



# USCIS Update

May 29, 2009

## **USCIS Reminds Applicants for Adjustment of Status, Asylum, Legalization, and TPS Beneficiaries to Obtain Advance Parole Before Traveling Abroad**

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) reminds individuals that they must obtain Advance Parole from USCIS before traveling abroad if they have:

- been granted Temporary Protected Status (TPS);
- a pending application for adjustment of status to lawful permanent resident;
- a pending application for relief under section 203 of the Nicaraguan Adjustment and Central American Relief Act (NACARA 203);
- a pending asylum application; or
- a pending application for legalization.

To obtain Advance Parole, individuals must file [Form I-131](#), Application for Travel Document, which is available under “Immigration Forms” on USCIS’ Web site.

Advance Parole is permission to reenter the United States after traveling abroad. Advance Parole is an extraordinary measure used sparingly to allow an otherwise inadmissible individual to enter the United States due to compelling circumstances. By law, certain individuals must apply for a travel document and have Advance Parole approved before leaving the United States. Attempts to reenter the United States without prior authorization may have severe consequences since individuals requiring advance parole may be unable to return to the United States and their pending applications may be denied or administratively closed.

Applicants planning travel abroad should plan ahead since applicants can anticipate processing times of about 90 days, depending on the USCIS office location. Instructions for filing Form I-131 provide details on where to mail travel document applications and should be followed carefully to avoid delay. For more information on Advance Parole see [How Do I Get a Travel Document?](#) and instructions for Form I-131.

### **Note:**

Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, aliens who depart the United States after being unlawfully present in the United States for certain periods can be barred from admission to lawful permanent resident status, even if they have obtained Advance Parole. Aliens who have been unlawfully present in the United States for more than 180 days, but less than one year, are inadmissible for three years; those who have been unlawfully present for one year or more are inadmissible for 10 years. Aliens who are unlawfully present, then depart the United States and subsequently reenter under a grant of parole, may still be ineligible to adjust their status.

Individuals who have been admitted as refugees or granted asylum, including those who are applying for adjustment of status, do not need to obtain Advance Parole. Instead, these individuals should apply for a Refugee Travel Document using Form I-131 and comply with applicable application requirements, such as biometric processing, prior to leaving the United States.

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Lawful permanent residents who obtained such status as a result of being a refugee or asylee in the United States may also apply for a Refugee Travel Document. For more information on Refugee Travel Documents please see [How Do I Get a Refugee Travel Document?](#)

Asylum applicants, asylees and lawful permanent residents who obtained such status based on their asylum status are subject to special rules with regard to traveling outside the United States. Such individuals are encouraged to review USCIS' Fact Sheet [Traveling Outside the United States as an Asylum Applicant, an Asylee, or a Lawful Permanent Resident Who Obtained Such Status Based on Asylum Status](#).

Before making any plans to travel abroad, all individuals with pending applications for adjustment of status, relief under NACARA 203, or asylum are urged to consult an immigration attorney or immigration assistance organization accredited by the Board of Immigration Appeals, or by calling USCIS' Customer Service Center at 1-800-375-5283.

For more information on USCIS and its programs, visit [www.uscis.gov](http://www.uscis.gov).

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