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CHAP

Current as of **March 29, 2017**

Volume 11 - TRAVEL, EMPLOYMENT, & IDENTITY DOCUMENTS

Part E - ADVANCE PAROLE

Chapter 1 - Purpose, Background, and Legal Authorities

A. Purpose

This Part provides background, basis, and procedures for field offices to handle requests for Advance Parole. There are three categories of Advance Parole requests: Non-emergency, Expedited, and Emergency.

B. Background

As a matter of discretion, and on a case-by-case basis, USCIS may authorize Advance Parole (AP) to an individual when the parole is justified by *urgent humanitarian reasons* or *significant public benefit* (INA 212(d)(5)(A)).

While there are several categories of individuals who require an Advance Parole in order to travel back to the United States after travel abroad, it is commonly sought by individuals with a pending Form I-485, Application to Register Permanent Residence or Adjust Status, because USCIS will generally consider their applications abandoned unless they obtain Advance Parole prior to leaving the United States.

An AP document authorizes an individual to appear at a port-of-entry to seek parole into the United States for a specific purpose. It does not guarantee that the individual will be paroled into the United States. Parole is at the discretion of Customs and Border Protection (CBP). If CBP decides at the port-of-entry to parole the individual, he or she is allowed to physically enter the United States, but the entry is not an *admission*. A paroled individual remains an applicant for admission while paroled (see 8 CFR 212.5(f)).

C. Legal Authorities

- INA 212(d)(5); 8 CFR 212.5 – Parole of aliens into the United States

- 8 CFR 223 – Reentry permits, refugee travel documents, and advance parole documents
- 8 CFR 245.2(a)(4)(ii)(A) and (B) – Adjustment of status to that of person admitted for permanent residence - Effect of departure
- 8 CFR 208.8 – Asylum and withholding of removal – Limitations on travel outside the United States
- INA 244(f)(3); 8 CFR 244.5 and 244.15 – Benefits and status during period of temporary protected status

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Chapter 2 - Guidelines for Advance Parole

A. Eligibility

Refer to Table 1, Advance Parole Eligibility and Requirements; Table 2, Ineligibility for Advance Parole (Non-DACA), and Table 3, Ineligibility for Advance Parole (Deferred Action for Childhood Arrivals (DACA) Recipients).

Table 1 Advance Parole Eligibility and Requirements		
Status or Process	General Requirements	Proof of Eligibility*
Adjustment of Status or Creation of Record	Pending adjustment of status application (Form I-485); and must be prima facie eligible for AOS	Form I-797C, Notice of Action for pending I-485
Asylum	Pending asylum application (<u>Form I-589</u>)	Form I-797C, Notice of Action for pending I-589
Legalization	Pending legalization application (<u>Form I-687</u> or pending Form I-290B that was filed between February 1, 2009 and January 31, 2010, for a previously denied Form I-687/LIFE I-485)(See March 31, 2009 <i>Northwest Immigrant Rights</i>	Form I-797C, Notice of Action for pending I-687 or I-485

	<i>Project (NWIRP) Settlement Agreement Memorandum)</i>	
NACARA Section 203 Relief	Pending application for relief under Section 203 of the Nicaraguan Adjustment and Central American Relief Act (<u>NACARA</u>) (Form I-881)	Form I-797C Notice of Action for pending Form I-881
	Granted Temporary Protected Status (TPS) INA 244(f)(3), including those who had entered without inspection (EWI) or are present without inspection (PWI)	Form I-797 Notice of Action showing granted TPS
Temporary Protected Status		Form I-797 Notice of Action showing pending I-821 AND the applicant is prima facie eligible for TPS (particularly for TPS applicants who are PWI/EWI).
	Pending Application for TPS, including those who are PWI or EWI	To determine prima facie eligibility, check systems to see if the applicant was issued an EAD under code C19, OR contact the applicable service center POC to verify (see Table 7 in the " <u>Processing Form I-131, Application for Travel Document</u> " chapter).
Deferred Enforced Departure	Granted Deferred Enforced Departure (if the Presidential directive permits traveling outside the United States and if in the national interest)	A copy of any document issued by USCIS showing present status as Deferred Enforced Departure (DED) eligible, such as an Employment Authorization Document (EAD) with a designated DED category of (A11).
Family Unity Benefits	Granted Family Unity Benefits under the Immigration Act of 1990 (<u>IMMACT 90</u>) or the Legal Immigration Family Equity Act (<u>LIFE Act</u>) (Form I-817)	Form I-797C Notice of Action showing pending I-817
Parolee	Granted parole under INA 212(d) (5) and present in the United States as a parolee	Form I-94, Arrival Departure Record
Victims of Criminal Activity or Human Trafficking		Form I-797 Notice of Action for approved Form I-914, or Form I-918, respectively

