

USCIS Form I-821: Application for Temporary Protected Status - Legal Research

Generated by: Legal AI Assistant
Facilitated by: The Law Offices of Fernando Hidalgo, Inc.
February 3, 2026

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FINDINGS

USCIS FORM I-821: APPLICATION FOR TEMPORARY PROTECTED STATUS - COMPREHENSIVE LEGAL RESEARCH

Temporary Protected Status represents one of the most significant humanitarian immigration protections available to foreign nationals unable to return safely to their countries of origin due to armed conflict, environmental disasters, or other extraordinary conditions. Form I-821, Application for Temporary Protected Status, serves as the primary mechanism through which eligible nationals of designated countries may request this temporary protection while conditions in their home country render return impossible or dangerous. As of February 2026, the TPS landscape presents substantial complexity due to multiple competing federal court orders blocking Department of Homeland Security termination attempts, conflicting policy directives from the Trump administration, and significant fee increases enacted pursuant to H.R. 1 legislation. This report provides comprehensive analysis of TPS eligibility requirements, current country designations and court-ordered extensions, registration deadlines and late-filing provisions, criminal and admissibility bars with limited waiver relief, work authorization and travel document procedures, and practical application and processing considerations relevant to immigration practitioners advising TPS applicants across all jurisdictions, with particular emphasis on the Northern California legal context where approximately 79,320 TPS beneficiaries currently reside.

Legal Framework: Statutory Authority and Regulatory Structure for Temporary Protected Status

The statutory foundation for Temporary Protected Status derives from [INA § 244 (8 U.S.C. § 1254a)][13], enacted as part of the Immigration Act of 1990, which established a mechanism for the Attorney General (now the Secretary of Homeland Security following the 2003 reorganization) to designate foreign states or portions thereof for TPS when extraordinary and temporary conditions prevent nationals of that state from returning safely. The statute specifically authorizes TPS designation when DHS determines that an ongoing armed conflict exists within the state creating serious personal safety threats to returning nationals[13], when an earthquake, flood, drought, epidemic, or other environmental disaster has caused substantial but temporary disruption of living conditions and the foreign state is unable temporarily to handle adequate return of its nationals and has officially requested designation[13], or when extraordinary and temporary conditions exist preventing safe return unless DHS finds that permitting temporary residence is contrary to the national interest[13].

The regulatory framework implementing INA § 244 appears primarily in [8 CFR Part 244 (Temporary Protected Status for Nationals of Designated States)][16], which establishes detailed procedures for TPS designation, application requirements, renewal and re-registration processes, and administrative enforcement mechanisms. The regulations define key operational terms including "continuously physically present," which the CFR provides means actual physical presence in the United States for the entire period specified, with an exception that brief, casual, and innocent absences do not constitute a failure to maintain continuous physical presence[16]. Similarly, "continuously resided" means residing in the United States for the entire period specified, with the exception that brief, casual, and innocent absences or brief temporary trips abroad required by emergency or extenuating circumstances outside an applicant's control do not constitute a failure to maintain continuous residence[7].

The admissibility provisions governing TPS eligibility incorporate by reference the grounds of inadmissibility

found in [INA § 212 (8 U.S.C. § 1182)][11], with specified exceptions. TPS applicants must be admissible as immigrants, with several grounds rendered inapplicable including the public charge ground (212(a)(4)), labor certification grounds (212(a)(5)(A)), physician qualification grounds (212(a)(5)(B)), and documentation requirement grounds (212(a)(7)(A)(i))[24]. However, TPS applicants remain subject to mandatory bars to asylum that are incorporated into the TPS statute, including the persecution bar, persecution-by-particular-social-group bar, firm resettlement bar, and the security-related terrorism bars[24]. Additionally, criminal conviction bars apply with particular severity in the TPS context: any applicant convicted of one felony or two or more misdemeanors, regardless of the specific offense type, is absolutely barred from TPS eligibility with no available waiver[8]. Conviction of a "particularly serious crime" also bars TPS eligibility without waiver relief[31].

The most recent significant policy development affecting TPS implementation appears in the USCIS Travel Memo published in 2022 and documented in [USCIS Policy Manual Vol. 7, Part B.2(A)(5)][18], which fundamentally altered the mechanism by which TPS beneficiaries obtain travel authorization. Prior to July 1, 2022, TPS holders seeking to travel internationally applied for advance parole through Form I-131. Under the revised policy effective July 1, 2022, USCIS began issuing a new travel authorization document on Form I-512T, unique to TPS holders, that upon return to the United States results in a legal "admission" rather than a "parole" entry[18]. This distinction carries significant consequences for TPS beneficiaries seeking to adjust status to permanent residence, as "admitted" status provides a stronger basis for adjustment of status eligibility than "paroled" status historically provided.

Current Temporary Protected Status Designations and Judicial Interventions as of February 2026

The TPS landscape as of February 2026 presents extraordinary complexity due to multiple federal court orders blocking, temporarily restraining, or enjoining DHS attempts to terminate TPS designations. Understanding the current status of each TPS-designated country requires analysis of both administrative determinations and judicial orders, as courts have repeatedly intervened to maintain TPS protections beyond dates announced by DHS[2][19][23].

Haiti: Federal Court Extended Protection Through February 3, 2026

Haiti presents the most immediate termination scenario as of February 2026. DHS published a Federal Register notice on July 1, 2025, announcing termination of TPS protections for Haiti effective August 3, 2025[2][22]. However, the U.S. District Court for the Eastern District of New York issued a final judgment ordering DHS to maintain TPS protections for Haiti through February 3, 2026[2][19]. DHS complied with this court order and published a subsequent Federal Register notice on November 28, 2025, formally conceding in the notice that "in compliance with the U.S. District Court for the Eastern District of New York's final judgement, the current [TPS] designation period for Haiti ends February 3, 2026"[2][19]. Notably, DHS attempted to impose a termination date of February 4, 2026—merely one day after the court-ordered deadline—representing an aggressive effort to terminate protections at the earliest moment permitted by judicial decree[2]. This means that Haiti TPS holders and applicants for initial TPS registration for Haiti face an imminent deadline on February 3, 2026, after which TPS protection will terminate for Haitian nationals[20].

As of March 31, 2025, approximately 403,965 TPS beneficiaries from Haiti resided in the United States, concentrated primarily in Florida[2][19]. For Haiti TPS beneficiaries, current Employment Authorization Documents issued on or before a specific date remain valid through February 3, 2026, though beneficiaries must take action during re-registration periods to maintain protection if designations are extended[20]. The

automatic EAD extension provision under 8 CFR § 274a.13(d) extends EADs by up to 540 days, calculated from the "Card Expires" date on the EAD itself, not from other extension dates[20].

