

TPS For Nepal

Kathleen Gasparian
Gasparian Immigration

Kathleen@gasparianimmigration.com

504 262 9878



WARNING WARNING WARNING

The information contained in this presentation is intended to educate members of the public generally and is not intended to provide solutions to individual problems. Readers are cautioned not to attempt to solve individual problems on the basis of information contained herein and are strongly advised to seek competent legal counsel.



What is Temporary Protected Status?

A safe haven for nationals of a country that has been designated by DHS as unsafe for return

Country can be designated because of

- Armed conflict

- Environmental disaster

- Extraordinary and Temporary Conditions that prevent a safe return

Individuals granted TPS – can obtain work authorization, are not removable from the US, may be granted travel authorization, and cannot be detained solely on the basis of immigration status.

It is not permanent residence or citizenship and by itself does not lead to permanent residence or citizenship.



TPS for Nepal

Designated on June 24, 2015

Must have physical presence and
continuous residence from June 24, 2015

Registration period open from June 24, 2015
through December 21 2015

Initial period is until December 24, 2016



Eligibility for TPS

National of designated country

Continuous physical presence in United States since the date of most recent designation

Continuous residence in United States since designated date

Admissible and not ineligible

Registers during registration period



Eligibility for TPS - National

Must be a national of the designated country or if stateless, last habitually resided in that country

Evidenced by passport, birth certificate, national identity documents, affidavits

National is broader than citizen. A national is one who owes permanent allegiance to a state.



Eligibility for TPS

Physical Presence & Continuous Residence

Physical presence = physical body in the US

Residence = intent to be in US

Brief, casual, and innocent absences will not break physical presence or continual residence

A departure from the U.S.:

- Of short duration

- Reasonably calculated to accomplish purpose for absence

- Not because of removal/deportation order,



Eligibility for TPS – Admissibility

Admissible to the US but

Public charge is waived

Labor certification is waived

Valid entry is waived

Can be EWI or OOS



Ineligibility for TPS

Is described in INA § 208(b)(2)(A) (ineligible for asylum)

Convicted of any felony or two or more misdemeanors

Has very limited definitions of felony/ misdemeanor at 8 CFR 244.1, specific to TPS

Felony - a crime committed in U.S. punishable by imprisonment of more than one year, irrespective of actual confinement. A felony does not include an offense defined by the state as a misdemeanor where the sentence actually imposed is one year or less.

Misdemeanor - any crime punishable by one year or less, irrespective of actual time served. However, any crime **punishable by a maximum of five days or less** shall not be considered a misdemeanor.



Eligibility for TPS - Registration

Initial registration period is usually 6- 18 months

MUST register during the initial period to qualify and to re-register later on

Late initial registration permitted in some limited circumstances

Must then re-register every time

May late re-register for “good cause”



Some common questions

Can I be out of status and apply for TPS?

Yes

What if I have a criminal history?

Get together all of the charges, judgments, sentences and see a good immigration attorney.

Do I need a lawyer?

Most people don't. Some people like to have one. Criminal history – YES. In removal proceedings – YES. Order of deportation or removal – YES



Common Questions Continued

How long will it last?

As long as congress determines that there are still problems in your country.

What happens when TPS for my country runs out?

Return to previous status

Is only meant to be temporary – should continue to pursue routes to permanent residence



Common Questions Continued

Can I lose TPS?

Yes.

Travel without authorization

Criminal activity

Even “traffic violations” like reckless driving can be considered a misdemeanor.

No matter how small, talk to a criminal lawyer AND an immigration lawyer

Make sure they know what status you have, your plans for international travel, and plans for becoming a permanent resident.



Common Questions Continued

If I don't register now, can I do it later?

If an individual misses the initial registration – but otherwise qualifies for TPS – may be able to late register within 60 days after any registration ends:

Spouse or parent is eligible for TPS and the relationship existed at the time of the initial registration period

Held Non-Immigrant status (like F-1) or Voluntary Departure or some other authorized relief

Had a pending asylum, change of status, adjustment, or other application pending

Was a parolee at some time during the initial registration period



TPS and Removal Proceedings

A person with TPS shall not be removed while status is in effect.

