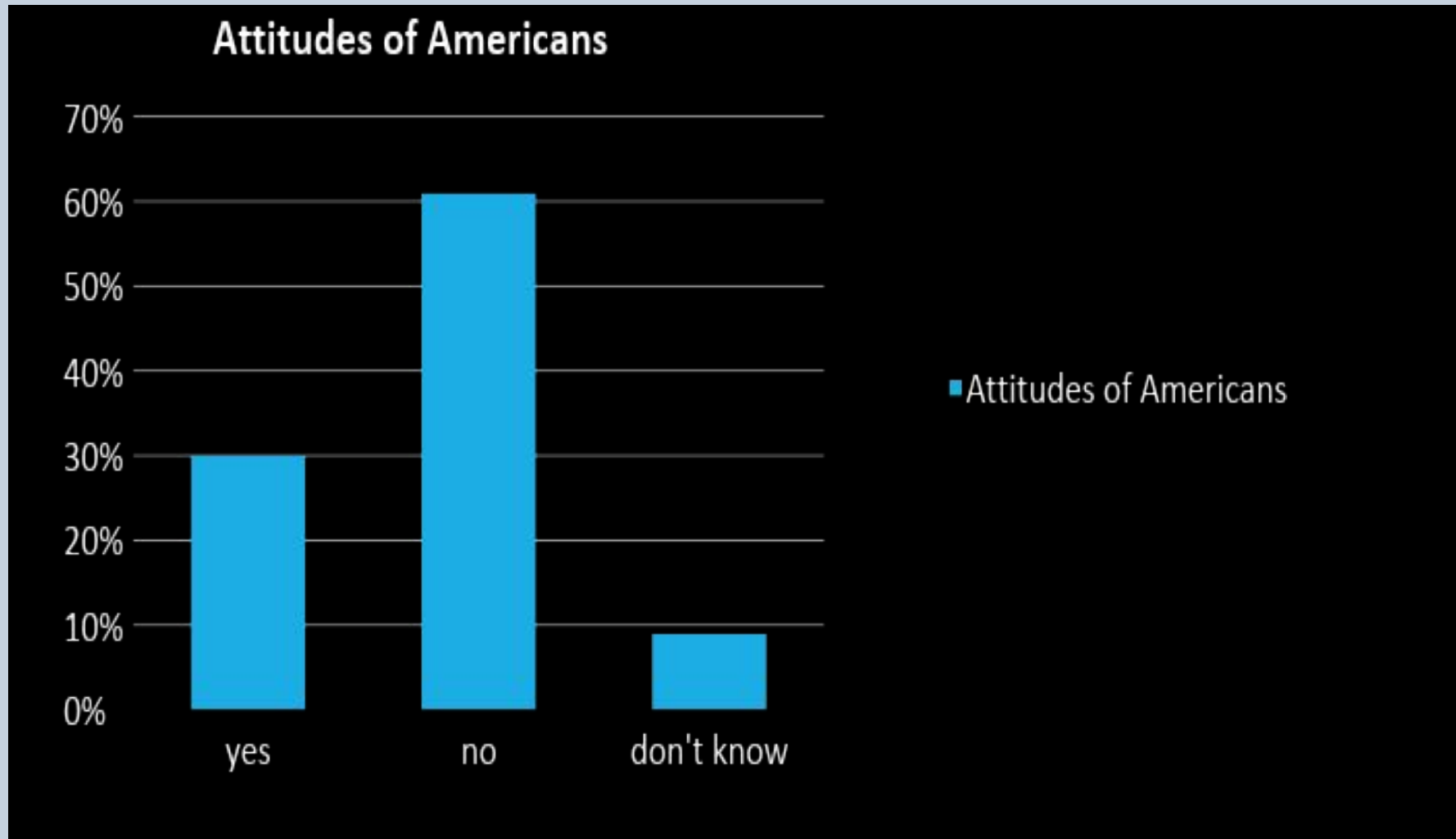
You may be viewed as an authority figure or as an access point to the U.S. legal system.

- Be cognizant of power dynamics
- Be patient
- Be sensitive regarding discussions of past trauma or violence

# Should we allow German, Austrian and other mostly Jewish political refugees to the United States? – July 1938



# Should we bring 10,000 Jewish children to the United States? – January 1939



# Who is “Immigration?”

## Department of Homeland Security

Immigration &  
Customs  
Enforcement  
(ICE)

U.S.  
Citizenship  
and  
Immigration  
Services  
(USCIS)

Customs &  
Border  
Protection  
(CBP)

## Department of Justice

Executive Office for  
Immigration Review  
(EOIR)-  
immigration courts

## Department of State

US Consulates

# Immigration Terms & Acronyms

- **A Number/ Alien Registration Number/ File Number:** the 9-digit number each migrant receives at the border. It starts with an “A” and will be on all immigration paperwork.
- **I-94:** Arrival/Departure record created upon entry or change/adjustment of status.
- **Removal Proceedings:** Immigration Court proceedings (deportation).
- **NTA:** Notice to Appear. The initial charging document in Immigration Court.
- **CBP One App:** DHS app used to register for an appointment before entering the United States.
- **EAD:** Employment authorization document. Also known as a work permit.
- **ATD:** Alternatives to Detention. Also interchangeable with ISAP: Intensive Supervision Appearance Program



# US Immigration System

- **Family sponsorship**

- US Citizens
- Permanent Residents

- **Employment sponsorship**

- Non-Immigrant
- Immigrant

- **Humanitarian**

- Refugee & Asylee
- TPS, SIJS, select groups of people, select countries
- Crime, domestic violence, trafficking victims

# US Immigration System

- **Humanitarian**

- **Refugee & Asylee**

- Cannot return home due to past persecution or fear of future persecution based upon a protected ground.

- Refugees are processed outside of US, typically in conjunction with UNHCR

- Asylees apply from within US, at border, or close waters; must apply within one year of arrival.

- **Temporary Protected Status**

- Cannot return home due to war, natural disaster, failed state, etc

# DHS Parole Authority

## What is Parole?

- DHS discretionary authority to permit entry, presence and return to US without formal admission
- Parole is not status and parole doesn't provide any lawful status, citizenship or right to remain permanently,

## Who is eligible?

- Any alien applying for admission to the United States\*
- \* Anyone DHS designates

## Why is Parole granted?

- Many reasons: medical, humanitarian, release from detention, record of admission, family reunification, re-entry after travel, etc.

Humanitarian Parole under INA 212(d)(5) allows employment authorization

# Temporary Protected Status

- What it IS:
  - Permission to stay in the U.S. for a temporary period time
  - Permission to work for the same temporary period
- What it is NOT:
  - The right to live and work in the U.S. indefinitely
  - Path to a Green Card, or Lawful Permanent Residence
  - Path to U.S. Citizenship

# TPS-Designated Countries

- Our workshops are preparing applications for first time registration for TPS. We are not doing late filings or re-registrations.
- The following countries currently have open registration periods for first-time TPS:

<b>Afghanistan</b>	<b>Burma</b>	<b>Cameroon</b>
<b>Ethiopia</b>	<b>Haiti</b>	<b>Somalia</b>
<b>South Sudan</b>	<b>Sudan</b>	<b>Syria</b>
<b>Ukraine</b>	<b>Venezuela</b>	<b>Yemen</b>

# Bars to TPS

*\*All the same bars that apply to asylum eligibility also apply to eligibility for TPS*

## Persecutor Bar

- Anyone who has persecuted any person on account of race, religion, nationality, membership in a particular social group, or political opinion.
- This is a very fact-specific analysis that is applied on a case-by-case basis;
  - Membership in a group that persecuted is not generally enough.
  - There must be evidence that the applicant affirmatively persecuted someone because of their race, religion, nationality, political opinion, or membership in a particular group.

# Bars to TPS: TRIG

## TRIG = Terrorism-Related Inadmissibility Grounds

Three broad categories:

1. You are a terrorist (“engaged in” bar).
2. You helped a terrorist (“material support” bar); and/or,
3. You are a present risk to national security or public safety.

These are overly simplified, but TRIG is complicated, and you just need to be able to identify potential problems.

# Bars to TPS: TRIG

The government applies the TRIG bars very broadly:

- In Matter of M-H-Z-, the Board of Immigration Appeals concluded that there is no “duress” exception to material support. In that case, a Colombian business owner gave the FARC rebels merchandise and money after they threatened her.
- In Matter of A-C-M-, the BIA concluded that a woman who had been kidnapped and enslaved by Salvadoran rebels had provided “material support” to those rebels, because they had forced her to wash their clothes and cook for them. The BIA rejected any exception for de minimis support.



# Bars to TPS: TRIG

Some TRIG red flags

- The person is or was a member of a Tier 1 or 2 terrorist organization.
- The person is a member of an undesignated terrorist organization under the U.S. PATRIOT Act

(sometimes called a “Tier 3” organization).

- The person is herself a “terrorist,” by virtue of espousing violent attacks or other activities.
- The person worked in some way for a terrorist organization, even if involuntarily.
- The person paid money to a terrorist organization, even if under duress.
- In some cases, the person is a spouse or child of someone who supported a terrorist organization.

# Bars to TPS: Criminal Grounds

Certain crimes can bar someone from obtaining TPS:

- Particularly serious crimes (PSCs),
- Serious non-political crimes committed outside the U.S., and,
- Aggravated felonies (because they are PSCs).

Your job is not to do the legal analysis. You just need to spot potential issues by asking your applicants questions about criminal convictions, whether inside or outside the United States. Apply the “icky or scary” test: if it’s violent, deceitful, “vice,” or sex, flag it. When in doubt, flag it and ask.

# Bars to TPS: Criminal Grounds

In addition to the asylum bars, other criminal convictions can bar an applicant from TPS:

- Crime involving moral turpitude
- Controlled substance violations
- Multiple criminal convictions
- Controlled substance traffickers
- General security and related grounds
- Adverse foreign policy consequences for the U.S.
- Immigrant membership in totalitarian party
- Participants in Nazi persecution, genocide, or the commission of any act of torture or extrajudicial killing.

Your job is not to know which crimes fit into which category. If you meet with someone with *any* criminal conviction, ask an immigration attorney for help.

# Bars to TPS: Firm Resettlement

## Basic Definition:

A noncitizen is considered permanently resettled if after the events that caused them to leave their country, and before arriving in the U.S.:

1. They entered another country with an offer of permanent resident status, citizenship, or another type of permanent resettlement, or
2. While traveling through another country, received an offer of such a status.

# Bars to TPS: Firm Resettlement

## Some Nuances:

- A noncitizen does not have to receive an affirmative offer of permanent resettlement;
- If a country has a legal process by through which noncitizens can seek permanent residence, that can be sufficient;
- A temporary status (other than tourist) that can be indefinitely renewed may be considered an offer of permanent resettlement.

# Bars to TPS: Firm Resettlement

## Exceptions to the Firm Resettlement bar:

### No significant ties

- Entering the country was necessary to flee persecution or other harm;
- The noncitizen remained in that country only for as long as it took to move on;
- While in the country, the noncitizen did not establish significant ties.

### Restrictive Conditions

- Conditions in the country were so substantially and consciously restricted by the authorities that the noncitizen was not actually resettled.