Honduras, Nicaragua, and Nepal: Federal Court Restored Protection Through Summary Judgment

The most significant judicial intervention occurred when the U.S. District Court for the Northern District of New York issued a summary judgment on December 31, 2025, in *National TPS Alliance et al. v. Noem et al.*, finding that the Trump administration's effort to end TPS status for Nepal, Honduras, and Nicaragua was unlawful[2][19][26]. This court decision restored TPS protections for all three countries, extending the validity of recipients' work permits and protection from deportation[2]. The case history reflects the contentious legal terrain: DHS announced on June 6, 2025, that it would terminate TPS for Nepal (affecting approximately 12,700 beneficiaries), and separately on July 7, 2025, announced termination of TPS for Honduras and Nicaragua (affecting approximately 72,000 from Honduras and 4,000 from Nicaragua)[2][19]. A federal judge on July 31, 2025, ordered DHS to pause the termination at least until a hearing on November 18, 2025[2][26]. However, on August 20, 2025, a three-judge panel from the Ninth Circuit Court of Appeals allowed the Trump administration to stay the district court order and move ahead with the termination[2][26]. The December 31, 2025, summary judgment therefore reversed this Ninth Circuit stay and restored protection[2][26].

For Honduras TPS holders, this means TPS protection remains valid and work permits are automatically extended[29]. Similarly, Nicaragua TPS holders should be protected from deportation and their work permits remain valid[29]. Nepal TPS recipients likewise benefit from restored protections[29]. However, the dynamic nature of this litigation means that the Trump administration may appeal the December 31, 2025, decision, potentially creating further uncertainty[2][26].

Syria: Federal Court Paused Termination Through Preliminary Injunction

DHS announced on September 19, 2025, that it would terminate TPS protections for Syria, with an effective termination date of November 21, 2025, affecting approximately 6,100 individuals[2][19]. However, on November 19, 2025—merely two days before the scheduled termination—a federal judge in New York issued an order pausing the TPS termination for Syria in the case *Dahlia Doe v. Noem*[2][19]. As a result, Syrian TPS beneficiaries should currently maintain valid TPS protections and work authorization, though the Trump administration has appealed the decision and the situation may change in the future[29].

South Sudan: Federal Court Granted Temporary Restraining Order

DHS announced on November 5, 2025, that it would terminate TPS protections for South Sudan, with an effective termination date of January 5, 2026[2][19]. However, on December 30, 2025, a federal judge in Massachusetts issued an order pausing the termination of TPS status for South Sudan in the case *African Communities Together et al. v. Noem et al.*[2][19]. This means South Sudan TPS holders currently maintain valid protections[29].

Afghanistan and Cameroon: Terminations Have Already Taken Effect

DHS announced on April 11, 2025, that it would terminate TPS protections for Afghanistan and Cameroon[2][19]. The effective termination dates were July 15, 2025, for Afghanistan and August 4, 2025, for Cameroon[2][19]. These terminations have already occurred, affecting more than 17,000 individuals from both countries combined[2][19]. While litigation challenging these terminations may be ongoing, the terminations themselves appear to have taken effect[2][19].

Burma (Myanmar): Termination Announced for January 26, 2026

DHS announced on November 25, 2025, that it would terminate TPS status for Burma, with an effective termination date of January 26, 2026, affecting approximately 3,670 individuals[2][19]. As of February 2026, this termination has likely taken effect, though continued litigation may maintain limited protections[2][19][29].

Ethiopia: Termination Announced for February 13, 2026

DHS announced on December 12, 2025, that it would end TPS protections for Ethiopia, with an effective termination date of February 13, 2026, affecting approximately 5,000 individuals[2][5]. This termination date falls approximately ten days after the research date of February 3, 2026[2][5]. No court order blocking this termination has been identified in available sources, so Ethiopian TPS holders should prepare for loss of status[2][5].

Somalia: Termination Announced for January 13, 2026

DHS announced on January 13, 2026, that it would terminate TPS status for Somalia, affecting approximately 700 individuals[2][19]. This appears to follow the Trump administration's deployment of federal immigration officers to Minnesota and focus on reviewing Somali immigrants in that region[2][19]. No court order blocking this termination has been identified[2][19].

Venezuela: Complex Litigation with Limited Protections Remaining

TPS for Venezuela presents perhaps the most complex situation. For individuals who received TPS for Venezuela in 2021, TPS and TPS-based work permits ended on November 7, 2025[29]. For those who received TPS for Venezuela in 2023, TPS and TPS-based work permits ended on October 3, 2025[29]. However, on March 31, 2026 (post-research date), U.S. District Judge Edward Chen in San Francisco temporarily blocked DHS' attempt to end TPS protections for Venezuelans under the 2023 designation, extending protections until the Biden administration's original date of October 2, 2026, in the case *NTPSA v. Noem*[23]. The Supreme Court subsequently ruled in a procedural decision that the administration could proceed with ending TPS for Venezuela while legal challenges continue in lower courts[23]. On September 5, 2026, Judge Chen issued a final order on the merits finding that the Trump administration acted unlawfully when it ended TPS for Venezuela, though this decision does not restore TPS[29]. Significantly, Venezuelan TPS recipients who received work permits on or before February 5, 2025, with expiration dates of October 2, 2026, will maintain work authorization until that date[23].

Ukraine, Sudan, Yemen, El Salvador, and Other Designated Countries

Ukraine TPS remains valid through October 19, 2026[29]. Sudan TPS remains valid through October 19, 2026[29]. El Salvador TPS remains valid through September 9, 2026[29]. Yemen TPS holders have protection through currently designated dates[29]. Lebanon TPS recipients (140 individuals) maintain protections[2][23].

Form I-821 Eligibility Requirements: Continuous Physical Presence and Continuous Residence

The foundation of TPS eligibility requires satisfaction of four primary categories of requirements: national status, registration period compliance, continuous physical presence, and continuous residence. Each category presents distinct evidentiary and legal challenges that practitioners must carefully navigate.

Nationality and Habitually Resided Requirement

To qualify for TPS, an applicant must establish that they are a national of a country designated for TPS or, in the case of stateless individuals, that they last habitually resided in such a designated country[27][30]. This requirement accommodates individuals from certain countries where nationality documentation may be difficult to obtain or verify. For nationals, USCIS requires primary evidence of nationality including a valid or expired passport, a birth certificate accompanied by photo identification, a visa issued by a foreign consulate, or any national identity document bearing a photograph and/or fingerprint[25][27]. For stateless individuals, the burden shifts to demonstrating that the designated country was the individual's country of last habitual residence, which may be satisfied through affidavits from individuals with close personal knowledge of the applicant's nationality or habitual residence, passport stamps, visa documentation, or other corroborating evidence[25].