DHS should agree to admin close any active proceedings – Will agree only after pleadings taken/ removability established

If in active removal, alien shall be notified of availability of TPS

TPS affects calculation of time for Non-LPR Cancellation

Does not cause a break in continuous presence, but time in TPS does not count as presence unless extreme hardship exists

An applicant whose TPS application has been denied, or whose TPS status has been withdrawn, has a right to a de novo review in proceedings. The decision of the judge may be appealed to the Board of Immigration Appeals

Matter of Barrientos, 24 I&N Dec. 100 (BIA 2007); Matter of Lopez-Aldana, 25 I&N Dec 49 (BIA 2009).



TPS and Unlawful Presence

Individuals who have been granted temporary protected status (TPS) are also considered to be in a period of stay authorized by the attorney general. This period begins on the date a prima facie TPS application is filed, if the application is ultimately approved. If the application is denied or does not establish prima facie eligibility, unlawful presence begins accruing from the date the individual's previous period of authorized stay expired



TPS and concurrent NIV status

statute explicitly provides that a non-immigrant alien is not required to relinquish status to obtain TPS and that TPS is not inconsistent with the granting of non-immigrant status

good idea for anyone who qualifies to register for TPS as a back-up or alternative plan and maintain non-immigrant status as long as possible as well.

Travel? Requirement for advanced parole
you re-reg that state admitted in same status



TPS and travel

May travel with permission; must apply for and receive advanced parole before traveling

Travel and unlawful presence is complicated and beyond the scope of this presentation. If you have had time out of status or time in the US without authorization, talk to an immigration attorney before leaving the US.



TPS & change of status

May adjust or change status and is considered in non-immigrant status for those purposes

Can apply for asylum, but the mere designation of country is not proof of eligibility.

Aliens granted TPS prior to the expiration of their authorized stay, are not subject to INA § 222(g) if they remain in TPS status throughout their stay in the United States. If the TPS grant is made after the alien's authorized stay has expired, or if the alien stays in the United States after the TPS status has expired, then § 222(g) would apply.



Some Advice

Don't get arrested. Don't be in situations that could lead to an arrest or trouble.

If you do get arrested/cited/ charged, talk to an immigration attorney and a criminal attorney right away.

Be careful about taking immigration and criminal advice from friends.

Be diligent with your documents and expiration dates.

Register every time (unless you become a permanent resident). Do not miss a registration period.

Keep your address current with USCIS at all times
www.uscis.gov/addresschange



TPS – Basic Procedure

I-821 Application for TPS with I-765 Application for Employment Authorization

Must file I-765 even if you do not want EAD

Fee or Fee waiver

Proof of identity, nationality, and presence

Always file by “trackable” means

Common reasons for rejections

Wrong fees/ check misspelled

Missing info

Wrong forms

Forms not signed



Where to file

Must file in hard copy- Make sure to keep a copy and send by trackable means

Mail

USCIS

P.O. Box 7555

Chicago, IL 60680

A non-U.S. Postal Service courier

Attn: Nepal TPS

131 S. Dearborn 3rd Floor

Chicago, IL 60603



Preparing the I-821

- Select the type of application in part one
- Information about you in part two
 - Look at your passport, visa, other immigration documents and make sure name is consistent
 - If you only have one name, CIS will use FNU as your first name.
 - If you have had a legal name change through marriage or some other way, you will need to include evidence of that with the filing.
 - The mailing address needs to be a secure address. Be careful about using a

 **Application for Temporary Protected Status** USCIS Form I-821
Department of Homeland Security
U.S. Citizenship and Immigration Services
OMB No. 1615-0043
Expires 10/26/2017

For USCIS Use Only

Receipt	Action Back	Case File
		A. Number:
		B. Number:
		C. Number:
		D. Number:
		E. Number:
		F. Number:
Remarks:		Year:

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

Part 1. Type of Application (check one)

1.a. This is my initial (first ever) application for Temporary Protected Status (TPS). I was not previously granted TPS.

1.b. This is my re-registration application for TPS. I was previously granted TPS.

Are you also filing a request for employment authorization?

2.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.

2.b. No, I am not currently requesting employment authorization, but I am filing Form I-765 (as required for administrative purposes) together with my Form I-821.