# Bars to TPS: Firm Resettlement

## Dual Nationality and Firm Resettlement

Dual nationality, alone, does not disqualify from TPS

- Operative Nationality - noncitizens must rely on only one of their nationalities for immigration purposes.
  - If a noncitizen uses their Colombian passport to enter the U.S. on a visitor's visa, they can't then rely on their Venezuelan citizenship to take advantage of TPS eligibility.
- Totality of the Circumstances - dual nationality is one factor among many in the firm resettlement analysis.

\*\*\*Children born en route to U.S. - for the purposes of TPS, USCIS has stated that children receiving dual nationality through birth on their parents' path to the U.S. can still qualify for TPS.

# Bars to TPS: Firm Resettlement

## Positive factors to overcome Firm Resettlement bar:

- Use of TPS-eligible nationality and passport at entry
- Timing of U.S. arrival/entry and TPS designation:
  - “For purposes of TPS eligibility, USCIS considers an applicant to be firmly resettled if, *prior to arrival in the United States*, and subsequent to the events giving rise to the TPS designation, they entered into another country with, or while in that country received, an offer of permanent residence status, citizenship, or some other type of permanent resettlement.” (*Temporary Protected Status for Haiti - Questions and Answers*, emphasis in original).



# Bars to TPS: Firm Resettlement

## Positive factors to overcome Firm Resettlement bar (cont'd):

- Factors used in the Firm Resettlement analysis in recent Haitian cases:
  - Reasons for being in the other country;
  - Why they left the other country;
  - Explanation of their legal status while in the other country
  - Whether they had the same privileges provided to other persons who lived permanently in the country;
  - Any other reasons why they did not consider themselves to have been firmly resettled in the country.

# Bars to TPS: Firm Resettlement

## \*Note on Burden of Proof\*

- It is the burden of the government to prove that an applicant is ineligible for an immigration benefit because they were firmly resettled.
- Only after the government alleges firm resettlement through a request for evidence does the applicant need to address this issue in an application for TPS.
- For the purposes of this workshop we will not be addressing firm resettlement in any applications we prepare and submit to USCIS.

If you encounter an individual or family that has a clear issue of resettlement, please ask an immigration attorney for assistance in determining whether our workshop is the best forum to prepare that application for TPS.

# Other Red Flags

## Fraud

- Can be a basis to deny immigration benefits down the road (i.e. green card and citizenship applications) or rescind benefits after the fact (i.e. denaturalization proceedings).
- Two kinds of fraud to be aware of:
  - Document fraud – it can be difficult to travel without passports or national IDs.
  - Fraudulent statements to Customs and Border Protection upon entry to the U.S. and on applications submitted to the U.S. government

# Other Red Flags

## Smuggling

- Parents can be accused of smuggling their minor children if they cross the border between official ports of entry.
- This is a difficult fact to ascertain from the basic entry documents you may see at the workshops.
- There is a waiver available, and if USCIS identifies this as an issue, it will be requested in the form of a Request for Evidence. We are not proactively addressing this possibility in the scope of this workshop.
- If you have questions about this at a workshop, ask an immigration attorney for assistance.

# Red Flag Facts for TPS

- Member or family member of someone who was a member of the police, military, or any armed group in their home country;
- Arrested or convicted of a crime *anywhere in the world*;
- Has citizenship in more than one country, including one that is not designated for TPS;
- Lived in another country before coming to the U.S.
- Has already applied for asylum or plans to apply for asylum.

# TPS and Asylum

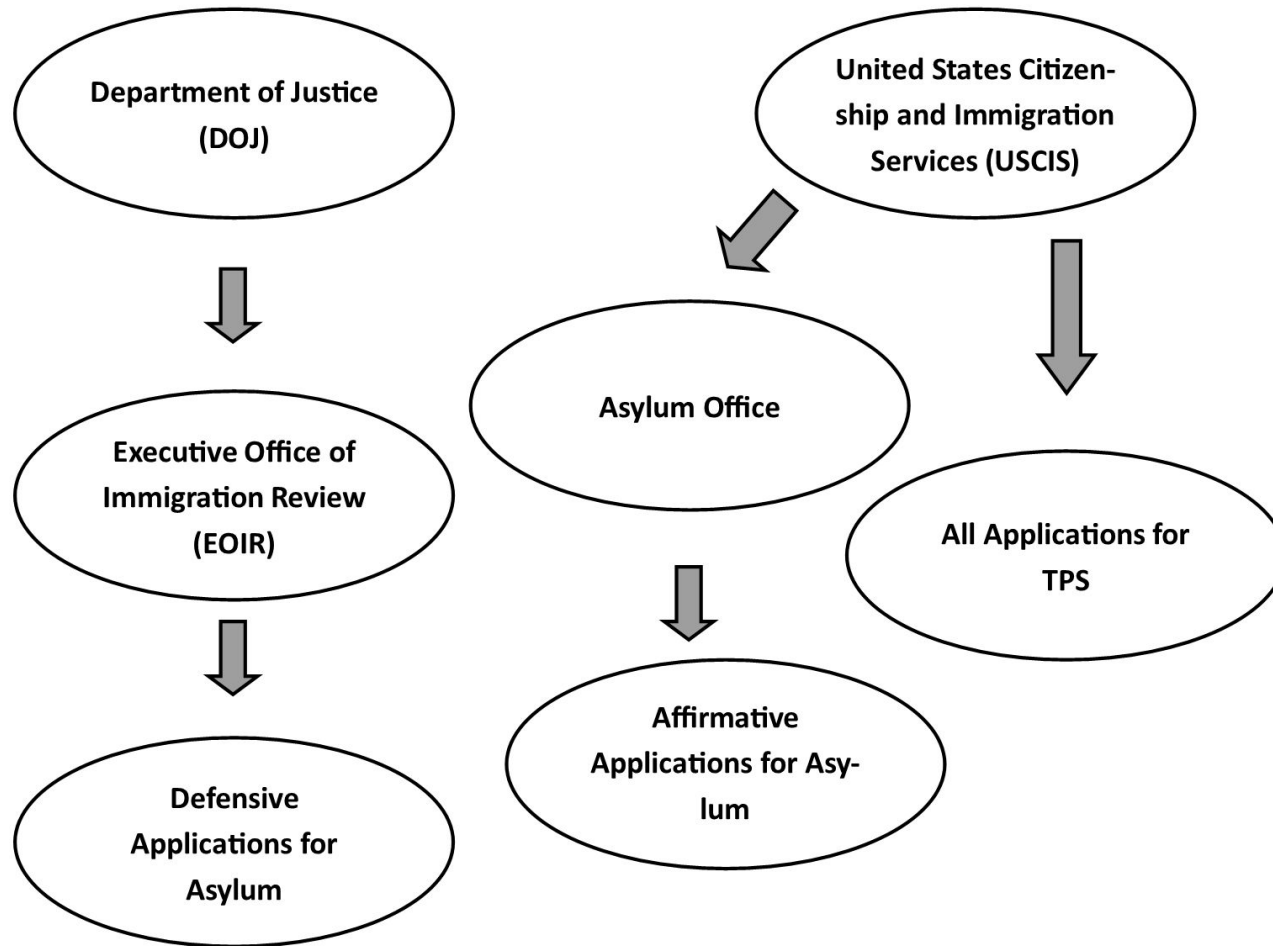
## A Note about How to Use this Information

This information is not intended to make anyone qualified to explain these nuances to participants at our workshop. It is shared to give you context for the bigger puzzle that is U.S. Immigration Law, and the single piece that is the role our workshops will fill.

# TPS and Asylum

- Many workshop participants will also be eligible for asylum
  - More permanent status and path to green card and citizenship
- Generally speaking, TPS and asylum can be filed and adjudicated concurrently without prejudicing either application.
  - Applications should be consistent with each other.
- A TPS approval may affect the procedural posture for an asylum application
  - This could also affect processing time for asylum and any related work permit application.

# TPS and Asylum



## Similarities:

- Both adjudicating jurisdictions have significant backlogs.
- Both are affected by Executive Branch policy.
- Individuals will be eligible for a work permit after asylum application has been pending for 180 days.

## Differences:

- Asylum Office backlog is arguably longer
- Easier to expedite a hearing with EOIR than an interview with Asylum Office.

*\*Note, immigration attorneys have differing opinions and strategies about these points.*



# TPS and Defensive Asylum

- Anyone who has arrived in the U.S. through the Southern Border and come into contact with Immigration authorities will likely be in immigration removal/deportation proceedings.
- If they are granted TPS, they may be eligible to have their removal proceedings administratively closed (temporary) or terminated (semi-permanent).
  - Individual can ask the judge.
  - Government attorney can ask the judge.
  - The judge can do this on their own.
- For the past year or so, in Denver, we are seeing judges do anything they can to get cases off their overburdened docket, including dismissing cases over the objection of individuals and their attorneys.

# TPS and Defensive Asylum

- If a case is administratively closed:
  - Asylum case continues to be “pending” but no hearing will be set.
  - Asylum Office does not have jurisdiction if individual wants to pursue asylum while they have TPS.
  - Work permit “clock” continues and individual is still eligible to renew existing work permits based on pending asylum.
- If a case is terminated:
  - Asylum application is terminated.
  - Work permit “clock” stops.
  - If asylum is the goal, individual must re-file their application with the Asylum Office
    - Could cause problems with the one-year deadline for asylum application.
      - USCIS has issued an official policy guidance on this, but adjudications on this point have not occurred because of the backlog at the Asylum Office.

# TPS and Affirmative Asylum

- TPS and asylum status are not mutually exclusive.
  - Generally, individuals can submit any immigration applications for which they are eligible.
  - An individual can have both TPS and asylum.
- Typically, if the Asylum Office decides not to grant an application for asylum, the individual will be referred to the Immigration Court (EOIR) - "two bites at the apple."
- If an individual has a status that prevents the government from initiating immigration removal proceedings, the individual cannot be referred to immigration court.
  - This was a potential issue with Afghan humanitarian parolees.
- An individual with TPS cannot be removed/deported from the U.S. unless they do something affirmative, i.e. committing a crime, that makes them no longer eligible for TPS.

# TPS and Affirmative Asylum

- If TPS is granted or denied, asylum will still be pending until the individual has been interviewed and their application for asylum granted.
- If asylum is denied after TPS has been granted, the individual cannot be referred to immigration court.
  - They miss out on that extra chance to convince another adjudicator that they are eligible for asylum.
  - You cannot apply for asylum twice unless some narrow exception applies.

# TPS Forms and Documentation: I-821

Form I-821 also applies to late initial registrations for TPS as well as renewals. We are only focusing on initial registrations for TPS so there will be parts of the form that should not be filled out.

We'll cover the required questions for initial registration as well as the evidence needed to establish continuous physical presence, continuous residence, identity, and nationality



## **Application for Temporary Protected Status**

**Department of Homeland Security**  
U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-821**  
OMB No. 1615-0043  
Expires 08/31/2025

► **START HERE** - Type or print in black ink.

**Part 1. Type of Application** (select one)

**NOTE:** Select the box for **Item Number 1.a.**, **1.b.**, or **2.** If applicable, select the box for **Item Number 3.a.** or **3.b.** For **Item Number 4.**, enter the name of the designated TPS country.

- 1.a.  This is my initial (first time) application for Temporary Protected Status (TPS). I do not currently have TPS.
- 1.b.  This is my re-registration application for TPS. I currently have TPS, and am applying to re-register.