V Nonimmigrant	<p>Granted U or T nonimmigrant status (including those who are “wait-listed” for a U or T visa)</p> <p>See Chapter 6 for more information.</p> <p>Granted V nonimmigrant status and is in the United States</p>	<p>Form I-797 Notice of Action for approved Form I-539 (also filed I-539, Supplement A); Class of Admission (COA) granted as V1, V2, or V3.</p>
Deferred Action for Childhood Arrivals (DACA)	<p>The individual’s request for DACA has been APPROVED; and</p> <p>Travel abroad is in furtherance of humanitarian, educational, or employment purposes</p> <p>Being an EWI or PWI does <u>not</u> disqualify.</p>	<p>Form I-797 or Form I-797D Notice of Action for approved Form I-821D</p>

* System checks may also be used to verify proof of eligibility.

Note: Refugees and asylees with pending adjustment applications under INA 209 should travel on a refugee travel document rather than with AP, particularly if they do not possess a valid foreign passport.

Table 2

Ineligibility for Advance Parole (Non-DACA)

- Applicant’s underlying application/petition has already been denied or administratively closed (including TPS)
- Applicant’s TPS will expire before the return date; OR, if pending application for TPS, applicant is not prima facie eligible for TPS
- Applicant is in removal proceedings OR has a Final Order of Removal (customer must request from ICE)
- Applicant has a pending Form I-485 and is not prima facie eligible for adjustment of status (for more information see PM Vol 11, Part E, Chapter 2, Section B)

Note: An officer may adjudicate an application filed by a PWI who presents unusually compelling factors in favor of granting the application. In such cases, granting the application could be a proper exercise of discretion.

- Applicant's pending Form I-485 has an outstanding request for evidence (RFE) (consult with supervisor prior to denying Form I-131)
- Applicant has NO immigration basis for eligibility
- J-1 non immigrants who are subject to the 2-year INA 212(e) foreign residency requirement
- TPS recipients issued a Notice to Revoke (NTR)
- Approved asylees (must obtain Refugee Travel Document)
- Applicant is a Section 289 (American Indians Born in Canada) Claimant (recognized claimants may use their PRC or Form I-94 as a travel document to seek re-entry into the U.S.)

Notes:

- 1) Customers with *valid non-immigrant status and visa* (H1-B, H-4, L-1, L-2, K-3, K-4) DO NOT need AP to travel abroad and return.
- 2) U.S. citizens and LPRs do not require AP to travel. LPRs must be in possession of their Permanent Resident Card (PRC), Reentry Permit, or an SB-1 Visa (Returning Resident Visa) after travel abroad, depending upon their absence.

Table 3**Ineligibility for Advance Parole (DACA Recipients)**

- Applicant's underlying application/petition has already been denied or terminated;
- Applicant's underlying DACA request is pending;
- Applicant's DACA grant will expire before the end of the requested travel period;
- DACA recipients who have been issued a Notice of Intent to Terminate (NOIT).

B. Criteria for Non-Emergency, Expedited Processing, and Emergency Advance Parole Requests

The criteria differ between non-emergency, expedited processing, and emergency AP requests. There are additional requirements when the requestor is a DACA recipient.

1. Non-Emergency Requests**a. For Non-DACA**

These requests are adjudicated at the National Benefits Center (NBC) or the service centers. While all AP requests must be justified by *urgent humanitarian reasons* or *significant public benefit*, certain applicants may meet the standard for *non-emergency* AP by demonstrating that they fall under a certain class of applicants eligible for an ap document. See section A, Eligibility for the various categories and eligibility criteria.

For these cases, an applicant may only need to establish that he or she has a legitimate reason for travel, which may include:

- A bona fide personal reason for travel;
- A bona fide business reason for travel; or
- An overseas visa interview, when the Department of State has determined that the interviewee is unable to return to his or her country of citizenship for visa issuance and the third country requires the interviewee to enter with authorization to travel back to the United States. In such cases the applicant must submit proof of scheduled interview and that the third country requires AP authorization.

