

U.S. Department of Justice
Immigration and Naturalization Service

**Haitian Deferred Enforced Departure
(DED) Supplement to Form I-765**

What is the purpose of this form?

On December 23, 1997, the President of the United States granted certain Haitian nationals protection from removal from the United States until December 22, 1998. This is referred to as Deferred Enforced Departure (DED). The President also directed that these Haitians be granted employment authorization for the same time period. This is referred to as DED-related employment authorization.

This supplemental form allows Haitians to apply for DED-related employment authorization. This form must be filed with Form I-765, Application for Employment Authorization, and the evidence and documentation listed below, if available. The Form I-765, item # 16, should be filled in "(a)(11)" to indicate that you are filing for DED-related employment authorization.

Who is eligible for Haitian DED-related employment authorization?

With certain exceptions, the eligible class for Haitian DED-related employment authorization consists of Haitian nationals who:

- (1) filed for asylum before December 31, 1995, **OR** were paroled into the United States before December 31, 1995, **AND**
- (2) have been continuously present in the United States since that date.

An alien meets the asylum filing requirement if such alien was included in an asylum application filed before December 31, 1995, by his or her spouse or by his or her parent while he or she was unmarried and under the age of 21.

For Haitian DED-related employment authorization eligibility, "continuously present" is defined to mean no absences from the United States after December 31, 1995, or if there were absences from the United States since that date:

(1) the total time period of such absences does not exceed 180 days; **AND** (2) for each absence the Haitian either returned to the United States with advance parole or was inspected and admitted to the United States.

What documentation should you file with this supplemental form?

You must submit two photographs meeting the specifications described in page four (4) of the instructions of the Form I-765, Application for Employment Authorization. Applicants must submit **a copy** of the documents requested below, if available.

For purposes of simplification, this section includes the photographs and all relevant documents requested on pages two (2) and four (4) of Form I-765. You should only submit the requested materials once and not duplicate I-765 requirements. Submission of copies of the documents may speed the processing of your application and may eliminate the need for a personal interview. (However the two (2) photographs **must** be submitted).

- Form I-94, Arrival/Departure Record
- Your last Employment Authorization Document (EAD Card).
- Any documentation you may have which was issued by the INS evidencing that you were paroled into the United States before December 31, 1995, or filed an asylum application before December 31, 1995.
- If no EAD is available, submit any other photo identity document issued by a governmental entity. Prepare a copy with the clearest facial image possible. Examples include the photo page of your passport, your state driver's license or identity card, or school identification card.
- Any documentation you have to establish that you are a citizen or national of Haiti.

Every applicant must file his or her own I-765 application. All approved applicants will receive an employment authorization document (EAD) as proof of employment authorization.

Employment authorization is a benefit granted for a limited period of time to correspond with the authorized period of DED. It does not establish eligibility for permanent residence in the United States.

[Note: An EAD is issued to a variety of qualifying aliens to evidence their eligibility for employment. The EAD may also be used as evidence that INS has allowed the holder to remain in the United States for a specific period of time. Thus, an EAD may be issued to a person for whom employment is not a legal option, such as a minor child.]

What is the filing fee for the Form I-765 filed jointly with this supplemental form?

There is no filing fee for the I-765 filed for Haitian DED-related employment authorization (except for a replacement document).

How should you prepare this form?

- A. Type or print legibly in black or blue ink or ball point pen.
- B. If you need extra space to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
- C. Answer all questions fully and accurately. If any item does not apply, please write "N/A."

Where should you file this form?

This form must be filed along with Form I-765 at the appropriate INS Service Center shown on page 5 of the instructions to Form I-765.

What are the penalties for perjury?

All statements contained in response to questions in this application are declared to be true and correct under penalty of perjury. Title 18 United States Code, Section 1546, provides in part:

...Whoever knowingly makes under oath, or as permitted under penalty of perjury under 1746 of Title 28 of the United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit or other document containing any such false statement – shall be fined in accordance with this title or imprisoned not more than five years, or both.

What is the authority for collecting this information?

