IMMIGRATION INFORMATION FOR VICTIMS OF HURRICANE KATRINA

What disaster assistance is available to immigrants and other aliens affected by Hurricane Katrina? **(Page 2)**

Which immigrants qualify for these programs? **(page 2)**

If I accept emergency assistance, am I at risk of being considered a "public charge"? **(Page 3)**

Can employers hire an individual who has no personal documents for I-9 Employment Eligibility Verification? **(Page 3)**

What will happen with all petitions and cases pending at the USCIS, DOL, and EOIR offices in New Orleans? **(Page 3)**

How can affected USCIS customers replace lost immigration documents? **(Pages 4 and 5)**

Filing Other USCIS Applications **(Page 5)**

What should J-1 exchange visitors do if their programs have been disrupted by the hurricane? **(Page 5)**

What should F-1 or M Foreign Students do if they are currently studying at a school affected by the disaster? **(Pages 6 through 9)**

How will the Immigration Court in New Orleans be Affected? **(Page 10)**

Have naturalization services been cancelled for USCIS customers from the New Orleans district? **(Page 10**)

What happened to passport applications processed through the New Orleans Passport office? **(Page 10)**

What if I lost my job as a result of the hurricane and I am on a non-immigrant work visa specific to that job? **(Page 10)**

AILA InfoNet Doc. No. 05092061. (Posted 09/20/05)

What disaster assistance is available to immigrants and other aliens affected by Hurricane Katrina?

Many different programs offer disaster assistance to qualified immigrants (usually permanent residents) including food, rental and mortgage assistance, temporary housing allowances, grants for repairs, short-term cash, small business loans and more.

Federal Emergency Management Agency (FEMA) provides:
*Temporary housing assistance, or rental payments for persons displaced due to Hurricane Katrina.
*Mortgage and rental assistance for economic hardship suffered offered to Hurricane Katrina's victims who may also face eviction or foreclosure.
*Minimal repair money up to $10,000 for homeowners so that they may restore habitability of their homes.
Look for FEMA Disaster Recovery Centers in affected areas.

The Individual and Family Grant Program (IFGP) provides:
Money for repairs, replacement of household items, job essentials, medical, dental and funeral costs in the form of grants to those affected by Hurricane Katrina.
Money for purposes other than medical, dental and funeral for those persons affected by Katrina and not eligible for SBA loans, or for those persons who received an inadequate SBA loan.
IFGP is administered through Offices of Emergency Services or similar state agencies.

Disaster Unemployment Assistance (DUA) provides:
Cash to replace income for those who are unemployed due to Hurricane Katrina.
DUA is administered through the Department of Labor through state employment agencies.

Food Programs provide:
Emergency food stamps and food are provided to meet emergency needs.
Food Programs are administered through state social services agencies and similar local organizations as a service provided by the U.S. Department of Agriculture.

Small Business Administration (SBA) provides:
Low interest loans for repairs to homeowners and renters as well as to large and small business owners.
National Immigration Legal Center (NILC) has an overview of Immigrant Eligibility for Disaster Assistance on the website at www.nilc.org

Which immigrants qualify for these programs?

"Qualified" immigrants can apply for any of the benefits described above. They include the following groups:

*Lawful permanent residents
*Refugees, asylees and certain parolees
*Cuban/Haitian entrants
*Battered spouses and children pursuing immigration benefits based on that status.

Undocumented and non-immigrant workers in the US are eligible for non-cash, in kind emergency disaster relief such as food and shelter, search and rescue and emergency medical care.
For more information, go to
http://www.nilc.org/disaster assistance/Disaster_Relief.pdf .

If I accept emergency assistance, am I at risk of being considered a "public charge"?

No. Accepting assistance will not have a negative consequence on your immigration status unless you fraudulently obtain such assistance.

Can employers hire an individual who has no personal documents for I-9 Employment Eligibility Verification?

The Department of Homeland Security (DHS) announced on September 6, 2005 that it will refrain from initiating employer sanction actions for 45 days for violations of I-9 Employment Eligibility Verification procedures. U.S. employers are responsible for completing and retaining documents from hired individuals. Regulations require employers to verify employment eligibility and identity through original documents presented by employees.

Due to the losses caused by Hurricane Katrina, many individuals have lost documents required by this procedure. Also, many government agencies in the affected regions have suffered destruction or damage so that many individuals are unable to apply for replacement documents.

DHS will not enforce this procedure for at least 45 days from September 6th so that employers can hire individuals evacuated or displaced from affected areas, otherwise eligible for employment, but lacking personal documents. DHS will review this policy at the end of 45 days.