Note: The NBC and service centers must weigh the circumstances of the specific request and any factor(s) in support of parole against any negative factors that may exist.

b. For DACA Recipients

These requests are adjudicated exclusively by the Nebraska Service Center (NSC). A DACA recipient may request AP but USCIS only grants AP if the travel will be in the furtherance of:

- Humanitarian purposes, including travel to obtain medical treatment, attending funeral services for a family member, or visiting an ailing relative;

Note: It is NOT necessary for the family member to be an immediate relative; however, the burden is on the applicant to demonstrate the relationship.

- Educational purposes, such as semester-abroad programs and conducting academic research; or
- Employment purposes such as overseas assignments, interviews, conferences, training, or meetings with clients overseas.

Travel strictly for vacation purposes is not a valid basis for AP.

DACA recipients may request a multiple-entry AP document from the NSC through the customary Form I-131 DACA AP process. The applicant should refer to the [Form I-131 instructions](#) for more information.

c. How to Request

The applicant must submit the request per Form I-131, Application for Travel Document filing instructions (see [Form I-131 - Where to File page](#)).

2. Expedited Processing Requests

a. For Non-DACA

These requests are adjudicated at the NBC or service centers. Either the applicant or a field office on behalf of an applicant may request expedited processing by the NBC or service center. USCIS may expedite the application only if the applicant demonstrates that travel is necessary based on one or more of the expedite criteria:

- A severe financial loss to company or to a person (when the financial matter is not contrary to law or public policy);
- Humanitarian reasons, including (but not limited to):
 - Travel to obtain medical treatment
 - Attending funeral services for a relative or close friend
 - Visiting an ailing relative or close friend

Note: It is NOT required for the relative to be an “immediate relative.” The field office may give consideration to other family members, relatives, and/or close friends, if the applicant is able to demonstrate a significant relationship to that person.

- Nonprofit organization request that is in furtherance of the cultural and social interests of the United States;
- Department of Defense or national interest situation (the request must come from an official U.S. Government entity and state that a delay will be detrimental to the U.S. Government);
- USCIS error;
- Compelling interest of USCIS; or
- An emergency situation

b. For DACA Recipients

Service centers generally do not offer or grant expedited processing of DACA recipient AP requests because service centers will make every effort to process the advance parole request quickly. However, the local office has the option of processing AP for a DACA recipient in an emergency situation for humanitarian purposes only, such as to obtain medical treatment or due to a relative who is ailing or who has died, if properly documented. This more limited allowance is because a request for expedited processing for AP by a DACA recipient must meet the DACA criteria for AP AND also one of the USCIS established expedite criteria. For DACA recipients, humanitarian situations are the only areas where the two match or intersect.

Additional information on DACA Recipient AP excerpted from SCOPS DACA SOP:

<p><i>Advance Parole Requested for Humanitarian Purposes</i></p>	<p><i>For humanitarian purposes the applicant must show that the travel is for the purpose of:</i></p> <ul style="list-style-type: none"> • <i>Obtaining medical treatment;</i> • <i>Attending funeral services for a family member; or</i> • <i>Visiting an ailing relative.</i> <p><i>Evidence to demonstrate this purpose includes, but is not limited to:</i></p> <ul style="list-style-type: none"> • <i>A letter from the applicant's physician explaining the nature of his or her medical condition, the specific medical treatment to be sought outside of the United States, and a brief explanation why travel outside the U.S. is medically necessary; or</i> • <i>Documentation of a family member's serious illness or death.</i>
<p><i>Expedites</i></p>	<p><i>As a general matter of course, expedite requests will not be granted, because USCIS will make every effort to process the advance parole request quickly; however, in a dire emergency, and if properly documented, if an individual were to appear at a local office and the local office were to deem the need for an expedite to be compelling such that an expedite would be warranted, the local office has the option of processing the advance parole or working through established POCs at the Service Center under normal protocols.</i></p>

c. How to Request

If the applicant's travel need is urgent, the applicant may request expedited processing by one of the following methods:

- In writing at the time Form I-131 is filed;
- In writing after Form I-131 is filed (the applicant must make the request directly with the NBC or service center);
- By calling the National Customer Service Center (NCSC) at 1-800-375-5283; or
- By appearing in person at a USCIS domestic field office.

3. Emergency Requests

The determining factor field offices must consider when considering a request for emergency AP is whether the travel need is *emergent*. “Emergent” means “arising unexpectedly,” while “emergency” means “calling for prompt action.” A situation that is “emergent” might also be an “emergency,” but the travel need must first meet the “emergent” standard.

For instance, it is possible that a situation may rise to the level of “emergency” to a customer (something that calls for them to take prompt action), but the situation might NOT be “emergent” (arising unexpectedly). Also, if the situation arose due to the applicant’s own planning or making, this may affect the decision to grant emergency AP.