**NOTE:** If you have previously applied or have a pending application for TPS, but do not currently have TPS, select **Item Number 1.a.** and describe each time that you previously applied, including the receipt number (if available) and the outcome (if any) of each application. If you currently have a pending TPS application, please also describe when you filed it and the application receipt number (if available) in **Part II. Additional Information.** If you do not recall or have incomplete information on your prior TPS applications, please provide the information you can, even if incomplete.

2. If you selected **Item Number 1.b.**, please indicate who granted you TPS.
- USCIS
- Immigration Judge/Board of Immigration Appeals

Are you also filing a request for employment authorization?

- 3.a.  Yes, I am requesting an Employment Authorization Document (EAD), and I am filing Form I-765, Application for Employment Authorization, together with my Form I-821.
- 3.b.  No, I am not currently requesting an EAD.
4. Name of designated TPS country under which you are applying.

**Part 2. Information About You**

*Your Full Name*

- 1.a. Family Name (Last Name)
- 1.b. Given Name (First Name)
- 1.c. Middle Name



**Part 2. Information About You (continued)**

**Other Names Used**

Provide all other names you have used since birth, including aliases, maiden name, and nicknames. If you need extra space to complete this section, use the space provided in Part 11.

**Additional Information.**

2.a. Family Name (Last Name)

2.b. Given Name (First Name)

2.c. Middle Name

Names Used. 2. B.

(First Name)

3.c. Middle Name

**U.S. Mailing Address** [\(USPS ZIP Code Lookup\)](#)

4.a. In Care Of Name

4.b. Street Number and Name

4.c.  Apt  Ste.  Flr.

4.d. City or Town

4.e. State  4.f. ZIP Code

5. Is your current mailing address the same as your physical address (where you live)?  Yes  No

If you answered "No" to Item Number 5., please provide your physical address below.

**U.S. Physical Address**

6.a. Street Number and Name

6.b.  Apt  Ste.  Flr.

6.c. City or Town

6.d. State  6.e. ZIP Code

**Other Information**

7. Alien Registration Number (A-Number) (if any)  
▶ A-

8. USCIS Online Account Number (if any)  
▶

9. U.S. Social Security Number (if any)  
▶

10. Date of Birth (mm/dd/yyyy)

**Other Dates of Birth Used (if any)**

Provide all other dates of birth you have ever used. If you need extra space to complete this section, use the space provided in Part 11.

11.a. Other Date of Birth (mm/dd/yyyy)

11.b. Other Date of Birth (mm/dd/yyyy)

12. Gender  Male  Female

13. City/Town/Village of Birth

14. Country of Birth

**Countries of Residence (Before entering the U.S.)**

15.a.   
15.b.   
15.c.   
15.d.

**Country or Countries of Citizenship or Nationality (if any)**  
(List all countries that apply.)

16.a.   
16.b.   
16.c.   
16.d.

**Your Marital Information**

17. Current Marital Status (Select only one box)

- Single, Never Married  Married  
 Divorced  Widowed  
 Separated  Marriage Annulled  
 Other

**Part 2. Information About You (continued)**

18. Date of Current Marriage (if currently married)  
(mm/dd/yyyy)

**U.S. Entry Information**

19. Date of Last Entry into the United States  
(mm/dd/yyyy)

20. Immigration Status (or Lack of Status) When You Last Entered the United States (for example, visitor, student, no status)

Place of Last Entry into the United States

21. U.S. Port of Entry (if any)

22.a. City or Town

22.b. State

23. Form I-94 Arrival-Departure Record Number (if any)

24. Date Your Authorized Period of Stay in the United States Expired or Will Expire (as shown on Form I-94 or Crewman's Landing Permit (Form I-95)) (mm/dd/yyyy or duration of status (D/S))

25. Passport Number (most recent passport) (if any) (If you have other expired or valid passports, please list all of them and provide all information requested below about each passport.)

26. Travel Document Number (if any)

27. Additional Passport or Travel Document Number

28. Additional Passport or Travel Document Number

29. Country of Issuance for most recent Passport or Travel Document

30. Expiration Date for most recent Passport or Travel Document (mm/dd/yyyy)

**Your Current Immigration Status**

31. Current Immigration Status or Lack of Status

32. Are you now or were you EVER in immigration proceedings?  Yes  No

If you answered "Yes" to Item Number 32., provide the following information.

Type of Proceedings (Select all boxes that apply):

33.a.  Immigration Court (before an Immigration Judge)

33.b.  Board of Immigration Appeals (BIA)

33.c.  I am no longer in Department of Justice (DOJ) or Department of Homeland Security (DHS) immigration proceedings, but I am or was in Federal court proceedings regarding immigration issues.

34. Locations Where Your DOJ and/or DHS Proceedings were Held (or are currently being held) (if applicable)

35. Locations Where Your Federal Court Proceedings Regarding Immigration Issues were Held (or are currently being held) (if applicable)

Dates for Your Proceedings

NOTE: If your proceedings are ongoing, leave the "To" date blank. If you have been in more than one type of proceedings, or in Federal Court, list dates for each time period.

36.a. From (mm/dd/yyyy)

36.b. To (mm/dd/yyyy)

36.c.  Present

**Part 3. Biographic Information**

1. Ethnicity (Select only one box)

Hispanic or Latino

Not Hispanic or Latino

2. Race (Select all applicable boxes)

White

Asian

Black or African American

American Indian or Alaska Native

Native Hawaiian or Other Pacific Islander



**Part 3. Biographic Information (continued)**

3. Height      Feet   Inches
4. Weight      Pounds
5. Eye Color (Select only one box)
- Black       Blue       Brown  
 Gray       Green       Hazel  
 Maroon       Pink  
 Unknown/Other
6. Hair Color (Select only one box)
- Bald (No hair)       Black       Blond  
 Brown       Gray       Red  
 Sandy       White  
 Unknown/Other

**Part 4. Information About Your Current Spouse (if any)**

Complete this section only if you are filing a late initial application for TPS. See the form instructions for information on requirements for late initial filing for TPS. If you need extra space to complete this section on all former spouses and all of your children, please use the space provided in Part 11. **Additional Information.**

Provide the following information about your current spouse (if married).

1. USCIS Online Account Number (if any and if known)
2. A-Number (if any and if known)  
A-
- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name

**Mailing Address of Spouse**

- 4.a. Street Number and Name
- 4.b.  Apt.  Ste.  Flr.
- 4.c. City or Town
- 4.d. State  4.e. ZIP Code
- 4.f. Province
- 4.g. Postal Code
- 4.h. Country

**Other Information About Your Current Spouse**

5. Your Spouse's Date of Birth (mm/dd/yyyy)
6. Date of Marriage to Your Current Spouse (mm/dd/yyyy)
7. Place of Marriage to Your Current Spouse
- 8.a. City or Town
- 8.b. State
- 8.c. Province (if any)
- 8.d. Country
9. If you know, has your current spouse **EVER** had TPS?  
 Yes  No
- If yes, what dates did he or she have TPS?
- 10.a. From (mm/dd/yyyy)
- 10.b. To (mm/dd/yyyy)
- 10.c.  Present
- 10.d.  I do not know the dates
11. Is your spouse's TPS still valid? (if known)  
 Yes  No  I Do Not Know

**Part 5. Information About Your Former Spouses (if any)**

Complete this section only if you are filing a late initial application for TPS. See the form instructions for information on requirements for late initial filing for TPS. If you need extra space to complete this section on all former spouses or all of your children, please use the space provided in Part 11. **Additional Information.**

**Names of All Your Former Spouses (if any)**

**First Marriage**

1.a. Family Name (Last Name) [ ]  
1.b. Given Name (First Name) [ ]  
1.c. Middle Name [ ]

2. Nationalities of Former Spouse [ ]

3. A-Number of Former Spouse (if any and if known)  
▶ A- [ ]

4. Date of Birth of Former Spouse (mm/dd/yyyy) [ ]

5. Date of Death if Former Spouse Deceased (mm/dd/yyyy) [ ]

**Dates of Marriage to Former Spouse**

6.a. From (mm/dd/yyyy) [ ]

6.b. To (mm/dd/yyyy) [ ]

7. How Marriage Ended (for example, divorce, widowed, annulled)  
[ ]

8. Did or does this former spouse have TPS (if known)?  
 Yes  No  I Do Not Know

If yes, what dates did he or she have TPS (if known)?

9.a. From (mm/dd/yyyy) [ ]

9.b. To (mm/dd/yyyy) [ ]

9.c.  Present

9.d.  I do not know the dates

10. Is this former spouse currently applying for or re-registering for TPS (if known)?  
 Yes  No  I Do Not Know

**Second Marriage**

11.a. Family Name (Last Name) [ ]

11.b. Given Name (First Name) [ ]

11.c. Middle Name [ ]

12. Nationalities of Former Spouse [ ]

13. A-Number of Former Spouse (if any and if known)  
A- [ ]

14. Date of Birth of Former Spouse (mm/dd/yyyy) [ ]

15. Date of Death if Former Spouse Deceased (mm/dd/yyyy) [ ]

**Dates of Marriage to Former Spouse**

16.a. From (mm/dd/yyyy) [ ]

16.b. To (mm/dd/yyyy) [ ]

17. How Marriage Ended (for example, divorce, widowed, annulled)  
[ ]

18. Did or does this former spouse have TPS (if known)?  
 Yes  No  I Do Not Know

If yes, what dates did he or she have TPS (if known)?

19.a. From (mm/dd/yyyy) [ ]

19.b. To (mm/dd/yyyy) [ ]

19.c.  Present

19.d.  I do not know the dates

20. Is this former spouse currently applying for or re-registering for TPS (if known)?  
 Yes  No  I Do Not Know

**Part 6. Information About Your Children (if any)**

Complete this section only if you are filing a late initial application for TPS. See the form instructions for information on requirements for late initial filing for TPS. If you need extra space to complete this section on all former spouses or all of your children, please use the space provided in Part 11. **Additional Information.**

Provide the following information about each of your children (if any). If you need extra space to complete this section, use the space provided in Part 11. **Additional Information.**

**Child 1**

1.a. Family Name (Last Name) [ ]

1.b. Given Name (First Name) [ ]

1.c. Middle Name [ ]

2. USCIS Online Account Number (if any and if known)  
▶ [ ]

3. Alien Registration Number (A-Number) (if any and if known)  
▶ A- [ ]

4. Date of Birth (mm/dd/yyyy) [ ]

**Mailing Address**

5.a. Street Number and Name [ ]

5.b.  Apt.  Ste.  Flr. [ ]

5.c. City or Town [ ]

5.d. State [ ] 5.e. ZIP Code [ ]

5.f. Province [ ]

5.g. Postal Code [ ]

5.h. Country [ ]

If this child has or had TPS, please provide the dates of his or her TPS (if known).

6.a. From (mm/dd/yyyy) [ ]

6.b. To (mm/dd/yyyy) [ ]

7. If you know, is this child currently applying for or re-registering for TPS (if known)?  
 Yes  No

**Child 2**

8.a. Family Name (Last Name) [ ]

8.b. Given Name (First Name) [ ]

8.c. Middle Name [ ]

9. USCIS Online Account Number (if any and if known)  
▶ [ ]

10. Alien Registration Number (A-Number) (if any and if known)  
▶ A- [ ]

11. Date of Birth (mm/dd/yyyy) [ ]

**Mailing Address**

12.a. Street Number and Name [ ]

12.b.  Apt.  Ste.  Flr. [ ]

12.c. City or Town [ ]

12.d. State [ ] 12.e. ZIP Code [ ]

12.f. Province [ ]

12.g. Postal Code [ ]

12.h. Country [ ]

If this child has or had TPS, please provide the dates of his or her TPS (if known).