Note that employers are still required to complete I-9 forms for new employees as much as possible but will not be penalized if documentation is not available.

What will happen with all petitions and cases pending at the USCIS, DOL, and EOIR offices in New Orleans?

All offices in New Orleans are currently closed. As of September 9, 2005, the USCIS has reported that all files in New Orleans are intact, but it will likely be some weeks before they are accessible.
In the meantime, the New Orleans operations office is located in the Memphis, Tennessee Sub-Office and all other USCIS offices will be assisting in providing services and benefits to those affected by Katrina.

No filings can be made at Immigration Court in New Orleans and the Board of Immigration Appeals (BIA) has suspended work on cases that originated from New Orleans. At this time, the Executive Office of Immigration Review (EOIR) is working on uniform policy for filings for the regional offices in affected areas and is considering issues such as aging of petitions, filings, deadlines, reconstruction of files and more as they come up.

The Department of State (DOS) will give priority appointments to Family and Next of Kin of hurricane victims. All DOS posts will give humanitarian consideration to applicants and accommodate emergency cases as quickly as possible. This special consideration will be limited to family and next of kin. DOS officers will refer applicants looking for loved ones to the website compiled by FEMA at http://www.dhs.gov/dhspublic. When using this web page, click on “Finding Friends and Information”.

AILA InfoNet Doc. No. 05092061. (Posted 09/20/05)

How can affected USCIS customers replace lost immigration documents?

All USCIS offices will assist those affected by Katrina in replacing immigration documents. The USCIS offices will verify identity and immigration status through electronic file data before re-issuing immigration related documents.

Normally, you would need to make an appointment at a local office for these services. If you have been displaced by Hurricane Katrina, you do NOT need to make an INFOPASS appointment to visit the local office in your area for these services.

Replacing Your Lost/Destroyed Permanent Resident Card
You will need to get a Form I-90. The Form I-90 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Permanent Resident Card has been lost or destroyed, you can file the Form I-90 application in-person at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please take two passport-style photos with you as well so we can give you temporary proof of your permanent resident status. Fee waivers will be decided on a case-by-case basis.

Replacing Your Lost/Destroyed Re-Entry Permit
You will need to get a Form I-131. The Form I-131 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Re-Entry Permit has been lost or destroyed, you can file the Form I-131 application in-person at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please follow the instructions to the Form I-131 concerning supporting documentation and photos and bring them with you if you choose to file in-person. Fee waivers will be decided on a case-by-case basis.

Replacing Your Lost/Destroyed Refugee Travel Document
You will need to get a Form I-131. The Form I-131 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Refugee Travel Document has been lost or destroyed, you can file the Form I-131 application in-person at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please follow the instructions to the Form I-131 concerning supporting documentation and photos and bring them with you if you choose to file in-person. Fee waivers will be decided on a case-by-case basis

Replacing Your Lost/Destroyed Advance Parole
You will need to get a Form I-131. The Form I-131 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Advance Parole Document has been lost or destroyed, you can file the Form I-131 application in-person at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please follow the instructions to the Form I-131 concerning supporting documentation and photos and bring them with you if you choose to file in-person. Fee waivers will be decided on a case-by-case basis.

Replacing Your Lost/Destroyed Employment Authorization Document
You will need to get a Form I-765. The Form I-765 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Employment Authorization Documents (EAD) has been lost or destroyed, you can file the Form I-765 application in-person at any local office. Where possible, please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Fee waivers will be decided on a case-by-case basis.

Replacing Your Lost/Destroyed Naturalization Certificate or Certificate of Citizenship
You will need to get a Form N-565. The Form N-565 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced, and your Naturalization Certificate or Certificate of Citizenship has been lost or destroyed, you can file the Form N-565 application in-person at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please follow the instructions to the Form N-565 concerning supporting documentation and photos and bring them with you if you choose to file in-person. Fee waivers will be decided on a case-by-case basis.

Replacing Your Form I-94, Nonimmigrant Entry Document
You will need to get a Form I-102. The Form I-102 is available from our website. We will also have a supply on-hand at our local offices. If you have been displaced and your Form I-94 has been lost or destroyed, you can file the Form I-102 at any local office. Please take any documents and/or identification that you may have with you to help speed the process. Please identify yourself as having been displaced due to the hurricane. Where possible, please follow the instructions to the Form I-102 concerning supporting documentation and photos and bring them with you if you choose to file in-person. Fee waivers will be decided on a case-by-case basis

Filing Other USCIS Applications
If you need to file an application or petition for anything other than a replacement document shown above, please follow the instructions for that specific form. Forms and instructions are available here on our website.

