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Please note the following attached resources from the U.S. Department of Citizenship and Immigration Services regarding Haiti's Temporary Protected Status and the handling of immigration matters from Haiti:

pp. 2-8: Q&A on Haiti's Temporary Protected Status

pp. 9-11: Tips on filing Form I 821

pp. 12-15: Notice from the U.S. Department of Homeland Security



Questions and Answers

January 14, 2010

Temporary Protected Status for Haiti

The Department of Homeland Security (DHS) Secretary, Janet Napolitano, has determined that an 18-month designation of Temporary Protected Status (TPS) for Haiti is warranted because of the devastating earthquake and aftershocks which occurred on January 12, 2010. As a result, Haitians in the United States (and other individuals without nationality who last habitually resided in Haiti) are unable to return safely to their country. DHS will continue to work with other branches of the United States Government to closely monitor developments in Haiti to determine the need for additional action.

United States Citizenship and Immigration Services (USCIS) will efficiently and timely process immigration applications for TPS filed by nationals of Haiti. Further detailed information will be posted in the Federal Register Notice announcing the Secretary's decision to designate Haiti. DHS estimates that approximately 100,000 to 200,000 individuals will be eligible for TPS.

Questions and Answers

1. What is Temporary Protected Status?

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

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

To qualify, you must:

- Be a national of Haiti, or a person without nationality who last habitually resided in Haiti;
- Have continuously resided in the U.S. since January 12, 2010.
- Have been continuously physically present in the U.S. since the date of the Federal Register Notice publication, and
- Meet certain immigrant admissibility requirements, and other TPS eligibility requirements (See INA § 244(c), 8 U.S.C. § 1254a and 8 C.F.R. §§ 144.2-244.4.)
- Satisfactorily complete all TPS application procedures as described in the Federal Register notice announcing Haitian TPS, the TPS application instructions (Form I-821), and regulations at 8 C.F.R. §§ 244.6 - 244.9.

3. I am a Haitian national; when can I submit my initial application for TPS?

The registration period will start on the date the Federal Register notice is published and continue for 180 days from that date. You must file during the 180-day registration period. Your application will be considered as being properly filed if it is postmarked on or before the last day of the registration period.

4. I am a Haitian national; how do I apply for TPS?

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

If you are	And	Then,	And,
Applying for initial TPS and you are between the ages of 14 and 65 (inclusive)	You are applying for a TPS-related EAD	You must submit the \$50 Form I-821 application fee	You must submit the \$340 Form I-765 application fee
Applying for initial TPS and you are under age 14 or over age 65	You are applying for a TPS-related EAD	You must submit the \$50 Form I-821 application fee	You do not need to submit the Form I-765 application fee
Applying for initial TPS, regardless of age	You are not applying for a TPS-related EAD	You must submit the \$50 Form I-821 application fee	You do not need to submit the Form I-765 application fee

- You must use the version of Form I-821 dated 10/17/2007 or later and the version of Form I-765 dated 5/27/2008 or later. Failure to use these versions of the forms may result in rejection of your applications.
- You must take care in filling out the forms and ensure that all questions are answered. Failure to completely answer any questions may result in a delay of case processing.
- If you are age 14 or over: you must also pay an \$80 biometric fee, or submit a fee waiver request.
- You should not file your application prior to the date of the Federal Register notice publication.

5. Where can I obtain the necessary forms for TPS?

These forms are available by calling the toll-free USCIS Forms Hotline (800) 870-3676 or by selecting Forms on the USCIS Web site: www.uscis.gov.

6. I am a Haitian national applying for TPS; what is the filing fee to apply for TPS?

- The fee for Form I-821 is \$50.
- A separate \$80 biometric fee is required if you are age 14 or older.

- A \$340 fee must accompany Form I-765 for employment authorization if you are age 14 to 65.
 - If you do not require employment authorization, Form I-765 is still required but no fee is necessary.

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

You may request a waiver of TPS-related application fees and/or the biometrics fee by submitting a fee waiver request with **proper documentation** of inability to pay. Such documentation would include:

- Receiving a federal/state benefits that is determined by your level of income, or
- Evidence of household income that is below Federal poverty guidelines; or
- Evidence of extraordinary expenses incurred when compared to income such as high medical bills

Fee waivers may also be given for humanitarian reasons such as disability, homelessness or age. Documentation must also be provided to support these claims. All documentation must be in English or translated into English.