USCIS advises the public on the [USCIS Emergency Travel](#) page that field offices may accept an application for emergency AP if the applicant is experiencing an “extremely urgent situation.” To aid the public in determining if the travel need constitutes an “extremely urgent situation,” this page notes that business trips, weddings, holiday parties, and other planned events are generally not eligible for consideration. However, there could be circumstances that warrant field office processing even if the reason for travel is not customarily considered an “urgent situation.” For example, if the applicant filed the request timely but there is a delay in processing that is not the applicant’s fault, this could rise to the emergent level regardless of the reason for travel. Furthermore, various situations could be deemed “emergent” or an “emergency,” such as:

- Travel to obtain medical treatment
- Attending funeral services for a relative or close friend
- Visiting an ailing relative or close friend
- Hospitalization of a relative or close friend
- A different type of emergency other than death

It is important to evaluate the factors of each request on a case-by-case basis to determine if it meets the threshold. **Note: Additional criteria apply to DACA recipient emergency advance parole. Please see the “For DACA Recipients” section for more information.**

a. For Non-DACA

Domestic field offices process requests that meet one or more of the [expedite criteria](#).

b. For DACA Recipients

Emergency AP for DACA recipients is limited to humanitarian situations such as to obtain medical treatment or due to a relative who is ailing or who has died. **Additionally, the person the DACA recipient is travelling to see must be a relative and the field office must verify the family connection.**

AP requested by DACA recipients for the following purposes **do not** meet the criteria for emergency [advance parole](#):

- Employment and educational purposes

- Travel for religious missions
- Volunteer work
- Social work
- Weddings, baptisms, or family reunions
- Visiting the burial site of a relative when not tied to a recent funeral or death
- Other reasons to help others abroad

If the field office encounters such cases it should refer the applicant to the Form I-131 instructions for more information.

In emergent humanitarian situations, DACA recipients may appear at a local field office to request emergency AP. If the relationship is sufficiently established and the reason is compelling based on the supporting documents provided, it is not necessary to ask the SCOPS DACA program managers if the field office can approve the emergency AP request. However, when in doubt and for any complex or novel cases, field offices may contact SCOPS DACA Program Managers by emailing HQSCOPSDACA for guidance on whether a DACA recipient's situation meets the emergency AP threshold.

c. How to Request

An applicant may request emergency advance parole in person through a **field office** when:

- The applicant has a pending Form I-131 and will not receive an AP document in time to meet the urgent travel need.
- The applicant has no Form I-131 pending and there is not enough time to file Form I-131 with expedited processing at the NBC or service center.

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Chapter 3 - Processing Form I-131, Application for Travel Document

In the interest of good customer service, before accepting an Advance Parole request and fee (when applicable), field offices should review the eligibility and criteria guidelines in Chapter 2 in relation to the applicant's situation.

To request AP, an applicant must submit Form I-131, Application for Travel Document. **The *initial urgency of the travel need determines where the applicant should file Form I-131.*** The field office must advise the applicant that accepting the application is not a guarantee that USCIS will approve the request; however denials should not occur often if the field office reviews the applicant's situation before accepting Form I-131.

When an applicant appears at a field office as a walk-in or via INFOPASS appointment with a request for Advance Parole, the first step is to determine how soon the applicant needs to travel.

- If the applicant's travel date is more than 90 days away, instruct the applicant to file with the NBC or appropriate service center per the form's filing instructions.
- If the applicant's travel is less than 90 days away, conduct systems checks to determine if there is a pending or recently approved Form I-131 for the applicant. **Note:** It is also helpful to check if there is a pending Form I-485, and if the Form I-485 fee was paid or it was fee-waived.

Note about DACA Recipients: It is advisable to consult with the SCOPS DACA Team (see Table 7) for any DACA recipient AP requests BEFORE processing the request, and particularly if the reason for travel is not one of the criteria listed for granting emergency AP to DACA recipients in Chapter 2, Section B.

Note about Fees: When the field office processes an AP request, it must collect the appropriate filing fee before issuing the AP document, even if the applicant has another Form I-131 pending with the NBC or a service center. **Exception:** A fee is not collected for an AP request (initial or subsequent) if the requestor has a pending Form I-485 that was filed after 7/30/2007 and he or she paid the Form

I-485 filing fee, because applicants after this point were charged a “bundled” fee. If the applicant’s Form I-485 was fee-waived, he or she must pay the Form I-131 filing fee. See 8 CFR 103.7, Fees for more information. The applicant may pay with check, money order, or credit card.

