

August 7, 2003

EXTENSION OF TEMPORARY PROTECTED STATUS (TPS) FOR LIBERIA QUESTIONS AND ANSWERS

Temporary Protected Status (TPS) is a provisional immigration status granted to eligible nationals of designated countries suffering the effects of an ongoing armed conflict, environmental disaster, or other extraordinary and temporary conditions. During the period for which the Secretary of Homeland Security has designated a country under the TPS program, beneficiaries are not required to leave the United States and may obtain employment authorization.

TPS does not lead to permanent resident status, however. When the Secretary terminates a country's designation, the alien will return to the status he/she had prior to TPS or to any other status he/she may have obtained while registered for TPS.

Q. Who is eligible to re-register for the 12-month TPS extension?

A. An alien who is a national of Liberia (or in the case of an alien having no nationality, a person who last habitually resided in Liberia) may re-register for the 12-month extension of TPS and an extension of employment authorization. Re-registration is limited to persons who registered during the initial TPS registration period that ended on April 1, 2003. Those who have never registered for TPS may be eligible to register for late initial registration, as described below. An individual who has been convicted in the United States of either a felony or two or more misdemeanors committed in the United States is not eligible for TPS. Likewise, an individual subject to a criminal, security-related, or any other bar to asylum is ineligible for TPS.

Q. How do I re-register for a TPS extension?

A. If you already have been granted TPS through the Liberia TPS Program, your TPS will expire on October 1, 2003. Persons previously granted TPS under the Liberia TPS program may re-register during the 60-day re-registration period beginning on August 6, 2003 and ending October 6, 2003, by submitting the following:

- An Application for Temporary Protected Status, Form I-821;
- An Application for Employment Authorization, Form I-765;
- Two identification photographs (1 1/2" x 1 1/2"); and
- Required fee, if applicable.

Applicants for an extension of TPS benefits do not need to submit new fingerprints and therefore do not need to submit a \$50 fingerprint fee. Furthermore, attesting in part 1 of the Form I-821 to the continued maintenance of the conditions of eligibility will generally preclude the need for supporting documents or evidence. The Bureau of Citizenship and Immigration Service (BCIS), however, reserves the right to request additional information and/or documentation on a case-by-case basis.

Fees: Applicants for re-registration need not submit the \$50 fee along with Form I-821. If the applicant requests employment authorization, he or she must submit a \$120 fee with Form I-765. An applicant who does not seek employment authorization need not submit the \$120 fee, but nonetheless must submit the Form I-765. The applicant may request a fee waiver in accordance with the regulations.

Postmark: The BCIS will accept re-registration applications containing a postmark dated on or prior to October 6, 2003, the end of the registration period. However, the BCIS encourages applicants to mail their applications well in advance of October 6, 2003 to give the BCIS an earlier start in processing the I-765, Application for Employment Authorization.

Failure to submit the required photographs and filing fees will result in the rejection of the re-registration application.

Q. Who is eligible to file for late initial registration?

A. An alien may register for TPS as a late initial registrant if he or she:

- Is a national of Liberia (or an alien who has no nationality and who last habitually resided in Liberia);
- Has been continuously physically present in the United States since October 1, 2002;
- Resided in the United States on or before October 1, 2002 and has continuously resided in the United States from then until the present;
- Is admissible as an immigrant, except as provided under 8 CFR 244.3; and
- Is not ineligible for TPS under 8 CFR 244.4 (criminal and security-related bars).

Additionally, a late initial registrant must demonstrate that during the initial registration period from October 1, 2002, through April 1, 2003, he or she:

- Was a nonimmigrant or had been granted voluntary departure status or any relief from removal;
- Had an application for change of status, adjustment of status, asylum, voluntary departure or any relief from removal which is pending or subject to further review or appeal;
- Was a parolee or had a pending request for reparole; or
- A spouse or child of an alien currently eligible for TPS under this program may apply for late initial registration if he or she is otherwise eligible and was so at the time of the initial registration period.

An applicant for late initial registration must register no later than 60 days after the expiration or termination of the conditions described above.

Q. How do I apply for late initial registration?

A. A late initial registrant must file a complete application package, including supporting documentation and all applicable fees, in accordance with the regulations. In addition to the requirements described above for re-registration under the extension, a late initial registrant must submit a \$50 fee with Form I-821 and, if 14 years of age or older, a \$50 fingerprint fee. The applicant may request a fee waiver in accordance with the regulations.

Q. Where should I submit the application for an extension of TPS or for late initial registration?

A. Submit the completed forms and applicable fee, if any, to the BCIS District Office having jurisdiction over your place of residence during the 60-day re-registration period that begins August 6, 2003 and ends October 6, 2003.

Q. How long will the TPS extension last?

A. The TPS extension for Liberians is effective for 12 months, from October 1, 2003 through October 1, 2004.

Q. Specifically, what factors were considered in making the decision to grant an 12-month extension of TPS for Liberia?

A. After reviewing the country conditions and consulting with the appropriate Government agencies, the Departments of Homeland Security have determined that conditions in Liberia continue to support TPS designation. Fighting between government security forces and the Liberians United for Reconciliation and Democracy (LURD) rebels has intensified in western Liberia over the last three years and recently reached heightened levels. The newly emerged rebel force Movement for Democracy in Liberia (MODEL) is now active in eastern Liberia, opening a second front. Fighting has spread to 10 of Liberia's 13 counties. Rebel groups currently control between 40 and 60 percent of the territory of Liberia. The rebels, who want to oust President Charles Taylor, have stepped up their attacks and recently reached the capital, Monrovia.

All sides in Liberia have engaged in atrocities against civilians. Civilians are directly threatened by the various fighting forces, all of whom continue to commit serious human rights abuses, including extra judicial killings, disappearances, torture, forced military recruitment of children and adults, beatings, and rape. Fighting between government and rebel forces also poses a threat.

Civilians suffer increasingly from deteriorating humanitarian conditions related to the fighting. Several areas of the country are inaccessible to relief organizations.

At this point, ongoing armed conflict within Liberia would pose a serious threat to the personal safety of returning nationals of Liberia.

Q. Will Liberian nationals protected by TPS be permitted to travel abroad during the TPS period?

A. Those granted TPS must receive advance permission to return to the United States before traveling abroad. This advance permission is called Advance Parole and can be obtained by filing Form I-131, Application for Travel Document, with the BCIS. Failure to obtain advance parole prior to traveling abroad may result in the withdrawal of your TPS and/or the institution or re-calendar of removal procedures.

Q. Where can I obtain forms and additional information?

A. Information concerning the TPS program is available at the BCIS Internet Web site, located at www.bcis.gov or the BCIS National Customer Service Center, at 1-800-375-5283. Applicants may obtain forms from the BCIS web site or by contacting the BCIS Forms Line, 1-800-870-3676.

Q. If I entered the United States after October 1, 2002, would I qualify for benefits under TPS?

A. No. This extension does not change the required dates of continuous residence and continuous physical presence in the United States. To be eligible, Liberians must have continuously resided and been continuously physically present in the United States since October 1, 2002.

On March 1, 2003, the Bureau of Citizenship and Immigration Services (BCIS) became one of three former INS components to join the U.S. Department of Homeland Security. The BCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing the integrity of our nation's security.