What should J-1 exchange visitors do if their programs have been disrupted by the hurricane?

The DOS advises all J-1 exchange visitors to contact their program sponsors. We do not expect J-1 visa holders will be penalized in any way for the disruption, but have not received further information yet.

What should F-1 or M Foreign Students do if they are currently studying at a school affected by the disaster?

Foreign students should attempt to contact the designated school official (DSO) if available. If the DSO is not available, please contact the SEVIS office at 202-305-2346 or email SEVIS.source@dhs.gov and include date of birth, SEVIS ID# and school information. Foreign students should let the SEVIS officer know if they plan to delay entry until the school is operational, or transfer to another educational institution. New "F" or "M" students who were unable to contact their designated school will receive a new report date and new I-20 if the school is operational. Students who transfer to a new school should contact the school directly for the new I-20. This particular transfer will not be subject to a new SEVIS fee. Still, students may need to obtain a new visa that indicates the new school. Students will also not have to pay a new MRV fee.

SEVIS has detailed information on its website at http://www.ice.gov/SEVIS concerning the following issues:
*Transfers
*Transcripts
*Status concerns
*Residence and money problems
*Lost documentation
*Address changes
*OPT issues
*Fall enrollment problems
*Contact information

Here are some FAQs: for an F-1 or M-1 student who is not able to contact his/her school. Please contact SEVIS.source@DHS.gov or at (202) 305-2346 if there are any questions not addressed here.

1. **I HAVE NOT YET ENTERED THE UNITED STATES. MY SCHOOL IS IN THE AREA IMPACTED BY THE HURRICANE. WHAT SHOULD I DO? (Page 7)**

2. **I DO NOT HAVE A PLACE TO LIVE OR MONEY? WHAT DO I DO? (Page 7)**

3. **IF MY SCHOOL WAS CLOSED, WHAT SHOULD I DO? (Page 7)**

   3.1. **Directions for students enrolled in schools that will be resuming operation for the Fall term (Page 8)**

   3.2. **Directions for students enrolled in schools that will not be resuming operation for the Fall term (Page 8)**

4. **I AM A STUDENT AND I CANNOT CONTACT ANYBODY AT MY SCHOOL. WHAT DO I NEED TO DO? (Page 8)**

5. **I HAVE FOUND ANOTHER SCHOOL THAT WILL ACCEPT ME. CAN I TRANSFER SCHOOLS? (Page 8)**

6. **I WANT TO FIND ANOTHER SCHOOL THAT WILL ACCEPT ME. WHAT DO I DO? (Page 8)**

7. **I HAVE DECIDED I WOULD LIKE TO RETURN TO MY HOME COUNTRY AND POSSIBLY RETURN LATER. WHAT DO I NEED TO DO? (Page 8)**

8. **WILL I NEED A NEW VISA TO RETURN TO THE UNITED STATES? (Page 9)**

9. **HOW DO I GET MY TRANSCRIPT, RECORDS AND PERSONAL PROPERTY FROM AN IMPACTED SCHOOL? (Page 9)**

10. **I LOST MY DOCUMENTATION. HOW CAN I REPLACE IT? (Page 9)**

11. **HOW DO I REPORT MY ADDRESS CHANGE IF I AM NOT AT MY SCHOOL? (Page 9)**

12. **HOW LONG CAN I REMAIN IN THE UNITED STATES IF I AM NOT ENROLLED IN SCHOOL? (Page 9)**

13. **I HAVE BEEN APPROVED FOR POST-COMPLETION OPT AND WAS WORKING IN THE IMPACTED AREA. I NO LONGER HAVE A JOB, WHAT DO I DO? (Page 9)**

1. I HAVE NOT YET ENTERED THE UNITED STATES. MY SCHOOL IS IN THE AREA IMPACTED BY THE HURRICANE. WHAT SHOULD I DO?

Try to contact the school directly. (Their Web site may be your best source of information.) We recommend that you delay travel until you can be sure that the school is operational.

New Students

If you are unable to contact your school prior to your report date (see block 5 of your Form I-20 if you are a new student), your school will assign you a new report date if they are operating. In this case, your school will also issue you a new Form I-20 that you must have before you travel.

If you wish to apply to another U.S. school, contact that school directly to obtain a new Form I-20. You will not need to repay the SEVIS I-901 fee but will need to obtain a new visa reflecting the Form I-20 that your new school sends you.

