

TABLE OF CHANGES – INSTRUCTIONS
Form I-821, Application for Temporary Protected Status
OMB Number: 1615-0043
06/04/2020

Reason for Revision: Fee Rule

Project Phase: Post G-1056

- Please note – all instances of “if any” and “if applicable” have been removed from Instructions for Form I-821.

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

Expires 07/31/2022

Edition Date 07/03/2019

| Current Page Number and Section | Current Text | Proposed Text |
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| <p>Pages 2-4, General Instructions</p> | <p>[Page 3]</p> <p>...</p> <p>2. If you need extra space to complete any item within this application, use the space provided in Part 11. Additional Information or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p> | <p>[Page 3]</p> <p>...</p> <p>2. If you need extra space to complete any item within this application, use the space provided in Part 11. Additional Information or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p> |
| <p>Pages 4-9, Specific Instructions</p> | <p>[Page 4]</p> <p>...</p> <p>Item Numbers 2.a. - 3.c. Other Names Used (if any). Provide all other names you have used, including but not limited to, maiden names, married names, and nicknames in the space provided. If you need additional space to complete the section, use Part 11. Additional Information.</p> <p>...</p> | <p>[Page 4]</p> <p>...</p> <p>Item Numbers 2.a. - 3.c. Other Names Used. Provide all other names you have used, including but not limited to, maiden names, married names, and nicknames in the space provided. If you need additional space to complete the section, use Part 11. Additional Information.</p> <p>...</p> |

Item Number 7. Alien Registration Number (A-Number) (if any). Provide your A-Number. Your A-Number is the number used to identify your immigration records. You can find this number on documents you received from USCIS, U.S. Immigration and Customs Enforcement (ICE), or U.S. Department of Justice Executive Office of Immigration Review (EOIR) during immigration proceedings in court.

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Item Number 8. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.

Item Number 9. U.S. Social Security Number (if any). Provide your U.S. Social Security number. If you do not have a U.S. Social Security number, type or print “N/A.”

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Item Numbers 16.a. - 16.d. Country or Countries of Citizenship or Nationality (if any) (List all countries that apply.) Provide the name of **EACH** country of which you are a citizen or where you have nationality. This is not necessarily the country where you were born. If you do not have citizenship in any country, type or

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Item Numbers 16.a. - 16.d. Country or Countries of Citizenship or Nationality (List all countries that apply.) Provide the name of **EACH** country of which you are a citizen or where you have nationality. This is not necessarily the country where you were born. If you do not have citizenship in any country, type or print “stateless” and