U.S. Mailing Address

2.a. In Care Of Name: _____

2.b. Street Number and Name: _____

2.c. Apt. Ste. Fl. _____

2.d. City or Town: _____

2.e. State: ZIP Code: _____

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

If you answered "No" to Item Number 2.f., please provide your physical address below.

Part 2. Information About You

3.a. Family Name (Last Name): _____

3.b. Current Name (First Name): _____

3.c. Middle Name: _____

U.S. Physical Address

3.a. Street Number and Name: _____

3.b. Apt. Ste. Fl. _____

3.c. City or Town: _____

3.d. State: ZIP Code: _____

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- Do not leave questions blank. Fill in None or N/A
- Check your documents for other names used and places and dates
- Place of entry should be a three letter code on your entry stamp
- Electronic I-94 can be retrieved on www.cbp.gov

Part 2. Information About You (continued)	
Other Information	
4. Alien Registration Number (A-Number) (if any) ▶ A- _____	16. Ethnicity (Select only one box) <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino
5. USCIS ELIS Account Number (if any) ▶ _____	17. Race (Select all applicable boxes) <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Native Hawaiian or Other Pacific Islander
6. U.S. Social Security Number (if any) ▶ _____	18. Height Feet _____ Inches _____
7. Date of Birth (mm/dd/yyyy) ▶ _____	19. Weight Pounds _____
8. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	20. Eye Color (Select only one box) <input type="checkbox"/> Black <input type="checkbox"/> Blue <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Green <input type="checkbox"/> Hazel <input type="checkbox"/> Maroon <input type="checkbox"/> Pink <input type="checkbox"/> Unknown/Other
9. City/Town/Village of Birth _____	21. Hair Color (Select only one box) <input type="checkbox"/> Bald (No hair) <input type="checkbox"/> Black <input type="checkbox"/> Blond <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Red <input type="checkbox"/> Sandy <input type="checkbox"/> White <input type="checkbox"/> Unknown/Other
10. Country of Birth _____	U.S. Entry Information
11. Country of Residence _____	22. Date of last entry into the United States (mm/dd/yyyy) ▶ _____
13. Country of Citizenship/Nationality (if any) _____	23. Immigration status when you last entered the United States (e.g., student, student entered without inspection (SEIU)) _____
14. Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Single <input type="checkbox"/> Divorced	Place of last entry into the United States
Other Names Used (if any, including maiden name)	24a. U.S. Port of Entry (if any) _____
14a. Family Name (Last Name) _____	24b. City or Town _____
14b. Given Name (First Name) _____	24c. State _____
14c. Middle Name _____	
Other Dates of Birth Used (if any)	
15a. Date of Birth (mm/dd/yyyy) ▶ _____	
15b. Date of Birth (mm/dd/yyyy) ▶ _____	



I-821 continued

You must list your spouse and all children.

If you are separated, but not divorced – you have a spouse and need to list that person.

You need to list all children – born here, born back home, born in wedlock or out, legally adopted by you, or your child via marriage.

Part 2. Information About You (continued)

25.a. Arrival-Departure Record (Form I-94) (if any)
From: (mm/dd/yyyy) ▶ [] To: (mm/dd/yyyy) ▶ []

25.b. Date authorized period of stay in the United States expired or will expire (as shown on Form I-94 or I-95)
(mm/dd/yyyy) ▶ []

25.c. Passport Number (if any)
[]

25.d. Travel Document Number (if any)
[]

25.e. Country of Issuance for Passport or Travel Document
[]

25.f. Expiration Date for Passport or Travel Document
(mm/dd/yyyy) ▶ []

Your Current Immigration Status

26. Current immigration status (e.g., visitor, student, visa overstay, EB-5)
[]

27. Are you now or were you ever in immigration proceedings? Yes No

If you answered "Yes" to Item Number 27, provide the following information.

Type of proceedings (select only one box):

28.a. Detention

28.b. Removal/Expatriation

28.c. Rescission

28.d. I am no longer in immigration proceedings, but I was in Federal court proceedings regarding immigration issues.