An individual who requests a fee waiver must state exactly which fees (e.g., Form I-821 application fee, Form I-765 application fee; and/or the biometrics services fee) he or she wants waived. In order to obtain a fee waiver, you must submit, with these forms, a written statement, made under oath, affirmation, or pursuant to 28 USC 1746, under penalty of perjury. In the written statement you must state that you believe you are eligible for TPS and that you want the fees waived. You must also explain why you are unable to pay the required fees.

8. What type of basic supporting documentation must I submit?

The filing instructions for Form I-821, list all the documents needed to establish basic eligibility for TPS.

- In addition, you must submit two color passport-style photographs of yourself and evidence that you meet the basic eligibility requirements for TPS to include evidence that you:
 - are a national of Haiti or a person with no nationality who last habitually resided in Haiti (such as a copy of your passport or birth certificate);
 - continuously resided in the United States since January 12, 2010; and
 - have been continuously physically present in the United States since the date of the publication of the Federal Register Notice.

9. Do I need to submit any additional supporting documentation?

Depending on the nature of the question(s) you are addressing, additional documentation alone may be sufficient, but usually a written explanation will also be needed.

10. What if I cannot get the documentation proving that I am a Haitian national because of the devastation in my country?

To prove that you are a national of Haiti, you can submit either a copy of your Haitian passport or a copy of your birth certificate, showing that you were born in Haiti. We expect that most Haitian TPS applicants should have a passport and may submit a copy of it even if it has expired.

If you do not have a Haitian passport and are unable to obtain your birth certificate from Haiti, you will need to submit secondary evidence. This secondary evidence can be any other documentation you already have in your possession from Haiti, showing that you are a national or citizen of Haiti. Secondary evidence can also be in the form of your baptismal certificate from Haiti, sworn affidavits from close family members providing the specific details of the date and place of your birth and how they know this information. If any document is not in English it must be accompanied by an English translation. The person translating the document must certify that he or she is competent in English and the foreign language from which the document is translated and that the translation is true and correct to the best of his or her ability, knowledge and belief.

If you are a person with no nationality that last habitually resided in Haiti, you must show that you are stateless. That is, that you have no nationality at all. You must submit a statement explaining why you are stateless. You must also submit any documentation you may have from Haiti showing that you last habitually resided there. If that documentation is not available, you may submit sworn affidavits from close friends and family members who have direct knowledge of your residence in Haiti. Again, any documents not in English must be accompanied by a certified English translation.

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

There are a number of different types of documents that you can submit proving your continuous residence in the United States since January 12, 2010 and your continued physical presence in the United States since the date the Federal Register notice was published designating Haiti for TPS. For example, you can submit job letters from your current and former employers showing where you have worked, rent receipts, payroll stubs, bank statements, school records, or any other documents you may have showing your continuous physical presence and continuous residence in the U.S

12. Where do I submit my TPS package applications?

This information will become available after the Federal Register notice is published. Please do not try to file your applications prior to that date.

13. Can I apply electronically via the Web?

No, you cannot file electronically. Electronic filing is not available for initial TPS registrations.

14. I am a Haitian national who has applied for TPS. What should I do if I am scheduled for an appointment at the Application Support Center (ASC) but am unable to make my appointment?

If you are unable to appear for your ASC appointment, your application may be denied for abandonment.

15. How do I reschedule my ASC appointment for biometrics?

To request rescheduling of an ASC appointment, please make a copy of your appointment notice to retain for your records, then mail the original notice with your rescheduling request to the ASC address listed on the notice. A new appointment notice will be sent to you by

mail. **Please note that rescheduling a biometrics appointment may cause the adjudication of your applications to be delayed.**

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

After you file your Form I-765, *Application for Employment Authorization (EAD)*, and Form I-821, and pay the appropriate fees (or you are granted a fee waiver), USCIS will review your applications. Once this preliminary processing has been completed, you will be issued an Employment Authorization Document. USCIS will not grant employment authorization until after your biometrics are collected at an ASC and a background check is performed. Once we have completed processing your TPS application, you will receive a written notice of our decision.

If you have obtained an EAD you may present your valid EAD to an employer as proof of employment authorization and identity.

- You may also present any other legally acceptable document or combination of documents listed on the Form I-9 as proof of identity and employment eligibility.

17. I am a national of Haiti; I arrived in the United States after January 12, 2010. Am I eligible for TPS?

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

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

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

19. May I apply for another immigration benefit while registered for TPS? Yes.

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

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

An application for TPS does not affect an application for asylum or any other immigration benefit and vice versa.

