



U.S. Citizenship and Immigration Services

Green Card for a Haitian Refugee

Under the Haitian Refugee Immigration Fairness Act (HRIFA), enacted by Congress on Oct. 21, 1998, certain nationals of Haiti who had been residing in the United States could become permanent residents (get a Green Card). Principal applicants wishing to apply for permanent residence under HRIFA had until March 31, 2000 to file for adjustment of status.

Although the filing period has closed for principal applicants, dependents of the principal filer may continue to apply for a Green Card under the HRIFA provisions.

Eligibility Criteria

You may be eligible to get a Green Card through the HRIFA provisions if you:

- Are a national of Haiti
- Qualify as a dependent applicant under HRIFA (see below)
- Are admissible to the United States
- Have been continuously present in the United States since Dec. 31, 1995 (This requirement only applies to unmarried sons or daughters over the age of 21 of the principal applicant.)
- Are physically present in the United States when the application is filed

Eligibility as “Spouse” of HRIFA Principal Applicant

You may qualify as a dependent applicant if you meet the eligibility criteria above and you are the spouse of a principal applicant. Your relationship to the principal applicant must have been created prior to the date on which the principal applicant becomes or became a permanent resident.

Eligibility as “Child” of HRIFA Principal Applicant

You may qualify as a dependent applicant if you meet the eligibility criteria above and you are the “child” of a principal applicant. You must be unmarried and under the age of 21 in order to qualify as the principal applicant’s “child.” Your relationship to the principal applicant must have been created prior to the date on which the principal applicant becomes a permanent resident.

Please also be aware that you will become ineligible for permanent residence as the “child” of a principal applicant if your case is not decided before your 21st birthday. If you are approaching your 21st birthday, please file your Application for Adjustment of Status, Form I-485, as soon as possible and write “expedite” on your mailing envelope and application form.

Eligibility as “Unmarried Son or Daughter” of HRIFA Principal Applicant

You may qualify as a dependent applicant if you meet the eligibility criteria above and you are the unmarried son or daughter (over the age of 21) of a principal applicant. To apply as the unmarried son or daughter, you must have been physically present in the United States for a continuous period beginning not later than Dec. 1, 1995, and continuing until your adjustment application is approved. Your relationship to the principal applicant must have been created prior to the date on which the principal applicant becomes or became a permanent resident.

Application Process

To apply for a Green Card, you will need to file [Form I-485, Application to Register Permanent Residence or Adjust Status](#). You will need to use the HRIFA Supplement to Form I-485 Instructions, I-485 Supplement C, to help you complete the application.

Supporting Evidence for the Form I-485

The following evidence should be submitted with Form I-485:

- Two passport-style photos
- Copy of government issued photo identification
- Copy of birth certificate
- Copy of passport page with nonimmigrant visa (if applicable)
- Copy of passport pages with admission (entry) or parole stamps (if applicable)
- Copy of Form(s) I-94, Admission/Departure Record (if applicable)
- Evidence of Haitian citizenship or nationality
- Evidence of your family relationship (spousal or parent-child) to the principal applicant. [This relationship must have existed at the time the principal applicant was granted adjustment of status and continue to exist up until you are granted adjustment of status.]
- Evidence of continuous physical presence in the United States since Dec. 31, 1995 (if you are an unmarried son or daughter 21 years or older of a HRIFA principal) along with a statement providing your last arrival in the U.S. before Dec. 31, 1995, all departures and arrivals from the United States up until present, with the reason for each departure and the date, manner, and place of each return to the United States
- Form I-693, Report of Medical Exam and Vaccination Record
- Police clearances from each municipality where you have resided after your 14th birthday and for six months or longer since arriving in the U.S.
- Certified copies of court records (if you have ever been arrested)
- Applicable fees

NOTE: When completing your application for adjustment, you must check Block H in part 2 of the Form I-485 and write in whichever category is appropriate in the space provided: HRIFA Dependent – Spouse; HRIFA Dependent -Child under 21 years old; HRIFA Dependent – Unmarried son or daughter.

Work and Travel Authorization

You may request authorization to work in the United States if your Form I-485 application has been pending for more than 180 days. However, work authorization may be granted earlier if your application for adjustment of status is supported by evidence that is verified by USCIS from its records. To learn more about work authorization, including how to apply, see our [Work Authorization](#).

You may also request travel authorization while your Form I-485 is pending. You must file a request for advance parole authorization with USCIS and have that request approved prior to travel or your Form I-485 will be considered abandoned at the time of your departure from the United States. To learn more about Travel Authorization please visit our [Travel Documents](#) page.

If you are a principal applicant filing a Request for Advance Parole, Form I-131, for a dependent child outside of the United States, please file as early as possible. The request for advance parole must be processed and the travel document issued in a sufficient amount of time to allow:

- Your dependent to travel to the United States
- Your dependent to file a HRIFA adjustment application (Form I-485)
- USCIS to completely adjudicate the application before your dependent's 21st birthday

Last Reviewed/Updated: 11/27/2017