Advance Parole Information for DACA Beneficiaries
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What is advanced parole?
Advance Parole is a travel document issued by the U.S. Citizenship and Immigration Services (USCIS) which allows noncitizens or immigrants to leave the U.S. and return lawfully. DACA recipients may apply for advance parole under one of three categories which include humanitarian, educational, or employment purposes.

How can you apply?
Complete and file Form I-131: Application for Travel Document with USCIS. To submit your travel permit request to the U.S. government, this form must be completed and signed.

You can complete this form online by creating a MyUSCIS account or on paper by downloading, printing, and completing Form I-131 from the USCIS website. It is important to note that USCIS determines eligibility on a case-by-case basis.

What do I need for the application?
Material needed for the supporting documents for Form I-131 include:

- Your Alien Registration Number (A Number)
- Two passport-style photos
- Documentation issued by USCIS showing the validity of your current immigration status. This could be an approval or receipt notice like Form I-797
- Photocopy of a government-issued identification document (ID). This ID must include your name, date of birth, and a photo. Acceptable forms of an ID include a passport, drivers license, and employment authorization document (EAD)
- A copy of your most recent DACA Approval Notice (USCIS Form I-797)
- Detailed evidence and reason explaining the reasons for travel. The reasons for traveling can be explained with a Declaration of Support Letter
- $575 for the filing fee
- A cover letter summarizing the documents included in your application and explaining the purpose of your request to travel
Once the form, supporting documents, and the filing fee are gathered, you may submit your completed Form I-131 to USCIS by mail or online. It can take the USCIS 5 to 18 months to process the Advance Parole application depending on their current timeline. Once you’ve submitted your application, you cannot leave the U.S. until you receive the physical travel document. If you are not traveling for emergency reasons, you should submit your application more than six months before the desired date of travel. Processing times can be unpredictable and vary depending on different situations.

If you have lived in the U.S. without status for any period of time, you should always consult an immigration lawyer before traveling abroad.

“Please note, all individuals returning to the United States are still subject to immigration inspection at a port of entry. We encourage you to consult with an immigration attorney or DOJ-accredited representative before traveling abroad.”

**How much does the application cost?**

The cost for Form I-131 is a $575 filing fee. If you cannot afford this fee, you might be able to apply for a fee waiver by filing Form I-912.

To pay this fee, you can use a money order, personal check, cashier’s check, or credit card. If you’re using a credit card, you also must file Form G-1450: Authorization for Credit Card Transactions with your Form I-131 application. This is necessary as USCIS can only process the credit card payment using Form G-1450. If paying by a check, the check should be made payable to the “U.S. Department of Homeland Security.”

**Categories for traveling under Advance Parole:**

- **Humanitarian purposes**
  - Visiting a sick or aging relative or assisting an ailing relative who has an upcoming medical treatment
  - Seeking personal medical assistance or treatment, including dental work
  - Attending a funeral service
  - Visiting a recently deceased family member’s grave
  - Other urgent family-related purposes

- **Educational purposes**
  - Study abroad programs
  - Academic research, competitions, or conferences

- **Employment purposes**
  - Overseas assignment for your job
  - Job interview

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○ Professional conferences, trainings, or meetings
○ Self-employment or entrepreneurial activities (provide proof of self-employment)

**What evidence can I include in my application?**
These are examples of evidence that can aid applicants with demonstrating their valid reason for traveling abroad.

**● Humanitarian:** applicants should show how the travel is for humanitarian reasons
  ○ Documentation from a dental or medical professional showing the need for treatment
  ○ Letter from a medical professional and/or hospital documenting ill relative's condition
  ○ Identity document of ailing family member
  ○ Birth certificate showing relationship with ill family member
  ○ Death certificate of family member
  ○ Applicant’s own statement explaining the need for travel abroad
  ○ Family member's statement explaining the need for the applicant’s travel abroad