- Denial of an application for asylum or any other immigration benefit does not affect an alien's ability to register for TPS, although the grounds of denial of that application may also lead to denial of TPS. (For example, an alien who has been convicted of an aggravated felony is not eligible for asylum or TPS.)

If a person who has been granted TPS has a family or employment -based petition approved on his/her behalf and a priority date that is current, he/she can only adjust status in the United States if he/she was inspected and admitted, or paroled, and (with few exceptions) has maintained lawful status while in the United States. If he/she entered the United States illegally or fell out of a legal status before or after having TPS, he/she may be ineligible to adjust status in the United States. For adjustment purposes, the time that a person is in TPS is considered as a period of lawful non-immigrant status, but merely having TPS does not

“cure” all other periods of time before and after TPS when the person may not have had lawful status.

21. Can I obtain a travel document to travel outside the U.S. and return? If I violate the terms and conditions of my status or have been in the U.S. without lawful status and then leave the U.S., will I be able to come back?

If you are granted TPS, you may apply for advance parole by filing Form I-131, Application for Travel Document. If approved, you'll be given an advance parole document. An advance parole document allows you to depart the U.S. and re-enter as long as the advance parole document remains valid.

- Advance parole cannot be granted for longer than the period of time your country is designated for TPS.
- Advance parole is within the discretion of DHS and is not guaranteed.

Any violation of immigration law can affect your eligibility to reenter the U.S. In some instances failure to obey the law may permanently bar your return. This is true even if you have a visa, advance parole or other document, or at some point otherwise become eligible for status. USCIS will not make a determination as to whether you may be inadmissible in advance, even if you apply for an advance parole.

- The best way to ensure that you will not have a problem is to make sure you meet your commitment, and as a guest of the U.S., ensure that you fully understand the terms and conditions of your status, and do not violate them. If you believe you may have violated your status, you may want to seek legal advice about the possible impact on your ability to reenter the U.S. in the future.
- You may also want to seek legal advice if you have been illegally present in the U.S. at any time and you anticipate leaving the U.S., even with approved advance parole. You could be found ineligible for certain immigration benefits in the future if you leave the U.S. because your departure may trigger the unlawful presence ground of inadmissibility in section 212(a)(9) of the INA.

22. What might make me ineligible for TPS?

- A person who has been convicted of any felony, or two or more misdemeanors committed in the United States is not eligible for TPS.
- A person subject to several other criminal and security-related bars to asylum is also ineligible. This would include participating in the persecution of another individual or engaging in or inciting terrorist activity.

23. I am a Haitian national who has applied for TPS; I have recently moved. How do I make sure my address is current?

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

Even if you are one of the few aliens not legally required to provide a change of address, you should keep your address current if you have filed any application or petition with us and it is still pending a decision, so you can get any notices or decisions from us. To notify us of your

change of address you can call the USCIS National Customer Service Center at 1-800-375-5283 or you can file the Form AR-11, Change of Address. Form AR-11 can now be completed electronically on our website at www.uscis.gov

24. Where can I receive additional information?

Please contact the USCIS National Customer Service Center at: 1-800-375-5283 or 1-800-767-1833 (TTY).

– USCIS –

Tips for Filing Form I-821, Application for Temporary Protected Status

Initial Registration

For initial Temporary Protected Status (TPS) registration, it is important to complete your application accurately and provide all required information. To ensure timely processing of your application, follow these tips:

General

- A. Read and follow all form instructions for fees, filing location, and eligibility requirements.
- B. Hand-written entries on applications must be neat and legible.
- C. Be sure to keep your information within the box or space provided.
- D. Use black or blue ink only. Red ink will not be detected by the machine scanners and may cause the processing of your application to be delayed or your form to be rejected.
- E. The I-821 Form and Instructions are available free of charge. The form and instructions can be found online at uscis.gov, and are also available free of charge at USCIS offices.
- F. Do not use highlighters on your application. This may cause the processing of your application to be delayed or your form to be rejected.
- G. You should only use forms downloaded from the [USCIS.gov](https://uscis.gov) website or that have been obtained from a USCIS office. (Many immigrant assistance organizations will also have these forms that they have obtained from USCIS). The use of these ADOBE fillable forms will help facilitate the processing of your application. You may also type your answers.
- H. If you download forms from a website other than [USCIS.gov](https://uscis.gov), ensure that applications do not have the grayed out data fields. This is a problem with some portable document format (PDF) forms. Information entered into grayed out data fields will not be detected by the machine scanners and may cause your form to be rejected.
- I. Do not alter the appearance or layout of the application. Any type of alternation may cause your application to be rejected.
- J. Initial TPS registration requires that you file two forms: The I-821, Application for Temporary Protected Status; and the I-765, Application for Employment Authorization. Failure to file an I-765 with your I-821 will cause your application to be rejected.