29. Location where your proceedings were held (or are currently being held)
[]

30. Dates for your proceedings (if your proceedings are ongoing, insert the "to" date blank)
From: (mm/dd/yyyy) ▶ [] To: (mm/dd/yyyy) ▶ []

Part 3. Information About Your Spouse and Children (if any)

Provide the following information about your spouse (if married):

1. USCIS ELIS Account Number (if any)
▶ []

2. Alien Registration Number (A-Number) (if any)
▶ 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. Fl. []

4.c. City or Town []

4.d. State [] 4.e. ZIP Code []

4.f. Province (if any) []

4.g. Postal Code (if any) []

4.h. Country (if any)
[]

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Read carefully

If the answer is yes, you should talk to a lawyer.

Part 4. Eligibility Standards

Provide the following information:

1.a. I am a citizen of a country having an embassy in the United States or a consulate in the United States (see the list on the back of this form).

1.b. I returned to the United States on the following date and have resided in the United States since that time: (month/year) / /

1.c. Have you EVER resided in any country other than the one listed in Item Number 1.a.? Yes No

If you answered "Yes" to Item Number 1.c., and you wished to meet the one country test to receive the United States permanent residence status, you must provide information about the one country to which you resided in the space below. For any additional countries, attach a separate sheet of paper. (Enter year of birth and a Number of Entry on the top of each sheet, indicate the Page Number, Part Number, and Item Number to which your answer refers, Page 4, Part 4, Item Number 1.c.1, and date and sign each sheet.)

1.c.1. Name of another country in which you resided at least: (month/year) / /

1.c.2. Date that you resided in the other country: (month/year) / /

1.c.3. In: (month/year) / /

1.c.4. Your occupation status in the other country (e.g., citizen, permanent resident, refugee, visitor, student, temporary resident):

To be eligible for TPS, you must be admissible as an immigrant to the United States, with certain exceptions. If any of the questions appearing below, and answering through the end of Part 4, apply to you, describe the circumstances and attach a full explanation on a separate sheet(s) of paper. (Use your full name and a Number of Entry at the top of each sheet, indicate the Page Number, Part Number, and Item Number to which you answer refers, e.g., Page 4, Part 4, Item Number 2.1, and date and sign each sheet.)

If you were EVER arrested, provide the disposition (arrested, full or partial, civil or criminal, "open detention" from the appropriate authority) for each individual arrest involving the grounds of inadmissibility on the "NOTE" at the end of Part 4.

2.a. Have you EVER been convicted of:
2.a.1. Any felony committed in the United States? Yes No
2.a.2. Any misdemeanor committed in the United States? Yes No
2.a.3. Any particular offense (state the committed offense to be recorded in the United States)?

2.b. Have you EVER received, entered, passed, or otherwise participated in the procurement of any papers on account of false religious, nationality, membership in a club or other social group, or political opinion? Yes No

2.c. Have you EVER committed or been convicted of any crime outside of the United States prior to your arrival in the United States? Yes No

2.d. Have you EVER or are you NOW engaged in activities that could be considered grounds for inadmissibility that are an obstacle to the receipt of the United States? Yes No

Have you EVER been convicted of or have you EVER committed any of the following offenses?
2.e. A crime under Federal or State law involving:
2.e.1. A violation of any law relating to a controlled substance as defined in section 802 of the Controlled Substances Act? Yes No
2.e.2. A conspiracy to violate any law relating to a controlled substance as defined in section 802 of the Controlled Substances Act? Yes No
2.e.3. Have you EVER been convicted of two or more controlled offenses under State or Federal law involving the same controlled substance as defined in section 802 of the Controlled Substances Act? Yes No

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Part 4. Eligibility Standards (continued)

2.f. Have you EVER engaged in or are you NOW engaged in any activity to engage in activities in the United States that would be considered a threat to national security?
2.f.1. Are you NOW or have you EVER knowingly aided, abetted, conspired, or colluded with others in the selection or holding of any controlled substance? Yes No
2.f.2. Are you the spouse or child of an alien who unlawfully remained in any controlled substance? Yes No
2.f.3. Are you the spouse or child of an alien who assisted, abetted, conspired, or colluded with others in the selection or holding of any controlled substance? Yes No
2.f.4. Whether the previous 3 items, have you EVER obtained any financial or other benefit from the unlawful activity of your spouse (including former spouse) or partner, and you know, or reasonably should have known, that the financial or other benefit was the product of such illegal activity? Yes No