A. If there is an *already approved* Form I-131

- If the applicant needs to travel within the next 10 business days, follow the instructions in Table 4.
- If the applicant’s travel is more than 10 business days away, advise the applicant that his or her application was approved and he or she should receive the AP document within the next 10 business days (Monday-Friday excluding holidays; be sure to account for legal holidays when counting business days). If a document was mailed but not received, contact the NCSC at 1-800-375-5283⁴ for assistance.

Table 4	
Form I-131 Already Approved and Applicant Needs to Travel <u>within Next 10 Business Days</u>	
If Approved by the NBC	If Approved by the Service Center
<ul style="list-style-type: none"> • Check CLAIMS 3 to determine when the AP document (Form I-512L) was mailed to the applicant. • Contact the <u>NBC</u> if, after review of the case history in CLAIMS 3, further assistance is required to determine the mailing date. • Advise the applicant of the mailing date (or imminent mailing). • Ask the applicant to decide if he or she will wait for the AP document to arrive in the mail. 	<ul style="list-style-type: none"> • Check CLAIMS 3 to determine if the AP document was produced (the “valid from” date is the date it was produced). If CLAIMS 3 does not show validity dates, the document was not produced). • Inform the applicant about whether the document was produced. Advise the applicant that it is not known if it will arrive in time for the intended travel (it takes up to 10 business days from production to delivery). • Ask the applicant to decide if he or she will wait for the AP document to arrive in the mail.
<p>If the applicant prefers not to wait for the AP document to arrive in the mail, then:</p> <ul style="list-style-type: none"> • Proceed to section E, Required Evidence 	

B. If there is *NO pending* Form I-131

Have applicant complete Form I-131, collect fee (if required), and proceed to section E, Required Evidence.

C. If there is a *pending* Form I-131 at the NBC

Follow the instructions in Table 5.

Table 5 Form I-131 Pending at NBC	
If travel is <u>more than 10 business days away</u>	If travel is <u>within the next 10 business days</u>
<ul style="list-style-type: none"> • Email the <u>NBC</u> and request expedited handling for the applicant (the NBC notes in its auto-response that if expeditious handling of an application is being requested to <u>type EXPEDITE in the subject line of the email with the corresponding receipt number</u>, and in emergency situations, the field office may also call the District POC line at 816-251-2490 for assistance). • Advise the applicant that he or she will receive the AP document within 10 business days if the application is approved. 	<ul style="list-style-type: none"> • Advise the applicant that it is not likely that he or she will receive the AP document in time to travel; • Advise the applicant that if he or she would like the field office to adjudicate Form I-131 that was just submitted in the field office, he or she may be required to pay the Form I-131 fee. <p>If the applicant prefers not to wait for the AP document to arrive in the mail, then:</p> <ul style="list-style-type: none"> • Proceed to section E, Required Evidence. <p>Note: NBC will also adjudicate the Form I-131 that the applicant submitted to the NBC, and if approved, issue an AP valid for multiple entries, or a Combo Card (EAD and AP combined).</p>

D. If there is a *pending* Form I-131 at a service center

Follow the instructions in Table 6.

Table 6

Form I-131 Pending at Service Center

If travel is <u>more than 15 business days away</u>	If travel is <u>within the next 15 business days</u>
<ul style="list-style-type: none"> • Email the respective service center (see Table 7, Service Center Contact Information for AP Requests) and request expedited handling. Include information supporting the request for expedited handling as PDF attachments (Note: please ensure that attachments do not contain the applicant’s Social Security Number.) • Advise the applicant that they will receive the AP within the next 15 business days if the application is approved. 	<ul style="list-style-type: none"> • Advise the applicant that it is not likely that he or she will receive the AP document in time to travel; • Advise the applicant that if he or she would like the field office to adjudicate Form I-131, he or she may be required to pay the Form I-131 fee. <p>If the applicant prefers not to wait for the AP document to arrive in the mail, then:</p> <ul style="list-style-type: none"> • Proceed to section E, Required Evidence. <p>Note: The service center will also adjudicate the Form I-131 that the applicant submitted to the service center, and if approved, issue an AP valid for multiple entries, or a Combo Card (EAD and AP combined).</p>

