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Operations Memo 2012-25
June 6, 2012

To: Department of Transitional Assistance Staff

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

Re: EAEDC – Extension and Redesignation of Somalia for Temporary Protected Status

Introduction 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.

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 designated country to remain in the U.S. and work for a limited time period because conditions in that country are preventing them from returning there.

Overview The country of Somalia was originally designated for TPS on September 16, 1991 due to ongoing armed conflict. Since that date, DHS has both extended and redesignated Somalia for TPS several times.

Recently, DHS extended and redesignated TPS for Somalia on May 1, 2012 for an additional 18 months beginning September 18, 2012 through March 17, 2014.

**Purpose of
Memo**

This Operations Memo:

- explains EAEDC eligibility for foreign nationals who are approved for TPS;
 - advises staff about the extension of TPS for Somalia and how it affects current Somali TPS beneficiaries;
 - advises staff about the redesignation of Somalia for TPS effective September 18, 2012, and how certain Somali nationals currently without TPS may now apply for TPS;
 - provides information on USCIS filing fees and fee waiver requests that will benefit clients when filing USCIS applications; and
 - provides instructions for entering 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 obtain employment.

**Somalia TPS
Extension**

The current TPS for Somalia has been extended because of worsening armed conflict, and other extraordinary and temporary conditions, including severe drought, famine and seasonal flooding that have disrupted living conditions.

Effective September 18, 2012, DHS will allow Somali nationals with TPS to remain in the U.S. through March 17, 2014 provided they re-register with USCIS. The re-registration period began on May 1, 2012 and ends July 2, 2012.

USCIS will not automatically extend the EADs set to expire on September 17, 2012. A new application must be made with the TPS re-registration.

Individuals who meet all eligibility requirements and are approved for the extended TPS as a result of 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 March 17, 2014.

**Somalia TPS
Extension
(continued)**

To coincide with this memo, a BEACON query was run to determine if there are active EAEDC clients from Somalia affected by the TPS extension. No Somali nationals with TPS were found as a result of the query.

**Somalia TPS
Redesignation**

In addition to the extension, DHS has redesignated Somalia for TPS. This means that effective September 18, 2012, Somali nationals who currently do not have TPS may apply for TPS. The redesignation application period began on May 1, 2012 and ends on October 29, 2012.

Before USCIS will grant them TPS, these TPS applicants must demonstrate and provide proof for USCIS that they:

- have been continuously living in the U.S. since May 1, 2012; and
- have been physically present in the U.S. since September 18, 2012, the effective date of the redesignation.

Individuals who meet all eligibility requirements and are approved for the TPS as a result of the 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 March 17, 2014.

USCIS TPS Filing Fees and Fee Waivers USCIS may require individuals to pay a fee called a biometric service fee, when filing a TPS re-registration application. There is also a filing fee required by USCIS for an EAD application.

Individuals unable to pay the required fees may ask USCIS to waive the TPS and EAD application fees by submitting a USCIS Form I-912 *Request for Fee Waiver* along with both the TPS application and the EAD application; or they may submit personal letters to request fee waivers. Documentation of the inability to pay is required for 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.

Individuals may call USCIS toll-free at 1-800-870-3676 for all USCIS forms, or visit USCIS websites: www.uscis.gov/forms, for applications and www.uscis.gov/i-912, for Form I-912 *Request for Fee Waiver* forms.

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: “EAEDC client with Temporary Protected Status who is a Somali National.”

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