



U.S. Department of Justice
Immigration and Naturalization Service

HQISD 70/10.17

Office of the Deputy Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

MAR 15 2001

MEMORANDUM FOR REGIONAL DIRECTORS
SERVICE CENTER DIRECTORS

FROM:

William R. Yates 
Deputy Executive Associate Commissioner
Office of Field Operations
Immigration Services Division

SUBJECT:

Instructions for Processing CSS Employment Authorization Renewals

On March 2, 2001, the Attorney General reached an agreement with Catholic Social Services, Inc. – Immigration Program, et al. According to the agreement, the Immigration and Naturalization Service (INS) must renew the employment authorization of Catholic Social Services, Inc. v. Reno class members (CSS class members, designated CS-1 in the Central Index System) without fee. The agreement also requires INS to report on certain CSS class member employment authorization renewals. This agreement is effective on Monday, March 12, 2001, and, unless otherwise agreed to by the parties, terminates on Wednesday, June 20, 2001. The INS estimates that there are approximately 50,000 CSS class members and that at least one-half of these class members reside in the jurisdiction of the Los Angeles District Office. The number of class members applying for employment authorization renewal pursuant to this agreement may be significantly less than the class size due to the benefits available under the LIFE Act. This memorandum provides instructions for processing employment authorization renewals of these CSS class members.

Application Procedures for Class Members

CSS class members may apply for renewal of employment authorization by filing a properly completed Form I-765, Application for Employment Authorization, without fee at the Service Center with jurisdiction over their place of residence. Class members filing at a Service Center should write "CSS Class Member" in Section 16 of the application.

CSS class members who have an urgent or important need to renew their employment authorization may file a properly completed Form I-765 without fee at the district office with jurisdiction over their place of residence. Class members residing in the jurisdiction of the Los Angeles District Office must file at the East Los Angeles Legalization Office located at

1241 S. Soto Street, Los Angeles, California 90023. Class members, in consultation with plaintiff's counsel, will determine if they have an urgent or important need for renewal of their employment authorization.

INS Renewal Procedures

The process for adjudicating employment authorization renewals for CSS class members is similar to the process for adjudicating LULAC applications.

Service Centers will process CSS class member Forms I-765 according to existing adjudication procedures. Service Centers will grant expedite requests on these applications in accordance with existing policy and procedures.

District offices will process CSS class member Forms I-765 and issue EADs on a "walk-in" basis. Between Monday, March 12, 2001, and Friday, March 16, 2001, inclusive, each district must process the first 200 CSS class member Forms I-765 per day. Between Monday, March 19, 2001, and Wednesday, June 20, 2001, inclusive, each district must process the first 400 class member Forms I-765 per day.

Pursuant to 8 CFR 274.12, EADs for CSS class members filing under section 245A of the Immigration and Nationality Act will use the "(c)(22)" category.

INS Reporting Requirements

Service Centers are not required to report on processing of CSS class member Forms I-765.

District offices are required to report weekly to headquarters, through region, on the number of CSS class member Forms I-765 received and processed, and the number of EADs issued during the agreement period. The first report must be submitted to region on Friday, March 23, 2001, and every Friday thereafter through June 22, 2001. If a district office does not receive any CSS class member Forms I-765 in a week, the office must submit a negative report to the region. Each region must compile the information contained in the district office report into an Excel spreadsheet and forward it weekly to headquarters via e-mail to Scott Natte, with a copy to Kathy Dominguez. The first compilation must be forwarded to headquarters on Friday, March 30, 2001, and every Friday thereafter through June 29, 2001.

If a district office denies a CSS class member Form I-765, the office is required to advise the applicant of the denial in writing. The written denial must include the class member's name, address, and reason for the denial. On a weekly basis beginning March 16, 2001, and ending June 22, 2001, the district office must forward these denials via fax to the attention of their Assistant Regional Director, Adjudications (ARD) if the CSS class member's name appears in the Central Index System with the CS-1 designation. The ARD must then forward, within 1 week of receipt, a copy of the denial to Scott Natte via fax at 202-514-0197 and plaintiff's counsel via regular mail to: Peter A. Schey, Center for Human Rights and Constitutional Law,

256 South Occidental Blvd., Los Angeles, CA 90057. The same procedure must be followed for denials if an individual claims to be a CSS class member but his or her name does not appear in the Central Index System only if INS has reason to believe the individual is a CSS class member.

Questions regarding the instructions in this memorandum should be directed to Scott Natte at 202-305-8671.

Attachment

Cc: File Copy; S:/doj_natz/css/guidance - v4; apalmer; 03/15/2001

amp
3/15/01

amp
3/15/01