



## VERMONT SERVICE CENTER STAKEHOLDERS NEWSLETTER

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### View from the Director's Desk

The Vermont Service Center has sole jurisdiction of the Temporary Protected Status (TPS) program for Central American (El Salvador, Honduras, Nicaragua) and African (Somalia, Sudan and South Sudan) designated countries. While TPS is cyclical in nature, the VSC has a permanent Division dedicated to management of these programs. During the actual re-registration periods the personnel and resources spend 100% of their time processing the re-registration applications.

### Helpful Hints when Filing for TPS

- ◆ Submit TPS-related applications within the registration period published in the Federal Register. While every effort is made to process applications within the established processing time frames, those applications filed within the applicable registration period are given precedent over applications submitted late. In addition, those applications received at the VSC prior to the published registration period will not be adjudicated prior to the applicable registration period. In fact, applications received prior to the registration period generally result in a denial.
- ◆ Applicants are encouraged to use the name on their most recent EAD card. Much effort went into identifying the applicant's full name and using a different iteration of the name may cause processing delays.
- ◆ Applicants are also encouraged to use the A-number placed on the most recent EAD card. Again, much effort went into identifying the applicant's 'surviving' A-number when an applicant has more than one and using a non-surviving A-number may cause processing delays.
- ◆ Respond to inadmissibility questions thoroughly. Incomplete responses to the I-821 Part 4 - Eligibility Standards will result with an "Intent to Deny" on TPS re-registration applications and a "Request for Evidence" on Initial TPS applications. It is important that each question be answered with either a 'yes' or a 'no'. A detailed explanation should be submitted as an attachment for all questions that have been answered in the affirmative, even if an explanation was submitted during the last re-registration period. Responses to an Intent to Deny should be accompanied by the Intent to Deny and a new form I-821 in which each question is answered and not just signed and submitted with no responses and/or answers.
- ◆ While it is not required to submit a Biometric Fee at the time of application, it is recommended that the fee be submitted at the time of filing. Receiving the fee after the application is filed is cumbersome and delays are caused by submitting separate re-mittances.



### Pencil Us In!

**November 7th** - The Vermont Service Center announces the date for their Fall Stakeholder Conference. This has been tentatively scheduled to be held in Burlington, Vermont at the Burlington Hilton Hotel. There is still time to RSVP for this event! You may do so by sending us an e-mail at [VSCCommunityEngagement@uscis.dhs.gov](mailto:VSCCommunityEngagement@uscis.dhs.gov).

**November 9th** - The Vermont Service Center invites you to participate in a teleconference on **November 9, 2011 at 2:00 pm (Eastern)** to discuss I-360 VAWA cases and T & U visa cases. During this session, the VSC VAWA staff will provide overviews, provide an update on the process and address questions and concerns.

**November 15th** - The USCIS Service Center Operations Directorate invites any interested parties to participate in our upcoming national teleconference on **November 15, 2011 at 1:00 pm Central Time (2:00 pm Eastern)**. The topic for the engagement is **Form I-765, Application for Employment Authorization, and Form I-131, Application for Travel Document**. This engagement will be hosted by the Texas Service Center and the Nebraska Service Center. The call will focus primarily on the combination advance parole employment authorization card (commonly known as the "combo card"), Optional Practical Training (OPT) for academic students, and other updates. **Dial in numbers: 888-456-0352 (Toll Free) 1-210-234-0032 (International) Participant passcode: 6224040**



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## Inside the VSC - Division III

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In 1990 and as part of the Immigration Act of 1990 (IMMACT), Congress established a procedure by which Temporary Protected Status (TPS) could be provided to aliens in the United States who are temporarily unable to safely return to their home country. The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.

Division II has sole jurisdiction of Central American (El Salvador, Honduras, Nicaragua) and African (Somalia, Sudan and South Sudan) designated countries. The laws pertaining to TPS can be found in Section 244 of the *Immigration and Nationality Act (INA)*, 8 USC Section 1254a, and in the Regulations at 8 CFR Part 244.

Division II is managed by Assistant Center Director, Tracey Parsons and includes six Supervisory Immigration Service Officers and approximately thirty Immigration Service Officers.

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### Sudan's TPS Designation Extended

On October 13, 2011 the Federal Register published the Secretary of Homeland Security's decision to extend Sudan's TPS designation for a period of eighteen (18) months, effective November 3, 2011 through May 2, 2013. The Secretary has determined that an extension is warranted because the conditions in Sudan that prompted the TPS designation continue to be met. There continues to be a substantial, but temporary disruption of living conditions in Sudan based upon ongoing armed conflict and extraordinary and temporary conditions in that country that prevent Sudanese who now have TPS from returning in safety.

The Federal Register further announced the Secretary's initial designation of TPS for the Republic of South Sudan. The TPS designation of South Sudan was granted for a period of 18 months, effective November 3, 2011 through May 2, 2013 to coincide with Sudan's extended TPS designation. South Sudan nationals (and aliens having no nationality who last habitually resided in the region that is now South Sudan) who have continuously resided in the United States since October 7, 2004 are now eligible to obtain TPS. In addition to demonstrating continuous residence in the United States since October 7, 2004, applicants for TPS under this designation must demonstrate that they have been continuously physically present in the United States since November 3, 2011, the effective date of the designation of South Sudan.

The designation of South Sudan is unique because on July 9, 2011, South Sudan became a new nation and independent from the Republic of Sudan, which has been designated for TPS since 1997. Some individuals who are TPS beneficiaries under the current designation of Sudan may now be nationals of South Sudan, calling into question their continued eligibility for TPS under the Sudan designation. These individuals may, however, now qualify for TPS under the South Sudan designation. Please review the Federal Register for further guidance.

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### Deferred Enforced Departure (DED)

Division 2 also processes Employment Authorization Documents for nationals of previously designated TPS countries who are subject to Deferred Enforced Departure. Deferred Enforced Departure (DED) is in the President's discretion to authorize as part of his power to conduct foreign relations. Although DED is not a specific immigration status, individuals covered by DED are not subject to removal from the United States, usually for a designated period of time. In August 2011, President Obama extended DED for Liberians an additional 18 months. Liberia's current DED period is September 30, 2011 through March 31, 2013. The Presidential authorization of DED to nationals of Liberia has been granted since October 1, 2007.

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**Contact the Vermont Service Center:**  
U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
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