

## TRAVEL FACT SHEET FOR INDIVIDUALS WITH PENDING ADJUSTMENT OF STATUS APPLICATIONS

If you depart the U.S. while your I-485 Adjustment of Status application is pending and plan on using an Advance Parole document to re-enter the U.S. after international travel, you must present a valid passport and the original, unexpired Advance Parole document to a Customs & Border Protection (“CBP”) officer in order to re-enter the U.S. The Advance Parole document is valid for one year and permits multiple entries. You should return to the U.S. before the Advance Parole document expires.

You should bring **both** originals of the Advance Parole document that were issued to you by the United States Citizenship and Immigration Services (USCIS). Although the practice of the CBP officer at the U.S. ports of entry may vary, please note that when you enter the U.S. for the first time using an Advance Parole document, the officer may keep one original and return the other to you. If you travel again with the remaining Advance Parole document, please inform the officer that you have traveled before under this Advance Parole authorization and therefore do not have 2 copies of the document. The CBP officer should allow you to keep the remaining original in case you need to travel again while the Advance Parole document remains valid. In short, you should always have at least one of the original copies of the Advance Parole document with you.

- ✓ **Note:** When re-entering the U.S. with your Advance Parole document, the CBP officer will issue a Form I-94 that indicates an expiration date that is one year from your date of entry. The expiration date does not mean your status in the U.S. will expire on this date. As an Adjustment of Status applicant, the Form I-94 does not control your status.

### **H or L Status and Use of AP**

Individuals in H-1 or L-1 nonimmigrant status, who hold a valid H or L nonimmigrant visa and will resume authorized employment with the H-1 or L-1 petitioning employer, may choose to reenter the U.S. as either nonimmigrants with a valid visa in lieu of Advance Parole, or as Adjustment of Status applicants (with Advance Parole).

Dependents in H-4 or L-2 status who have used an EAD card issued as part of the adjustment of status process to work will no longer be eligible for nonimmigrant status and should reenter the U.S. using AP.

**Please note that, unless you hold a valid H or L visa, departure from the U.S. before AP is received will be considered an abandonment of your Adjustment of Status application. Therefore, if you do not have a valid H or L visa and do not plan to apply for such a visa at a U.S. Embassy abroad, you are advised to wait until you have received the AP document before departing for international travel.**

Unlike H-1B or L-1 statuses, if you hold TN, O-1, F-1, E-1, E-2, or E-3 status, please note that you may not maintain a nonimmigrant status after filing an Adjustment of Status application, and will have to use an Advance Parole document to enter the U.S. after filing an Adjustment of Status application.