



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 35936592

Date: FEB. 18, 2025

Appeal of Potomac Service Center Decision

Form I-821, Application for Temporary Protected Status

The Applicant, a national of Venezuela, who was previously granted Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254a, seeks to re-register his status.

The Director of the Potomac Service Center denied the re-registration request, concluding that the Applicant's Form I-821, Application for Temporary Protected Status (Form I-821) was incomplete because he did not answer several questions in Part 7 of the Form I-821.

On appeal, the Applicant asserts that he misunderstood the directions in the Notice of Intent to Deny (NOID) and submitted the cover sheet only online rather than by mail as instructed in the NOID.

The Applicant bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will withdraw the Director's decision and remand the matter for entry of a new decision consistent with the following analysis.

Individuals who had been granted TPS must thereafter periodically re-register their status during registration periods announced by U.S. Citizenship and Immigration Services (USCIS). 8 C.F.R. § 244.17(a). To re-register, applicants must complete the Form I-821, and submit all documentation as required in the instructions or as requested by USCIS. 8 C.F.R. §§ 244.6(a), 244.9(a). Form I-821 instructions specify that some questions on the form cannot be left blank and must have a response. See Instructions for Form I-821, <https://www.uscis.gov/i-821>. The instructions provide that all questions in Part 7, Eligibility Standards, must be answered. *Id.* Because the Applicant did not initially answer questions 9c., 13a – d and 14b. in part 7 of the Form I-821, the Director issued the NOID instructing the Applicant to submit a new completed Form I-821 by a specific date to correct this deficiency. In response, the Applicant submitted the NOID coversheet only. The Director determined the Applicant did not demonstrate eligibility for TPS and denied the re-registration request.

On appeal, the Applicant submits a completed Form I-821. He explains that he did not intentionally omit information on the Form I-821 when he initially filed, and that he misunderstood the instructions

in the NOID. He states that he has properly registered for TPS in the past and asks for a favorable decision on the instant re-registration request.

The record now contains a completed and signed Form I-821 and includes answers to all required questions, as provided in the form instructions. Because the Director did not have the opportunity to review this information, we will return the matter for the Director to adjudicate the Applicant's TPS re-registration filing on the merits. The Director may ask for any additional evidence deemed necessary to determine whether the Applicant continues to meet eligibility criteria for TPS and to process the application.

ORDER: The Director's decision is withdrawn. The matter is remanded for the entry of a new decision consistent with the foregoing analysis.