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| <p>print “stateless” and provide an explanation in Part 11. Additional Information.</p> <p>...</p> <p>Item Number 20. Immigration Status (or Lack of Status) When You Last Entered the United States. Provide your immigration status, if any, at the time when you last entered the United States. For example, visitor, student, visa overstay. If you entered without inspection or admission or parole, type or print “No Status” as your immigration status.</p> <p>Item Numbers 21.a. - 22.b. Place of Last Entry into the United States. Provide the U.S. Port of Entry (if any), city or town and state where you last entered into the United States.</p> <p>...</p> <p>Part 4. Information About Your Current Spouse (if any)</p> <p>...</p> <p>Item Number 1. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.</p> <p>Item Number 2. Alien Registration Number (A-Number) (if any and available to you). Provide your spouse’s A-Number,</p> | <p>provide an explanation in Part 11. Additional Information.</p> <p>...</p> <p>Item Number 20. Immigration Status (or Lack of Status) When You Last Entered the United States. Provide your immigration status, at the time when you last entered the United States. For example, visitor, student, visa overstay. If you entered without inspection or admission or parole, type or print “No Status” as your immigration status.</p> <p>Item Numbers 21.a. - 22.b. Place of Last Entry into the United States. Provide the U.S. Port of Entry, city or town and state where you last entered into the United States.</p> <p>...</p> <p>Part 4. Information About Your Current Spouse</p> <p>...</p> <p>Item Number 1. USCIS Online Account Number. If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.</p> <p>Item Number 2. Alien Registration Number (A-Number). Provide your spouse’s</p> |
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| | <p>if available to you. The A-Number is the number used to identify your spouse's immigration records. Your spouse can find this number on documents he or she received from USCIS, U.S. Immigration and Customs Enforcement (ICE), or DOJ Executive Office of Immigration Review (EOIR) during immigration proceedings in court.</p> <p>...</p> <p>Part 5. Information About Your Former Spouses (if any) (Completed by Late Initial Filers Only)</p> <p>...</p> <p>Item Numbers 3. and 13. A-Number (if any). Provide your former spouse's A-Number, if available to you. The A-Number is the number used to identify your former spouse's immigration records.</p> <p>...</p> <p>Item Numbers 5. and 15. Date of Death (if applicable). Provide the date of your former spouse's death in a mm/dd/yyyy format.</p> <p>...</p> <p>Part 6. Information About Your Children (if any)</p> <p>...</p> <p>Item Numbers 2. and 9. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can</p> | <p>A-Number, if available to you. The A-Number is the number used to identify your spouse's immigration records. Your spouse can find this number on documents he or she received from USCIS, U.S. Immigration and Customs Enforcement (ICE), or DOJ Executive Office of Immigration Review (EOIR) during immigration proceedings in court.</p> <p>...</p> <p>Part 5. Information About Your Former Spouses (Completed by Late Initial Filers Only)</p> <p>...</p> <p>Item Numbers 3. and 13. A-Number. Provide your former spouse's A-Number, if available to you. The A-Number is the number used to identify your former spouse's immigration records.</p> <p>...</p> <p>Item Numbers 5. and 15. Date of Death. Provide the date of your former spouse's death in a mm/dd/yyyy format.</p> <p>...</p> <p>Part 6. Information About Your Children</p> <p>...</p> <p>Item Numbers 2. and 9. USCIS Online Account Number. If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can</p> |
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| | <p>be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.</p> <p>Item Numbers 3. and 10. A-Number (if any and available to you). Provide your child’s A-Number, if available to you. The A-Number is the number used to identify your child’s immigration records. You can find your child’s A-number on documents from USCIS, U.S. Immigration and Customs Enforcement (ICE), or DOJ Executive Office of Immigration Review (EOIR) during immigration proceedings in court.</p> <p>...</p> <p>Item Numbers 1.a. – 7.d. If you need extra space to provide any additional information within this application, use the space provided in Part 11. Additional Information. If you need more space than what is provided in Part 11., you may make copies of Part 11. to complete and file with your application, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p> | <p>be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.</p> <p>Item Numbers 3. and 10. A-Number. Provide your child’s A-Number, if available to you. The A-Number is the number used to identify your child’s immigration records. You can find your child’s A-number on documents from USCIS, U.S. Immigration and Customs Enforcement (ICE), or DOJ Executive Office of Immigration Review (EOIR) during immigration proceedings in court.</p> <p>...</p> <p>Item Numbers 1.a. – 7.d. If you need extra space to provide any additional information within this application, use the space provided in Part 11. Additional Information. If you need more space than what is provided in Part 11., you may make copies of Part 11. to complete and file with your application, or attach a separate sheet of paper. Type or print your name and A-Number at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p> |
| <p>Pages 9-13</p> <p>General Requirements</p> | <p>[Page 11]</p> <p>...</p> <p>“Felony” means a crime committed in the United States, punishable by imprisonment for a term of more than one year, regardless of the term such alien actually served, if any, except: When the offense is defined by the State as a misdemeanor and the sentence actually imposed is one year or less regardless of the term such alien actually served. Under this exception for purposes of TPS, the crime shall be treated as a misdemeanor. See 8 C.F.R. 244.1.</p> <p>...</p> <p>(1) Punishable by imprisonment for a</p> | <p>[Page 11]</p> <p>...</p> <p>“Felony” means a crime committed in the United States, punishable by imprisonment for a term of more than one year, regardless of the term such alien actually served, except: When the offense is defined by the State as a misdemeanor and the sentence actually imposed is one year or less regardless of the term such alien actually served. Under this exception for purposes of TPS, the crime shall be treated as a misdemeanor. See 8 C.F.R. 244.1.</p> <p>...</p> <p>(1) Punishable by imprisonment for a term of one year or less, regardless of the</p> |