**Table 7
Service Center Contact Information for AP Requests**

Non-DACA		DACA Recipient	TPS Initial Applicant
CSC	<u>Field, CSC</u>	<u>HQSCOPSDACA and the Nebraska Service Center (NSC)</u>	<u>Lesley.E.Attary@uscis.dhs.gov</u> <u>Hui-Lan.Lin@uscis.dhs.gov</u> <u>Carolyn.McCray@uscis.dhs.gov</u>
NSC	<u>NSC, 131 Team</u>	<u>Also copy DACA program managers Victoria Umoru, Brandon</u>	<u>NSC, TPSINQUIRY</u> <u>Edward.C.Birkel@uscis.dhs.gov</u> <u>Rhonda.J.Brown@uscis.dhs.gov</u>

			<u>Suzan.B.Johnson@uscis.dhs.gov</u>
			<u>Tonya.V.Johnson@uscis.dhs.gov</u>
			<u>Dena.A.Thomas@uscis.dhs.gov</u>
TSC	<u>Bridget.A.Harry@uscis.dhs.gov</u>	<u>Robinson, and Michelle Garon</u>	If no response w/in 24 hours, also contact: <u>Malethea.S.Holmes- Okeawolam@uscis.dhs.gov</u>
VSC	<u>Field, VSC</u>		<u>TPSHelpdesk, VSC</u>

E. Required Evidence

Along with the completed Form I-131, the applicant must submit:

- Proof of residence within the field office's jurisdiction (field offices have the discretion to accept a request from an applicant who resides in another jurisdiction);
- Proof of Identity;
 - Valid foreign passport (and if available, all passports that have been used to enter the United States); OR
 - Temporary travel documents issued by the applicant's native country;
- Proof of current status and basic eligibility for AP (see Eligibility section in Chapter 2);
- Proof of emergent need to travel (with English translation for any and all foreign documents). DACA recipients must meet the DACA AP requirements (see Criteria section in Chapter 2); and
- Two recent passport-style photographs

F. Systems and Background Checks

Conduct and gather required systems and background check information from the following:

- CLAIMS 3 (Previous applications, RFEs, reasons for any prior denials, G-28 information, etc.)
- CIS 9101 (History)
- EOIR (PCQS: DOJ-EOIR option)

- CIS 9102
- ADIS, ATS-P, CCD, TECS (SQPQ, SQ94) (travel and entry/exit information)
- FBI Fingerprint Check
 - If FPs are available and were collected less than 15 months prior, use that result.
 - If the applicant previously submitted fingerprints and they are on file in the Benefits Biometric Support System (BBSS) or the Customer Profile Management System (CPMS), the fingerprints can be refreshed without sending the applicant to an Applications Support Center (ASC). In order to request a fingerprint refresh, complete a Fingerprint Resubmission Template and email to USCIS-SMB-BBSSRefresh@uscis.dhs.gov. See the Biometrics Division's Field Guidance for Fingerprinting Resubmissions and Requests for the Office of Fingerprint Liaison for more information.

Note: Field offices have the option of sending the applicant to the ASC if that method is more expedient than having the FPs refreshed.

- If there are NO FPs on file, send the applicant to the ASC for FP collection; the field office will make a same-day appointment for the applicant (there is no additional fee for collecting biometrics).

(b)(7)(e)

- Check (field office must resolve any hits prior to adjudication).
- NFTS query (if the A-file is with FDNS, CARRP, or ICE, contact the respective unit and consult with a supervisor before adjudicating Form I-131).
- Customer Identity Verification (CIV) Customer Profile Management System (CPMS) IDENTITY Verification Tool (IVT) check (field office must resolve any hits prior to adjudication). Document the results on the Form G-1221, Verification Worksheet.

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USCIS procedural guidance regarding the Cuban Haitian Entrant Program has been added to CHAP.

-For Official Use Only-**CHAP**

Current as of March 29, 2017

**Volume 11 - TRAVEL, EMPLOYMENT, &
IDENTITY DOCUMENTS****Part E - ADVANCE PAROLE****Chapter 4 - Advance Parole Document – Form I-512 or I-512L**

An authorization for Advance Parole is issued on Authorization for Parole of an Alien Into the United States, Form I-512 or Form I-512L. Officers will check local procedures to determine which version is issued by that particular office. See the comparison of the two versions in Table 8.

Table 8	
Comparison between Forms I-512 and I-512L Issued for Advance Parole	
Form I-512	Form I-512L
Printed on secure paper or plain white paper	Printed on secure paper
Serialized laminate placed atop the glued-on photograph (DHS seal also affixed partially over photograph) See the <u>ICE HSI Forensic Laboratory Alert</u> for more information	Laser printed photograph (no laminate)
Generally issued only by field offices in emergent situations	Issued by the NBC and service centers (Some field offices have the capability to issue Form I-512L)
Used for Non-DACA or DACA Recipients	Used for Non-DACA or DACA Recipients

A. Issuing Form I-512 or I-512L

If the field office approves an emergency AP request, it will issue the applicant Form I-512 or I-512L.