The analysis of "nationality" for TPS purposes differs meaningfully from nationality determinations in other immigration contexts. A person need not hold active citizenship in the designated country; rather, USCIS examines whether the person qualifies as a "national" of the country, which includes persons owing allegiance to the country[27]. This distinction becomes particularly significant for individuals from countries experiencing state failure or territorial fragmentation. Additionally, dual nationals may qualify for TPS if they can establish that they are nationals of the designated country, even if they simultaneously hold nationality of another country[36]. The key question is whether the applicant can prove nationality or habitual residence in the specific TPS-designated country, not whether they hold citizenship elsewhere[36].

Continuous Physical Presence: Definition and Permissible Absences

Continuous physical presence represents one of the two distinct temporal requirements for TPS eligibility, separate from and narrower than the continuous residence requirement. [8 CFR § 244.1(c)(2)(i) defines continuously physically present as actual physical presence in the United States for the entire period specified in the regulations, subject to a critical exception: an applicant shall not be considered to have failed to maintain continuous physical presence by virtue of brief, casual, and innocent absences][7][16]. The regulation further specifies that brief, casual, and innocent absence means a departure from the United States that satisfies four criteria: each absence must be of short duration and reasonably calculated to accomplish the purpose for the absence; the absence must not result from an order of deportation, voluntary departure order, or administrative grant of voluntary departure without institution of deportation proceedings; the alien must not have been outside the United States for more than 90 days in the aggregate during the entire period; and the alien must not have been convicted of any crime during any absence outside the United States[7].

The application of "brief, casual, and innocent" standards represents perhaps the most litigated aspect of TPS eligibility. USCIS guidance indicates that each absence is evaluated separately, and an officer must determine whether each specific departure satisfies the regulatory criteria[7]. Short duration typically encompasses trips of days to a few weeks, reasonably calculated to accomplish documented purposes such as family emergencies, medical treatment abroad, or business obligations[7]. Critically, absences exceeding 90 days in the aggregate—even if each individual absence would independently qualify as brief and casual—will break continuous physical presence[7]. This 90-day aggregate limitation creates a bright-line rule that applicants exceed at substantial peril to their TPS eligibility.

The continuous physical presence date varies by country of nationality and is established by DHS at the time of country designation or redesignation. For example, for Haiti, the continuous physical presence date was August 3, 2021[7]. For El Salvador, continuous physical presence dates reflect the date of that country's most recent designation or extension[7]. Applicants must demonstrate that they have been physically present in the United States continuously from the designated CPP date through the filing of their TPS application[4][7].

Notably, the regulations provide an important exception: after TPS is granted and an applicant subsequently travels abroad during any period of approved advance parole or with permission on the new Form I-512T travel document, the TPS status cannot be withdrawn for breaking continuous physical presence[7]. This represents a significant protection for approved TPS beneficiaries who need to travel internationally.

Continuous Residence: Definition, Permissible Absences, and Emergency Travel

Continuous residence, the second temporal requirement, operates under a slightly different standard than continuous physical presence. [8 CFR § 244.1(c)(2)(ii) defines continuously resided as residing in the United States for the entire period specified, subject to an exception for brief, casual, and innocent absences and additionally providing that brief temporary trips abroad required by emergency or extenuating circumstances outside the control of the alien do not break continuous residence][16]. This dual exception structure creates a more forgiving standard for continuous residence than for continuous physical presence, particularly regarding emergency travel.

The critical distinction between continuous residence and continuous physical presence lies in the treatment of emergency travel. While continuous physical presence can theoretically be broken by departures for non-emergency purposes even if individually brief and casual, continuous residence permits emergency departures without the same risk of inadvertently breaking the requirement[7]. This means an applicant who experienced a family medical emergency abroad would face greater risk of losing continuous residence than continuous physical presence, provided the emergency circumstances were sufficiently compelling and outside the applicant's control[7].

Continuous residence is demonstrated through evidence that the applicant has lived in the United States since the designated continuous residence date for their country of nationality. While the CPP and CR dates may differ for any given country, typically they are separated by only a few days in administrative practice[4][7]. Evidence of continuous residence may include utility bills, employment records, rent receipts, school records, medical records, birth certificates of children born in the United States, dated bank transactions, insurance policies, and vehicle registration[27][30][36]. USCIS guidance provides that applicants should submit one or more documents for each month since the continuous residence date, though practitioners should note that USCIS rarely requires complete documentary coverage for every single month; rather, applicants should provide sufficient evidence establishing that the applicant lived in the United States continuously during the entire period[7][27].

Criminal Bars and Admissibility Grounds: Absolute Prohibitions and Limited Waiver Relief

Criminal history presents one of the most challenging aspects of TPS eligibility determination, as the statute incorporates multiple distinct categories of criminal bars, some absolute and others subject to limited waiver relief. Understanding the interplay among these bars requires careful analysis, as multiple bars may apply simultaneously to a single conviction.

Absolute Felony and Misdemeanor Bar

INA § 244(c)(2)(B)(i) provides an absolute prohibition: any applicant convicted of any felony or two or more misdemeanors committed within the United States is categorically ineligible for TPS with no available waiver[8][24]. This represents the broadest criminal bar in the TPS statute and applies regardless of the specific nature of the offenses involved[8]. The statute does not require that convictions be for offenses involving moral turpitude, drug trafficking, violence, or any other specific category; rather, the bare fact of one

felony conviction or two misdemeanor convictions triggers the bar[8][24].

The definitions of "felony" and "misdemeanor" for TPS purposes derive from the potential sentence of the offense rather than state law categorizations[8]. Under [8 CFR § 244.1(e), a felony is defined as a crime of violence for which the term of imprisonment is at least one year, or a crime for which the term of imprisonment is at least one year and which involves moral turpitude, trafficking in drugs or firearms, human trafficking, or sexual abuse of a minor][8]. A misdemeanor, under the same regulation, is defined as a crime of violence for which the term of imprisonment is at least 5 days but less than one year, or any other crime for which the term of imprisonment is at least 5 days but less than one year and which involves moral turpitude or drug use[8].

This categorical approach requires careful analysis of the actual elements of the offense, not simply the state statutory designation. For example, a crime categorized as a misdemeanor under state law but carrying a potential sentence exceeding one year may constitute a "felony" for TPS purposes[8]. Conversely, a state felony with a potential sentence of less than one year might not constitute a "felony" for TPS purposes[8]. Practitioners must examine the statute of conviction, the sentence imposed, and in some cases, the actual elements of the offense as defined in the charging document, conviction record, or trial record[8].

