



# **DACA: PREPARING FOR RE-ENTRY AFTER TRAVELING ON ADVANCE PAROLE**

Frequently asked questions about and tips for returning  
to the U.S. after an advance parole departure

**MARCH 2023**

Traveling on advance parole is a fantastic way to gain new experiences and widen your horizons. Though speaking with immigration officers when returning from a trip can be daunting, if you prepare yourself, you can increase the chances of having a smoother return. It is worth emphasizing that many DACA recipients have successfully traveled on advanced parole and returned home with no issues. This explainer is intended to prepare you after you have been approved to travel abroad on advance parole and are at a United States port or border seeking reentry.

## **WHAT IS ADVANCE PAROLE?**

Advance parole is a way for people in the United States with Deferred Action for Childhood Arrivals (DACA) to request advanced permission to travel abroad. Advance parole requests are reviewed and granted by U.S. Citizenship and Immigration Services (USCIS). Although getting a grant of advance parole is the first crucial step, it does not guarantee that an individual will be allowed to re-enter the country. Immigration officers at the border or port of entry must conduct a separate inquiry to ensure that the person is eligible for reentry.



## **WHAT IS SECONDARY INSPECTION?**

At a port of entry, U.S. Customs and Border Protection (CBP) officers initially

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determine whether you are admissible by reviewing your advance parole documentation. This is called an initial inspection. Secondary inspection is a separate process from the initial inspection, where immigration officers may conduct further verification of your documents or additional questioning. It often occurs in a different room where CBP officers engage in further research, regularly using various online databases holding information about your criminal and immigration background, to verify that you are eligible for reentry. They may ask you questions about your travel or nationality, to help determine your admissibility.



Being taken to secondary inspection is discretionary, meaning that individual immigration officers can pick and choose who to send to secondary inspection. After hearing directly from community members who traveled on advance parole, it is common for DACA recipients to get flagged for secondary inspection. Reasons people get flagged for secondary inspection include having a criminal record, suspicion that you might have improper documentation, or simply being randomly selected.

Reentry with advance parole can be an anxiety-inducing experience even on the best day with the most respectful officers. It is helpful to keep in mind that going through secondary inspection does not mean that you will not be allowed in, it simply means that they need to do more research. For these reasons, it is helpful to be aware of any of the possible scenarios that could occur when you are at secondary inspection and prepare ahead of time.

## **HOW DOES SECONDARY INSPECTION WORK?**

An officer may direct you to another room, separate from the main CBP customs kiosks. Likely, they will not explain how long you will be there. The room may be plain, and it could be crowded, depending on the day. You may have to wait there for a few minutes or several hours, depending on many factors that may not relate to your

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individual secondary inspection.

## **HOW CAN I PREPARE MYSELF FOR REENTRY?**

It is helpful to know that it is common to be sent to secondary inspection, and that many people have been able to successfully travel and return on advance parole as DACA recipients. Over the years, the process has become more streamlined, and there is much more information from previous travelers on how to prepare to make it the smoothest experience possible.



Below are some tips to keep in mind so that you can better prepare yourself for reentry:

### **STAY CALM**

Speaking with immigration officers might sound scary. This especially true if you are confronted by officers who are intimidating. Remember that if you have taken the proper steps to prepare, you should be able to return if you're eligible, even if you are sent to secondary inspection.

Try to stay as calm as possible throughout the process. In terms of comfort, DACA recipients who have previously traveled suggest dressing in a way that makes you feel confident but relaxed enough to speak with a CBP officer. You may also consider not drinking coffee or having caffeine to avoid anxious thoughts. Do whatever makes you feel comfortable to keep yourself in a calm and confident state of mind while going through customs.

### **SPEAK WITH AN ATTORNEY OR LEGAL REPRESENTATIVE BEFORE LEAVING**

Speaking to an attorney or legal representative prior to leaving the United States is especially important for persons who have ever been arrested by local law enforcement or immigration officers. Simply having contact with law enforcement

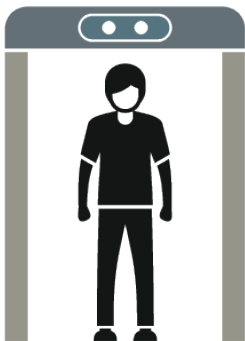
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or immigration officers alone would not prevent you from re-entering, and not all criminal convictions hurt your case, but an attorney or representative can dig in more to assess your specific situation and see if you would have problems returning.