Continuing Students

If you cannot contact your current school (the one with your SEVIS record), please email SEVP at SEVIS.source@DHS.gov. Give us your name, date of birth, SEVIS ID number, and school information. Let us know if you wish to delay entry until the school is operational or if you wish to try to transfer to another school.

If you wish to transfer to another DHS approved school, you will need to contact that school directly. If the new school accepts you, they will work with SEVP to transfer your SEVIS records.

2. I DO NOT HAVE A PLACE TO LIVE OR MONEY? WHAT DO I DO?

The Web site at http://www.firstgov.gov/Citizen/Topics/PublicSafety/Hurricane_Katrina_Recovery.shtml has links to government and relief agencies in the affected areas. After you get settled, please contact your school. If you cannot contact your school, contact SEVP at sevis.source@dhs.gov or at (202) 305-2346.

3. IF MY SCHOOL WAS CLOSED, WHAT SHOULD I DO? [Updated]

Check the list of schools linked here for your school and follow the instructions that they have given us for you. If your school is not on the list, call the Student and Exchange Visitor Program (SEVP) at (202) 305-2346.

The list contains all DHS approved schools in Louisiana, Mississippi, and Alabama. It contains the information we have about whether or not the school is operating normally and contact information, if available

Some schools have indicated they will accept displaced F-1 students. We have also included information from DHS approved schools that have contacted us offering to accept displaced students.

The comments contain information we have been given by the school or may contain a Web site address and information from that site. Many Web sites update regularly. Our information may be dated. Please check the school's web site when possible.

We will continue to update this list. If you cannot contact your school, contact SEVP by phone or by email at SEVIS.source@DHS.gov.

There is also a Web site for displaced students at www.campusrelief.org. It lists schools that will accept displaced students. If you contact one of these schools, you should ensure that they are authorized by DHS to accept F-1 students. This is not a U.S. government Web site and we cannot vouch for its accuracy.

3.1. Directions for students enrolled in schools that will be resuming operation for the Fall term

If the list does not have a point of contact, the school's Web site may have someone you can contact. If you have already contacted the International Student Office, follow the procedures outlined by the school. If you have not contacted your International Student Office, try to do so. If you cannot contact them, follow the directions for students who cannot contact their school.

3.2. Directions for students enrolled in schools that will not be resuming operation for the Fall term

If the list gives specific directions from the school, follow the school's directions. Otherwise, check the school's Web site for specific instructions. If you cannot find any instructions that pertain to you or the school's Web site is not operational, follow the directions for students who cannot contact their school.

4. I AM A STUDENT AND I CANNOT CONTACT ANYBODY AT MY SCHOOL. WHAT DO I NEED TO DO?

Call SEVP at (202) 305-2346.

If possible, send us an email at SEVIS.source@DHS.gov. . In the email, give your name, your SEVIS ID number, if you have it (N followed by 10 digits on your Form I-20), the name of your school, and your contact information (include your current address, telephone number, and email address if possible). Briefly describe your situation and what concerns or problems you have. Let us know if you have your documentation (passport, visa, Form I-20, and Form I-94) with you.

If you do not have access to email, provide this information to SEVP at the time you telephone us. Try to have the information listed in the paragraph above available when you call.

We will work with you to find the best solution for your situation.

5. I HAVE FOUND ANOTHER SCHOOL THAT WILL ACCEPT ME. CAN I TRANSFER SCHOOLS?

If another SEVIS school will accept you, you may ask for a transfer. Contact the Designated School Official (usually this is a person in your International Student Office) at your new school.

6. I WANT TO FIND ANOTHER SCHOOL THAT WILL ACCEPT ME. WHAT DO I DO?

You can identify other schools approved for enrolling F/M nonimmigrants on the SEVP Web site at http://www.ice.gov/graphics/sevis/pdf/ApprovedSchools.pdf

7. I HAVE DECIDED I WOULD LIKE TO RETURN TO MY HOME COUNTRY AND POSSIBLY RETURN LATER. WHAT DO I NEED TO DO?

If possible contact your school to let them know of your intentions.

If it is not possible for you to contact your school, send an email to SEVIS.source@DHS.gov. Give your name, your SEVIS ID number if you have it (N followed by 10 digits on your Form I-20), the name of your school, and your contact information (include your current address, telephone number, and email address if possible). Briefly describe when and where you will depart the United States. Let us know whether or not you have your documentation (passport, visa, Form I-20, and Form I-94) with you.

If you do not have access to email, call SEVP at (202) 305-2346. Try to have the information listed in the paragraph above available when you call.

Before you return to the United States as a nonimmigrant student, be certain to contact your school to receive necessary guidance and documents.