- If issuing Form I-512, issue as a SINGLE ENTRY document with photograph embossed with the DHS/USCIS Dry Seal and the secure laminate placed over the photograph (see below for secure laminate ordering instructions).
- If issuing Form I-512L, issue as a SINGLE ENTRY document without the secure laminate (the photograph is laser-printed on Form I-512L, which makes the laminate unnecessary).
- Create and issue two (2) Form I-512 or I-512L to the applicant, and make a copy of the documents for the A-file. If the field office issues Form I-512, affix the secure laminate over the photograph of both copies. (See section B for secure laminate ordering instructions.)
- The document validity period should be commensurate with the travel need, but *not to exceed a period of one year*.

Note: Field offices have the discretion to issue a multiple entry AP document for Non-DACA requestors, but this is not advisable. In general, it is best to consult with the NBC or the applicable service center before issuing an AP document for multiple entries. Under no circumstances should the field office issue a multiple entry emergency AP document to a DACA Recipient. If necessary, the field office may consult with the SCOPS DACA Program Managers by emailing HQSCOPSDACA.

- For Non-DACA applicants, the field office may use the [AP I-512 Template](#) or copy the format and language onto Form I-512L.
- **For DACA Recipients**, the field office must use the format and language from the [DACA Recipient AP Template](#) (effective August 7, 2016) on Form I-512 or I-512L. In the “TO RECIPIENT” section, please be sure to enter dates in the “[MMDDYYYY]” fields. The field office must explain to the applicant that departing before or returning after the authorized period may result in termination of DACA. Please ensure to enter dates in the “[MMDDYYYY]” fields located in the “TO RECIPIENT” section (see Note).

Note: Despite the language in the “TO RECIPIENT” section (i.e. “*Note: The date you receive this notice (or the date it is issued) does not begin the authorized travel period*”), the date the field office issues the I-512 /I-512L to the applicant may be the first day of authorized travel, if this is the date specified in the “[MMDDYYYY]” field.

- The “Parole period is valid until” section should always read ONE DAY (this is so the applicant will revert back to being a DACA recipient upon entry). See the [DACA Exemplar](#), and the [DACA AP Example and Required Format and Language for Form I-512/I-512L Issued to DACA Recipients](#) in the tables below for more information.

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B. Ordering Secure Laminates

To order **secure laminates** in [DSMS](#):

- Item Number: SFL100
- Description: Secured Forms Laminate
- Unit of Issue: Roll
- Quantity Per Unit: 100
- Secured Product: Yes

Note: Laminates are secure forms and will be handled per guidelines in USCIS IHB 121-01-670, Safeguarding Secure Forms (see the Secure Laminate for Form I-512: Purpose and Application Procedures training for more information).

DACA AP Document - Example	
<p>TO RECIPIENT: This document authorizes a single departure from the United States on or after 03/31/2016, and a related return on or before 04/01/2016. Warning: Your travel must be within this authorized period. Departing before or returning after this period may result in termination of DACA. Note: The date you receive this notice (or the date it is issued) does not begin the authorized travel period.</p>	
<p>Mary Jane Smith 856 Cedar Brook Lane Apt 5E Portland OR 97201-0001</p>	<p>Country of Birth Australia</p>
<p>FOR CBP USE ONLY</p> <p>The named bearer of this authorization is an individual whose removal has been deferred under the Secretary of Homeland Security's June 15, 2012, memorandum authorizing Deferred Action for Childhood Arrivals (DACA).</p> <p>Parole period is valid until: ONE DAY Parole purpose is: DACA Parole authorization is valid for: ONE ENTRY</p> <p>The named bearer departed the United States temporarily and intends to return to the United States. Presentation of the original of this document allows a Customs and Border Protection (CBP) Inspector at a port-of-entry to parole the named bearer, whose photograph appears on this authorization, into the United States based on the parole authority contained in INA 212(d)(5)(A).</p>	