Have you EVER engaged, or do you intend to engage, solely, primarily, or exclusively, in any of the following:
2.g. Any activity to obtain any form of the United States relating to employment or earnings? Yes No
2.g.1. Any activity to obtain or to assist any person in obtaining the report from the United States of goods, technology, or scientific information? Yes No
2.g.2. Any other unlawful activity in the United States? Yes No
2.g.3. Any activity to obtain or to assist in the acquisition, or the control or operation of, the Government of the United States by force, violence, or other unlawful means, including but not limited to, participating in such activities, giving support or other services at such activities, or being a member or representative of a terrorist organization? Yes No

3.a. Have you EVER or are you NOW engaged in private activities?
3.a.1. Have you EVER or are you NOW engaged in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.2. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.3. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.4. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.5. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.6. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.7. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.8. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.9. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?
3.a.10. Have you EVER been in an effort to engage in activities in the United States that would be considered a threat to national security?

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A yes answer to one of these questions does not always automatically disqualify you.

Part 4. Eligibility Standards (continued)

12a. Have you EVER voluntarily departed the United States under an order of removal? Yes No

12b. If you answered "Yes" to either Item Number 12a. or 12a. above, have you entered the United States voluntarily at any time after you were deported or you voluntarily departed? Yes No

12c. If you answered "Yes" to Item Number 12a. above, has your prior order of removal been reinstated by USCIS? Yes No Do not know

12d. Have you EVER failed to attend or continue to attend an any immigration proceeding to determine your admissibility or deportability? Yes No

12e. Have you EVER, in fraud or willfully misrepresenting a material fact, sought to obtain a visa or other immigration, admission to the United States, or any other immigration benefit? Yes No

13. Have you EVER assisted any other person or entity the United States in violation of the law? Yes No

14a. Do you NOW have a communicable disease of public health significance? Yes No

14b. 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 result associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others? Yes No

14c. Are you NOW or have you EVER been a drug abuser or drug addict? Yes No

15. Have you EVER entered the United States as a temporary? Yes No

16. Did the former Immigration and Naturalization Service (INS) EVER require, or has DHS EVER required, your monetary penalty on you for providing or using false documentation to obtain an immigration benefit? Yes No

17. Are you NOW subject to a final order for violation of section 274C, "prohibiting and/or" using false documentation to willfully, satisfy a requirement of the Immigration and Nationality Act? Yes No

18. Do you NOW practice polygamy? Yes No

19. Are you NOW the guardian of, and are you accompanying, another alien who has been found to be inadmissible, and who has been convicted by a criminal conviction to be helpless due to sickness, physical or mental disability, or infirmity? Yes No

20. Have you EVER married, entered, or withstood the validity of a child having a lawful claim to U.S. citizenship, outside the United States, from a U.S. citizen parent(s)? Yes No

Have you EVER entered, entered, called for, committed, assisted, defied with, or otherwise participated in any of the following:

21a. Acts involving torture or genocide? Yes No

21b. Killing any person? Yes No

21c. Intimidate and severely, abusing any person? Yes No

21d. Engaging in any kind of sexual contact or relations with any person who was being forced or threatened? Yes No

21e. Lending or doing any person's ability to access religious beliefs? Yes No

Have you EVER:

22a. Served as, been a member of, assisted in, or participated in any military unit, paramilitary unit, militia unit, militia unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization? Yes No

22b. Served or worked at any prison, jail, prison camp, detention facility, labor camp, or any other institution that served detaining persons? Yes No

Part 4. Eligibility Standards (continued)

23. Have you EVER been a member of, assisted in, or participated in any group, unit, or organization of any kind in which two or other persons and any type of transportation are present or intended to be so? Yes No

24. Have you EVER assisted with or participated in selling or providing equipment to any person who is or was known to use that equipment for terrorism or other purposes, in or supporting terrorism in any person whose your knowledge came from a confidential source? Yes No

