

## USCIS Response to Coronavirus 2019 (COVID-19)



Official Website of the Department of Homeland Security  
[Here's how you know](#) ▾

[Español](#)

U.S. Citizenship  
and Immigration  
Services

[Menu](#)[Search our Site](#)

# USCIS Updates Policy Guidance Regarding Temporary Protected Status and Eligibility for Adjustment of Status

Release Date : 10/06/2020

USCIS today issued policy guidance in the [USCIS Policy Manual](#) clarifying whether temporary protected status (TPS) beneficiaries are eligible for adjustment of status under section 245(a) of the Immigration and Nationality Act (INA). INA 245(a) requires an alien to have been inspected and admitted or inspected and paroled into the United States, unless exempt from this requirement.

The updated guidance reaffirms USCIS' long-standing interpretation that an alien who enters the United States without having been inspected and admitted or inspected and paroled, and who is subsequently granted TPS, generally does not meet that requirement.

The updated guidance also incorporates *Matter of Z-R-Z-C-*, which held that generally TPS beneficiaries who travel outside the United States with prior authorization under INA 244(f)(3) retain the same status when they return to the United States that they had when they departed. If they were not considered inspected and admitted or inspected and paroled before their departure, that will not change when they return.

This updated policy guidance clarifies that decisions in the Sixth and Ninth Circuits holding that TPS is an admission for INA 245(a) purposes are limited to those jurisdictions. Outside of the Sixth and Ninth Circuits, *Matter of H-G-G-*, 27 I. & N. Dec. 617, 635 (AAO 2019), applies.

Last Reviewed/Updated: 10/06/2020



U.S. Citizenship and  
Immigration Services