**● Educational:** applicants should prove why traveling abroad is “required” or “beneficial”
  ○ Official letter from the educational program confirming enrollment, describing the purpose and dates of the program, and explaining how or why the program is “required” or “beneficial” for the applicant
  ○ Document showing the enrollment in the courses registered
  ○ Syllabi for the class or program
  ○ Acceptance letter from the university and/or overseas intuition or program
  ○ Any program-specific documents
  ○ Letter from professor(s) describing academic research to be conducted

**● Employment:** applicants should show how traveling abroad fulfills their job requirements
  ○ Letter from the employer explaining how this travel is required for the applicant
  ○ Conference program showing applicant’s name as a speaker or confirmation of conference registration as an attendee
  ○ Invitation to speak at conference or training
  ○ Emails or other forms of communication demonstrating the need for the applicant to be present at an interview or meeting abroad
  ○ Pay Stub from employer

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Circumstances where you may not be eligible for Advance Parole:

- If you are residing in the U.S. without a valid immigration status after entering unlawfully several times
- If you have a valid reentry permit or refugee document
- If you are on a J visa or a visa with a foreign residence requirement
- If you are a beneficiary of a private immigration bill approved by Congress
- If you are currently in the process of a removal proceeding (deportation)
- If you are an asylee or a refugee but you are not adjusting your status to a green card
- You can still apply for advance parole even if you have a criminal record, however, it depends on whether your criminal record makes you “inadmissible” to the U.S.
  - Even in these situations, there are some waivers that are available. You may apply for a waiver of inadmissibility with Form I-690.
- If you have prior contact with the criminal legal system (arrests, charges, or convictions), a prior deportation case in immigration court, or an immigration-related fraud or misrepresentation to the government consult with an immigration lawyer or a legal service provider before applying for Advance Parole to determine risk and eligibility based on your legal circumstance.

***Keep in mind that each circumstance is different. Please consult and talk to an attorney or immigration lawyer before traveling with Advance Parole or during the process.

What not to do?

- Do not travel without applying for Advance Parole
- Do not travel while your DACA is in process of being renewed (if possible)
- Do not overstay past your due date
- Do not engage in risky behavior while abroad
- Follow all guidelines associated with your Advance Parole

Benefits to traveling with Advance Parole?

- *Receiving a legal entry
- Reconnecting with family
- Reconnecting with your roots/culture
- Evaluating and exploring what life abroad might be like for you
- Pursuing unique professional or educational opportunities
- Expanding your worldview and evolving your perspective
- Feeling freedom

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Learning and growing your own self
Building confidence
Empowering experience

*Receiving a legal entry* - One of the most important aspects of Advance Parole is the opportunity to reenter the United States with inspection and therefore having a legal entry. A legal entry is required when you have the opportunity to adjust your status. If as a child you entered the country without inspection, this means that you would need inspection/a legal entry. In some cases, reentering the U.S. with Advance Parole can make future immigration options easier to attain. We recommend talking to an immigration attorney about how Advance Parole travel could potentially affect the adjustment of your status.

**Other considerations with Advance Parole:**

- **DACA renewal**
  - Your DACA must be valid and unexpired at the time that you submit your application for Advance Parole. It is suggested that you apply for Advance Parole after your DACA renewal request has been approved

- **Risk of traveling abroad**
  - Your Advance Parole document authorizes your parole (allowing someone to physically enter the U.S.) however, the decision to parole is the decision of a CBP (U.S. Customs and Border Protection) officer at the port of entry whether that is at the border or an airport
  - Certain circumstances may increase the risk of being denied entry. It is important to be informed, prepared, and consider the risks to be prepared for any potential situations that may occur. Some risk factors include:
    - Traveling outside of the parole date authorized by the Advance Parole document
    - Traveling when your DACA authorization has expired. This is reflected in the dates on your employment authorization document (EAD)
    - Prior deportation or “voluntary departure” order
    - Having multiple prior periods of unlawful presence in the U.S.
    - Having contacts with the criminal system whether they resulted in a conviction or not that could lead to an “inadmissibility” finding
  - If any of these risk factors apply to you, make sure to consult with an immigration attorney prior to applying for advance parole or traveling