Required Format and Language for Form I-512/I-512L Issued to DACA Recipients
<p>This template is available here:</p> <p>http://connect.uscis.dhs.gov/workingresources/CHAP/Documents/DACA AP Template Single 080116.docx</p>
<p>TRAVEL AUTHORIZATION: Presentation of the original of this document authorizes a transportation line to accept the named bearer on board for travel to the United States without liability under section 273 of the Immigration and Nationality Act (INA) for bringing an alien who does not have a visa.</p>
<p>TO RECIPIENT: This document authorizes a single departure from the United States <i>on or after</i> [DATE], and a related return <i>on or before</i> [DATE]. Warning: Your travel must be within this authorized period. Departing before or returning after this period may result in termination of DACA. Note: The date you receive this notice (or the date it is issued) does <i>not</i> begin the authorized travel period.</p>
<p>FOR CBP USE ONLY</p> <p>The named bearer of this authorization is an individual whose removal has been deferred under the Secretary of Homeland Security's June 15, 2012, memorandum authorizing Deferred Action for Childhood Arrivals (DACA).</p> <p>Parole period is valid until: ONE DAY Parole purpose is: DACA Parole authorization is valid for: ONE ENTRY</p> <p>The named bearer departed the United States temporarily and intends to return to the United States. Presentation of the original of this document allows a Customs and Border Protection (CBP) Inspector at a port-of-entry to parole the named bearer, whose photograph appears on this authorization, into the United States based on the parole authority contained in INA 212(d)(5)(A).</p>
WARNINGS

NOTICE - READ BEFORE YOU TRAVEL ABROAD

Parole is not admission into the United States. Presentation of this authorization will allow a CBP Inspector at a port-of-entry to parole you into the United States. If CBP paroles you into the United States, your case will generally continue to be deferred. The deferral will continue until the date specified by USCIS or Immigration and Customs Enforcement (ICE) in your deferral notice or until the decision to defer removal action in your case has been terminated, whichever is earlier. Parole is not an "admission," so even while you are paroled you will remain an "applicant for admission." If you are found inadmissible, you will need to apply and qualify for a waiver of inadmissibility. If your waiver application is denied, you may be subject to removal proceedings as an inadmissible alien under 235(b)(1) or 240 of the Act. **Parole into the United States is not guaranteed.** In all cases, you are still subject to immigration inspection at a port-of-entry to determine whether you are eligible to come into the United States via the terms of this document. Even if you have previously been granted parole, the Department of Homeland Security retains discretion to deny you parole if the Department determines approving your parole application would not serve the public interest of the United States.

DHS can revoke or terminate your advance parole document at any time. If you are outside the United States when you are notified that DHS has revoked or terminated your advanced parole document, the revocation or termination of your advance parole document may leave you unable to return to the United States unless you have a valid visa or other document that permits you to travel to the United States and seek admission. If you are in the United States when DHS revokes or terminates your parole, you will return to the status of an unparoled applicant for admission, and you may be subject to removal under INA section 212, rather than INA section 237.

Travel Warnings: Leaving the United States, even with your advance parole document, does not guarantee that you will be paroled into the United States. CBP has discretion to deny a request for parole. Traveling outside the authorization period indicated above may result in termination of DACA.

If you have been ordered deported or removed, departing from the United States without having had your exclusion, deportation, or removal proceedings reopened and administratively closed or terminated will result in your being considered excluded, deported or removed, with potentially serious future immigration consequences, even if USCIS or ICE has deferred action in your case. If you have been unlawfully present in the United States, you may want to ask an immigration attorney or a representative at an immigrant assistance organization accredited by the Board of Immigration Appeals (BIA), whether leaving the United States would make you inadmissible and therefore ineligible for adjustment of status. Under section 212(a)(9)(B)(i) of the Act, aliens who depart the United States after being unlawfully present in the United States for certain periods may become subject to new or additional grounds of inadmissibility because of their travel abroad.

Inadmissibility in general. If you have concerns about admissibility and waivers you should contact an immigration attorney or an immigrant assistance organization accredited by the BIA before making foreign travel plans.

Updates

CHAP UPDATE ALERT – New Vol 11 Content: Permanent Resident Cards (PRC)

February 22, 2017

Guidance on replacing or renewing PRCs as well as issuing ADIT stamps has been added to CHAP, Volume 11, Part A.

CHAP UPDATE ALERT – New Content: Advance Parole

August 16, 2016

Part E was added to Volume 11. This new part provides procedural guidance regarding the background, basis, and procedures for field offices to handle requests for Advance Parole. There are three categories of Advance Parole requests: Non-emergency, Expedited, and Emergency

CHAP UPDATE ALERT – New Content: Special Processing of Form I-765 for Certain Groups

January 04, 2016

Procedural guidance regarding the expedited processing of the Form I-765 for former members of the Mujahedin-e Khalq (MeK) has been added to CHAP at Volume 11, Part B, Chapter 3.

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