- K. Be sure that your Last, First and Middle names match exactly on all forms (I-821 and I-765). Misspelled names or using different names may cause your application to be rejected.
- L. Use the current version of the application, dated October 17, 2007. The application version must be visible on the bottom of the form.
- M. Sign all forms that you submit within the signature block provided. Failure to sign your forms will result in your application being rejected.
- N. Mail **all** pages of all forms. Do not mail the forms instructions. Failure to mail all pages of all forms will result in your application being rejected.

Form I-821

- A. In Part 1 of the I-821, check only Box A. Failure to check Box A may cause the processing of your application to be delayed or your form to be rejected.
- B. In Part 2 of the I-821, enter your correct date of birth. Leaving this line blank may result in your application being rejected.
- C. In Part 2 of the I-821, enter your country of birth, country of residence and country of citizenship. Leaving these lines blank may result in your application being rejected.
- D. In Part 4 of the I-821, complete the line, “I am a national of...” Leaving this line blank may result in your application being rejected.

Form I-765

- A. On Line 16 of the I-765, enter Eligibility Code “A12.” Leaving this line blank or entering a different code may result delays in the processing of your application.
- B. If you do not require the Employment Authorization Document, do not check any box in “I am applying for.” Leave it blank.

Fees

The table below shows the required fees for initial TPS registration. If you are unable to pay any of these fees, you may submit a fee waiver request with appropriate supporting documentation. For more information on fee waivers please see 8 C.F.R. § 244.20 and the USCIS website at www.uscis.gov.

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

			(You still must file the I-765)		
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- A. We recommend that if you are submitting multiple applications (for more than one person) that you enclose a check or money order for each application.
- B. Enclose the correct fees. Failure to enclose the correct fees will result in your application being rejected.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Hotel, 1250 22nd Street, Washington, DC 20037.

Contact Person: Joann Mcconnell, PhD, Scientific Review Administrator, Scientific Review Branch, NIH/NINDS/Neuroscience Center, 6001 Executive Blvd., Suite 3208, Msc 9529, Bethesda, MD 20892-9529, (301) 496-5324, mcconnel@ninds.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: January 14, 2010.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2010-1053 Filed 1-20-10; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Clinical Services.

Date: January 29, 2010.

Time: 2 p.m. to 3 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892. (Telephone Conference Call)

Contact Person: Ramesh Vemuri, PhD, Chief, Scientific Review Branch, National Institute on Aging, National Institutes of Health, 7201 Wisconsin Avenue, Suite 2C-212, Bethesda, MD 20892, 301-402-7700, rv23r@nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: January 14, 2010.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2010-1051 Filed 1-20-10; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2491-10; DHS Docket No. USCIS]

RIN 1615-ZA96

Designation of Haiti for Temporary Protected Status

AGENCY: U.S. Citizenship and Immigration Services, DHS.

ACTION: Notice.

SUMMARY: The Department of Homeland Security announces that the Secretary of Homeland Security (Secretary) has designated Haiti for temporary protected status (TPS) for a period of 18 months. Under section 244(b)(1) of the Immigration and Nationality Act, the Secretary is authorized to designate a foreign state for TPS or parts of such state upon finding that such state is experiencing ongoing armed conflict, an environmental disaster, or "extraordinary and temporary conditions." The Secretary may grant TPS to individual nationals of the designated foreign state (or to eligible aliens having no nationality who last habitually resided in such state) who have been both continuously physically present in the United States since the effective date of the designation and continually residing in the United States since a date determined by the Secretary, and who meet other eligibility criteria. TPS is available only to persons who were continuously physically present in the United States as of the effective date of the designation.

Under this designation, Haitian nationals (and aliens having no nationality who last habitually resided in Haiti) who have continuously resided in the United States since January 12, 2010, and who remain in continual physical presence in the United States from the effective date of the notice, may apply for TPS within the 180-day registration period that begins on the date of publication of the notice. These nationals also may apply for employment authorization documents and for permission to depart from and return to the United States.