13.a. From (mm/dd/yyyy) [ ]

13.b. To (mm/dd/yyyy) [ ]

14. If you know, is this child currently applying for or re-registering for TPS (if known)?  
 Yes  No

**Part 7. Eligibility Standards**

**Basis for Eligibility**

Provide the following information:

1.a. I am a national of (or a person having no nationality who last habitually resided in the country of):  
[ ]

**Part 7. Eligibility Standards) (continued)**

1.b. I entered the United States on the following date, and have resided in the United States since that time.

(mm/dd/yyyy)

1.c. Have you EVER traveled to and entered another country, other than the one listed in Item Number 1.a. before you last entered the United States?  Yes  No

If you answered "Yes" to Item Number 1.c., provide the information requested in Item Numbers 2. - 5. for EACH country you traveled to and entered prior to entering the United States. If you need extra space to complete this section, use the space provided in Part 11. Additional Information.

2. Name of All the Other Countries to Which You Traveled and Entered Prior to Entering the United States

Dates That You Were in the Other Country or Countries

3.a. From (mm/dd/yyyy)

3.b. To (mm/dd/yyyy)

4. Your Immigration Status, if Any, in the Other Country (for example, citizen, legal permanent resident, refugee, asylee, visitor, student, temporary resident, or no status)

5. Have you EVER been offered any immigration status by another country that you did not accept?

Yes  No

6. If you answered "Yes" to Item Number 5., please describe the country or countries, the nature of the immigration status you were offered, and the dates when it was offered.

7. If you answered "Yes" to Item Number 5., please describe why you chose not to accept the immigration status offered to you by the other country or countries.

**Your Immigration and Criminal History**

To be eligible for TPS, you must be admissible as an immigrant to the United States, with certain exceptions. The questions below and your responses to these questions will help USCIS determine if you are eligible for TPS. See the Who Is Eligible for TPS section of the Instructions for additional information on admissibility and available waivers.

If any of the questions apply to you, please provide information about the events, including the places and dates of occurrence. Provide a full explanation of the circumstances related to the specific event. If you need additional space to respond to a question, use the space provided in Part 11. Additional Information.

**Criminal Offenses**

If you were EVER arrested or detained for an offense, you must provide information about the event regardless of the country where the event occurred. If you were arrested, charged, or convicted for an offense, you must provide certified court dispositions showing the court proceedings' outcome wherever possible. You also must provide copies of arrest reports, statements of charges, indictment information, or any other charging document issued against you. If you were not charged with any crime or offense, provide a statement or other documentation from the arresting authority or prosecutor's office to show that you were not charged with any crime or offense.

NOTE: If you are not able to provide the documentation requested above, provide a signed statement as to why you cannot provide such documentation. USCIS usually needs supporting documentation, however, we do recognize that country conditions in certain TPS-designated countries may not allow an applicant to obtain the documents. Each statement will be carefully reviewed by USCIS, and we may need to ask you for additional information.

Please carefully read Item 6. in the General Requirements section of the Instructions for additional information that you must provide if official documents regarding your criminal history are not available to you.

**Human Rights Violations**

If you have ever engaged in, ordered, incited, assisted, or otherwise participated in any human rights violations, you must provide information about the events, including the place and date, and a description of the event regardless of the country where the events occurred.

Have you EVER been convicted of:

8.a. Any felony committed in the United States?

Yes  No

8.b. Any misdemeanor committed in the United States?

Yes  No

**Part 7. Eligibility Standards (continued)**

- 8.c. Any particularly serious crime committed either in or outside the United States?  Yes  No
- 9.a. Have you EVER ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion?  Yes  No
- 9.b. Have you EVER committed serious nonpolitical crimes outside of the United States prior to your arrival in the United States?  Yes  No
- 9.c. Have you EVER or are you NOW engaged in activities that could be reasonable grounds for concluding that you are a danger to the security of the United States?  Yes  No
- Have you EVER been convicted of or have you EVER committed acts which constitute the essential elements of:
- 10.a. A crime (other than a purely political offense)?  Yes  No
- 10.b. A violation of any law relating to a controlled substance as defined in section 102 of the Controlled Substances Act?  Yes  No
- 10.c. A conspiracy to violate any law relating to a controlled substance as defined in section 102 of the Controlled Substances Act?  Yes  No
11. Have you EVER been convicted of two or more criminal offenses (other than purely political offenses) for which you received sentences to confinement that, when combined, total five years or more?  Yes  No
- 12.a. Have you EVER trafficked in or are you NOW trafficking in any controlled substance?  Yes  No
- 12.b. Are you NOW or have you EVER knowingly assisted, abetted, conspired, or colluded with others in the unlawful trafficking of any controlled substance?  Yes  No
- 12.c. Are you the spouse or child of an alien who unlawfully trafficked in any controlled substance?  Yes  No
- 12.d. Are you the spouse or child of an alien who assisted, abetted, conspired, or colluded with others in the unlawful trafficking of any controlled substance?  Yes  No

- 12.e. Within the previous five years, have you EVER obtained any financial or other benefit from the unlawful activity of your spouse (including former spouses) or parents, and you knew, or reasonably should have known, that the financial or other benefit was the product of such illicit activity?  Yes  No

Have you EVER engaged, or do you plan to engage, solely, principally, or incidentally, in any of the following:

- 13.a. Any activity to violate any law of the United States relating to espionage or sabotage?  Yes  No
- 13.b. Any activity to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information?  Yes  No
- 13.c. Any other unlawful activity in the United States?  Yes  No
- 13.d. Any activity in which a purpose is to oppose, control, or overthrow the Government of the United States by force, violence, or other unlawful means, including but not limited to participating in such activities, giving support to others involved in such activities, or being a member or representative of a terrorist organization?  Yes  No
- 14.a. Have you EVER or are you NOW engaged in terrorist activities?  Yes  No
- 14.b. Have you EVER or are you NOW engaged in or plan to engage in activities in the United States that would have potentially serious adverse foreign policy consequences for the United States?  Yes  No
- 14.c. Have you EVER been or are you NOW a member of the Communist or other totalitarian party, except when membership was involuntary?  Yes  No
- 14.d. Have you EVER participated in Nazi persecution or genocide?  Yes  No
- Have you EVER, whether in the United States or any other country been:
- 15.a. Arrested, for breaking or violating any law or ordinance, excluding minor traffic violations?  Yes  No
- 15.b. Cited, charged, or indicted, for breaking or violating any law or ordinance, excluding minor traffic violations?  Yes  No
- 15.c. Been convicted, fined, imprisoned, placed on probation, received a suspended sentence or deferral of adjudication for breaking or violating any law or ordinance, excluding minor traffic violations?  Yes  No

**Part 7. Eligibility Standards (continued)**

16. Have you EVER been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency, or similar action?  Yes  No
17. Have you EVER committed a serious criminal offense in the United States and asserted immunity from prosecution?  Yes  No
- 18.a. Have you EVER, within the past 10 years, or are you NOW engaged in prostitution or procurement of prostitution?  Yes  No
- 18.b. Have you EVER, within the past 10 years (either directly or indirectly) procured or attempted to procure or import prostitutes or persons for the purpose of prostitution?  Yes  No
- 18.c. Have you EVER, within the past 10 years, received, in whole or in part, the proceeds of prostitution?  Yes  No
19. Have you EVER been or do you intend to be involved in any other commercial vice?  Yes  No
- 20.a. Have you EVER been ordered removed, and been deported from the United States?  Yes  No
- 20.b. Have you EVER voluntarily departed the United States under an order of removal?  Yes  No
- 20.c. If you answered "Yes" to either Item Number 20.a. or 20.b. above, have you re-entered the United States unlawfully at any time after you were deported or you voluntarily departed?  Yes  No
- 20.d. If you answered "Yes" to Item Number 20.c. above, has DHS reinstated your prior order of removal?  Yes  No  I Do Not Know
- 20.e. Have you EVER failed to attend or remain in attendance at any immigration proceedings to determine your admissibility or deportability?  Yes  No
21. Have you EVER, by fraud or willfully misrepresenting a material fact, sought to obtain a visa or other documentation, admission to the United States, or any other immigration benefit?  Yes  No
22. Have you EVER assisted any other person to enter the United States in violation of the law?  Yes  No

- 23.a. Do you NOW have a communicable disease of public health significance?  Yes  No
- 23.b. Do you NOW have or have you EVER had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others?  Yes  No
- 23.c. Are you NOW or have you EVER been a drug abuser or drug addict?  Yes  No
24. Have you EVER entered the United States as a stowaway?  Yes  No
25. Did the former Immigration and Naturalization Service (INS) EVER impose, or has DHS EVER imposed, civil monetary penalties on you for producing or using false documentation to obtain an immigration benefit?  Yes  No
26. Are you NOW subject to a final order for violation of section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act)?  Yes  No
27. Do you NOW practice polygamy?  Yes  No
28. Are you NOW the guardian of, and are you accompanying, another individual who has been found to be inadmissible and who has been certified by a medical examiner to be helpless due to sickness, physical or mental disability, or infancy?  Yes  No
29. Have you EVER detained, retained, or withheld the custody of a child having a lawful claim to U.S. citizenship, outside the United States, from a U.S. citizen granted custody?  Yes  No
- Have you EVER ordered, incited, called for, committed, assisted, helped with, or otherwise participated in any of the following:
- 30.a. Acts involving torture or genocide?  Yes  No
- 30.b. Killing any person?  Yes  No
- 30.c. Intentionally and severely injuring any person?  Yes  No
- 30.d. Engaging in any kind of sexual contact or relations with any person who was being forced or threatened?  Yes  No
- 30.e. Limiting or denying any person's ability to exercise religious beliefs?  Yes  No

**Part 7. Eligibility Standards (continued)**

Have you EVER:

- 31.a. Served in, been a member of, assisted in, or participated in any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization?  Yes  No
- 31.b. Served or worked in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons?  Yes  No
32. Have you EVER been a member of, assisted in, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so?  Yes  No
33. Have you EVER assisted with or participated in selling or providing weapons to any person who to your knowledge used them against another person, or in transporting weapons to any person who to your knowledge used them against another person?  Yes  No
34. Have you EVER received any type of military, paramilitary, or weapons training?  Yes  No
35. Have you EVER unlawfully voted in a United States Federal, state, or local election?  Yes  No
36. Have you EVER claimed to be a U. S. citizen (in writing or in any other way)?  Yes  No
- 37.a. Have you EVER recruited, enlisted, conscripted, or used any person under 15 years of age to serve in or help an armed force or group?  Yes  No
- 37.b. Have you EVER used any person under 15 years of age to take part in hostilities or to help or provide services to people in combat?  Yes  No
- 38.a. Have you EVER committed or conspired to commit human trafficking offenses, as defined in the section 103 of the Victims of Trafficking and Violence Protection Act of 2000, in the United States or outside the United States?  Yes  No
- 38.b. Have you EVER knowingly aided, abetted, assisted, conspired, or colluded with a human trafficker?  Yes  No
- 38.c. Are you NOW the spouse or child of an alien who committed or conspired to commit human trafficking offenses?  Yes  No

38.d. Are you NOW the spouse or child of, or are you yourself, an alien who knowingly aided, abetted, assisted, conspired, or colluded with a human trafficker?  Yes  No

38.e. Within the previous five years, have you EVER obtained any financial or other benefit from the human trafficking activity of your spouse (including former spouses) or parents, and you knew, or reasonably should have known, that the financial or other benefit that you received resulted from such human trafficking?  Yes  No

39.a. Are you NOW or have you EVER engaged in money laundering as described in section 1956 or 1957 of Title 18, United States Code?  Yes  No

39.b. Are you NOW or have you EVER been a knowing aider, abettor, assister, conspirator, or colluder with others in money laundering?  Yes  No

40. Have you EVER been responsible for or directly carried out particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. section 6402) while serving as a foreign government official?  Yes  No

41. Has an immigration judge or the Board of Immigration Appeals EVER determined that you filed a frivolous asylum application in the past?  Yes  No

**Part 8. Applicant's Statement, Contact Information, Certification, and Signature**

NOTE: Read the Penalties section of the Form I-821 Instructions before completing this part. You must file Form I-821 while in the United States.