8. WILL I NEED A NEW VISA TO RETURN TO THE UNITED STATES?

You will need a new visa if:

- Your visa expires while you are out of the United States
- You change visa categories
- If you are a new student and you want to go to a different school

9. HOW DO I GET MY TRANSCRIPT, RECORDS AND PERSONAL PROPERTY FROM AN IMPACTED SCHOOL?
If your school was impacted by the hurricane, allow a reasonable amount of time for the school to resume normal operations. Contact the International Student Office and they will advise you how to get transcripts and records. If you have lost personal property as a result of the hurricane, they should be able to advise you about the likelihood and procedures for recovery of that property.

10. I LOST MY DOCUMENTATION. HOW CAN I REPLACE IT?
Your school can reprint a Form I-20 for you. If the school is not available, contact SEVP at SEVIS.source@DHS.gov. In the email, give your name, your SEVIS ID number if you have it (N followed by 10 digits on your Form I-20), the name of your school, and your contact information (include your current address, telephone number, and email address if possible). Briefly describe your situation and what concerns or problems you have. For the short term, you will not need a Form I-94. We will provide directions for replacement of the Form I-94 at a later time. You can contact your country's embassy or consulate to get a replacement passport.

11. HOW DO I REPORT MY ADDRESS CHANGE IF I AM NOT AT MY SCHOOL?
Follow the directions for students who cannot contact their school.

12. HOW LONG CAN I REMAIN IN THE UNITED STATES IF I AM NOT ENROLLED IN SCHOOL? [Updated]
If you arrived in the United States as a new student and were not enrolled in your program of study before the hurricane, you must make a decision to transfer to another school or leave within 30 days of your program or term start date.If you were enrolled in classes, but are no longer able to attend classes due to the hurricane, do one of the following:

- Report to the school where you were enrolled and attend classes when they resume, if the school will resume classes for the fall term.
- Transfer to another approved school
- Depart the United States

If you encounter difficulties, contact your school or SEVP at SEVIS.source@DHS.gov or at (202) 305-2346, if you cannot contact your school. We will help you and your school determine the best options for your situation.

13. I HAVE BEEN APPROVED FOR POST-COMPLETION OPT AND WAS WORKING IN THE IMPACTED AREA. I NO LONGER HAVE A JOB, WHAT DO I DO?
You are allowed to seek alternate employment. Be sure to report any changes of address to your Designated School Official. If you are unable to contact your school, send an email to SEVIS.source@DHS.gov. Give your name, your SEVIS ID number if you have it (N followed by 10 digits on your Form I-20), the name of your school, and your contact information (include your current address, telephone number, and email address if possible). Explain your current situation.
Keep your school informed of your situation (or SEVP if you cannot contact the school.)

AILA InfoNet Doc. No. 05092061. (Posted 09/20/05)

How will the Immigration Court in New Orleans be Affected?

The court is closed until further notice. We have been informed that no action will be taken on any case arising out of hurricane-affected areas until proper procedures are set up.

We do not yet know the state of records at the Immigration Court and the court has said very little except that its personnel are safe.

Have naturalization services been cancelled for USCIS customers from the New Orleans district?

Yes, naturalization services in the affected areas have been cancelled until further notice. Those who have pending naturalization and adjustment of status interviews will be contacted as soon as information becomes available.

What happened to passport applications processed through the New Orleans Passport office?

The DOS announced on September 7, 2005 that all materials in the New Orleans Passport Agency have been collected and transported to another location. These materials include personal documents and applications from individuals applying for passports.

The Bureau of Consular Affairs is in the process of mailing postcards to applicants notifying them of the disruptions and possible delays caused by Hurricane Katrina. Anyone with pending passport applications at the New Orleans Passport Office planning to travel in the next six weeks should contact the National Passport Information Center at 1-877-487-2778.

What if the hurricane causes me to be late in meeting a filing deadline or miss an interview?

USCIS will attempt to accommodate customers to the fullest extent possible. If you were scheduled for an interview at the New Orleans Office, please call customer service at 1-800-375-5283 once you have an address you can use for more than 30 days so we can work with you to re-schedule your interview at another office, where appropriate.

Do I need to file an AR-11 form if I have been displaced?

All immigrants and non-immigrants are required to submit an AR-11 form each time they move to a new location. Once you have an address that you can use for more than 30 days, please complete the Form AR-11. If you have any cases pending with USCIS, also call customer service at 1-800-375-5283 to update your address on your case.

AILA InfoNet Doc. No. 05092061. (Posted 09/20/05)