25. Have you EVER received any type of written, oral, or computerized information? Yes No

26. Have you EVER voluntarily waived or a United States passport, visa or dual citizenship? Yes No

27. Have you EVER obtained or used United States status in writing or in any other way? Yes No

28. Have you EVER recruited, advised, conspired, or used any person under age 17 in some form help associated with a group? Yes No

29. Have you EVER used any person under age 17 to take part in activities or to help or provide services to property to land? Yes No

30. Have you EVER committed or conspired to commit human trafficking offenses, as defined in section 301 of the Victims of Trafficking and Violence Protection Act of 2000, in the United States or outside the United States? Yes No

31. Have you EVER knowingly aided, abetted, assisted, conspired, or colluded with a terrorist or affiliate? Yes No

32. Are you NOW the sponsor or child of an alien who conspired or conspired to commit human trafficking offenses? Yes No

33a. Are you NOW the parent or child of, or are you known to assist the knowingly aided, abetted, assisted, conspired, or colluded with a terrorist or affiliate? Yes No

33b. Under the previous 7 items, have you EVER obtained any financial or other benefit from the former trafficking activity of your spouse, including former spouse's assets, and have, or reasonably should have known that the financial or other benefit was the product of such illicit activity? Yes No

34a. Are you NOW or have you EVER engaged in a membership or leadership as described in section 1160 or 1161 of Title 18, United States Code? Yes No

34b. Are you NOW or have you EVER been a knowing aider, abettor, assister, conspirator, or facilitator with others in money laundering? Yes No

35. Have you EVER been responsible for or directly or indirectly participated in any act of violence, terrorism, or other act of violence or terrorism, as defined in section 3 of the International Emergency Economic Control Act of 1950 (22 U.S.C. section 8601) while serving in a foreign government official? Yes No

36. Has an immigration judge or the Board of Immigration Appeals EVER determined that you had a conviction and had application to the past? Yes No

NOTE ABOUT WAIVERS: A DHS application to waive under the applicable grounds in section 212 of the Immigration and Nationality Act (INA) may grant a discretionary waiver for some, but not all, of the applicable inadmissibility grounds based on humanitarian, family unity, or public interest reasons.

If you answered "Yes" to either Item Number in Part 4, you may be eligible for a waiver of some of the grounds of inadmissibility. Please see the **General Requirements** section of Form I-601, *Application for Waiver of Grounds of Inadmissibility*, if the application used to correct a status. There are also special instructions related to I-601 applications on Form I-601. The form is available at least 120 days before an interview at www.dhs.gov/I-601, or by calling the USCIS call center toll-free at 1-800-375-5282. For I-601 help or for information, call 1-800-375-5282.

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Failing to sign is one of the top reasons for rejection!!!

Part 5. Statement, Certification, Signature, and Contact Information of the Applicant

Write in the box for each item Number 1 or 1A, if applicable, when the box for item Number 1.

1A. I can read and understand English, and have read and understood each and every question and instruction on this form, as well as my answer to each question.

1A. The interpreter named below has read to me each and every question and instruction on this form, as well as the answer to each question, in _____
in a language in which I can fluently understand each and every question and instruction on this form as mandated to me by my interpreter, and have provided the required responses in the language indicated above.

1. I have requested the services of and consented to _____
who is male female an accredited representative preparing this form for me.

Applicant Certification

I swear, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Copies of documents submitted must be photocopies of unaltered original documents, and I understand that copies may be required to submit original documents to U.S. Citizenship and Immigration Services (CIS) at a later date. Furthermore, I authorize the release of any information from my records that USCIS may need to determine my eligibility for the benefit that I seek.

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

1A. Applicant's Signature _____

1A. Date of Signature (month/year) > _____

4. Applicant's Home Telephone Number _____

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Interpreter Certification

I certify that _____
I can fluently read and _____ which
is the same language provided in Part 5, Item Number 1A, and

I have read to this applicant each and every question and instruction on this form, as well as the answer to each question, in the language provided in Part 5, Item Number 1A, and

The applicant has informed me that he or she understands each and every question and instruction on this form, as well as the answer to each question.

