FAQ’S ON ADVANCE PAROLE AND DACA

Can I travel outside of the United States temporarily if I have DACA?

Maybe. If you have DACA you may travel outside the United States if USCIS gives you permission called Advance Parole. You will lose your DACA status if you travel outside of the U.S. without Advance Parole.

How do I get Advance Parole?

You can get Advance Parole for one of the following reasons: (1) educational purposes such as a study abroad program, a week-long exchange program, or academic research; (2) employment purposes such as when your job in the United States sends you overseas for assignments, interviews, conferences and trainings; and (3) humanitarian purposes such as getting medical treatment abroad, going to a funeral for a family member, or visiting a sick relative. People who have DACA cannot get Advance Parole for vacations.

Will traveling with Advance Parole help me eventually get a green card?

Maybe. Getting a green card is a two-step process. First, a family member or employer must petition for you. After the petition is granted, someone with DACA who traveled outside of the United States with Advance Parole may be eligible to complete the second part of the process, which is either to apply for a green card in the United States (Adjustment of Status) or to go home for an interview at the consulate (Consular Processing.)

It is important to apply for Advance Parole if you entered the United States without going through immigration inspection. Traveling with Advance Parole and re-entering the United States resolves your last entry without inspection and may make you eligible for either:

Adjustment of Status
If you are married to a U.S. citizen you can interview and complete the green card process while you are in the United States. This rule also applies to all people the law calls “Immediate Relatives” of U.S. citizens such as, the spouse of a U.S. citizen, the unmarried child under 21 of a U.S. citizen, and the parent of a U.S. citizen child age 21 or older.

OR

Consular Processing
If you are not an immediate relative of a U.S. citizen, but qualify under another family-based category or an employment-based category, you will have to interview for your green card at a U.S. consulate abroad. Advance Parole will help you return to the United States from your green card interview in your home country. If you are approved, you might be able to return as a permanent resident. If you are not approved, you can still return and continue living in the United States with DACA.

Speak with an authorized immigration expert to find out which category applies to you.

How do I get help applying for Advance Parole?

CUNY Citizenship Now! can provide you free and expert help to apply for Advance Parole. We can answer your questions about getting a green card and other immigration issues. Make an appointment at one of our centers, listed at cuny.edu/citizenshipnow.