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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



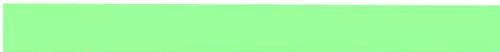
U.S. Citizenship  
and Immigration  
Services



DATE: **AUG 09 2013**

Office: VERMONT SERVICE CENTER

FILE: 

IN RE: Applicant: 

APPLICATION: Application for Employment Authorization under 8 C.F.R. § 274a.12(c)(19)

ON BEHALF OF APPLICANT: Self-represented

**INSTRUCTIONS:**

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

  
for

Ron Rosenberg  
Acting Chief, Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, Vermont Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected. The matter is returned for further action by the director.

The applicant claims to be a native and citizen of Honduras who was granted employment authorization under 8 C.F.R. § 274a.12(c)(19) as an alien with a pending Form I-821, Application for Temporary Protected Status (TPS). On June 27, 2012, the director subsequently denied the underlying TPS application.

On June 27, 2012, the director also denied the Form I-765, Application for Employment Authorization, because the underlying TPS application had been denied. The director advised the applicant that, while the decision could not be appealed, the applicant could file a motion to reopen. In response to the director's decision, the applicant filed a Form I-290B, Notice of Appeal or Motion, and indicated at Part 2 that she was filing an appeal from the denial of the Forms I-765 and I-821 (Application for Temporary Protected Status) and she listed the receipt number of the Form I-765.

The AAO has no jurisdiction over applications for employment authorization. As there is no appeal of the decision, the appeal will be rejected.

As jurisdiction lies with the director, he may, in his discretion, reopen the decision on a service motion pursuant to 8 C.F.R. § 103.5(a)(5), or excuse the late filing of a new motion under the requirements of 8 C.F.R. § 103.5(a)(1)(i).

Finally, assuming, arguendo, the applicant had listed at Part 2 of the Form I-290B, the receipt number for the Form I-821 the appeal would have been rejected as untimely filed as it was received 36 days after the decision was issued.

**ORDER:** The appeal is rejected.