This notice also sets forth procedures necessary for nationals of Haiti (or aliens having no nationality who last habitually resided in Haiti) to register and to apply for TPS and employment authorization documents with U.S. Citizenship and Immigration Services.

DATES: This designation of Haiti for TPS is effective on January 21, 2010, and will remain in effect through July 22, 2011. The 180-day registration period for eligible individuals to submit their TPS applications begins January 21, 2010, and will remain in effect until July 20, 2010.

FOR FURTHER INFORMATION CONTACT:

- For further information on TPS, including guidance on the application process and additional information on eligibility, please visit the USCIS Web site at <http://www.uscis.gov>. Select "Temporary Protected Status" from the homepage under "Humanitarian." You can find detailed information about this Haitian designation on our Web site at the Haitian Questions & Answers Section.

- Applicants seeking information about the status of their individual cases can check Case Status Online available at the USCIS Web site (<http://www.uscis.gov>), or call the USCIS National Customer Service Center at 1-800-375-5283 (TTY 1-800-767-1833).

- Further information will also be available at local USCIS offices upon publication of this Notice.

SUPPLEMENTARY INFORMATION:

Abbreviations and Terms Used in This Document

ASC—USCIS Application Support Center
 DHS—Department of Homeland Security
 DOS—Department of State
 EAD—Employment Authorization Document
 Government—United States Government
 INA—Immigration and Nationality Act
 OSC—U.S. Department of Justice, Office of Special Counsel for Immigration Related Unfair Employment Practices
 Secretary—Secretary of Homeland Security
 TPS—Temporary Protected Status
 USCIS—U.S. Citizenship and Immigration Services

What Is Temporary Protected Status?

TPS is a temporary immigration status granted to eligible nationals of a country (or to persons without nationality who last habitually resided in the designated country) that the Secretary has designated for TPS because the country is experiencing an ongoing armed conflict, an environmental disaster, or extraordinary and temporary conditions. During the period for which the Secretary has designated a country for TPS, TPS beneficiaries are eligible to remain in the United States and may

obtain work authorization, so long as they continue to meet the terms and conditions of their TPS status. The granting of TPS is available only to persons who were continuously physically present in the United States as of the effective date of this designation and does not lead to permanent resident status.

When the Secretary terminates a country's TPS designation, beneficiaries return to the same immigration status they maintained before TPS (unless that status has since expired or been terminated) or to any other status they may have obtained while registered for TPS.

What Authority Does the Secretary of Homeland Security Have To Designate Haiti for TPS?

The Immigration and Nationality Act (INA), authorizes the Secretary, after consultation with appropriate agencies of the government, to designate a foreign State (or part thereof) for TPS.¹ One of the bases for TPS designation is "there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety, unless [she] finds that permitting the aliens to remain temporarily in the United States is contrary to the national interest of the United States." INA section 244(b)(1)(C) (emphasis added); 8 U.S.C. 1254a(b)(1)(C). The Secretary has determined, after consulting with the Department of State (DOS) and other government agencies, that there exists in Haiti "extraordinary and temporary conditions," preventing Haitian nationals from returning to Haiti in safety and that permitting eligible Haitian nationals to remain temporarily in the United States would not be contrary to the national interest.

Following the designation of a country for TPS, the Secretary may grant TPS to eligible nationals of that foreign State (or aliens having no nationality who last habitually resided in that State) who have been both continually physically present in the United States since the effective date of the notice and continually residing in the United States since a date determined by the Secretary, and who meet all other eligibility criteria. INA section 244(a)(1)(A) and (c); 8 U.S.C.

1254a(a)(1)(A) and (c). Persons convicted of any felony, or two or more misdemeanors, committed in the United States are ineligible for TPS. Applicants may also be ineligible if one of the bars to asylum eligibility applies. *Id.* at section 244(c)(2)(B)(i-ii).

Why Is the Secretary Designating Haiti for TPS?

On January 12, 2010, Haiti was struck by a 7.0-magnitude earthquake. DHS and DOS have conducted an initial review of the conditions in Haiti following the earthquake. Based on this review, the Secretary has determined to designate Haiti for TPS for 18-months pursuant to section 244(b)(1)(C) of the INA for reasons discussed below. The Department of State concurs in the designation of Haiti for a period of 18 months.

The epicenter of the earthquake was off the coast of Haiti, and only 17 km from the capital, Port-au-Prince, an area where some three million of the nation's nine million residents reside. Aftershocks have been measured at 5.9 and 5.5 respectively, and more aftershocks are expected.

