

TABLE OF CHANGES – INSTRUCTIONS
Form I-821, Application for Temporary Protected Status
OMB Number: 1615-0043
08/09/2022

Reason for Revision: Fee Rule
Project Phase: OMB Review

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

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Expires 08/31/2025

Current Page Number and Section	Current Text	Proposed Text
Page 2, What Waivers are Available For TPS?	<p>[Page 2]</p> <p>USCIS may grant discretionary waivers of certain inadmissibility grounds for humanitarian purposes, to assure family unity, or because it is otherwise in the public interest. However, USCIS cannot waive some inadmissibility grounds, by law, including certain criminal grounds in INA sections 212(a)(2)(A-C) and national security, terrorism- related, and persecution grounds in INA sections 212(a)(3)(A-C, E). If you are inadmissible on grounds that can be waived, you may be able to obtain a discretionary waiver. For further information on waivers, including how to apply and the fee for seeking a waiver, see the TPS page on the USCIS website at www.uscis.gov/tps. You may also wish to obtain legal advice if you believe you may be subject to any ground of inadmissibility or another TPS ineligibility ground.</p> <p>...</p>	<p>[Page 2]</p> <p>USCIS may grant discretionary waivers of certain inadmissibility grounds for humanitarian purposes, to assure family unity, or because it is otherwise in the public interest. However, USCIS cannot waive some inadmissibility grounds, by law, including certain criminal grounds in INA sections 212(a)(2)(A-C) and national security, terrorism- related, and persecution grounds in INA sections 212(a)(3)(A-C, E). If you are inadmissible on grounds that can be waived, you may be able to obtain a discretionary waiver. For further information on waivers, including how to apply, see the TPS page on the USCIS website at www.uscis.gov/tps. You may also wish to obtain legal advice if you believe you may be subject to any ground of inadmissibility or another TPS ineligibility ground.</p> <p>...</p>
Pages 2-4, General Instructions	<p>[Page 2]</p> <p>...</p> <p>Filing Fee. Each application must be accompanied by the appropriate filing fee and biometric services fee (if applicable).</p>	<p>[Page 2]</p> <p>...</p> <p>Filing Fee. See USCIS Form G-1055, Fee Schedule, available at www.uscis.gov/g-1055, for all information on filing fees.</p>

	(See the What Is the Filing Fee section of these Instructions.)
Pages 4-9, Specific Instructions	[Page 6] ... NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP website at www.cbp.gov/i94 to obtain a paper version of an electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If your Form I-94 cannot be obtained from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for this service. ...	[Page 6] ... NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP website at www.cbp.gov/i94 to obtain a paper version of an electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If your Form I-94 cannot be obtained from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for Form I-102. See Form G-1055, available at www.uscis.gov/forms, for specific information about the fees applicable to this form. ...
Pages 9-13, General Requirements	[Page 13] ... 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	[Page 13] ... 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. B. TPS applicants under 14 years of age who are not filing for an Employment Authorization Document (EAD) are exempt

	<p>information about fee waiver requests.</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 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>NOTE: An EAD 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 an Advance Parole Document from USCIS by filing Form I-131, Application for Travel Document. USCIS will issue a Form I-512, Advance Parole Document, to you if your request is granted. For more information on filing Form I-131, visit the USCIS website at www.uscis.gov/I-131 or call the USCIS Contact Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>9. May the filing fee and biometric services fee for Forms I-821 and I-765 be waived?</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</p>	<p>from biometrics collection.</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 together 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 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>[deleted]</p> <p>NOTE: An EAD 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 an Advance Parole Document from USCIS by filing Form I-131, Application for Travel Document. USCIS will issue a Form I-512, Advance Parole Document, to you if your request is granted. For more information on filing Form I-131, visit the USCIS website at www.uscis.gov/I-131 or call the USCIS Contact Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>[deleted]</p>
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	<p>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>Page 14, What Evidence Must You Submit?</p>	<p>[Page 14]</p> <p>...</p> <p>You must submit all evidence requested in these Instructions with your application. If you fail to submit required evidence, USCIS may reject or deny your application for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions. See the General Requirements section of these Instructions for additional evidence that must be submitted.</p>	<p>[Page 13]</p> <p>...</p> <p>You must submit all evidence requested in these Instructions with your application. If you fail to submit required evidence, USCIS may reject or deny your application for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions. See the General Requirements section of these Instructions for additional evidence that must be submitted.</p>
<p>Pages 14-15, What Is the Filing Fee?</p>	<p>[Page 14]</p> <p>What Is the Filing Fee?</p> <p>Initial TPS Applications</p> <p>1. An initial (first-time) applicant must submit a \$50 application fee for Form I-821. Additionally:</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>B. If you are seeking employment authorization, you must submit Form I-765.</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</p>	<p>[deleted]</p>

waiver request.

3. If you are under 14 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 fee is the **\$50 application fee, or a fee waiver request.**

4. If you are over 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.**

TPS Re-Registration

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:

A. If you are 14 years of age or older, you must still pay the **\$85 biometric services fee;** and

B. If you are seeking employment authorization, you must still submit Form I-765.

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.

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.

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.

Use the following guidelines when you prepare your checks or money orders for the Form I-821 filing fee and biometric services fee:

1. The check or money order must be

drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**

2. Make the checks or money orders payable to **U.S. Department of Homeland Security**.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials “USDHS” or “DHS.”

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Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot 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.

NOTE: The fees that apply to your registration or re-registration application packet may all be combined into a single check or money order. For example, if you also choose to submit Form I-131, Application for Travel Document, and include that application with your TPS application, the Form I-131 fee may be included with the check or money order for the TPS application, as well. Please note that if you use a single check or money order, and the fee amount is incorrect, then your entire application packet will be rejected.

How to Check If the Fees Are Correct

Form I-821’s filing fee and biometric services fee are current as of the edition date in the lower left corner of this page.

	<p>However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> 1. Visit the USCIS website at www.uscis.gov, select “FORMS” and check the appropriate fee; or 2. Call the USCIS Contact Center at 1-800-375-5283 and ask for the fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833. <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>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>Page 15, Where to File?</p>	<p>[Page 15]</p> <p>Where to File?</p> <p>...</p>	<p>[Page 13]</p> <p>Where to File?</p> <p>...</p>
<p>Page 17, Paperwork Reduction Act</p>	<p>[Page 17]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 2 hours and 25 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, attaching necessary documentation, and submitting</p>	<p>[Page 15]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 2.227 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, attaching necessary documentation, and submitting the</p>

	<p>the application. The collection of biometrics, where required, is estimated to require 1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No.1615-0043. Do not mail your completed Form I-821 to this address.</p>	<p>application. The collection of biometrics, where required, is estimated to require 1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No.1615-0043. Do not mail your completed Form I-821 to this address.</p>
<p>Page 18, Checklist</p>	<p>[Page 18]</p> <p>...</p> <p>Did you sign your Form I-821?</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 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 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>[Page 16]</p> <p>...</p> <p>Did you sign your Form I-821 and include the required applications and filing fees?</p> <p>...</p> <p>If you are requesting an Employment Authorization Document, did you include Form I-765?</p> <p>If you are requesting an Advance Parole Document, did you include Form I-131?</p> <p>...</p>