



One-Year Asylum Filing Deadline Exception for Parolees and TPS Holders

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The law requires asylum seekers to file an application for asylum within one year of arrival in the United States unless they can establish eligibility for an exception. Generally, applicants who can demonstrate “extraordinary circumstances” qualify for an exception to the one-year filing deadline and may file an asylum application later than one year after arrival.

- Extraordinary circumstances are [defined](#) as “events or factors directly related to the failure to meet the one-year deadline.” A situation [the law](#) recognizes as an extraordinary circumstance is when, “the applicant maintained Temporary Protected Status, lawful immigrant or nonimmigrant status, or was given parole, until a reasonable period before filing of the asylum application.”
- [USCIS guidance](#) explains, “Generally, maintaining valid status or parole until a reasonable period before the filing of the asylum application will be considered an extraordinary circumstance. **If you were granted valid status or parole within one year or the date of your last arrival in the United States and you applied for asylum within a reasonable period of time of the expiration of your valid status or parole, generally this extraordinary circumstance would apply to you.**”

This means that parolees and TPS holders qualify for an exception to the one-year filing deadline and can file an asylum application beyond one year from arrival into the United States.

- ***This does not mean that you should wait file your asylum application. If you plan to file for asylum, get started as soon as possible.*** We strongly recommend submitting your asylum application with the assistance of a lawyer who can consult with you about the best choices for your unique situation.
- Note that the exception only applies to people who have maintained their status or parole. Afghans who arrived through the evacuation have [conditions on their parole](#) including completing medical evaluation, vaccinations, and attestation, if not completed at camp or Safe Haven, and reporting changes of address by filing [Form AR-11](#). Those on parole should also ensure that they abide by all applicable state and local laws.

Please note this flyer only provides general information on complex legal issues. Contact LIRS’s APA Immigration Legal Advisors at apalegal@lirs.org for specific questions or additional information.