



TEMPORARY PROTECTED STATUS (TPS) FOR NEPAL

In 2015, Nepal was designated for Temporary Protected Status (TPS) after a devastating 7.8-magnitude earthquake struck the country, killing nearly 9,000 and injuring 22,000 more.

On April 26, 2018, the Department of Homeland Security (DHS) announced that it terminated the TPS designation for Nepal. This TPS designation was supposed to expire on June 24, 2018. DHS has given TPS holders from Nepal an additional 12 months of TPS status (until June 24, 2019).

On May 22, 2018, DHS published a notice in the Federal Register explaining how TPS holders from Nepal can re-register and re-apply for work permits, or Employment Authorization Documents (EAD). A summary of what you can do now is below.

If TPS for Nepal has been terminated do I still need to re-register for TPS?

If you are a TPS holder from Nepal and wish to maintain your status through June 24, 2019, you must re-register and file [Form I-821 \(Application for Temporary Protected Status\)](#). This form must be postmarked by July 23, 2018. To ensure you do not miss the chance to re-register, do not wait until your work permit expires and do not wait until the last minute to file your forms. Send them as soon as possible.

- If you are sending your Form I-821 by U.S. Postal Service, mail it to U.S. Citizenship and Immigration Services, Attn: TPS Nepal, PO Box 6943, Chicago, IL 60680-6943.
- If you are sending your Form I-821 by a non-U.S. Postal Service courier, mail it to U.S. Citizenship and Immigration Services, Attn: TPS Nepal, 131 S. Dearborn – 3rd Floor, Chicago, IL 60603-5517.

If you were granted TPS by an immigration judge or the Board of Immigration Appeals (BIA), include a copy of the judge's order or the BIA's order granting your TPS with your application.

You do not need to pay the \$50 filing fee for Form I-821. However, you do have to pay the \$85 biometrics services fee. If you are unable to pay the \$85 biometrics fee, there are two ways you can request that the fee be waived. You can either send a completed Form I-912 Request for Fee Waiver, or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee.

Do I need to file for a new work permit?

If you have a work permit as a TPS holder from Nepal, your current work permit has the expiration date of June 24, 2018. Under the announced changes, you have automatically been authorized to work for 180 additional days (through December 21, 2018). If you choose not to apply for a new work permit, print a copy of the [Federal Register Notice](#) announcing the TPS extension for Nepal to your employer to show that the validity of your current work permit has been automatically extended through December 21, 2018.

However, if you want to obtain a new work permit card that shows an expiration date of June 24, 2019 on its face, you must file a [Form I-765 \(Application for Employment Authorization\)](#) and pay the \$410 filing fee that goes with it, in addition to filing your Form I-821 TPS re-registration application. If you are unable to pay the \$410 work permit filing fee, there are two ways you can request that the fee be waived. You can either send a completed Form I-912 Request for Fee Waiver, or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee.

What happens at the end of the TPS period?

If you do nothing, your work permit will expire and your TPS will end on December 21, 2018. If you apply by July 23, 2018 to re-register by filing a Form I-821, a Form I-765 and the proper filing fees (or fee waiver request), you will receive a new work permit and extension of your TPS status with a new expiration date of June 24, 2019. You should consult with a trusted legal services provider about other immigration options you might be eligible for. Search for a legal service provider near you here: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>.

If you live in the 9th Circuit (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington) or the 6th Circuit (Kentucky, Michigan, Ohio, Tennessee), you may be eligible for additional immigration options. For more information, see the [ILRC Practice Alert on Ramirez v. Brown](#).