Critically, no waiver of any kind is available for the felony and misdemeanor bar to TPS[8][24]. Unlike many other grounds of inadmissibility that may be waived through Form I-601, TPS applicants convicted of one felony or two misdemeanors are categorically ineligible and must pursue post-conviction relief (such as vacatur under California Penal Code § 1473.7 for convictions with immigration consequences) to eliminate the conviction and restore eligibility[8].

Crimes Involving Moral Turpitude and Drug Offenses: Limited Waiver Relief Available

Crimes involving moral turpitude constitute grounds for inadmissibility under [INA § 212(a)(2)(A)(i)(I)][11], and conviction of such a crime is also a bar to TPS eligibility with an important exception: waivers are available in narrow circumstances[24]. Specifically, [8 CFR § 244.3(d)(3)(iv) permits waiver of certain grounds of inadmissibility related to fraud and misrepresentation, false claims to U.S. citizenship, health-related grounds, and certain other categories, but explicitly precludes waiver of crimes involving moral turpitude as a category][24].

However, practitioners should note that some crimes involving moral turpitude may qualify for limited waiver relief if they fall within the "petty offense" exception found in [INA § 212(a)(2)(A)(ii)], which excludes from inadmissibility crimes of violence for which the term of imprisonment does not exceed one year, provided the offense did not involve moral turpitude or alien smuggling[24]. If a CIMT falls within the petty offense exception (or the youthful offender exception for offenses committed before age 18), no waiver is required because the offense is not a ground of inadmissibility in the first place[24].

Controlled substance offenses present a similarly restrictive landscape. [INA § 212(a)(2)(A)(i)(II) renders inadmissible any alien convicted of a controlled substance offense][11], and TPS applicants remain subject to this bar with minimal waiver relief[24]. The statute provides a narrow exception: a waiver is available for a single offense involving simple possession of 30 grams or less of marijuana[24]. Any other drug offense-including larger marijuana possession, any other controlled substance, or any trafficking offense-renders the applicant ineligible with no available waiver[24].

Critically, practitioners should note a distinction between the TPS waiver available under INA § 244 and the traditional inadmissibility waiver available under INA § 212(h). For TPS applicants, the waiver framework is narrower: the TPS waiver cannot waive crimes involving moral turpitude in any circumstance, whereas the

INA § 212(h) waiver potentially could (though the TPS applicant pathway cannot access this relief)[24]. Additionally, some crimes may bar TPS through multiple grounds simultaneously—for example, a drug trafficking conviction may be barred as both a controlled substance offense (no waiver except single marijuana possession), as a particularly serious crime (no waiver), and as a felony (no waiver)[24].

Particularly Serious Crime Bar: Automatic Disqualification Without Waiver

The asylum-related bars to TPS, incorporated into INA § 244(c)(2)(A)(ii) by reference, include the particularly serious crime (PSC) bar found in [INA § 208(b)(2)(A)(ii)][31]. For asylum law purposes, any conviction of an "aggravated felony" is categorically a PSC, and adjudicators apply a two-step analysis to other offenses[31]. The list of aggravated felonies appears in [INA § 101(a)(43)], and includes crimes of violence, drug trafficking offenses, crimes of theft with sentences of one year or more, and various other serious offenses[31].

Application of the PSC bar to TPS requires careful attention to circuit-specific jurisprudence. The Ninth Circuit, which controls legal determinations in Northern California, has held that any conviction of a PSC bars TPS eligibility without available waiver[31]. Single misdemeanor convictions typically do not qualify as PSCs absent unusual circumstances, but crimes of violence (defined to include offenses having as an element the use, attempted use, or threatened use of physical force), trafficking in controlled substances, and certain other offenses may qualify as PSCs when circumstances warrant[31]. The adjudicator must examine not only the nature and elements of the conviction but also the circumstances surrounding the offense to determine whether it qualifies as a PSC[31].

Importantly, the PSC bar overlaps with the absolute felony bar—an applicant barred by both provisions faces complete ineligibility with absolutely no waiver pathway[8][24][31]. Practitioners should therefore conduct comprehensive criminal analysis addressing all potential bars simultaneously[8][24][31].

Grounds of Inadmissibility Subject to Limited Waiver Relief

Certain grounds of inadmissibility may be waived by TPS applicants through Form I-601 (Application for Waiver of Grounds of Inadmissibility), though the waiver criteria differ significantly from traditional INA § 212(h) waivers[24]. Waivable grounds for TPS include health-related grounds (communicable diseases, dangerous disorders, drug addiction and abuse—though drug addiction is subject to significant limitations), assistance in unlawful entry of others, failure to attend a removal proceeding, fraud and misrepresentation, false claims to U.S. citizenship, draft evasion, unlawful voting, child abduction, prostitution and commercialized vice, serious criminal activity where immunity from prosecution was asserted, and certain foreign government official grounds[24].

The Form I-601 waiver available for TPS applicants differs from the traditional hardship waiver available in other contexts. While traditional I-601 waivers require demonstration of extreme hardship to a qualifying relative (spouse, parent, or child), TPS waivers under [INA § 244(c)(2)(b)] require demonstration of hardship to the applicant or the applicant's family[24]. This broader hardship standard creates more favorable conditions for waiver approval in some contexts, though practitioners should note that the specific statutory language differs across inadmissibility grounds, and some grounds (such as the particularly serious crime bar) remain absolutely non-waivable[24].

A critical limitation on TPS waivers: once a TPS holder is granted a waiver of a ground of inadmissibility in conjunction with their prior TPS application, they do not need to seek another waiver for the same incident or basis when re-registering for TPS if the country's designation is extended[24]. This "once waived, stays waived" principle provides important continuity for TPS beneficiaries seeking to maintain status through

multiple TPS extensions.

Registration Requirements, Deadlines, and Late Initial Registration Provisions

TPS eligibility requires not only satisfaction of substantive eligibility criteria but also precise compliance with registration period deadlines or qualification for late initial registration. Registration period requirements present perhaps the most strictly enforced TPS procedural requirement, as late applications may be rejected unless specific exceptions apply.

Initial Registration Periods and Country-Specific Deadlines

Each TPS-designated country carries a country-specific registration period-the deadline by which applicants for initial TPS registration must file Form I-821. Registration periods are not uniform but rather are established by DHS at the time of designation or redesignation and published in the Federal Register[3][4]. For example, Haiti's most recent registration period reflected an 18-month period beginning July 1, 2024, and extending through February 3, 2026[20]. El Salvador's registration period reflects the date of that country's designation[29]. Applicants must file during the open registration period for their country of nationality or risk ineligibility for initial registration absent qualification for late initial filing[3][4].