**Applicant's Statement**

NOTE: Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

- 1.a.  I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.
- 1.b.  The interpreter named in Part 9. read to me every question and instruction on this application and my answer to every question in  a language in which I am fluent, and I understood everything.
2.  At my request, the preparer named in Part 10.,  prepared this application for me based only upon information I provided or authorized.

**Part 8. Applicant's Statement, Contact Information, Certification, and Signature (continued)****Applicant's Contact Information**

3. Applicant's Daytime Telephone Number

4. Applicant's Mobile Telephone Number (if any)

5. Applicant's Email Address (if any)

**Applicant's Certification**

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any of my records that USCIS may need to determine my eligibility for the immigration benefit I seek.

I further authorize release of information contained in this application, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, I will be required to sign an oath reaffirming that:

- I reviewed and provided or authorized all of the information in my application;
- I understood all of the information contained in, and submitted with, my application; and
- All of this information was complete, true, and correct at the time of filing.

I certify, under penalty of perjury, that I provided or authorized all of the information in my application, I understand all of the information contained in, and submitted with, my application, and that all of this information is complete, true, and correct.

**Applicant's Signature**

6.a. Applicant's Signature

6.b. Date of Signature (mm/dd/yyyy)

NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application.

**Part 9. Interpreter's Contact Information, Certification, and Signature**

Provide the following information about the interpreter.

**Interpreter's Full Name**

1.a. Interpreter's Family Name (Last Name)

1.b. Interpreter's Given Name (First Name)

2. Interpreter's Business or Organization Name (if any)

**Interpreter's Mailing Address**

3.a. Street Number and Name

3.b.  Apt.  Ste.  Flr.

3.c. City or Town

3.d. State

3.e. ZIP Code

3.f. Province

3.g. Postal Code

3.h. Country

**Interpreter's Contact Information**

4. Interpreter's Daytime Telephone Number

5. Interpreter's Mobile Telephone Number (if any)

6. Interpreter's Email Address (if any)

**Interpreter's Certification**

I certify, under penalty of perjury, that:

I am fluent in English and ,

which is the same language specified in Part 8., Item Number 1.b., and I have read to this applicant in the identified language every question and instruction on this application and his or her answer to every question. The applicant informed me that he or she understands every instruction, question and answer on the application, including the Applicant's Certification, and has verified the accuracy of every answer.

**Part 11. Additional Information**

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1.a. Family Name (Last Name) 1.b. Given Name (First Name) 1.c. Middle Name 2. A-Number (if any) ► A- 3.a. Page Number 3.b. Part Number 3.c. Item Number 

3.d.

4.a. Page Number 4.b. Part Number 4.c. Item Number 

4.d.

5.a. Page Number 5.b. Part Number 5.c. Item Number 

5.d.

6.a. Page Number 6.b. Part Number 6.c. Item Number 

6.d.

7.a. Page Number 7.b. Part Number 7.c. Item Number 

7.d.

# Identity/Nationality Evidence:

- Passport
- Birth Certificate and Photo Identification
- Any national identity document from country of origin with photo and/or fingerprint
  
- if the applicant does not have any of these,there may be other ways to prove identity.

# Continuous Residence Evidence:

Continuous residence evidence shows that the applicant has entered the U.S. before the requisite date and maintained a residence within the U.S. since that time.

- Employment records
  - Pay stubs, Tax returns, Letter from employer that includes address, exact periods of employment, periods of layoff, and duties with the company (Not likely to have)
- Rent receipts, utility bills, leases, documents memorializing housing arrangements with relatives, shelter documents
- School records or childcare records
- Attestations by churches, unions, or other organizations to the individual's residence, identifying the individual by name.
  - Must be signed by an official (whose title is shown); show inclusive dates of membership; state the address where the individual resided during membership periods; include the seal of the organization impressed on the letter or the letterhead of the organization, if the organization has letterhead stationery; establish how the author knows the individual; and establish the origin of the information being attested to.



# Continuous Residence Evidence:

- Additional documents may include copies of money order receipts for money sent in or out of the country; passport entries; birth certificates of children born in the United States; dated bank transactions; correspondence between the individual and another person or organization; U.S. Social Security card; Selective Service card; automobile license receipts, title, vehicle registration; deeds, mortgages, contracts to which you have been a party; tax receipts; insurance policies; receipts; and letters.
- "Any other relevant documents"

# Continuous Physical Presence Evidence:

Much of the same evidence for Continuous Residence suffices for Continuous Physical Presence as well.

However, if there is a lack of residence evidence, physical presence evidence can be submitted such as:

- Photos of the individual at US landmarks, with dates and identification of individuals in the photograph
- Social media posts
- Communications with others about the individual being in the U.S.

# TPS Forms and Documentation: I-765

## Work Permit

### Employment Authorization Document(EAD)

- Obtaining an EAD is likely most urgent issue for migrants
- EAD issued incident to a lawful status
- Eligibility can be difficult:
  - Asylum - mandatory 180 wait
  - Parole (but not OR) - only certain types of parole
  - TPS - only if all TPS requirements met
- Manage expectations:
  - Not everyone qualifies
  - EAD validity cannot exceed length of parole
  - USCIS *could* take months to process
  - Important to consider “next steps” if EAD is based on parole only

# TPS Forms and Documentation: I-765

► **START HERE** - Type or print in black ink.

## Part 1. Reason for Applying

I am applying for (select only one box):

- 1.a.  Initial permission to accept employment.
- 1.b.  Replacement of lost, stolen, or damaged employment authorization document, or correction of my employment authorization document **NOT DUE** to U.S. Citizenship and Immigration Services (USCIS) error.

**NOTE:** Replacement (correction) of an employment authorization document due to USCIS error does not require a new Form I-765 and filing fee. Refer to **Replacement for Card Error** in the **What is the Filing Fee** section of the Form I-765 Instructions for further details.

- 1.c.  Renewal of my permission to accept employment. (Attach a copy of your previous employment authorization document.)

## Part 2. Information About You

### Your Full Legal Name

- 1.a. Family Name (Last Name)
- 1.b. Given Name (First Name)
- 1.c. Middle Name

### Other Names Used

Provide all other names you have ever used, including aliases, maiden name, and nicknames. If you need extra space to complete this section, use the space provided in Part 6.

#### Additional Information.

- 2.a. Family Name (Last Name)
- 2.b. Given Name (First Name)
- 2.c. Middle Name
- 
- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name
- 
- 4.a. Family Name (Last Name)
- 4.b. Given Name (First Name)
- 4.c. Middle Name

A note on names:

- Names are often incorrect on immigration documents.
- Always confirm with applicants for spelling and which names are first, middle, and last.
- Put the correct spelling under "Your Full Legal Name."
- Any incorrect versions on documents should be listed under "Other Names Used."

# TPS Forms and Documentation: I-765

**Part 2. Information About You (continued)**

**Your U.S. Mailing Address**

5.a. In Care Of Name (if any)

5.b. Street Number and Name

5.c.  Apt.  Ste.  Flr.

5.d. City or Town

5.e. State  5.f. ZIP Code   
(USPS ZIP Code Lookup)

6. Is your current mailing address the same as your physical address?  
 Yes  No

**NOTE:** If you answered "No" to Item Number 6., provide your physical address below.

**U.S. Physical Address**

7.a. Street Number and Name

7.b.  Apt.  Ste.  Flr.

7.c. City or Town

7.d. State  7.e. ZIP Code

**Other Information**

8. Alien Registration Number (A-Number) (if any)  
▶ A-

9. USCIS Online Account Number (if any)  
▶

10. Gender  Male  Female

11. Marital Status  
 Single  Married  Divorced  Widowed

12. Have you previously filed Form I-765?  
 Yes  No

13.a. Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?  
 Yes  No

**NOTE:** If you answered "No" to Item Number 13.a., skip to Item Number 14. If you answered "Yes" to Item Number 13.a., provide the information requested in Item Number 13.b.

# TPS Forms and Documentation: I-765

13.b. Provide your Social Security number (SSN) (if known).

▶

14. Do you want the SSA to issue you a Social Security card?  
(You must also answer "Yes" to **Item Number 15.**,  
**Consent for Disclosure**, to receive a card.)

Yes  No

**NOTE:** If you answered "No" to **Item Number 14.**, skip to **Part 2.**, **Item Number 18.a.** If you answered "Yes" to **Item Number 14.**, you must also answer "Yes" to **Item Number 15.**

15. **Consent for Disclosure:** I authorize disclosure of information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security card.

Yes  No

**NOTE:** If you answered "Yes" to **Item Numbers 14. - 15.**, provide the information requested in **Item Numbers 16.a. - 17.b.**

## Father's Name

Provide your father's birth name.

16.a. Family Name (Last Name)

16.b. Given Name (First Name)

## Mother's Name

Provide your mother's birth name.

17.a. Family Name (Last Name)

17.b. Given Name (First Name)

## *Your Country or Countries of Citizenship or Nationality*

List all countries where you are currently a citizen or national. If you need extra space to complete this item, use the space provided in **Part 6. Additional Information.**

18.a. Country

18.b. Country

# TPS Forms and Documentation: I-765

## Part 2. Information About You (continued)

### Place of Birth

List the city/town/village, state/province, and country where you were born.

19.a. City/Town/Village of Birth

19.b. State/Province of Birth

19.c. Country of Birth

20. Date of Birth (mm/dd/yyyy)

### Information About Your Last Arrival in the United States

21.a. Form I-94 Arrival-Departure Record Number (if any)

▶

21.b. Passport Number of Your Most Recently Issued Passport

21.c. Travel Document Number (if any)

21.d. Country That Issued Your Passport or Travel Document

21.e. Expiration Date for Passport or Travel Document  
(mm/dd/yyyy)

22. Date of Your Last Arrival Into the United States, On or About (mm/dd/yyyy)

23. Place of Your Last Arrival Into the United States

24. Immigration Status at Your Last Arrival (for example, B-2 visitor, F-1 student, or no status)

25. Your Current Immigration Status or Category (for example, B-2 visitor, F-1 student, parolee, deferred action, or no status or category)

26. Student and Exchange Visitor Information System (SEVIS) Number (if any)

▶ N-

# TPS Forms and Documentation: I-765

## Information About Your Eligibility Category

27. **Eligibility Category.** Refer to the **Who May File Form I-765** section of the Form I-765 Instructions to determine the appropriate eligibility category for this application. Enter the appropriate letter and number for your eligibility category below (for example, (a)(8), (c)(17)(iii)).