Even though you are not allowed to have an attorney inside secondary inspection, having their contact information could be helpful in case immigration officers have questions about your case.

### ***PLAN AROUND CONNECTING FLIGHTS***

If you are sent to secondary inspection, sometimes you can be in there with many other people waiting for an immigration officer to get to your case.



Be mindful of your choice of airport and state in which you return. If you have a connecting flight, the first location where you land will be where you will go through customs and possibly secondary inspection. Remember, whether you are taken through secondary inspection is at the discretion of the officers. As such, leave plenty of extra time for travel, especially if you have a connecting flight, because you may have to spend extra time in secondary inspection and could miss your connecting flight.

### ***KEEP FAMILY MEMBERS AND OTHERS INFORMED***

You may be able to make phone calls if you are asked to wait in secondary inspection while they check your paperwork, or there may be a no-phone policy or no cell reception, so be prepared in case you won't be able to use your phone. For that reason, you should notify a family member or close contact in the United States of the exact date and time you are returning and also the possibility of being sent to secondary inspection and having to wait longer.

### ***BRING SUPPORTING EVIDENCE***

When re-entering, bring any supporting evidence you may need, including an original

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and copy of:

- ▶ A passport from your country of origin (it should generally be valid for at least six months after the date of exiting the United States)
- ▶ Your advance parole document, known as Form I-512
- ▶ A copy of your DACA approval notice
- ▶ Employment Authorization Document (EAD) card
- ▶ State I.D. or driver's license, if you have one
- ▶ Relevant medical documents (e.g. COVID immunization records)
- ▶ If applicable, your attorney's contact information
- ▶ Evidence of reason for the trip abroad. For example:
  - ⇒ If traveling for family reasons, birth certificates showing your tie to that relative
  - ⇒ If traveling for educational reasons, a copy of your enrollment documents
  - ⇒ If traveling for employment reasons, a letter from your employer, your business contract or a registration form for a conference you are attending.

### ***BE MINDFUL OF DACA EXPIRATION AND POSSIBLE TERMINATION***

It is important to be mindful of extraneous circumstances that may affect your reentry. This includes ensuring that your DACA will not expire while you are traveling. Because DACA is currently being litigated in the court, it is also important to keep up to date on the latest information on DACA. You can visit [www.ilrc.org/daca](http://www.ilrc.org/daca) to learn more about these changes or follow us on social media (links in the end page footer).

### ***HAVE COVID-19 EVIDENCE***

Regarding the ongoing COVID-19 pandemic, you must currently show proof of full

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vaccination before boarding your return flight. Although you do not need a booster, you do need to have either both or a single vaccine shot, depending on which vaccine you are taking. If returning by land at the border, you may not have to show proof of your vaccination, but you may have to sign a form saying you are vaccinated (an attestation).

### ***FILL OUT CUSTOMS DECLARATION FORM***

Be aware that you may need to fill out a Customs Declaration form, which will be passed out either on the plane or when you arrive back in the United States. This document provides the government with basic information regarding your personal information and the items in your possession upon re-entry.

### ***AVOID HAVING CONDEMNING EVIDENCE IN YOUR PERSONAL BELONGINGS***

Officers may search your belongings. For example, officers can search through your phone or belongings without any probable cause or warrant. For this reason, it is best to be aware of what photos and other items you have on your phone and belongings while traveling. You may want to ensure that you don't have incriminating photos and that you have a password on your phone. They often will not search you at all but be prepared.

### ***TRANSITIONING BACK TO THE UNITED STATES***

Traveling outside the country as an undocumented person can feel very vulnerable, and for some, it can have a lasting mental and emotional impact. Some emotions that may come up include extreme stress, fear, familial or other relationship tensions, depression, and isolation. As you're deciding whether advance parole is right for you, remember that you are not alone and that all feelings that may come up for you throughout the process are **real and valid**.

Remember: Many DACA beneficiaries have successfully been able to travel using this pathway and have enjoyed their experience. We trust that a vast majority of those



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who get approved to travel will also have painless returns. The key always lies with preparation. Also, please don't forget to reach out to a support network to share your experiences, both positive and negative. It can be tremendously useful for those who want to travel but are apprehensive or otherwise anxious about the process. Share your story on your own time and in the way you believe is best for you.

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