

Instructions

NOTE: This revision of Form I-821 updates instructions required for TPS registration and re-registration at questions 2, 7, 8, 9, 10, 11, 12, 13 and 16 on Pages 2 and 3. Information on fees and fee waiver requests has also been updated in these instructions.

Please read these instructions carefully to properly complete this form. If you need more space to answer a question, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A#) at the top of each sheet and indicate the number of the item to which the answer refers. An incomplete application may be returned to you, causing a delay in the processing of your application.

1. Who May File for TPS?

You must be an eligible national of a foreign state (or parts thereof) or an alien having no nationality who last habitually resided in a foreign state that has been designated for Temporary Protected Status (TPS) by the Secretary of the Department of Homeland Security pursuant to section 244A of the Immigration and Nationality Act. You should check with the nearest office of USCIS for designations currently in force or visit our website at www.uscis.gov.

2. What Documents Should You Submit?

You do not need to provide original documents with this application.

You must give USCIS copies of documents to prove you are a national of the country designated for TPS, your date of entry into the United States, and your U.S. residence. In addition:

- A. In certain circumstances, USCIS may ask you to submit original documents.
- B. Copies of documents in a foreign language must be accompanied by an English translation. The translator must certify that the translation is accurate and that he or she is competent to translate the foreign language into English.
- C. **Documentation exception:** If you are filing this application for re-registration, or renewal of temporary treatment benefits (**Parts 1 and 2** on Form I-821), you do not have to submit any copies of documentation. You may, however, be asked for additional information and/or documentation in certain circumstances.

3. What Documents Do You Need to Prove Identity and Nationality?

Submit any of the following:

- A. Passport;
- B. Birth certificate accompanied by photo identification; or
- C. Any national identity document from your country of origin bearing your photo and/or fingerprint.

4. What Documents Do You Need to Prove Date of Entry Into the United States?

Submit any of the following documents:

- A. Passport;
- B. I-94 Arrival/Departure Record; or
- C. Copies of documents specified in item **Number 5** below.

5. What Documents Do You Need to Prove Residence in the United States?

Submit any relevant documents such as:

- A. Employment records (e.g., pay stubs, W-2 Forms, certification of the filing of Federal income tax returns, State verification of the filing of state income tax returns, letters from employer(s), or, if you are self employed, letters from banks and other firms with whom you have done business.

NOTE: In all of these documents, your name and the name of the employer or other interested organization must appear on the form or letter, as well as relevant dates. Letters from employers must be in affidavit form and shall be signed and attested to by the employer under penalty of perjury.

Such letters must include: (1) your address(es) at the time of employment; (2) exact period(s) of employment; (3) period(s) of layoff; (4) duties with the company. If the employment records are unavailable, submit an affidavit form letter explaining why these records cannot be obtained. This affidavit form letter shall be signed and attested to by the employer under penalty of perjury.

- B. Rent receipts, utility bills (gas, electric, phone, etc.), receipts, or letters from companies showing the dates during which you received service.
- C. School records (letters, report cards, etc.) from the schools that you or your children have attended in the United States, showing the name(s) of the schools and periods of school attendance.
- D. Hospital or medical records concerning treatment or hospitalization of you or your children, showing the name of the medical facility or physician and the date(s) of the treatment or hospitalization.
- E. Attestations by churches, unions, or other organizations to your residence identifying you by name. The attestation must be signed by an official (whose title is shown); show inclusive dates of membership; state the

address where you resided during membership period(s); include the seal of the organization impressed on the letter or the letterhead of the organization, if the organization has letterhead stationery; establish how the author knows you; and establish the origin of the information being attested to.

- F. Additional documents may include money order receipts for money sent in or out of the country; passport entries; birth certificates of children born in the United States; dated bank transactions; correspondence between you and another person or organization; U.S. Social Security card; Selective Service card; automobile license receipts, title, vehicle registration, etc.; deeds, mortgages, contracts to which you have been a party; tax receipts; insurance policies; receipts; letters; or
- G. Any other relevant document.

6. What If Documents Are Not Available?

If documents are not available, you may give USCIS an affidavit showing proof of unsuccessful efforts to obtain the documents, explaining why the consular process is unavailable (for identity documents), and affirming that you are a national of the designated state. (USCIS may require a statement from the appropriate issuing authority, certifying that the document is not available.) Affidavits may also be used to help prove your date of entry into the United States and residence in the United States.

7. Will TPS Applicants Need to Provide Fingerprints and Photographs?

- Yes, except as noted below, all applicants for initial registration, re-registration, or renewal of temporary treatment benefits must provide fingerprints, photographs, and signatures, which are biometrics. Applicants must submit the \$85 biometrics services fee or a fee waiver request. Please see No. 12 for information about fee waiver requests.
- TPS applicants under 14 years of age who are not filing for an EAD are exempt from biometrics collection and the associated biometrics fee.
- USCIS may, in its discretion, waive the collection of certain biometrics.
- TPS applicants will be sent a notice scheduling them to appear at an Application Support Center (ASC) for biometrics collection. Failure to comply with this notice may result in the denial of the TPS application.

8. How Should You Prepare This Form?

- Type or print legibly in black ink.
- A. If you need extra space to complete any item,
- B. attach a continuation sheet. Write your name and Alien Registration Number (A#), if any, at the top of each sheet, indicated the item number to which the answer refers, and date and sign each sheet.
- C. Answer all questions fully and accurately. If any item does not apply, please write "N/A."