(  ) (  ) (  )

28. **(c)(3)(C) STEM OPT Eligibility Category.** If you entered the eligibility category **(c)(3)(C)** in **Item Number 27.**, provide the information requested in **Item Numbers 28.a - 28.c.**

28.a. Degree

28.b. Employer's Name as Listed in E-Verify

28.c. Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number

29. **(c)(26) Eligibility Category.** If you entered the eligibility

- There are A LOT of categories for work permits.
- For our TPS, use (c)(19)
- For work permit only with the City of Denver, use (c)(11)

\*Note, this column on the form has a lot of questions that are not relevant for our purposes, so they are omitted in this presentation.



# TPS Forms and Documentation: I-765

## Part 3. Applicant's Statement, Contact Information, Declaration, Certification, and Signature

NOTE: Read the Penalties section of the Form I-765 Instructions before completing this section. You must file Form I-765 while in the United States.

### Applicant's Statement

NOTE: Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

- 1.a.  I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.
- 1.b.  The interpreter named in Part 4. read to me every question and instruction on this application and my answer to every question in \_\_\_\_\_, a language in which I am fluent, and I understood everything.
2.  At my request, the preparer named in Part 5., ATTORNEY PREPARER NAME, prepared this application for me based only upon information I provided or authorized.

### Applicant's Contact Information

3. Applicant's Daytime Telephone Number  
\_\_\_\_\_
4. Applicant's Mobile Telephone Number (if any)  
\_\_\_\_\_
5. Applicant's Email Address (if any)  
\_\_\_\_\_
6.  Select this box if you are a Salvadoran or Guatemalan national eligible for benefits under the ABC settlement agreement.

## Applicant's Declaration and Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for the immigration benefit that I seek.

I furthermore authorize release of information contained in this application, in supporting documents, and in my USCIS records, to other entities and persons where necessary for the administration and enforcement of U.S. immigration law.

I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, if I am required to provide biometrics, I will be required to sign an oath reaffirming that:

- 1) I reviewed and understood all of the information contained in, and submitted with, my application; and
- 2) All of this information was complete, true, and correct at the time of filing.

I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct.

## Applicant's Signature

- 7.a. Applicant's Signature  
➔ \_\_\_\_\_
- 7.b. Date of Signature (mm/dd/yyyy) \_\_\_\_\_

NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application.

## Part 4. Interpreter's Contact Information, Certification, and Signature

Provide the following information about the interpreter.

### Interpreter's Full Name

- 1.a. Interpreter's Family Name (Last Name)  
\_\_\_\_\_
- 1.b. Interpreter's Given Name (First Name)  
\_\_\_\_\_
2. Interpreter's Business or Organization Name (if any)  
Volunteer for Cath Char Denver

## Part 4. Interpreter's Contact Information, Certification, and Signature

### Interpreter's Mailing Address

- 3.a. Street Number and Name 6240 Smith Road
- 3.b.  Apt.  Ste.  Flr. \_\_\_\_\_
- 3.c. City or Town Denver
- 3.d. State CO 3.e. ZIP Code 80216
- 3.f. Province \_\_\_\_\_
- 3.g. Postal Code \_\_\_\_\_
- 3.h. Country  
USA

### Interpreter's Contact Information

4. Interpreter's Daytime Telephone Number  
3037424971
5. Interpreter's Mobile Telephone Number (if any)  
\_\_\_\_\_
6. Interpreter's Email Address (if any)  
\_\_\_\_\_

### Interpreter's Certification

I certify, under penalty of perjury, that:

I am fluent in English and LANGUAGE, which is the same language specified in Part 3., Item Number 1.b., and I have read to this applicant in the identified language every question and instruction on this application and his or her answer to every question. The applicant informed me that he or she understands every instruction, question, and answer on the application, including the Applicant's Declaration and Certification, and has verified the accuracy of every answer.

### Interpreter's Signature

- 7.a. Interpreter's Signature  
\_\_\_\_\_
- 7.b. Date of Signature (mm/dd/yyyy) \_\_\_\_\_

## Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant

Provide the following information about the preparer.

### Preparer's Full Name

- 1.a. Preparer's Family Name (Last Name)  
ATTORNEY PREPARER NAME
- 1.b. Preparer's Given Name (First Name)  
ATTORNEY PREPARER NAME
2. Preparer's Business or Organization Name (if any)  
Volunteer for Cath Char Denver

### Preparer's Mailing Address

- 3.a. Street Number and Name 6240 Smith Road
- 3.b.  Apt.  Ste.  Flr. \_\_\_\_\_
- 3.c. City or Town Denver
- 3.d. State CO 3.e. ZIP Code 80216
- 3.f. Province \_\_\_\_\_
- 3.g. Postal Code \_\_\_\_\_
- 3.h. Country  
USA

### Preparer's Contact Information

4. Preparer's Daytime Telephone Number  
3037424971
5. Preparer's Mobile Telephone Number (if any)  
\_\_\_\_\_
6. Preparer's Email Address (if any)  
\_\_\_\_\_

# TPS Forms and Documentation: I-765

**Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant (continued)**

*Preparer's Statement*

- 7.a.  I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.
- 7.b.  I am an attorney or accredited representative and my representation of the applicant in this case  extends  does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited representative, you may need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this application.

*Preparer's Certification*

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the Applicant's Declaration and Certification, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

*Preparer's Signature*

8.a. Preparer's Signature

8.b. Date of Signature (mm/dd/yyyy)

**Part 6. Additional Information**

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet, indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1.a. Family Name (Last Name)

1.b. Given Name (First Name)

1.c. Middle Name

2. A-Number (if any) ▶ A-

3.a. Page Number  3.b. Part Number  3.c. Item Number

3.d.

4.a. Page Number  4.b. Part Number  4.c. Item Number

4.d.

5.a. Page Number  5.b. Part Number  5.c. Item Number

5.d.

6.a. Page Number  6.b. Part Number  6.c. Item Number

6.d.

7.a. Page Number  7.b. Part Number  7.c. Item Number

7.d.

# Parole-based EADs

- **The law: 8 CFR § 274a.12 - Classes of aliens authorized to accept employment**
  - (c)(11) category
  - “...an alien paroled into the United States temporarily for urgent humanitarian reasons or significant public benefit pursuant to section 212(d)(5) of the Act.
- **Benefits**
  - Permission to work
  - Social security number (children should apply to get SSN)
- **Requirements**
  - Complete form I-765
  - Filing fee of \$495 or fee waiver (e.g., shelter letter)
  - Two passport-style photos (may be waived by DHS)
  - Proof of identity - Passport, Birth Certificate, etc.
  - Proof of eligibility (e.g., evidence of parole/I-94 indicating parole admission)

# Parole-based EADs Red Flags

Seek immigration attorney review if:

- Any arrest or criminal history
- Dual citizenship or stateless
- Prior US residence/attempted entries/deportation
- Fake papers used for entry/immigration benefits or any misrepresentation upon entry
- No identity documents

# Notice to Appear

- All migrants should have received one but may no longer have it.
- Charging document - explains basis for deportation.
- Critical information contained on NTA
- When DHS files an NTA with the immigration court, deportation proceedings are initiated.
  - Significant delays in filing and in court
  - Hearing dates and locations may change
- Understanding whether deportation proceedings have been initiated is critical for a migrant's ability to pursue status in the United States.

Your A number

Notice to Appear

U.S. Department of Homeland Security

**In removal proceedings under section 240 of the Immigration and Nationality Act:**

Subject ID: [REDACTED] FINS #: [REDACTED] File No: [REDACTED]  
DOB: [REDACTED] Event No: [REDACTED]

In the Matter of:  
Respondent: [REDACTED] currently residing at:  
[REDACTED] (Number, street, city and ZIP code) [REDACTED] (Area code and phone number)

1. You are an arriving alien.  
 2. You are an alien present in the United States who has not been admitted or paroled.  
 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:  
1. You are not a citizen or national of the United States;  
2. You are a native of HONDURAS and a citizen of HONDURAS ;  
3. You arrived in the United States at or near [REDACTED], on or about [REDACTED];  
4. You were not then admitted or paroled after inspection by an Immigration Officer.

The immigration court where your hearing will be scheduled

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:  
212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.  
 Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:  
5701 Executive Center Drive Suite 400 Charlotte NC US 28212

on a date to be set \_\_\_\_\_ at a time to be set \_\_\_\_\_ to show why you should not be removed from the United States based on the charge(s) set forth above.

NICHOLAS E. MUNOZ ACTING PATROL AGENT IN CHARGE  
(Signature and Title of Issuing Officer)

Date: April 18, 2018 McAllen, Texas  
(City and State)

See reverse for important information

Form I-862 (Rev. 08/01/07) N

# Workshop Processes and Procedures

## Workshop Roles

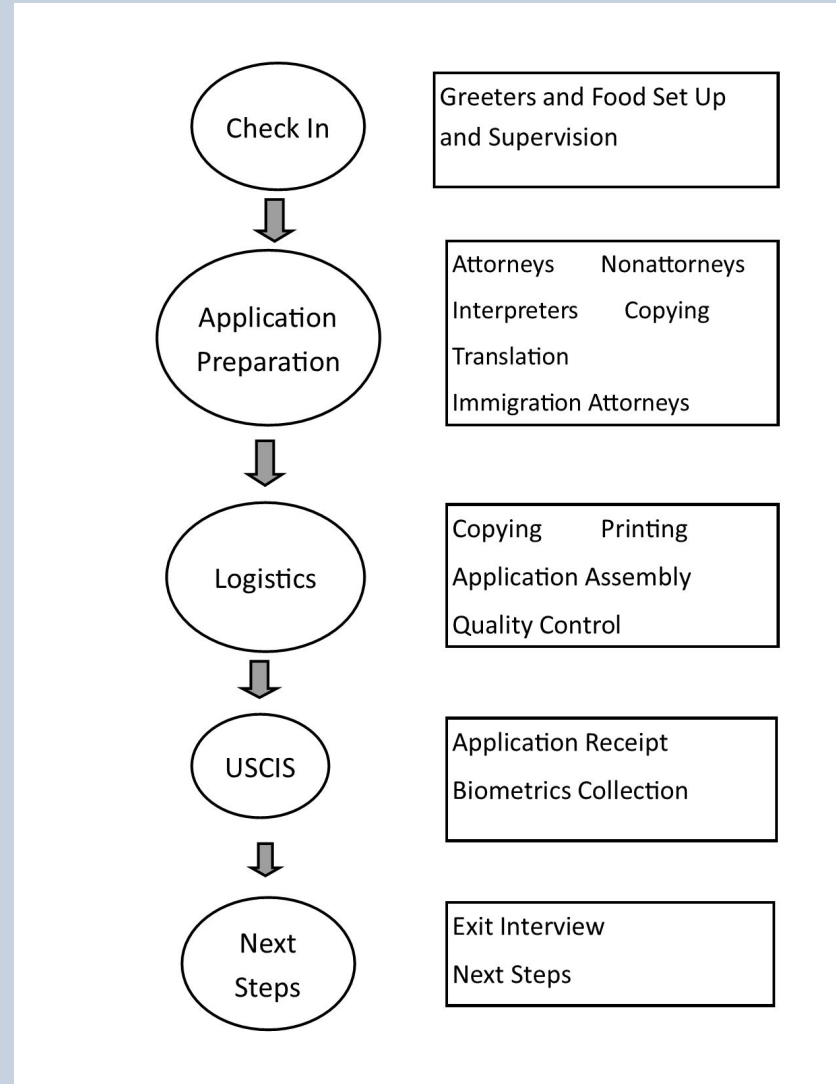
<b>Greeters, Food, Clean Up</b>	<ul style="list-style-type: none"><li>● Check in volunteers and participants using prepared lists.</li><li>● Sets up and supervises food for volunteers</li><li>● Throw away trash, clean tables, tidy rooms we used, especially the babysitting room</li></ul>
<b>Attorney</b>	<b>Leads application preparation team to help participants to prepare applications</b>
<b>Nonattorney</b>	<b>Supports attorney with form filling, copying documents, filling in cover letter, filling in forms on computer</b>
<b>Interpreter</b>	<b>Helps attorney volunteers and workshop participants communicate for the purposes of gathering information necessary for applications for TPS and work authorization</b>