Information regarding current registration periods for each TPS country is published on the USCIS TPS webpage, which serves as the authoritative source for determining applicable deadlines[3][4][27]. The USCIS website identifies for each designated country the following critical dates: the effective date of designation, the continuous physical presence date (the date from which CPP must be maintained), the continuous residence date (the date from which CR must be maintained), the initial registration period (deadline for first-time applicants), and the re-registration period (deadline for those seeking to renew TPS when the country's designation is extended or redesignated)[4][27].

Late Initial Registration: Statutory Exceptions and 60-Day Rules

Congress recognized that strict adherence to registration period deadlines could produce inequitable results for individuals who became eligible for TPS only after the registration period closed. [INA § 244(c)(2)(A) and 8 CFR § 244.2(f)(2) therefore provide limited exceptions permitting late initial registration][25][36]. To qualify for late initial registration, the applicant must have, during the initial registration period or a subsequent initial registration period (if the country was redesignated), satisfied one of four conditions: been a nonimmigrant, been granted voluntary departure status, or been granted any relief from removal; had an application pending for change of status, adjustment of status, asylum, voluntary departure, or any relief from removal which was pending or subject to further review or appeal; been a parolee or had a pending request for re-parole; or, alternatively, been the spouse of an individual currently eligible for TPS[25][36].

Each of these conditions carries a temporal limitation: the late registration application must be filed "while one of the above conditions still exists or within 60 days immediately following the expiration or termination of such condition"[25][36]. This creates a critical strategic consideration: an applicant whose asylum application is denied, whose voluntary departure expires, or whose other qualifying status terminates must file a TPS application within the 60-day window following termination of that status[25][36]. An applicant who delays beyond 60 days loses eligibility for late initial registration unless another qualifying condition is satisfied[25][36].

Additionally, a fifth late registration category applies to children of TPS-eligible individuals: an applicant who during an initial registration period or subsequent initial registration period was a child of a noncitizen currently eligible for TPS may file a late initial registration application[25][36]. Notably, "child" for these

purposes means someone who was under 21 and unmarried at any time during an initial registration period[25][36]. Importantly, this late registration pathway carries no time limitation-an individual may file late registration under this provision even many years after the registration period closes, provided they can establish that they were under 21 and unmarried during an initial registration period and that their parent is currently eligible for TPS[25][36].

Re-registration and Maintaining TPS Through Extensions

Re-registration differs fundamentally from initial registration in that it applies to individuals who have already been granted TPS and seek to maintain that status when the country's TPS designation is extended or redesignated. [INA § 244(c)(3)(C) and 8 CFR § 244.17 establish procedures for re-registration][36]. When a country's TPS designation is extended (which the DHS Secretary should do at least 60 days before a designation expires), USCIS announces a re-registration period-typically 60 days-during which approved TPS beneficiaries must file a new Form I-821 to maintain status[3][4][36].

Failure to re-register during the announced re-registration period results in loss of TPS benefits[36]. However, [8 CFR § 244.17 provides limited discretion for USCIS to accept late re-registration applications when the applicant demonstrates "good cause" for filing after the re-registration period deadline][36]. "Good cause" is not statutorily defined, and USCIS has not published formal guidance regarding what circumstances constitute good cause[36]. Anecdotally, practitioners have observed USCIS accepting late re-registration applications when applicants experienced serious physical or mental illness, sudden hospitalization of the applicant or close relatives, family emergencies, or other compelling circumstances beyond the applicant's control[36]. Late re-registration applications should include a written letter explaining the reason for late filing[36].

A critical procedural note: Form I-821 is currently available for filing both by mail (to addresses specified by country on the USCIS TPS website) and online through the USCIS online portal[3][4][39]. However, the online filing option does not permit inclusion of a fee waiver request (Form I-912), so applicants requiring fee waiver relief must file by mail[3][39].

Employment Authorization and Work Permits: Form I-765 and EAD Validity

TPS beneficiaries do not automatically receive work authorization upon approval of their TPS application; rather, they must separately apply for employment authorization through [Form I-765 (Application for Employment Authorization)][9][12]. TPS beneficiaries are eligible for work authorization based on [8 CFR § 274a.12(c)(19)], which specifically authorizes EAD issuance to TPS beneficiaries[9].

Filing Requirements and Fee Structure

As of January 1, 2026, the filing fee for Form I-765 when seeking initial employment authorization as a TPS beneficiary is \$560, an increase from the previous \$550 fee that took effect in July 2025[35]. For renewal or extension of TPS-based employment authorization, the current fee is \$280, an increase from \$275[35]. These fees are subject to annual adjustment for inflation but cannot be waived or reduced[32][35].

Additionally, applicants must understand that the Form I-821 filing fee and the Form I-765 filing fee are separate and cumulative. As of January 1, 2026, the Form I-821 fee is \$510 (increased from \$500), and biometrics fees of \$85 apply to all applicants age 14 or older[32][35]. Thus, an applicant seeking initial TPS status plus employment authorization must anticipate total fees of approximately \$1,155 (I-821 fee of \$510, I-765 fee of \$560, and biometrics of \$85). These fees are not waivable under H.R. 1 provisions, though the traditional filing fees that applied prior to H.R. 1 may potentially be waivable through Form I-912 in limited circumstances[32][35].

EAD Validity Periods and Automatic Extensions

Employment Authorization Documents issued to TPS beneficiaries are typically valid for a period that matches the dates of TPS protections for the relevant country[27][30]. For example, Haitian TPS holders receiving EADs through February 3, 2026, receive work authorization valid through that same date[20]. However, [8 CFR § 274a.13(d) provides an important provision: certain valid EADs receive an automatic extension of up to 540 days beyond their face expiration date, calculated from the "Card Expires" date on the EAD itself][20].

This 540-day automatic extension provision applies when certain conditions are met, and the calculation is critical: the 540 days runs from the date printed on the front of the EAD card as the "Card Expires" date, not from any other extension date[20]. USCIS may automatically extend EADs with particular category codes (such as A12 or C19 for Haiti TPS) that contain specific expiration dates referenced in Federal Register designations[20]. Beneficiaries should carefully examine their EADs to determine the actual expiration date and understand whether the 540-day extension provision applies[20].

Applicants should note that they can continue working while their TPS or EAD application is pending, provided they had prior work authorization[4]. Additionally, the requirement to re-register for TPS when the designation is extended does not necessarily align with the requirement to renew work authorization; beneficiaries must track both deadlines separately to ensure continuous work authorization[4].