4A. Interpreter's Signature _____

4B. Date of Signature (month/year) > _____

Part 7. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other than the Applicant

Preparer's Full Name

1A. Preparer's Family Name (Last Name) _____

1B. Preparer's Given Name (First Name) _____

1. Preparer's Business or Organization Name _____

Preparer's Mailing Address

1A. Street Number and Name _____

1B. Apt. #, Box #, P.O. # _____

1C. City or Town _____

1D. State _____ Zip Code _____

1E. Country of prep _____

1F. Postal Code (if any) _____

1G. Country of prep _____

4. Preparer's Signature _____

4A. Date of Signature (month/year) > _____

8A. Preparer's Signature _____

8B. Date of Signature (month/year) > _____

Preparer's Declaration

I, the undersigned, I hereby swear, as affiant, under penalty of perjury, that I prepared this form on behalf of, in the request of, and in the entire interest of the applicant. I completed the form based only on responses the applicant provided to me. After completing the form, I reviewed it and all of the applicant's responses with the applicant. I do not accept a full oath and every answer provided for each question on the form only when required, requested additional information to respond to a question on the form.



The I-765

Be completed. DO not leave anything blank.

Type in None or N/A.

Make sure it is consistent with the information your put on the I-821.

If you have had an EAD from USCIS before (like OPT) that has to be on the form and you need to include copies of that document.

The category for TPS is (a)(12)

Don't forget to sign!

The image shows the front page of Form I-765, Application For Employment Authorization. The form is titled "Department of Homeland Security U.S. Citizenship and Immigration Services" and "I-765, Application For Employment Authorization". It features a header section with "For Usage" and "Action Blank" columns, and a table for "Status" (Initial Receipt, Renewed, Reinstated) and "Completion" (Approved, Denied). Below this are sections for "Applicant Information" (including checkboxes for "Applicant is a U.S. Citizen", "Applicant is a U.S. Permanent Resident", and "Applicant is a U.S. Temporary Resident"), "Employment Information" (including checkboxes for "Employment is seasonal or temporary", "Employment is for a specific employer", and "Employment is for a specific employer"), and "Applicant's Information" (including checkboxes for "Applicant is a U.S. Citizen", "Applicant is a U.S. Permanent Resident", and "Applicant is a U.S. Temporary Resident"). The form also includes sections for "Employment Information" (including checkboxes for "Employment is seasonal or temporary", "Employment is for a specific employer", and "Employment is for a specific employer") and "Applicant's Information" (including checkboxes for "Applicant is a U.S. Citizen", "Applicant is a U.S. Permanent Resident", and "Applicant is a U.S. Temporary Resident").



Other forms and documents

G-1145 – to get notifications by email or text in addition to by mail. Need one for each application submitted.

I-912 – fee waiver

Need 2 passport photos for I-765

Proof of who you are and nationality

Proof of entry to US

Proof of presence in the US

Translations of documents



Translations of documents

I, (name of translator), hereby certify that I have made an accurate and truthful translation from (source language) to English of the (document title) belonging to _____ . I declare under penalty of perjury under the laws of the United States of America, 28 U.S.C. § 1746, that the foregoing is true and correct.



The filing fee

Check or money order

Recommend check so you can track – but do not use temporary checks!

Make sure the information on the check is correct – the numbers are right, it is written out correctly, and the check is signed!

I-821 = \$50

Bio fee = \$85

EAD = \$380

Total = \$515 or \$135 (if you don't want an EAD – still must submit form I-765)



Checklist

Cover letter – list out everything you are sending

Filing fee

Form I-821

Form G-1145

Evidence of identity and nationality (copy of passport, or birth cert and photo id)

Evidence of date of entry (stamp in passport, I-94)

Evidence of immigration status

Evidence of physical presence and continuous residence

Form I-765

Form G-1145

2 passport photos

Evidence of identity (copy of passport)

Evidence of previous EADs



Overview

File the applications

Get receipt notices

Get biometrics notice

Go to biometrics appointment

Bring evidence of nationality and identity with a photograph of you, such as a passport

Your receipt notice

Your ASC appointment notice

Your current EAD, if you already have one

Wait

Wait

Get EAD – may or may not get separate TPS approval

Keep address current with USCIS

Reregister as needed



TPS For Nepal

Kathleen Gasparian
Gasparian Immigration

Kathleen@gasparianimmigration.com

504 262 9878

