

TEMPORARY PROTECTED STATUS CHECKLIST

INITIAL APPLICATION

TPS ELIGIBILITY:

- National or person without nationality who last habitually resided in Afghanistan
- Continuous residence in U.S. since:
 - March 15, 2022 (for eligibility under May 20, 2022 designation)
 - Sept. 20, 2023 (for eligibility under Sept. 25, 2023 designation)
- Continuously physically present in U.S. since:
 - May 20, 2023 (for eligibility under May 20, 2022 designation)
 - Nov. 21, 2023 (for eligibility under Sept. 25, 2022 designation)
- Not convicted of any felony or of 2+ misdemeanors
- If prior arrests and/or convictions, reviewed criminal records including final court dispositions
- No mandatory bars: persecution of others, convicted of particularly serious crime, serious nonpolitical crime outside the U.S, danger to security of U.S., engaged in terrorism, firmly resettled in another country prior to arriving in U.S.
- No inadmissibility grounds
- Inadmissibility ground(s)
 - Non-waivable grounds include 212(a)(2)(A)(i), (2)(B), and (2)(C) relating to crimes and drug offenses; 212(3)(A), (B), (C), and (D) relating to national security; and 212(3)(E) relating to Nazi persecution.
 - USCIS does not require a waiver for the following additional grounds: being present without admission or parole, 212(a)(6)(A); stowaways, 212(a)(6)(D); student visa violators, 212(a)(6)(G); previously removed and seeking admission, 212(a)(9)(A); unlawful presence, 212(a)(9)(B); and unlawfully present after previous immigration violations, 212(a)(9)(C).
 - For the remaining applicable grounds, a waiver may be granted for humanitarian purposes, to assure family unity, or when it is in the public interest.

TPS DOCUMENTATION:

- Form I-821
- Form I-765 *(Note: Required only if applying for employment authorization)*
- Proof of identity and nationality *(**one** of the below items)*
 - Passport identity page *(expired ok)*; OR
 - Birth certificate + certified translation; OR
 - National identity document with photo and/or fingerprint
- Proof of date of entry to the U.S. *(**one** of the below items)*
 - Form I-94; OR
 - Arrival-Departure Record
- Proof of continuous residence and physical presence in the U.S. *(relevant documentation from non-exhaustive list below)*
 - Employment records
 - Pay Stubs
 - IRS printout of Federal income tax returns
 - Rent receipts
 - Utility bills
 - School records
 - Medical records
 - Attestation from church/religious institution
 - Birth certificates of children born in the U.S.
 - Dated bank transactions
 - Insurance policies
 - Vehicle registration
- Form I-601, Application for Waiver of Grounds of Inadmissibility *(if applicable)*
 - Supporting documentation to show humanitarian, family unity, or public interest factors
 - \$930 Fee – Check or Money Order made payable to "U.S. Department of Homeland Security" or Form I-912 Fee Waiver request plus documentation
- Certified court disposition related to any criminal arrest, charge, or conviction *(if applicable)*
- TPS Fees
 - Check or Money Order made payable to "U.S. Department of Homeland Security"
 - \$50 for initial applicants younger than 14 *(work authorization included)*
 - \$545 for initial applicants between 14 and 65 *(work authorization included)*

- \$135 for initial applicants 66 and older (*work authorization included*)
- \$50 for initial applicants younger than 14 who DO NOT want work authorization
- \$135 for initial applicants 14 and older who DO NOT want work authorization
- OR
 - Form I-912 Fee waiver plus documentation
 - Proof of income at or under 150% of the federal poverty guidelines (tax returns best evidence of this) OR;
 - Receipt of a means tested benefit (Medicaid, SNAP, TANF, and SSI. Includes federally funded, state funded, and locally funded programs) OR;
 - Financial hardship (medical expenses, financial hardship, homelessness, eviction)