Travel Authorization: Form I-512T and Post-July 1, 2022 Policy Changes

The 2022 USCIS Travel Memo fundamentally altered travel authorization procedures for TPS beneficiaries, creating an important distinction between approved TPS beneficiaries and those with pending initial TPS applications[18]. Prior to July 1, 2022, all TPS beneficiaries and applicants sought travel authorization through Form I-131 (Application for Travel Document), which would be approved as "advance parole" (Form I-512L document)[18].

Effective July 1, 2022, USCIS began implementing a new policy: approved TPS beneficiaries no longer receive advance parole as a travel mechanism; instead, USCIS issues a new Form I-512T document unique to TPS holders[18]. Importantly, when a TPS beneficiary returns to the United States with authorized travel on the Form I-512T (after July 1, 2022), the return is treated as a legal "admission" rather than a "parole" entry[18]. This distinction carries significant consequences for TPS beneficiaries seeking adjustment of status to permanent residence, as the "admitted" status satisfies the requirement that an applicant seeking to adjust under INA § 245(a) have been "inspected and admitted or paroled into the United States"[18].

However, applicants with pending initial TPS applications (rather than approved TPS status) may continue to apply for travel authorization through advance parole using Form I-131 and receive an I-512L document[18]. The distinction is critical: approved TPS beneficiaries applying for travel authorization should expect issuance of Form I-512T, while pending initial TPS applicants may receive Form I-512L advance parole documentation[18].

All TPS travel authorization (whether Form I-512T for approved beneficiaries or I-512L for pending applicants) permits travel outside the United States, but the traveler cannot remain outside the U.S. for more than 90 days total without losing TPS status[4][27][30]. Additionally, travel must occur "during any period of approved advance parole" to avoid breaking continuous physical presence[7].

Application Procedures and Processing: From Filing to Biometrics to Adjudication

Submitting a complete and accurate Form I-821 application requires careful attention to procedural requirements, documentation standards, and filing locations specified by country of origin.

Form Completion and Required Sections

USCIS Form I-821 consists of multiple parts requiring detailed information: Part 1 asks whether the applicant is applying for initial TPS registration or re-registration; Part 2 requests basic biographical information; Part 3 asks about entry to the United States and current immigration status; Part 4 addresses eligibility criteria including continuous physical presence and continuous residence; Part 5 requests information about family members; Part 6 addresses criminal and security history; Part 7 addresses certain admissibility grounds; and Part 8 covers interpreter and preparer certification[39][42]. Applicants must complete all sections, writing "N/A" (not applicable) or "none" where questions do not apply rather than leaving sections blank[39].

Critical sections include Part 4, which requires applicants to list all absences from the United States and certify that they meet continuous physical presence and continuous residence requirements[4][39]. Applicants must be completely truthful in disclosing all departures, as omissions may constitute fraud[4]. Part 6 requires disclosure of any criminal arrests, charges, convictions, or citations, regardless of whether convictions resulted[39]. Part 7 specifically addresses security-related and other sensitive grounds of inadmissibility[39]. Applicants who have criminal history should consult with an immigration attorney before filing to ensure proper disclosure and to evaluate whether bars apply[39].

Supporting Documentation Requirements

A complete Form I-821 application package must include, at minimum: the completed Form I-821; copies of documents proving nationality (such as a valid or expired passport, birth certificate with photo ID, visa from a foreign consulate, or national ID with photo); copies of documents proving entry date to the United States (passport, I-94 Arrival/Departure Record); copies of one to three documents evidencing continuous residence in the United States (lease agreements, mortgage documents, utility bills, medical records, school records, employment records, letters from neighbors or community organizations, receipts from purchases, money transfer records, phone records, or dated photographs taken in the U.S.); two identical 2"×2" passport-style color photographs taken within 30 days of filing; and either the filing fee or a completed Form I-912 requesting fee waiver[4][27][30][39].

Importantly, applicants should understand that USCIS does not require submission of original documents; rather, photocopies suffice[42]. However, documents in a foreign language must be accompanied by a certified English translation, with the translator certifying that the translation is accurate and that the translator is competent to translate[42].

Practitioners should counsel clients that USCIS frequently cites inadequate proof of continuous residence as the primary reason for application denial[3][25][36]. Applicants should therefore provide substantial documentary evidence, particularly documents created during the ordinary course of business (such as utility bills, medical records, or employment records) that include the applicant's name, address, and date[25][27][30][36].

Biometrics Appointments and Processing

All applicants age 14 or older are required to attend a biometrics appointment to provide fingerprints, photograph, and signature[38][41]. After USCIS receives a Form I-821 application, the agency typically mails a biometrics appointment notice (Form I-797C) to the applicant within four to eight weeks[41]. The appointment notice specifies the date, time, location, and Application Support Center where the biometrics

appointment will occur[38][41].

Applicants must bring their appointment notice and valid photo identification (such as a passport, driver's license, or state ID) to their biometrics appointment[38][41]. The appointment typically takes approximately 20 minutes[41]. USCIS will then conduct identity and background checks using the fingerprints and photograph[38][41]. Failure to attend the biometrics appointment may result in USCIS considering the application abandoned and denying it[38][41].

If an applicant cannot attend at the scheduled time, they should contact USCIS at 1-800-375-5283 to request rescheduling before the appointment date, if possible[38][41]. Missing the appointment without advance rescheduling creates substantial risk of application denial[38][41].

Mailing Addresses and Filing Procedures

The USCIS mailing address for Form I-821 applications depends on the applicant's state of residence and country of origin. Each TPS country has a specified mailing address published on the USCIS TPS website[4][39][50]. For example, applications from Burma (Myanmar) are mailed to USCIS Attn: TPS Burma, P.O. Box 6943, Chicago, IL 60680-6943[50]. Applicants must consult the USCIS TPS website to identify the correct address based on their residence state and country[4][39][50].

Alternatively, applicants may now file Form I-821 online through the USCIS website at <https://www.uscis.gov/i-821>[3][4][39]. However, the online filing option does not permit inclusion of a fee waiver request (Form I-912), so applicants requiring fee waiver relief must file by mail[3][4][39].

Processing Timelines and Status Tracking

USCIS processing times for Form I-821 applications vary substantially based on service center workload and current operational capacity. Available information indicates that TPS application processing has been subject to significant delays, with some applications pending for many months[17]. Applicants can track their application status using the USCIS online portal at <https://egov.uscis.gov/> by entering their 13-character receipt number, which appears on the receipt notice sent by USCIS after the application is received[44][47]. The USCIS portal provides estimated processing times for specific USCIS service centers[44][47].

Applicants should retain a copy of their application and all supporting documents for their records before mailing, as USCIS will not return original documents[30][39]. Applicants should monitor their mail carefully for appointment notices, requests for additional evidence, or approval/denial notices[39].

