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ADVANCE PAROLE FOR DACA RECIPIENTS

Currently, individuals who have Deferred Action for Childhood Arrivals (DACA) can request and travel with advance parole. DACA recipients can request advance parole for humanitarian, employment, and education reasons. To qualify for advance parole, DACA recipients will need to demonstrate that their need to travel falls within one of these categories.

This community resource provides an overview of travel with advance parole and gives some examples of what may qualify.

WHAT IS ADVANCE PAROLE?

Advance parole is a travel document that allows certain immigrants inside the United States to depart and seek to reenter the country after traveling abroad temporarily. Advance parole requests are reviewed and granted by U.S. Citizenship and Immigration Services (USCIS).

Individuals should note that advance parole is a discretionary policy and not everyone who applies will be approved. Individuals who are interested in applying for advance parole should contact a trusted immigration attorney or Department of Justice (DOJ) accredited representative to receive a consultation and help with submitting their advance parole request.

Visit <https://www.bit.ly/ianimmhelp> to find a trusted legal service provider in your area.

HOW CAN SOMEONE QUALIFY FOR ADVANCE PAROLE?

A DACA recipient may qualify for advance parole if they show to USCIS that their travel is for a humanitarian, education, or employment reason. The following page shows a breakdown on what may qualify under each area. Individuals should note that this is not a complete list and all those interested in traveling should consult an immigration attorney or DOJ-accredited representative to see if they are eligible to travel.

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	Humanitarian	Employment	Education
Purpose of Travel	Has a compelling reason to travel. This can include travel to take care of a family member, visit an aging relative you have not seen, attend a family function, or receive urgent medical care.	To fulfill an employment need for a current job like a training, complete an assignment abroad, attend an interview, conference, training, or a meeting.	For an educational program related to current studies, to complete research, to participate in an exchange program, or to take a language course.
Example	Shubhi has been in the United States since the age of 5 and has not seen her grandmother for 30 years. Shubhi's grandmother is getting older and is in ill health, and she would like to visit her soon. Shubhi decides to request advance parole to visit her grandmother.	Robert is working for a tech company that is hosting an international conference. Robert has been asked to be part of a panel to present some of his work. Robert will seek advance parole for this employment travel.	Omar is studying politics at his university. He is interested in researching elections in Guatemala. Omar learns of a study abroad program in Guatemala. Omar wants to apply for the study abroad program and will request advance parole.

WHAT WILL I NEED TO REQUEST ADVANCE PAROLE?

All recipients will need to currently have a valid DACA in order to request advance parole and should ensure they have adequate time left to complete the travel before their current DACA expires. Having their DACA expire while abroad could create serious problems for the individual, as they may not be allowed to reenter the United States.

In addition, documents must be submitted as evidence of eligibility for advance parole, and what documents are needed will depend on the individual's reason for travel. The following page contains a list of documents that are generally required for each type of travel:

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Humanitarian	Employment	Education
<ul style="list-style-type: none">• Birth certificate(s) and possibly marriage certificates showing family relationship(s)• Other evidence of family connection• Medical documents• Statement of need to travel	<ul style="list-style-type: none">• Letter from employer detailing travel need• Invitation/Program of conference, event, etc.• Communication with employer (i.e., emails/communication with boss)	<ul style="list-style-type: none">• Official offer letter from school program• Enrollment documents• Syllabi• Letters from professors

All documents that are not in English originally must be accompanied by translations. In addition, all applicants for advance parole must submit a copy of their EAD work permit or other government photo identification document, a copy of the last DACA approval notice, two passport photos and the **USCIS filing fee, which is presently \$575 for advance parole.** No biometrics fee is required.

Example: *Shubhi is requesting advance parole to visit her elderly sick grandmother. She will obtain a letter on an official medical clinic or hospital letterhead, signed by her grandmother's doctor and explaining her medical condition(s) and severity. If not in English, Shubhi will have the letter translated. Shubhi will also submit a copy of her birth certificate with her parents' names (and which sometimes also lists grandparents), and a copy of the birth certificate of her parent who is her grandmother's child, to prove their relationship and her grandmother's age. Shubhi will submit her own declaration about her closeness to her grandmother, how long it has been since she has seen her grandmother and her concern about her grandmother's illness, as well as how Shubhi's presence might assist her grandmother.*

WILL IT AFFECT MY IMMIGRATION OPTIONS IF MY ADVANCE PAROLE APPLICATION GETS REJECTED?

No. If you are not approved for advance parole, USCIS will not take any further action with the case. Individuals who are not approved for advance parole will lose their filing fee. While a denial will not affect your immigration options, individuals should note that the information submitted with your advance parole request will become part of your immigration file. Therefore, it is important to speak with an immigration attorney or DOJ accredited representative to get help and support in requesting advance parole and ensuring the best and correct evidence is presented.

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WHAT DOES USCIS CONSIDER AN URGENT REQUEST?

DACA recipients who are seeking to travel due to an emergency can call USCIS at 1-800-375-5283 to set up an appointment at the local USCIS field office to apply for Emergency Advance Parole. At the field office, persons should bring their application for advance parole, evidence that an emergency exists, two passport photos and can pay the \$575 fee at their appointment. Some field offices will not consider emergency advance parole more than one or two weeks in advance of the person's planned departure, and some require proof of airline tickets to consider the application. It is critical to include strong evidence of the urgency of travel, such as official documentation of the hospitalization of a family member for a serious condition or impending surgery. English translations of all foreign language documents must be submitted.

WHAT SHOULD I CONSIDER BEFORE TRAVELING ON ADVANCE PAROLE?

It is important that all who are interested in traveling on advance parole are well informed and screened to ensure they can successfully reenter the country. Although getting a grant of advance parole is the first crucial step, it does not guarantee that an individual will be allowed to reenter the country. **Before traveling it is important to:**

- ✓ Know the latest COVID-19 policies of the country you are traveling to **AND** requirements for reentering the United States
- ✓ Have adequate time granted for their travel on advance parole, as well as time left on current DACA, that will allow for delays in return, like canceled flight, getting sick, etc.
- ✓ Speak to an attorney and disclose all immigration and criminal or citation history (interactions with immigration officer, an immigration judge, or law enforcement officer) to know if there are any risks associated with travel
- ✓ Make copies of your advance parole, DACA, and work permits in case you lose them
- ✓ Delete any incriminating information from your phone, like pictures or posts on social media
- ✓ Have the contact information of an attorney in case you need help



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