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| | <p>term of one year or less, regardless of the term such alien actually served, if any; or</p> <p>...</p> <p>[Page 13]</p> <p>A. Yes. Except as noted below, all applicants for initial registration, re-registration, or renewal of TPS must provide fingerprints, photographs, and a digital signature, which are referred to as “biometrics.” For re-registrations, USCIS may be able to re-use your previously collected biometrics for identity verifications, background checks and other authorized purposes. Applicants for both initial TPS and for re-registration who are 14 years of age and older must submit the \$85 biometric services fee or a fee waiver request. See Item Number 9. below for information about fee waiver requests.</p> <p>B. TPS applicants under 14 years of age who are not filing for an Employment Authorization Document (EAD) are exempt from biometrics collection.</p> <p>C. USCIS may, in its discretion, waive the collection of certain biometrics.</p> <p>D. When a biometric services appointment is necessary, USCIS will send a notice to TPS applicants and re-registrants scheduling them to appear at an ASC for biometrics collection. Failure to comply with this notice may result in the denial of the TPS application.</p> <p>...</p> <p>Yes. When filing an initial TPS application with USCIS or re-registering for TPS, you can also request an Employment Authorization Document (EAD) by submitting a completed Form I-765, with the appropriate Form I-765 filing fee, if any, or fee waiver request, together with your Form I-821. If you are not requesting employment authorization, you do not need to file Form I-765. If you want to wait to file for an EAD until after USCIS decides your TPS application, you may file the Form I-765 later if you are approved for</p> | <p>term such alien actually served; or</p> <p>...</p> <p>[Page 13]</p> <p>A. Yes. Except as noted below, all applicants for initial registration, re-registration, or renewal of TPS must provide fingerprints, photographs, and a digital signature, which are referred to as “biometrics.” For re-registrations, USCIS may be able to re-use your previously collected biometrics for identity verifications, background checks and other authorized purposes. Applicants for both initial TPS and for re-registration must submit the \$30 biometric services fee.</p> <p>[Delete]</p> <p>B. USCIS may, in its discretion, waive the collection of certain biometrics.</p> <p>C. When a biometric services appointment is necessary, USCIS will send a notice to TPS applicants and re-registrants scheduling them to appear at an ASC for biometrics collection. Failure to comply with this notice may result in the denial of the TPS application.</p> <p>...</p> <p>Yes. When filing an initial TPS application with USCIS or re-registering for TPS, you can also request an Employment Authorization Document (EAD) by submitting a completed Form I-765, with the appropriate Form I-765 filing fee, if applicable, together with your Form I-821. If you are not requesting employment authorization, you do not need to file Form I-765. If you want to wait to file for an EAD until after USCIS decides your TPS application, you may file the Form I-765 later if you are approved for TPS. However, filing Form I-821 with Form I-</p> |
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| | <p>TPS. However, filing Form I-821 with Form I-765 helps you to receive your EAD more promptly if you are eligible for one.</p> <p>As noted in the What Is the Filing Fee section of these Instructions, if you are under 14 years of age or over 65 years of age, you may request an EAD without fee when filing an initial TPS application. All applicants, regardless of age, must pay the Form I-765 filing fee if requesting an EAD when submitting a TPS re-registration application.</p> <p>...</p> <p>Yes. If you are unable to pay the filing fee and biometric services fee, 8 CFR Section 103.7(c) states that you may request a waiver of the fees. To request a fee waiver, a person requesting an immigration benefit must either submit a written request that the fee be waived or submit a Form I-912, Request for Fee Waiver. Either form of request must be accompanied by documentation of your inability to pay the required fee.</p> <p>In your request, you should indicate why you believe you are entitled to or deserving of the benefit requested, the reason for your inability to pay the fees, and evidence to support the reasons you give. If your fee waiver request is denied, there is no appeal of the denial.</p> | <p>765 helps you to receive your EAD more promptly if you are eligible for one.</p> <p>All applicants, regardless of age, must pay the Form I-765 filing fee.</p> <p>...</p> <p>Yes. See Form I-912, Request for Fee Waiver for additional information.</p> <p>[delete]</p> |
| <p>Pages 13-15, What Is the Filing Fee?</p> | <p>[Page 14]</p> <p>...</p> <p>A. If you are 14 years of age or older, you must pay an \$85 biometric services fee or a fee waiver request; and</p> <p>...</p> <p>2. If you are between 14 and 65 years of age and seeking employment authorization, you must submit a \$410 filing fee and the Form I-765, in addition to the \$50 application fee and \$85 biometric services fee – a total of \$545 or a fee waiver request.</p> <p>3. If you are under 14 years of age or over</p> | <p>[Page 14]</p> <p>...</p> <p>A. All applicants, regardless of age, must pay a \$30 biometric services fee; and</p> <p>...</p> <p>2. All applicants, regardless of age, seeking employment authorization, must submit a \$550 filing fee and the Form I-765, in addition to the \$50 application fee and \$30 biometric services fee – a total of \$630.</p> <p>[delete]</p> |