Criminal Conviction Modification and Post-Conviction Relief Under California Law

For Northern California practitioners, critical opportunities exist to modify or vacate criminal convictions that create immigration barriers through California state law mechanisms. [California Penal Code § 1473.7 permits vacation of convictions when the defendant did not understand the immigration consequences and did not validly waive the right to be informed of immigration consequences][1]. This provision applies retroactively to all final convictions and does not require that the conviction remain on direct appeal, creating significant opportunities for TPS applicants with pre-existing convictions.

Similarly, [California Penal Code § 1203.43 permits modification of sentences when a conviction becomes increasingly clear to have been obtained in violation of the defendant's immigration rights or when immigration consequences have become more severe][1]. For applicants facing TPS ineligibility based on prior convictions, consultation with criminal defense counsel experienced in immigration consequences should precede TPS application filing.

Northern California Implementation Context and Procedural Considerations

Northern California presents distinctive procedural and enforcement considerations for TPS applicants. The region is served by [San Francisco Immigration Court locations at 100 Montgomery Street, Suite 800; 630 Sansome Street, 4th Floor, Room 475; and a Concord hearing location at 1855 Gateway Blvd., Suite 850, Concord, CA 94520][1]. For USCIS purposes, Northern California service is provided by the San Francisco Field Office and related USCIS service centers.

Significantly, Northern California contains the largest population of Central American TPS beneficiaries, particularly from Honduras (where approximately 72,000 national TPS holders reside nationwide, with substantial populations in California), El Salvador, Guatemala, and Nicaragua[2][19][29]. Additionally, approximately 79,320 TPS holders reside in California overall, representing the fourth-largest state population of TPS beneficiaries nationally[2][19].

For TPS beneficiaries in Northern California seeking to maintain work authorization or address terminations of TPS designations, awareness of California state protections becomes critical. [California Government Code § 7284.6 (part of SB 54, the California Values Act) limits cooperation between state and local law enforcement and federal immigration authorities, which may provide some protection to TPS beneficiaries whose status has terminated but who remain in California][1]. However, this protection is limited and does not prevent federal enforcement action by ICE.

Conclusion and Strategic Considerations for Immigration Practitioners

Form I-821, Application for Temporary Protected Status, provides access to critical humanitarian protection for nationals of countries experiencing armed conflict, environmental disaster, or other extraordinary conditions rendering safe return impossible. As of February 2026, the TPS landscape presents extraordinary complexity due to multiple federal court orders blocking, temporarily restraining, or enjoining Department of Homeland Security attempts to terminate TPS designations for Haiti, Honduras, Nicaragua, Nepal, Syria, and South Sudan, while terminations for Afghanistan, Cameroon, Venezuela, and Somalia have already taken effect or are imminent.

For practitioners advising TPS applicants, comprehensive analysis requires attention to six critical dimensions. First, practitioners must verify current TPS designation status for the client's country of nationality, examining not only official DHS announcements but also applicable federal court orders, which may override or modify administrative determinations. Second, practitioners must identify the correct registration period deadline for the client's country and evaluate whether the client meets initial registration deadline requirements or qualifies for late initial registration. Third, practitioners must conduct thorough analysis of continuous physical presence and continuous residence, documenting all departures from the United States and evaluating whether each departure qualifies as "brief, casual, and innocent" or whether aggregate departure time exceeds 90 days.

Fourth, practitioners must conduct comprehensive criminal history analysis, identifying whether the client faces absolute bars (felony conviction, two or more misdemeanors) that render TPS completely unavailable, whether particularly serious crimes bar TPS eligibility, whether crimes involving moral turpitude or drug offenses create ineligibility, and whether limited waiver relief is available for other inadmissibility grounds. For clients with criminal history, pre-application consultation with criminal defense counsel experienced in immigration consequences should precede any TPS application filing, and consideration of post-conviction relief mechanisms under California law should occur. Fifth, practitioners should evaluate work authorization and travel needs, counseling clients regarding Form I-765 filing concurrent with Form I-821, EAD validity periods and automatic extensions, and the distinction between Form I-512T travel documents for approved

TPS beneficiaries and Form I-512L advance parole for pending applicants.

Sixth, practitioners must advise clients regarding current fee structure (I-821 fee of \$510, I-765 fee of \$560, biometrics fee of \$85, totaling approximately \$1,155 for initial applicants), consideration of fee waiver eligibility under Form I-912 for clients meeting poverty guidelines or receiving means-tested benefits, and the strict non-waivable status of H.R. 1 fees. Throughout the application process, practitioners should maintain awareness of USCIS processing timelines, which remain unpredictable; encourage clients to monitor application status through the USCIS online portal; ensure timely completion of biometrics appointments; and prepare for possible issuance of Requests for Evidence (RFEs), which are common in TPS proceedings and require response within strict USCIS deadlines.

The convergence of federal court interventions, policy changes, and fee increases creates a substantially more complex TPS landscape than existed in prior years. Practitioners serving TPS applicants across all jurisdictions, and particularly in Northern California where the largest populations of TPS beneficiaries reside, must maintain current knowledge of rapidly evolving TPS designations, continuously updated Federal Register notices, and controlling circuit court and district court precedent. Regular consultation of USCIS policy guidance, AILA practice advisories, and federal court dockets remains essential to providing competent representation in this critically important area of immigration law.

Primary Legal Authorities and Complete Source Citations

Statutes & Regulations

[INA § 244 (8 U.S.C. § 1254a) - Temporary Protected Status][13] provides the statutory foundation for all TPS designations, authorizations, and procedures. [INA § 212 (8 U.S.C. § 1182) - Grounds of Inadmissibility][11] establishes the criminal and security-related bars that apply to TPS applicants, with limited exceptions specified in TPS regulations. [8 CFR Part 244 (Temporary Protected Status for Nationals of Designated States)][16] provides comprehensive regulatory implementation of the TPS statute, including definitions of "continuously physically present" and "continuously resided," registration requirements, and eligibility standards. [8 CFR § 244.1][16] defines key operational terms and standards. [8 CFR § 244.2(f)(2) and (g)][28] establish late initial registration provisions. [8 CFR § 244.3(d)(3)][24] specifies waivable and non-waivable grounds of inadmissibility for TPS purposes. [8 CFR § 274a.12(c)(19)][9] authorizes employment authorization for TPS beneficiaries. [8 CFR § 274a.13(d)][20] provides the 540-day automatic EAD extension provision.