9. Where Should You File This Form?

For filing instructions, refer to the most recently published Federal Register notice specific to the designation under which you are applying. You may also check the USCIS Internet site at: www.uscis.gov or contact the USCIS National Customer Service Center at 1-800-375-5283.

10. What Is the Fee?

- A. An initial (i.e., first-time) applicant must submit:
1. A **\$50** application fee for Form I-821; and
 2. A **\$85** fee for biometric services, including fingerprints, photograph, and signature, if required. (See **No. 7**, Will TPS Applicants Need to Provide Fingerprints and Photographs?); and
 3. A **\$380** fee for Form I-765, Application for Employment Authorization, if you are between the ages of 14 and 65 (inclusive) and seeking employment.
- B. An applicant for TPS re-registration or renewal of temporary treatment benefits must submit:
1. A **\$85** fee for biometric services, including fingerprints, photograph, and signature, if required. (See **No. 7**, Will TPS Applicants Need to Provide Fingerprints and Photographs?); and
 2. A **\$380** fee for Form I-765, Application for Employment Authorization, if you wish to apply for employment authorization, regardless of age.
- C. The fee must be submitted in the exact amount. It cannot be refunded. **Do Not Mail Cash.** All checks and money orders must be drawn on a bank or other institution located in the United States and must be payable in United States currency. Please assure that if a check or money order is drawn on the account of a person other than yourself, your name appears in the lower left corner on the face of the check or money order. If the check is not honored, USCIS will charge you \$30.

Make the check or money order payable to the **Department of Homeland Security**, except:

1. If you live in Guam and are filing your application there, make the check or money order payable to "Treasurer, Guam"; or
2. If you live in the U.S. Virgin Islands and you are filing your application there, make the check or money order payable to "Commissioner of Finance of the Virgin Islands."

NOTE: When preparing a check or money order, spell out Department of Homeland Security. Do not use the initials "USDHS" or "DHS."

How to Check If the Fees Are Correct

The fees on this form are current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

- Visit our Web site at www.uscis.gov, link to "FORMS," and scroll down to check the appropriate fees by form; or
- Review the Fee Schedule included in your form package, if you called us to request the form; or
- Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

NOTE: If your petition or application requires a biometric services fee for USCIS to take your fingerprints, photograph or signature, you can use the same procedure above to confirm the biometrics fee.

11. Are You Also Required to File Form I-765, Application for Employment Authorization?

Yes. Each applicant, regardless of age, must also submit a completed Form I-765, even if employment authorization is not being requested. As noted in **No. 10**, What is the Fee?, only those applicants requesting employment authorization must pay the fee for Form I-765.

NOTE: An Employment Authorization Document is not a travel document. If your application for TPS is granted and you must travel outside the United States and return, you must request advanced parole from USCIS by filing a Form I-131, Application for Travel Document, with the appropriate USCIS office. A Form I-512 travel document will be issued to you if your request is granted.

12. May the Filing and Biometrics Fees for Forms I-821 and I-765 Be Waived?

Yes. If you are unable to pay the filing and biometrics fees, 8 CFR 103.7(c) states that you may apply for a waiver of fees. To request a fee waiver, a person requesting an immigration benefit must submit a written request for permission to have their request processed without payment of a fee with their benefit request. The request must state the person's belief that he or she is entitled to or deserving of the benefit requested, the reasons for his or her inability to pay, and evidence to support the reasons indicated. There is no appeal of the denial of a fee waiver request.

13. What If I Change My Address?

If you change your address after filing for TPS, you must complete and mail us a Form AR-11, Alien's Change of Address Card. Mail the completed form to the address specified on the form. You are also advised to mail a copy of your completed AR-11 together with copies of your application and any related USCIS documents or correspondence to the USCIS office having jurisdiction over your application for TPS. Retain a copy of your Form AR-11 for your records. You can also file your AR-11 online. To do so, visit our Web site at www.uscis.gov and click "Online Change of Address" in Related Links.

NOTE: If you informed your U.S. Post Office but not USCIS about your address change, please be advised that notifying the U.S. Post Office of a change of address does not fulfill your obligation to file Form AR-11. The U.S. Post Office will not forward certain USCIS correspondence.

14. What Is Our Authority for Collecting This Information?

We request the information on the form to carry out the immigration laws contained in Title 8, United States Code, Section 1154(a). We need this information to determine whether you are eligible for immigration benefits.

The information you provide may also be disclosed to other Federal, State, local, and foreign law enforcement and regulatory agencies. You do not have to give this information. However, if you do not give some or all of the requested information, your application may be denied.

15. Do You Need USCIS Forms or Information?

To order USCIS forms, call our toll-free forms line at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, or procedures by calling our National Customer Service Center at **1-800-375-5283** or visiting our Internet Web site at www.uscis.gov.

16. Reporting Burden

Under the Paperwork Reduction Act, an agency may not conduct or sponsor an information collection, and a person is not required to respond to an information collection unless it displays a currently valid OMB control number.

We try to create forms and instructions that are accurate, can easily be understood, and impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex.

The estimated average time to complete this application is 1 hour and 30 minutes computed as follows: 1) learning about the form and understanding the instructions, 30 minutes; 2) collecting the necessary supporting documents, 15 minutes; 3) completing the form, 15 minutes; and 4) traveling to and waiting at a preparer's office (e.g., attorney or voluntary agency), 30 minutes.

If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the U.S. Citizenship and Immigration Services, Regulatory Products Division 111 Massachusetts Avenue N.W., 3rd Floor, Suite 3008, Washington, DC 20529-2210; OMB No. 1615-0043. **Do not mail your completed application to this address.**