Reports indicate that the earthquake destroyed most of the capital city. Initial estimates indicate that the death toll is substantial. The International Red Cross indicates that about three million people—one-third of Haiti's population—have been affected by the earthquake.

Reports also indicate that concrete homes have collapsed and hospitals are overflowing with victims. The Presidential Palace, the Ministry of Justice, Parliament, the tax office and other government buildings, as well as the United Nations headquarters, and the World Bank offices are among the buildings reported to be destroyed or damaged. Hospitals and schools have been destroyed. The Ministry of Public Works and the Ministry of Communication and Culture have also been damaged.

The country's critical infrastructure, including its capacity for the provision of electricity, water, and telephone services, has been severely affected. Food and water are increasingly scarce. Fuel shortages are emerging as an immediate concern.

There is limited access to the capital city. Roads are blocked by debris and other obstacles, and the collapse of the Croix de Mission Bridge has cut off a major artery between Port-au-Prince and the northern part of the country, making it more difficult to transport food, fresh water, and medical supplies. Haiti's main airport in Port-au-Prince, Toussaint L'Ouverture International

Airport, also has suffered significant damage that is hindering access to the country.

Haiti has limited resources to cope with a natural disaster, and now has been struck by its strongest earthquake in 200 years. Although a number of organizations and countries have pledged humanitarian aid, the magnitude of the disaster is substantial.

Given the size of the destruction and humanitarian challenges, there clearly exist extraordinary and temporary conditions preventing Haitian nationals from returning to Haiti in safety. Moreover, allowing eligible Haitian nationals to remain temporarily in the United States, as an important complement to the U.S. government's wider disaster relief and humanitarian aide response underway on the ground in Haiti, would not be contrary to the public interest.

DHS estimates that there are 100,000 to 200,000 nationals of Haiti (or otherwise eligible aliens having no nationality who last habitually resided in Haiti) who are eligible for TPS under this designation.

Designation of Haiti for TPS

Based upon these unique, specific, and extreme factors, the Secretary has determined, after consultation with the appropriate Government agencies, that there exist extraordinary and temporary conditions in Haiti preventing aliens who are nationals of Haiti from returning to Haiti in safety. The Secretary further finds that it is not contrary to the national interest of the United States to permit Haitian nationals (or aliens having no nationality who last habitually resided in Haiti) who meet the eligibility requirements of TPS to remain in the United States temporarily. *See* INA section 244(b)(1)(C); 8 U.S.C. 1254a(b)(1)(C). On the basis of these findings and determinations, the Secretary concludes that Haiti should be designated for TPS for an 18-month period. *See* INA section 244(b)(2)(B); 8 U.S.C. 1254a(b)(2)(B).

Nationals of Haiti (and aliens having no nationality who last habitually resided in Haiti) who have been "continuously physically present" in the United States since January 21, 2010 and have "continuously resided" in the United States since January 12, 2010, may apply for TPS within the registration period that begins on January 21, 2010 and ends on July 20, 2010. Except as specifically provided in this notice, applications for TPS by nationals of Haiti (and aliens having no nationality who last habitually resided in Haiti) must be filed pursuant to the

¹ As of March 1, 2003, in accordance with section 1517 of title XV of the Homeland Security Act of 2002 (HSA), Public Law No. 107-296, 116 Stat. 2135, any reference to the Attorney General in a provision of the Immigration and Nationality Act describing functions transferred under the HSA from the Department of Justice to the Department of Homeland Security "shall be deemed to refer to the Secretary" of Homeland Security. *See* 6 U.S.C. 557 (2003) (codifying HSA, tit. XV, sec. 1517).

provisions of 8 CFR part 244. Aliens who wish to apply for TPS must file an Application for Temporary Protected Status, Form I-821, together with an Application for Employment Authorization, Form I-765, in accordance with the form's instructions and applicable regulations during the registration period.

Janet Napolitano,
Secretary.

Required Application Forms and Application Fees To Register for TPS

To register for TPS, an applicant must submit two applications:

1. Form I-821, Application for Temporary Protected Status, and pay the Form I-821 application fee, which is \$50. If you are unable to pay the fee, you

may submit a fee waiver request with appropriate documentation.

