

TEMPORARY PROTECTED STATUS FOR BURMA

INITIAL APPLICATION CHECKLIST

TPS ELIGIBILITY:

- Apply between May 25, 2021 through Nov. 22, 2021 (or meet requirements for late initial registration)
- National of Burma or person without nationality who last habitually resided in Burma
- Continuously resided in United States since March 11, 2021
- Continuously physically present in United States since May 25, 2021
- Not convicted of any felony or of 2 or more misdemeanors
 - If prior arrests, charges 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 United States; danger to security of United States; engaged in terrorism; firmly resettled in third country prior to arriving in United States
- Admissible or, if inadmissible under an applicable ground, must apply for a waiver.

The following grounds do not apply: public charge, 212(a)(4); labor certification grounds, 212(a)(5)(A); unqualified physicians, 212(a)(5)(B); and documentation requirements, 212(a)(7)(A)(i).

Grounds that cannot be waived: CIMTs, 212(a)(2)(A)(i)(I); controlled substance violations, except for a single offense of simple possession of 30 grams or less of marijuana, 212(a)(2)(A)(i)(II); multiple convictions, 212(a)(2)(B); controlled substance trafficking, 212(a)(2)(B); danger to national security, 212(a)(3)(A); terrorist activities, 212(a)(3)(B); adverse foreign policy consequences, 212(a)(3)(C); membership in totalitarian party, 212(a)(3)(D); and grounds relating to Nazi persecution, genocide, torture or extrajudicial killing, 212(a)(3)(E).

TPS DOCUMENTATION:

- Form I-821
- Form I-765 *(Required only if applicant wants employment authorization)*
- Proof of identity and nationality (one of the below forms of primary evidence
 - Passport; OR

- Birth certificate with certified translation and photo identification; OR
- National identity document with photo and/or fingerprint issued by Burma
- Proof of date of entry to United States
 - Copy of passport with entry stamp;
 - I-94, Arrival/Departure Record; OR
 - Copies of documents specified in "Continuous Residence" section
- Proof of continuous residence in United States since March 11, 2021 and continuous physical presence since May 25, 2021
 - Employment records; pay stubs, income tax records; rent receipts; utility bills; school records; hospital or medical records; mortgage payments; bank statements; money order receipts; attestations from churches, unions, or organizations; birth certificates of children born in the United States; insurance policies; vehicle registration or title; contracts; receipts; letters; passport entries.
- Certified criminal records (if disclosing prior arrests or convictions)

INITIAL TPS FEES: (Check USCIS website for current fees)

- Check or money order made payable to "U.S. Department of Homeland Security"
 - \$545 for people between 14 and 65 who want work authorization (*includes I-821, I-765 and biometrics fee*)
 - \$135 for people between 14 and 65 who DO NOT want work authorization (*includes I-821 and biometrics fee*)
 - \$135 for people over 65 who want work authorization (*no fee for I-765*)
 - \$50 for children under 14 years old (*no fee for biometrics or I-765*)
- Or Form I-912 Request for Fee Waiver, plus documentation

WAIVER OF INADMISSIBILITY (if applicable):

- Form I-601 Application for Waiver of Grounds of Inadmissibility
- Supporting documentation to show humanitarian, family unity, or public interest factors
- \$930 check or money order made payable to "U.S. Department of Homeland Security" or Form I-912 Request for Fee Waiver, plus documentation