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**Operations Memo 2013-23  
May 3, 2013**

**To:** Department of Transitional Assistance Staff

**From:**  Stephanie Brown, Assistant Commissioner for Policy, Program and External Relations

**Re:** EAEDC: Extension and Redesignation of Sudan and South Sudan for Temporary Protected Status (TPS); and TPS Extensions for Honduras and Nicaragua

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**Background**

The Department of Homeland Security (DHS) may designate a foreign country for Temporary Protected Status (TPS) due to the following conditions:

- ✓ Ongoing armed conflict (such as a civil war),
- ✓ An environmental disaster (such as an earthquake or hurricane),
- ✓ An epidemic, or
- ✓ Other extraordinary and temporary conditions.

Temporary Protected Status (TPS) is a temporary immigration benefit, authorized under Section 244 of the Immigration and Nationalization Act (INA) granted by the U.S. Citizenship and Immigration Services (USCIS). It allows nationals of a TPS designated country to remain in the U.S. for a limited period of time and to work because conditions in that country are preventing them from returning there.

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**Obsolete Memo** Operations Memo 2012-10 is obsolete.

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## Overview

The Republic of South Sudan (South Sudan) became a country in July, 2011, after separating from Sudan in a civil war. South Sudan was granted an initial period of TPS from November 3, 2011 through May 2, 2013, to coincide with a TPS extension for Sudan for the same period.

Due to ongoing armed conflict and the disruption of living conditions in Sudan and South Sudan, on January 9, 2013, DHS extended both the existing TPS and redesignated TPS for an additional 18 months, beginning May 3, 2013 through November 2, 2014.

On April 3, 2013, DHS extended TPS for Honduras and Nicaragua for 18 months, beginning July 6, 2013 through January 5, 2015. Honduras and Nicaragua are designated for TPS due to the continued disruption of living conditions resulting from Hurricane Mitch in 1998 and other subsequent natural disasters.

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## Purpose of Memo

This Operations Memo:

- advises staff about the extension and redesignation of TPS for Sudan and South Sudan;
  - advises staff about TPS extensions for Honduras and Nicaragua;
  - reminds TAO staff about EAEDC eligibility for foreign nationals with TPS;
  - provides information on USCIS filing fees and fee waiver requests that will benefit individuals filing USCIS applications to become TPS beneficiaries; and
  - reminds TAO staff about how to enter INA designation information in BEACON for individuals with TPS.
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**EAEDC Eligibility** Foreign nationals who are approved for TPS have documentation from USCIS verifying their temporary status. Individuals granted TPS are Permanently Residing Under Color of Law (PRUCOL) for purposes of EAEDC eligibility, and accordingly, are eligible for EAEDC benefits provided they meet all other EAEDC nonfinancial and financial requirements.

During a TPS designation period, individuals who are granted TPS may apply for an employment authorization document (EAD) and may obtain employment.

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**Sudan and South Sudan TPS Extension and Redesignation**

Effective May 3, 2013, DHS will allow Sudanese and South Sudan nationals currently with TPS to remain in the U.S. through November 2, 2014 provided they re-register with USCIS. These individuals were required to re-register between January 9, 2013 and March 11, 2013.

The redesignation of Sudan and South Sudan for TPS allows individuals who currently do not have TPS to make an initial TPS application during the period beginning January 9, 2013 through July 8, 2013.

Under the redesignation, applicants must demonstrate and provide proof for USCIS that they:

- have been continuously living in the U.S. since January 9, 2013; and
- have been physically present in the U.S. since May 3, 2013, the effective date of the redesignation.

Individuals who meet all eligibility requirements and are approved for TPS as a result of the extension or redesignation, will have documentation from USCIS verifying their temporary status and its duration. These individuals will be allowed to remain in the U.S. through November 2, 2014.

To coincide with this memo, a BEACON query was run to determine if there are active EAEDC clients with TPS from Sudan and South Sudan. No Sudanese or South Sudan nationals with TPS were found as a result of the query.

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**Honduras and Nicaragua Extensions**

Effective July 6, 2013, DHS will allow Honduran and Nicaraguan nationals with TPS to remain in the U.S. through January 5, 2015 provided they re-register with USCIS. The re-registration period began on April 3, 2013 and ends June 3, 2013.

Individuals who meet all eligibility requirements and are approved for TPS as a result of registration or re-registration will have documentation from USCIS verifying their temporary status and its duration. These individuals will be allowed to remain in the U.S. through January 5, 2015.

A BEACON query was run to determine if there are active EAEDC clients from Honduras and Nicaragua affected by the TPS extension. The query identified EAEDC clients who are Honduran nationals. No Nicaraguan nationals with TPS were found as a result of the query.

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**Honduras and  
Nicaragua  
Extensions  
(continued)**

A list of EAEDC clients will be sent electronically with this memo to the directors and assistant directors of the affected TAOs to be distributed to the appropriate case managers.

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**Case Manager  
Responsibility**

The case manager must schedule an appointment with their EAEDC clients on the list, and determine if the client has re-registered for TPS. If a client with current TPS has not re-registered, the case manager should advise the client about contacting the USCIS to re-register for TPS.

At the appointment, the case manager should complete an eligibility review if the client is due for review. See Operations Memo 2011-55A for procedures to schedule these reviews.

**Note:** Individuals granted TPS may later receive a permanent resident status, green card, under another provision of the INA. Be sure to update the INS Designation page in the Assessed Person Nonfinancials workflow for any reported change in status.

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**USCIS TPS Filing  
Fees and Fee  
Waivers**

USCIS may require individuals to pay an application fee, including a fee called a biometric service fee, when filing for TPS. There is also a filing fee required by USCIS for an EAD application.

The case manager should inform the client that he or she may ask USCIS to waive these fees by submitting a USCIS Form I-912 *Request for Fee Waiver* along with both the TPS application and the EAD application; or the client may submit personal letters to request fee waivers. The case manager should give the client two income verification letters to file with the TPS, EAD and fee waiver requests.

**Important:** USCIS will reject TPS and EAD applications that are filed without submitting the proper fee, a fee waiver request, or a personal letter with each application.

Clients should be told that they may call USCIS toll-free at 1-800-870-3676 (Bureau of Citizenship and Immigration Services) for all USCIS forms, or visit USCIS websites: [www.uscis.gov/forms](http://www.uscis.gov/forms), for applications and [www.uscis.gov/i-912](http://www.uscis.gov/i-912), for Form I-912 *Request for Fee Waiver* forms.

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**BEACON  
Instructions**

When completing the INS Designation page for individuals with TPS, the case manager must:

- on the Detail tab, select **PRUCOL** in the INS designation drop-down box;
- select **TPS** in the Section reference field;  
**Note:** Do not select the Section 244 or Section 244(a)(3) designations that appear in the drop-down box.
- enter all information provided by USCIS required to complete the INS Designation page, for the individual with TPS; and
- annotate the BEACON Narrative tab with: “INS designation updated for EAEDC client with Temporary Protected Status who is a \_\_\_\_\_ National.” (Fill in the name of the designated country.)

**Note:** Complete the INS Designation page following the above instructions for all clients with Temporary Protected Status and annotate the Narrative tab accordingly.

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**Questions**

If you have any questions, please have your Hotline designee call the Policy Hotline.

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