2. Form I-765, Application for Employment Authorization.

- If you want an employment authorization document (EAD), you must pay the Form I-765 application fee, which is \$340, or submit a fee waiver request.
 - However, if you are filing an initial TPS registration and you are under the age of 14 or above the age of 65, you do not pay the Form I-765 fee to obtain an EAD.
 - If you are not requesting an EAD, you do not pay the Form I-765 fee.
3. Individuals who may apply for TPS pursuant to this notice and who are in removal proceedings will be provided an opportunity to apply in accordance with 8 CFR 244.7(d).

You must submit both applications together. For more information on the application forms and application fees for TPS, please visit the USCIS Web site at <http://www.uscis.gov>.

Biometric Services Fee

Biometrics (such as fingerprints) are required for all applicants 14 years of age or older. Those applicants must submit a biometric services fee of \$80. If you are unable to pay the fee, you may submit a fee waiver request with appropriate documentation. For more information on the biometric services fee, please visit the USCIS Web site at <http://www.uscis.gov>.

Mailing Information

Mail your application for TPS to the proper address in Table 3:

TABLE 3—MAILING ADDRESSES

Residence	Filing location
If you live in the state of Florida	US Postal Service: USCIS, PO Box 4464, Chicago, IL 60680-4464. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 131 South Dearborn, 3rd Floor, Chicago, IL 60603-5520.
If you live in the state of New York	US Postal Service: USCIS, PO Box 660167, Dallas, TX 75266-0167. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 2501 S. State Hwy. 121 Business, Suite 400, Lewisville, TX 75067.
All other	US Postal Service: USCIS, PO Box 24047, Phoenix, AZ 85074-4047. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 1820 E. Skyharbor Circle S, Suite 100, Phoenix, AZ 85034.

E-Filing

You cannot E-file your application when applying for initial registration for TPS. Please mail your application to the mailing address listed in Table 3 above.

Supporting Documents

What type of basic supporting documentation must I submit?

To meet the basic eligibility requirements for TPS, you must submit evidence that you:

- Are a national of Haiti or an alien of no nationality who last habitually resided in Haiti (such as a copy of your passport, birth certificate with English translation, etc.);
- Continually resided in the United States since January 12, 2010 (see 8 CFR 244.9(a)(2));
- Have been continually physically present in the United States since January 21, 2010; and
- Two color passport-style photographs of yourself.

The filing instructions on Form I-821, Application for Temporary Protected Status, list all the documents needed to establish basic eligibility for TPS.

Do I need to submit additional supporting documentation?

If one or more of the questions listed in Part 4, Question 2 of the Form I-821 applies to you, then you must submit an explanation on a separate sheet(s) of paper, and/or additional documentation. Depending on the nature of the question(s) you are addressing, additional documentation alone may suffice, but usually a written explanation will also be needed.

Employment Authorization Document (EAD)

May I request an interim EAD at my local USCIS office?

No. USCIS will not issue interim EADs to TPS applicants at USCIS local offices.

What documents may a qualified individual show to his or her employer as proof of employment authorization and identity when completing Form I-9, Employment Eligibility Verification?

TPS beneficiaries under the designation of Haiti who have timely registered with USCIS as directed under this Notice and obtained an EAD, may present their valid EAD to their employers as proof of employment

authorization and identity. Employers may not accept EADs that are no longer valid.

Individuals may also present any other legally acceptable document or combination of documents listed on the Form I-9 as proof of identity and employment eligibility.

Note to Employers

Employers are reminded that the laws requiring employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules setting forth re-verification requirements. For questions, employers may call the USCIS Customer Assistance Office at 1-800-357-2099. Employers may also call the U.S. Department of Justice Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) Employer Hotline at 1-800-255-8155.

Note to Employees

Employees or applicants may call the OSC Employee Hotline at 1-800-255-7688 for information. Additional information is available on the OSC

Web site at <http://www.justice.gov/crt/osc/index.php>.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5364-N-01]

Mortgagee Review Board: Administrative Actions

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: In compliance with Section 202(c) of the National Housing Act, this notice advises of the cause and description of administrative actions taken by HUD's Mortgagee Review Board against HUD-approved mortgagees.

FOR FURTHER INFORMATION CONTACT: Julie Shaffer, Acting Secretary to the Mortgagee Review Board, 451 Seventh Street, SW., Room 3150, Washington, DC 20410-8000; telephone: (215) 861-7216. A Telecommunications Device for Hearing- and Speech-Impaired Individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Section 202(c)(5) of the National Housing Act (added by Section 142 of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989), requires that HUD "publish a description of and the cause for administrative action against a HUD-approved mortgagee" by the Department's Mortgagee Review Board (Board). In compliance with the requirements of Section 202(c)(5), this notice advises of actions that have been taken by the Board from July 10, 2008 to August 4, 2009.