# Workshop Processes and Procedures

## Workshop Roles

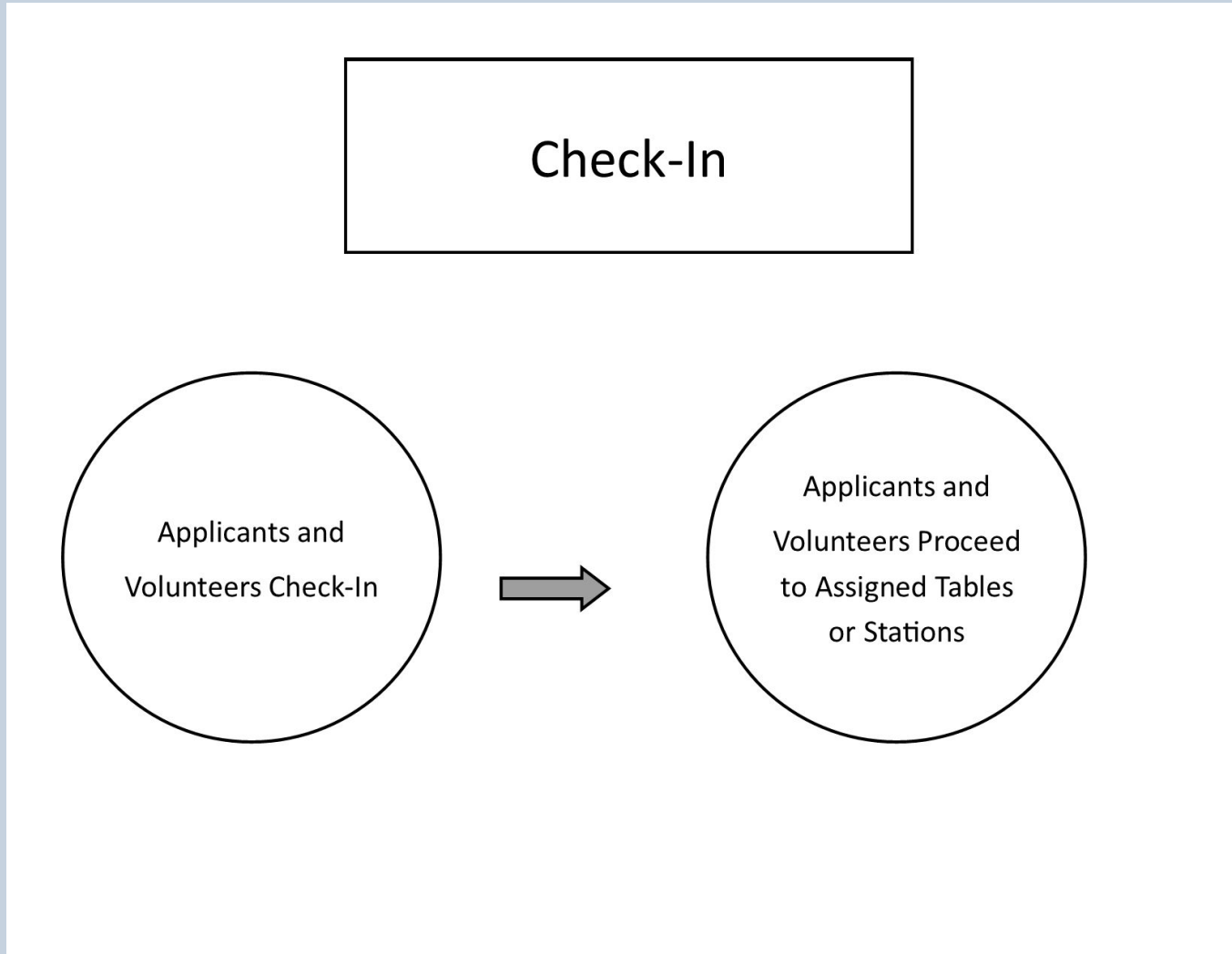
<b>Printing and Copying</b>	<b>Makes copies of documents for application prep, prints reviewed applications, makes copies of final application packets</b>
<b>Quality Control</b>	<b>Checks for application packet completeness and scans final application</b>
<b>Exit Interview</b>	<b>Completes Colorado Office of New Americans data form with applicants</b>
<b>Next Steps</b>	<b>Makes sure application has been scanned and copy of application is included in Next Steps Packet, gives next steps packet to applicants</b>

# Workshop Processes and Procedures



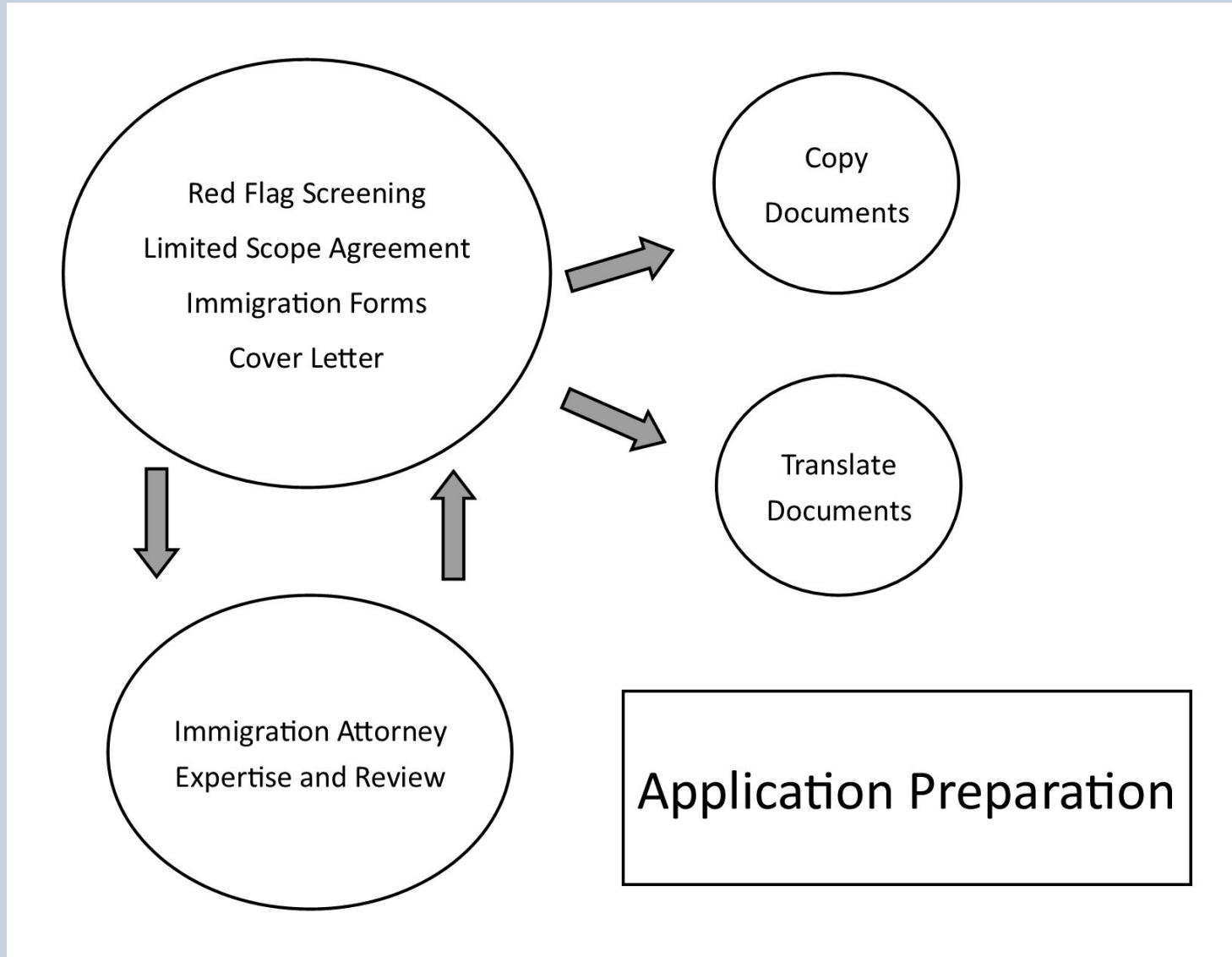


# Workshop Processes and Procedures



- Great place for bilingual volunteers
- Need to be comfortable with turning people away who are not scheduled
- This volunteer will likely also be asked to help with food setup and monitoring as well as some clean up

# Workshop Processes and Procedures



This station will be the longest step in the workshop process.