We request the information on the form to carry out the immigration laws contained in Title 8 of the United States Code, Section 1154(a). We need this information to determine whether you are eligible for immigration benefits. This information you provide may also be disclosed to other Federal, state, local and foreign law enforcement and regulatory agencies. Furnishing this information on this form is voluntary, however, if you do not give some or all of it, your application may be denied.

Reporting Burden.

An agency may not conduct an information collection and a person is not required to respond to an information collection unless it contains a currently valid OMB control number. We try to create forms that are accurate, can easily be understood, and which impose the least possible burden on you to provide us with the information. Often this is difficult because some immigration laws are very complex. Public reporting burden for this information collection is estimated to average 1 hour computed as follows: 1) learning about the form, and understanding the instructions, 2) collecting the necessary supporting documents; 3) completing the form, and 4) traveling to and waiting at a preparer's office (e.g. attorney or voluntary agency). If you have comments regarding the accuracy of this estimate or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, 425 I Street, NW, Room 5307, Washington, DC 20536; OMB No. 1115-0220. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

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(DED) Supplement to Form I-765**

I am applying for an employment authorization document (EAD) based on Haitian Deferred Enforced Departure (DED):

Part A. Information About You.

1. Complete Last Name	2. First Name	3. Middle Name
4. Alien Registration Number (A-number) or I-94 Number (if known)		

Part B. Application Type.

I am applying for employment authorization based upon the fact that I am a national or citizen of Haiti. (*Check one or more of the following as appropriate*):

I was paroled into the United States before December 31, 1995	I filed an Application for Asylum, Form I-589, before December 31, 1995
My spouse filed and included me in his/her Application for Asylum, Form I-589, before December 31, 1995. (Give full name and Alien number of spouse):	My parent filed and included me in his/her Application for Asylum, Form I-589, before December 31, 1995, while I was unmarried and under the age of 21. (Give full name and Alien number of parent):

and since December 31, 1995, I have not been absent from the United States, or if I was absent from the United States since that time: (1) the total time period of such absences does not exceed 180 days; **AND** (2) for each absence I either returned to the United States with advance parole or was inspected and admitted to the United States. (*If you were absent from the United States after December 31, 1995, explain below.*)

Part C. Additional Eligibility Information.

1. Have you ever been arrested, convicted, sentenced, or imprisoned in your country, any other country, or the United States? ___ NO ___ YES (*If YES, for each instance specify below the dates, locations, and reasons or charges. Attach documents, if available, referring to these incidents. Documents showing the disposition of a conviction may be valuable in expediting processing and eliminating the need for personal interview. Do not report non-criminal traffic or immigration arrests and violations.*)

2. Have you ever ordered, incited, assisted or otherwise participated in the persecution of any person because of his or her race, religion, nationality, membership in a particular social group, or political opinion? ___ NO ___ YES (*If YES, describe below each such incident and your own involvement in it.*)

3. Have you returned to Haiti or your country of last residence outside the United States since December 31, 1995? ___ NO ___ YES (*If YES, specify below your departure and return dates, countries visited, reason for travel, and description of INS travel authorization for each such trip. Provide copies of available related documentation, especially INS documents and the pages of your passport indicating your identity and all entries and departures.*)

4. Have you been deported, excluded, or removed from the United States before December 23, 1997? *(Only answer YES to this question if there has been an actual departure from the United States.)*

NO YES *(If YES, specify below to the best of your knowledge whether deported, excluded, or removed and give the departure and return dates. Provide copies of available related documentation, especially INS documents and the pages of your passport indicating your identity and all entries and departures.)*

5. Have you ever been the subject of extradition proceedings?

NO YES *(If YES, specify below the date, location, and reasons or charges. Attach documents, if available, Referring to the extradition.)*

Part D. Signature

Read the information on penalties before completing this section.

I certify under penalty of perjury under the laws of the United States of America, that this application is true and correct.

I authorize release of any information from my records which the Immigration and Naturalization Service needs to determine my eligibility for the benefit being sought.

Signature	Print Name	Date
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Part E. Signature of person preparing form if other than above

I declare that I prepared this form at the request of the above person and it is based on all information of which I have any knowledge.

Signature	Print Name	Date
Firm Name and Address		