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• **Emergency requests**
  
  ○ If you have an emergency and you need to receive your Advance Parole quicker, USCIS can expedite applications in some cases. If USCIS expedites your application, this can reduce the processing time to 30 days
  
  ○ If you are looking to pursue an emergency Advance Parole, you can request an appointment at your local USCIS field office under the in-person services (call 800-375-5283). Once you are on the phone, you must say you are looking for an appointment for “emergency Advance Parole.” This type of appointment is often referred to as an “InfoPass appointment”
  
  ○ In order to expedite your Advance Parole application, you must show USCIS that:
    ■ You've suffered a financial loss to your company or a person
    ■ You're in an immediate emergency
    ■ You have a valid emergency humanitarian reason
    ■ You are requested by an affiliated nonprofit organization for an expedited application for culture or social interests benefiting the U.S.
    ■ Your request is being made the Department of Defense or a different U.S. agency to promote the national interest
    ■ The USCIS made an administrative error
    ■ You have a compelling interest determined by the USCIS
  
  ○ It's important to note that the USCIS grants emergency Advance Parole requests based on its officers' decisions in emergency situations. To complete an emergency request, you will need to visit a USCIS office with the following documents:
    ■ The completed Form I-131
    ■ The $575 filing fee
    ■ Supporting evidence for the emergency request
    ■ Two passport-style photos
  
  ○ Emergency Advance Parole requests that are successful are usually processed within the same day

• **Returning to the United States**
  
  ○ During your journey back to the U.S., you may be questioned by a CBP officer while going through Customs and Border Protection. Make sure you are prepared for questions from a CBP officer and know your rights. Common questions asked include:
    ■ What was the reason for your trip abroad?
    ■ How long were you gone?
Did you purchase anything while you were abroad and if so, what did you purchase?
- What countries did you visit?
- Where did you stay?
- What do you do in the U.S.? (Ex. work, school, etc.)
- What documents do you have with you?

○ When returning to the U.S., bring the original documents stated below as well as a copy of your Advance Parole application
  - A current and valid passport from your country of origin
  - The original Advance Parole document
  - Your employment authorization card (EAD)
  - A copy of your most recent DACA approval notice
  - State ID or driver's license
  - Student ID (if it is relevant)
  - Evidence of the travel purpose which can include relevant medical documents, educational coursework, conference materials or etc.
  - Your attorney’s Form G-28 and their business card with contact information, if you have an attorney

○ After your reentry processing, the CBP officer will give you back your original forms of identification and a stamped copy of your Advance Parole document and/or a stamp in your passport. **It is very important to keep this proof of reentry as you will need it in the process of renewing your DACA and for future immigration processes**

**Examples for your Advance Parole application:**

Please note these examples are not intended to serve as templates and adopting them will not guarantee approval of your applications. These examples are to demonstrate how prior Advance Parole applicants have built and approached their application. Everyone’s situation is different and unique and the circumstances of application acceptance differ on many factors. Check out these examples from Immigrants Rising:

- [Sample program participation letter (Education/Study Abroad)]
- [Sample cover letter (Employment)]
- [Sample cover letter (Education & Humanitarian)]
- [Sample organization/conference invitation letter]
Reminders:

- If your Advance Parole application is rejected, the USCIS will not refund the filing fee
- You cannot apply for Advance Parole and DACA renewal at the same time. When you submit your application for Advance Parole, your EAD or DACA must be valid and unexpired. For this reason, it is strongly recommended that you apply for Advance Parole after your DACA renewal request has been approved
- Advance Parole cannot be used for vacation. DACA recipients may only travel for education, employment, or humanitarian reasons
Sources


“Can I Still Apply for Advance Parole Even If I Have A: Eatontown, NJ.” Andres Mejer Law, 26 Aug. 2022, andresmejerlaw.com/can-i-still-apply-for-advance-parole-even-if-i-have-a-criminal-record/#text=Parole%20(FWVP)%20Program,-Can%20I%20Still%20Apply%20for%20Advance%20Parole%20even%20if%20I%20have%20a%20criminal%20record.