I. Settlement Agreements, Civil Money Penalties, Withdrawal of FHA Approval, Suspensions, Probations, Reinstatement and Reprimand

1. *Ascella Mortgage, LLC, Manchester, CT* [Docket No. 09-9610-MR]

Action: On August 4, 2009, the Board voted to immediately withdraw Ascella Mortgage LLC's (Ascella) FHA approval for a period of one year.

Cause: The Board took this action based on the following violation of HUD/FHA requirements alleged by HUD: Ascella failed to notify HUD that

it voluntarily surrendered its license to originate mortgages.

2. *Americare Investment Group, Inc. d/b/a/Premiere Capital Lending, Arlington, TX* [Docket No. 08-8082-MR]

Action: On October 8, 2009, the Board entered into a settlement with Americare Investment Group, Inc's., d/b/a Premiere Capital Lending (Americare) requiring, without the admission of fault or liability, the payment of a civil money penalty of \$124,000 and placing Americare on probation for a period of six months. During the period of probation, Americare will be required to obtain and provide to HUD post-closing reviews on all construction-to-permanent loans closed during the period.

Cause: The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: (1) Failing to include required loan documents and information and (2) failing to ensure that the maximum mortgage amount was properly calculated, resulting in over-insured mortgages.

3. *Beneficial Mortgage Corp., San Juan, PR* [Docket No. 09-9626-MR]

Action: On June 3, 2009, the Board immediately suspended Beneficial Mortgage's (Beneficial) FHA approval pending the outcome of a HUD review and any ensuing legal proceedings.

Cause: The Board took this action based on the following violation of HUD/FHA requirements alleged by HUD: Beneficial failed to notify HUD of a business change affecting the information upon which Beneficial was originally approved. Specifically, Beneficial failed to notify HUD that it was the subject of an investigation by the Puerto Rico Financial Institutions Commissioner's Office.

4. *Community Home Lending, Inc., Birmingham, AL* [Docket No. 09-8041-MR]

Action: On July 1, 2009, the Board entered into a settlement agreement with Community Home Lending, Inc.'s (Community) requiring Community to pay a civil money penalty in the amount of \$11,500 without admitting fault or liability.

Cause: The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Community violated third party origination restrictions by allowing non-employees to originate FHA-insured mortgages; allowed an employee to originate FHA-insured mortgages and simultaneously work in the fields of

property management and real estate; failed to maintain a quality control (QC) plan conforming to all HUD/FHA requirements, including allowing its reviews to be conducted by a loan officer; and failing to conduct QC reviews in 15 early default cases.

5. *Eagle Nationwide Mortgage Company, Chadds Ford, PA* [Docket No. 09-9003-MR]

Action: On July 29, 2009, the Board entered into a settlement agreement with Eagle Nationwide Mortgage Company's (Eagle) requiring Eagle to pay a \$3,500 civil money penalty without admitting fault or liability.

Cause: The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Eagle distributed a direct mail solicitation which improperly used the name of the Federal Housing Administration, thereby implying FHA endorsement of Eagle's programs. Additionally, the text of the advertisement implied that Eagle employed FHA personnel.

6. *Golden First Mortgage Corp., Great Neck, New York* [Docket No. 09-9625-MR]

Action: On June 3, 2009, the Board immediately suspended Golden First Mortgage's (Golden First) FHA approval pending the outcome of the Office of Inspector General's investigation and any ensuing legal proceedings.

Cause: The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Golden First failed to notify HUD of a business change affecting the information upon which Golden First was originally approved. Specifically, Golden First Mortgage failed to notify HUD that its president was under investigation by the Office of Thrift Supervision, U.S. Department of Treasury, and was a party to a civil money penalty proceeding.

7. *Great Country Mortgage Bankers, Corp., Coral Gables, FL* [Docket No. 09-9618-MR]

Action: On June 3, 2009, the Board immediately suspended Great Country Mortgage Bankers Corporation's (Great Country) FHA approval pending the outcome of a HUD review and any ensuing legal proceedings.

Cause: The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Great Country failed to implement a QC plan in compliance with HUD/FHA requirements by failing to conduct QC reviews on loans defaulting within six months of origination; failed to