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| | <p>65 years of age and seeking an EAD, you are not required to pay a fee for the EAD when filing for initial TPS registration. Your only fees are the \$50 application fee and \$85 biometric services fee – a total of \$135 or a fee waiver request.</p> <p>TPS Re-Registration</p> <p>1. If you have TPS and you are filing for re-registration, you must submit the completed Form I-821, but you are not required to pay the \$50 application fee for Form I-821. However:</p> <p>A. If you are 14 years of age or older, you must still pay the \$85 biometric services fee; and</p> <p>B. If you are seeking employment authorization, you must still submit Form I-765.</p> <p>2. Regardless of your age, if you are filing Form I-765 to request an EAD with your re-registration, you must pay the \$410 filing fee for Form I-765.</p> <p>A. If you are 14 years or older and requesting an EAD, your fees will be the \$85 biometric services fee and the \$410 EAD filing fee – a total of \$495.</p> <p>B. If you are under 14 years of age and requesting an EAD, your only fee will be the \$410 EAD filing fee.</p> <p>NOTE: When filing an initial or re-registration TPS application, if you are not seeking employment authorization, you do not need to file Form I-765 and you do not need to pay the \$410 fee.</p> <p>3. The Form I-821 filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this application. DO NOT MAIL CASH. You must submit all fees in the exact amounts.</p> <p>...</p> <p>You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot</p> | <p>TPS Re-Registration</p> <p>1. There is no fee for re-registration. However, you must pay a \$30 biometric services fee.</p> <p>[delete]</p> <p>If you are seeking employment authorization, you must submit Form I-765 with the \$550 filing fee for Form I-765.</p> <p>[delete]</p> <p>NOTE: When filing an initial or re-registration TPS application, if you are not seeking employment authorization, you do not need to file Form I-765 and you do not need to pay the \$550 fee.</p> <p>NOTE: The Form I-821 filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this application. DO NOT MAIL CASH. You must submit all fees in the exact amounts.</p> <p>...</p> <p>You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot</p> |
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| | <p>process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If USCIS cannot complete the EFT because of insufficient funds, we may try to make the transfer two additional times.</p> <p>...</p> <p>NOTE: If you are age 14 or older and, therefore, must pay the biometric services fee with your Form I-821, you can use the same procedure to obtain the correct biometric services fee.</p> <p>[Page 15]</p> <p>Fee Waiver</p> <p>You may be eligible for a fee waiver under 8 CFR 103.7(c). If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver (or a written request), and submit it and any required evidence of your inability to pay the filing fees with this application. You can review the fee waiver guidance at www.uscis.gov/feewaiver.</p> | <p>process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, we may reject your application.</p> <p>...</p> <p>NOTE: You can use the same procedure to obtain the correct biometric services fee.</p> <p>[Page 15]</p> <p>Fee Waiver</p> <p>Some forms may be eligible for fee waivers as provided in 8 CFR 106.3. For information on fee waivers, see Form I-912, Request for Fee Waiver at www.uscis.gov/i-912.</p> |
| <p>Pages 16-17, DHS Privacy Notice</p> | <p>[Page 16]</p> <p>...</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your application.</p> <p>...</p> | <p>[Page 16]</p> <p>...</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in a rejection or denial of your application.</p> <p>...</p> |
| <p>Page 17, Checklist</p> | <p>[Page 17]</p> <p>...</p> <p>Did you include the required applications, filing fees, and biometric services fee (or Form I-912, Request for Fee Waiver, or a written request for a waiver of the filing fees)?</p> <p>...</p> | <p>[Page 18]</p> <p>...</p> <p>Did you include the required applications, filing fees, and biometric services fee (or Form I-912, Request for Fee Waiver, if applicable)?</p> <p>...</p> |

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| | <p>If you are requesting an Employment Authorization Document, did you include Form I-765? If you are requesting employment authorization, did you submit the Form I-765 filing fee (if applicable) or Form I-912 or a written request for a waiver of the filing fee? (See General Requirements, Item Numbers 8. and 9. of these Instructions.)</p> <p>If you are requesting an Advance Parole Document, did you include Form I-131? If you are requesting an Advance Parole Document, did you submit the Form I-131 filing fee (if applicable) or or Form I-912 or a written request for a waiver of the filing fee? (See What Is the Filing Fee section of these Instructions).</p> <p>...</p> | <p>If you are requesting an Employment Authorization Document, did you include Form I-765? If you are requesting employment authorization, did you submit the Form I-765 filing fee (if applicable) or Form I-912, Request for Fee Waiver? (See General Requirements, Item Numbers 8. and 9. of these Instructions.)</p> <p>If you are requesting an Advance Parole Document, did you include Form I-131? If you are requesting an Advance Parole Document, did you submit the Form I-131 filing fee (if applicable) or Form I-912, Request for Fee Waiver? (See What Is the Filing Fee section of these Instructions).</p> <p>...</p> |
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