

OCTOBER 2020

ADVANCE PAROLE FOR DACA RECIPIENTS

TRAVEL REQUIREMENTS AND CONSIDERATIONS



Despite many changes to the DACA program, DACA recipients are currently allowed to travel abroad if they are approved for Advance Parole. Advance Parole applications are currently limited to DACA recipients who need to travel for “**exceptional circumstances.**”

DEFINITION AND EXAMPLES OF EXCEPTIONAL CIRCUMSTANCES:

- ⚠️ Unlike in the past when DACA recipients could travel for educational or employment purposes, Advance Parole applicants must now show that there are “exceptional circumstances” involved.
- ⚠️ United States Citizenship and Immigration Services (USCIS), the agency in charge of reviewing Advance Parole applications, has interpreted “exceptional circumstances” to mean there is an urgent humanitarian or significant public benefit reason to travel.
- ⚠️ Examples include, but are not limited to: travel to obtain life-sustaining medical treatment that is not otherwise available to the applicant in the United States; travel needed to support the immediate safety, well-being, or care of an immediate relative, particularly minor children of the applicant; or travel to support the national security or federal law enforcement interests of the United States.
- ⚠️ There are several reports of recent Advance Parole application approvals, all of which involve visiting family members who are very ill. This includes very sick grandparents, parents, and even aunts and uncles.

PROCESS AND TIPS TO APPLY FOR ADVANCE PAROLE:

- 📄 Persons who currently have DACA can submit [Form I-131, Application for Travel Document](#) with USCIS along with the associated \$575 fee.
- 📄 When applying for Advance Parole, persons are also required to submit **a copy of an official photo identity document** (e.g. a passport, driver’s license or identification card, or employment authorization card), **two passport-style photographs**, and **a copy of their current DACA status.**
- 📄 Along with these requirements, persons need to submit sufficient evidence of their intended purpose for travel. For example, if the person intends to visit a sick family member, they should submit medical records and letters from the family member’s doctors. All documents must be in English or with an English translation attached.
- 📄 If you need to travel immediately because it is an emergency, you can call USCIS’ Contact Center to set up an InfoPass appointment. This will allow you to go in-person to your local USCIS office to have your Advance Parole application reviewed by an immigration officer.

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DACA recipients with an approved Advance Parole document should consider several important factors before leaving the country. This is especially true during the COVID-19 pandemic, which has made international travel more complicated.

GENERAL CONSIDERATIONS:

- 📄 Verify that your DACA case will be valid (not expired) during your entire trip and upon your return to the United States.
- 📄 Check that your dates of travel fall within the dates approved on your Advance Parole document. It is critical to return to the United States before the expiration of your Advance Parole document.
- 📄 Consult with a legal expert before you leave the country to ensure you will not encounter any issues re-entering the United States. Let your legal service provider know your dates of travel and carry their business card with you in case you have any problems or questions.
- 📄 You will travel with your original documents but be sure to take copies with you in case you lose the originals and leave a set of copies at home with someone you trust.
- 📄 DACA is still facing many legal challenges but even if the program is terminated, it is likely DACA work permits and Advance Parole documents will remain valid until they expire. Track the current status of the program before your departure and contact a legal service provider if you have any questions about how potential changes might impact you.

CORONAVIRUS-RELATED CONSIDERATIONS:

- 🌐 Ensure you understand the travel rules and restrictions in the country you are visiting. Some countries currently ban all travel from persons who reside in the United States, require a period of quarantine upon arrival or have limited the number of flights and people entering the country. You can find this information online from the Department of State, the U.S. embassy or consulate in the country you plan to visit, that country's embassy or consulate in the United States, or from that country's Ministry of Foreign Affairs, External Relations, or similar department.
- 🌐 Request more time on your Advance Parole application than you actually plan to spend abroad. This is a good idea in case you run into any difficulties which could delay your return to the United States, such as missing a flight.
- 🌐 Take safety precautions while travelling so you do not become ill. Even if you don't feel sick, if you test positive for COVID-19 or are exhibiting symptoms, you may not be allowed to travel.
- 🌐 If you have health insurance, travel with your insurance card. Research the health care programs available in the country you are visiting in case you need medical attention.

