



U.S. Citizenship
and Immigration
Services

Non-Precedent Decision of the
Administrative Appeals Office

In Re: 22894790

Date: NOV. 2, 2022

Appeal of Potomac Service Center Decision

Form I-821, Application for Temporary Protected Status

The Applicant, a national of Venezuela, seeks Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254a.

The Acting Director of the Potomac Service Center denied the TPS request, concluding that the Applicant did not sufficiently respond to the request for evidence (RFE) asking her to submit, in part, a completed and signed Form I-821.

On appeal, the Applicant submits a copy of a signed Form I-821, but does not provide any explanation or statements for us to consider.

The burden of proof in these proceedings rests solely with the Applicant. Section 291 of the Act, 8 U.S.C. § 1361. Upon *de novo* review, we will dismiss the appeal because the Applicant has not met this burden.

All TPS applicants must complete Form I-821 in accordance with the form instructions and submit all documentation as required in the form instructions or requested by USCIS. 8 C.F.R. § 244.17(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 answer question 27 in Part 7 of her Form I-821 (“Do you **NOW** practice polygamy?”) the Director issued an RFE asking the Applicant to submit a completed Form I-821 with her original signature to certify that she answered all of the questions herself. The Applicant did not include a completed Form I-821 with her RFE response, and the Director denied the TPS request concluding that the Applicant therefore did not establish eligibility for such status.

Although the Applicant submits a copy of a Form I-821 on appeal with an answer to question 27 in Part 7 of the form she has not answered questions 20.e. through 22 in Part 7, leaving them blank. In addition, while the Applicant answered “Yes” to question 1.c. in Part 7 (“Have you **EVER** traveled to and entered another country, other than the one listed in **Item Number 1.a.** before you entered the United States?”) she did not provide the required information in item numbers 2. through 5. about the specific countries to which she traveled, and the timing of her travel and residence in those countries.

Consequently, the Applicant has not overcome the reason for the denial of her TPS request, and her application remains denied.¹

ORDER: The appeal is dismissed.

¹ We note that after filing the instant appeal the Applicant filed a second Form I-821, which is pending at this time.