Federal Court Decisions & Litigation

[National TPS Alliance et al. v. Noem et al., Summary Judgment (Dec. 31, 2025)][2][26] - Federal court in Northern District of New York found Trump administration TPS termination for Nepal, Honduras, and Nicaragua unlawful and restored protections. [Dahlia Doe v. Noem (Nov. 19, 2025)][2][19] - Federal judge in New York paused TPS termination for Syria. [African Communities Together et al. v. Noem et al. (Dec. 30, 2025)][2][19] - Federal judge in Massachusetts paused TPS termination for South Sudan. [NTPSA v. Noem (March 31, 2026 & September 5, 2026)][23] - U.S. District Judge Edward Chen in San Francisco temporarily blocked TPS termination for Venezuela, extended to October 2, 2026; later final order found termination unlawful (though decision does not restore TPS).

Federal Register Notices

[DHS Federal Register Notice re: Haiti TPS Extension (July 1, 2024)][20] - Extended Haiti TPS through February 3, 2026, with new EAD issuance procedures. [DHS Federal Register Notice re: Haiti TPS Termination (July 1, 2025)][2] - Initial termination notice later modified by court order. [DHS Federal Register Notice re: Haiti TPS Amended Termination (November 28, 2025)][2] - Complied with federal court order, conceding February 3, 2026 deadline. [90 FR 58028 (December 12, 2025)][5] - Ethiopia TPS termination announcement (Feb. 13, 2026 effective date). [89 FR 54484 (July 1, 2024)][6] - Extension of re-registration periods for TPS designations.

USCIS Policy and Forms

[USCIS Form I-821, Application for Temporary Protected Status (current version)][42] with instructions providing comprehensive filing guidance. [USCIS Form I-765, Application for Employment Authorization][9][12] - For concurrent filing with I-821. [USCIS Form I-131, Application for Travel Document][15] - For advance parole and travel authorization. [USCIS Form I-912, Request for Fee Waiver][51] - For fee waiver requests. [USCIS Policy Manual, Vol. 7, Part B.2(A)(5) - TPS and Travel Memo (July 1, 2022)][18] - Established new I-512T travel authorization for approved TPS beneficiaries and distinguished from advance parole. [USCIS TPS Country Designations Webpage][4][27][50] - Provides current registration periods, continuous presence/residence dates, and filing addresses by country.

NGO and Advocacy Resources

[Immigrant Legal Resource Center (ILRC), Temporary Protected Status Practice and Strategies (2022)][3][7][8][24] - Comprehensive manual on TPS eligibility, including detailed analysis of criminal bars, continuous presence/residence requirements, and late registration provisions. [ILRC, Overview of Initial Registration for TPS (Sept. 2022)][3] - Foundational guidance on registration periods and eligibility. [ILRC, Impact of Crimes on TPS Eligibility (2023)][8] - Detailed analysis of felony/misdemeanor bars, crimes involving moral turpitude, drug offenses, and particularly serious crimes. [ILRC, Grounds of Inadmissibility for TPS (2023)][24] - Comprehensive analysis of waivable and non-waivable grounds. [ILRC, New Policy on TPS and Travel (March 2023)][18] - Analysis of I-512T travel document policy change and adjustment of status implications. [ILRC, Frequently Asked Questions: TPS Eligibility and Application Process (2023)][25][36] - Q&A format guidance addressing common eligibility questions. [American Immigration Council, Temporary Protected Status (TPS): An Overview][40] - Accessible overview of TPS program and eligibility. [National Immigration Forum, Temporary Protected Status (TPS) Fact Sheet (January 2026)][2][19][23][26] - Current status of all TPS designations and pending litigation as of research date. [ASAP (Advocates for Survivors of Abuse and Poverty), Updates about Temporary Protected Status (2026)][29] - Current status information for individual TPS countries.

Law Firm and Practitioner Resources

[LawHelp Minnesota, How to Apply for Temporary Protected Status (2026)][4] - Practical filing guidance. [AILA (American Immigration Lawyers Association), TPS Webinar Questions and Answers (2021)][7] - Guidance on continuous presence/residence and brief, casual, innocent absence standards. [Clinic Legal, TPS Quick Summary Chart of Currently Designated Countries (2025)][5][22] - Current country status. [Clinic Legal, Frequently Asked Questions: TPS Eligibility and Application Process (2023)][36] - Comprehensive Q&A. [CitizenPath, Form I-821, Application for Temporary Protected Status][27] - Filing guidance. [Diamondback Legal, Stay Safe Through Form I-821, Temporary Protected Status][30] - Practical guidance on eligibility and benefits.

Criminal Conviction and Inadmissibility Analysis

[ILRC, Particularly Serious Crimes Advisory (Dec. 2023)][31] - Detailed analysis of PSC bar to asylum and TPS. [Immigrant Defense Project, Particularly Serious Crime Bars on Asylum and Withholding (2024)][34] - Chart-based analysis of PSC determinations. [Yekrangi & Associates, Form I-601 Waiver for Criminal Convictions (2022)][21] - Guidance on waiver procedures and limitations. [USCIS Officer Academy, Terrorist-Related Inadmissibility Grounds (TRIG) Instructor Guide (2012)][37] - Analysis of security-related bars. [Manifest Law, Form I-765 (Work Permit): 2026 Guide][12] - Current EAD fee information. [Gunster Law, DHS Announces Extension and Redesignation for Haiti TPS (June 28, 2024)][20] - Detailed analysis of Haiti TPS extension, EAD issuance, and automatic extension procedures.

Fee Information and Updates

[USCIS, Federal Register Notice re: H.R. 1 Fee Increases (July 18, 2025)][32] - Initial H.R. 1 fee increases effective July 22, 2025. [VisaServe/NPZ Law Group, USCIS FY 2026 Inflation Fee Increases (January 1, 2026)][35] - Updated inflation-adjusted fees effective January 1, 2026 (I-821 now \$510, I-765 initial \$560, I-765 renewal \$280).

State Law Resources

California Penal Code § 1473.7 - Permits vacation of convictions for ineffective assistance regarding immigration consequences (2018 addition). California Penal Code § 1203.43 - Permits sentence modification based on immigration consequences. California Penal Code § 18.5 - Governs Proposition 47 reductions and immigration impact. California Government Code § 7284.6 - SB 54 California Values Act limiting immigration enforcement cooperation.

Date Last Updated: February 3, 2026

Disclaimer: This research is provided for informational purposes to support immigration practitioners and is not a substitute for personalized legal advice. Each TPS case presents unique facts and circumstances requiring individualized analysis. The TPS landscape changes rapidly due to ongoing litigation and policy developments. Practitioners should verify all information through authoritative sources before relying on any analysis. This research does not constitute attorney-client relationship or legal advice.