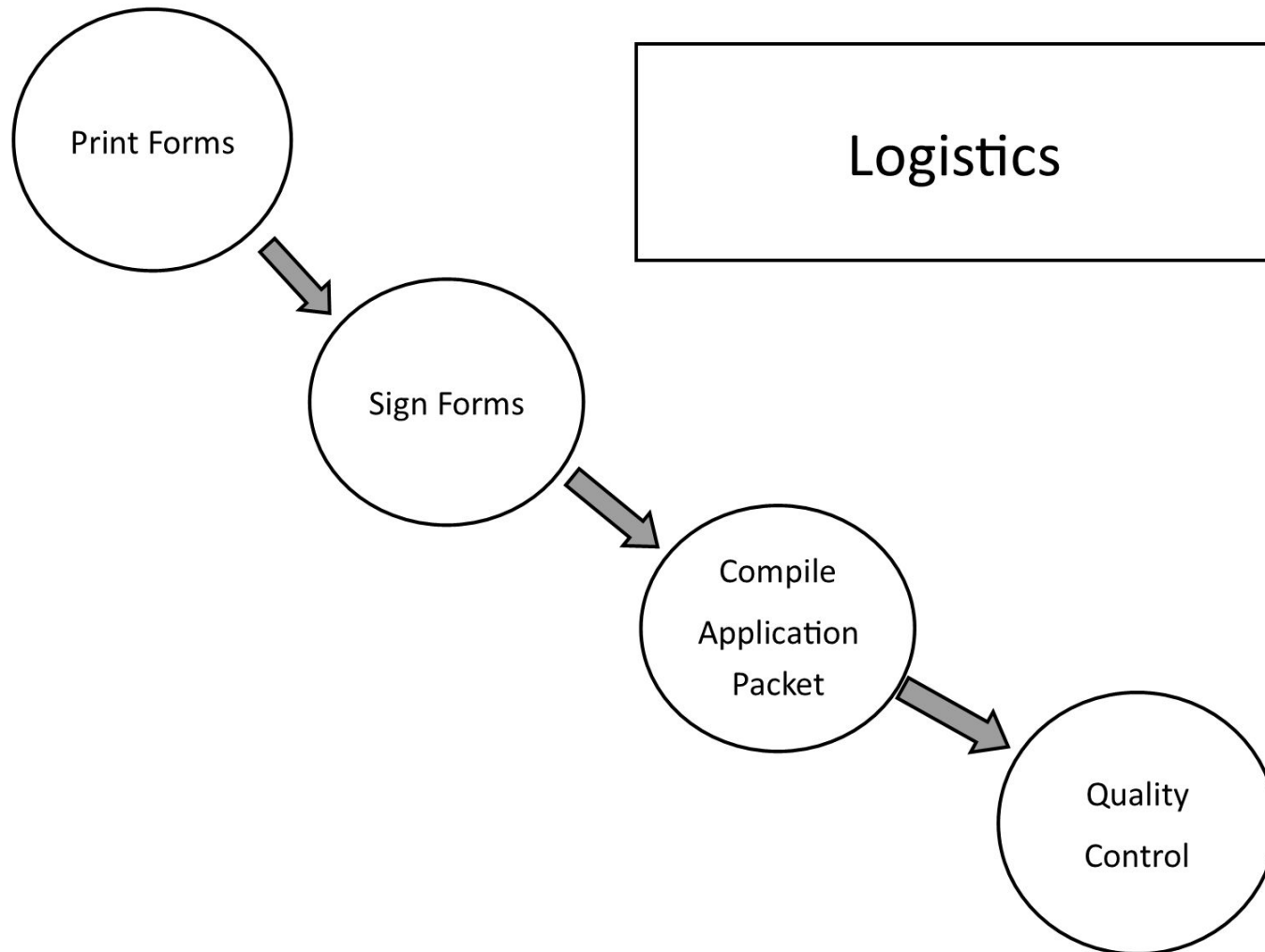
- Red flag screening
- Limited scope agreement
- Document translations
- Forms (2 per applicant)
- Cover letter

Core team includes attorney, nonattorney, and interpreter

Larger families may be assigned a floater to help with capacity

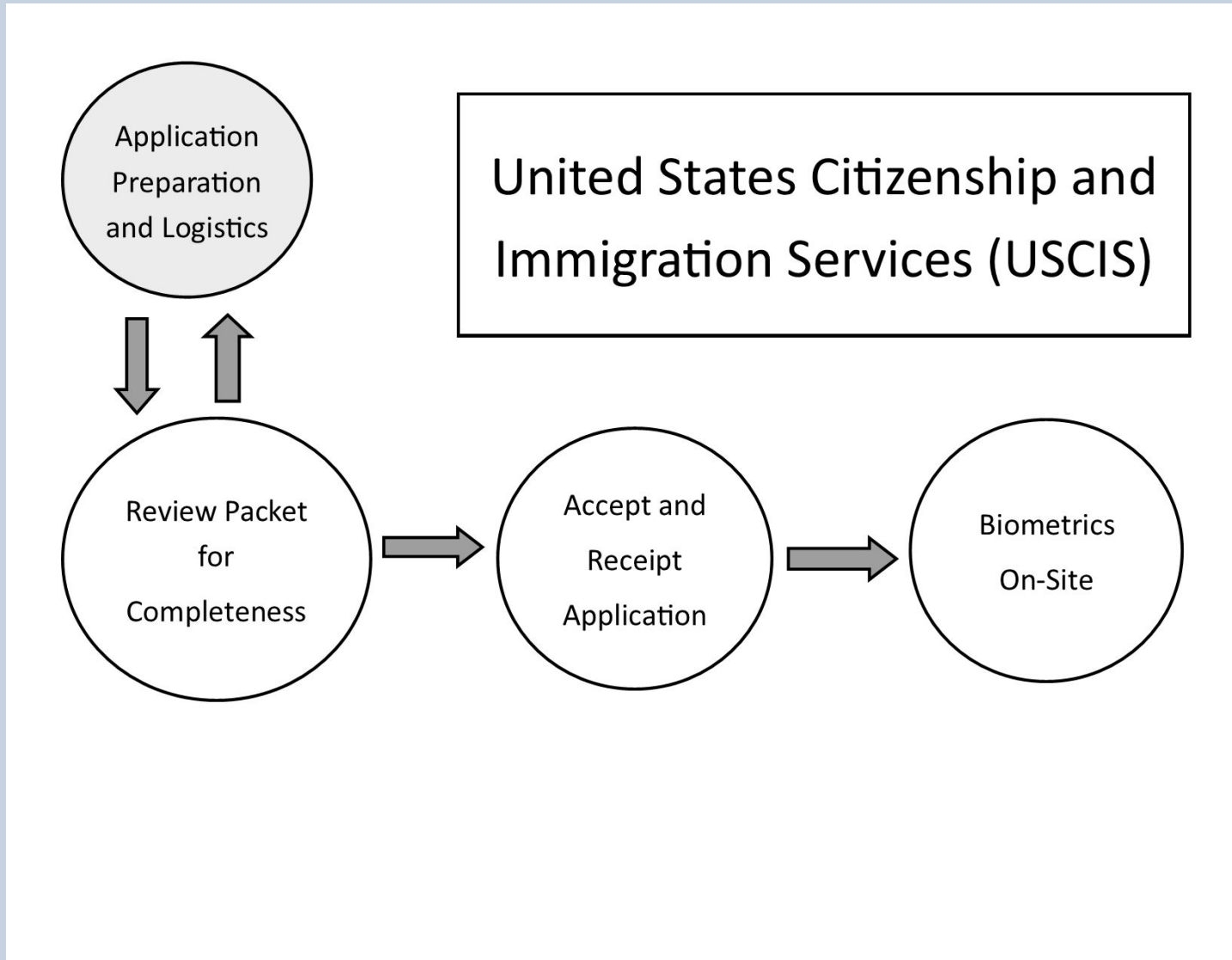
Immigration attorney “experts” will be available to answer questions and review drafts of forms

# Workshop Processes and Procedures



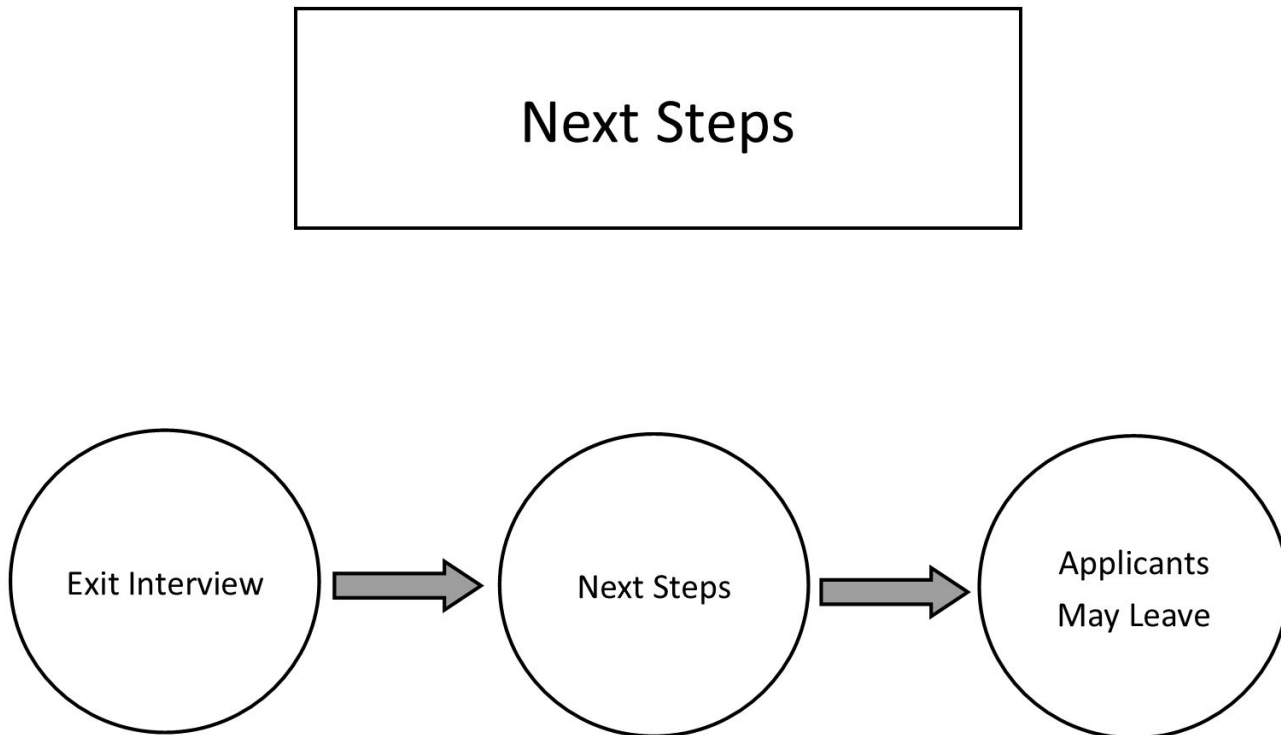
- This is typically where the bottlenecks happen
- Of all the stations, this one will be the most fluid at first until we find the right way to setup and execute in this new space
- We are hoping that we will be able to print wirelessly rather than physically moving a flash drive from computer

# Workshop Processes and Procedures



- We are excited that USCIS will be receipting applications and collecting biometrics on-site for our applications.
- This will take a month off of the usual processing for USCIS applications.
- At this time, they have suggested that they will be at all of our workshops, but have only committed through February.
- Should this change, we may have to change some aspects of form preparation.

# Workshop Processes and Procedures



- These two stations may ultimately be combined into one.
- The Office of New Americans has a form we are using to share important data about who is signing up for our workshops
- At the end, volunteers will share final explanations about next steps and distribute packets of information to participants.

# Sign up to Volunteer!

Attorney and (Limited) Paralegal Volunteers:

<https://www.signupgenius.com/go/10C0E4EACAF2DABFAC70-46697281-prescreening>

All other volunteers: <https://serveccdenver.volunteerhub.com/vv2/lp/TPSworkshop/>

You will need to set up an account and attest to a few volunteer acknowledgements

Immigration Attorney Experts

<https://forms.office.com/r/MdTwP6cjcT>

Sign up for EAD only workshops:

<https://www.signupgenius.com/go/20F054FADA923A2FC1-47091766-lfswork>

# Questions?

Workshop Coordination and Logistics

Marcos Castillo, [mcastillo@ccdenvver.org](mailto:mcastillo@ccdenvver.org)

Immigration Attorney and Legal Coordination at Workshops

Tracy Harper, [tharper@ccdenvver.org](mailto:tharper@ccdenvver.org)