

INSTRUCTIONS

Purpose of This Form.

This form is used to apply for an INS travel document, reentry permit, refugee travel document, or advance parole document. Each applicant must file a separate application.

Who May File.

Reentry permit. If you are in the United States as a permanent resident or conditional resident, you may apply for a reentry permit. A reentry permit allows a permanent resident or conditional resident to apply for admission to the U.S. during the permit's validity without having to obtain a returning resident visa from an American Consulate. A reentry permit is not required for return from a trip of less than one year's duration.

Possession of a reentry permit does not relieve you of any of the requirements of the immigration laws except the necessity to obtain a visa from an American consulate. For the purpose of later naturalization, absence from the United States for 1 year or more will normally break the continuity of any required period of continuous residence in the United States and you will need to file an application to preserve residence for naturalization purposes. Inquire at your local INS office for further information.

Refugee travel document. If you are in the United States in a valid refugee or asylee status, or obtained permanent residence as a direct result of refugee or asylee status in the U.S. you may apply for a refugee travel document. A refugee travel document is a document issued by the Service in implementation of Article 28 of the U.N. Convention of July 28, 1951. You must have a refugee travel document to return to the United States after temporary travel abroad unless you are traveling to Canada to apply for a U.S. immigrant visa (see advance parole document below).

Advance parole document. *If you are outside the United States* and must travel to the United States temporarily for emergent business or personal reasons, you may apply for an advance parole document to be paroled into the U.S. on humanitarian grounds if you cannot obtain the necessary visa and any required waiver of excludability. Parole cannot be used to circumvent normal visa issuing procedures, and is not a means to bypass delays in visa issuance. Parole is an extraordinary measure, sparingly used to bring an otherwise inadmissible alien into the U.S. for a temporary period of time due to a very compelling emergency.

Another person who is in the U.S. may file this application in your behalf. He or she should complete Part 1 with information about himself or herself.

If you are in the United States you may apply for an Advance Parole document if you:

- have an adjustment of status application pending which is only being held in abeyance because a visa number is not immediately available and you seek to travel abroad for bona fide business or emergent personal reasons;
- have an adjustment of status application pending for any other reason and you seek to travel abroad for emergent personal or bona fide business reasons;
- hold refugee or asylum status and intend to depart temporarily to apply for a U.S. immigrant visa in Canada; or

- seek to travel abroad temporarily for emergent personal or bona fide business reasons.

An advance parole document is issued solely to authorize the temporary parole of an individual into the United States. It may be accepted by a transportation company in lieu of a visa as authorization for the holder to travel to the United States. It is not issued to serve in lieu of any required passport.

Additional Processing Criteria.

Reentry Permit or Refugee Travel Document. A reentry permit or refugee travel document may not be issued to you if:

- you have already been issued such a document and it is still valid, unless the prior document has been returned to the Service or you can demonstrate it was lost; or
- due to national security, diplomatic or public safety reasons the government has published a notice in the Federal Register precluding issuance of such a document for travel to the area you intend to go to.

In addition, a reentry permit may not be issued if you have been a permanent resident for more than 5 years and have been outside the U.S. for more than 4 of the last 5 years, unless you are a crewman regularly serving abroad an aircraft or vessel of American registry and the travel is in connection with your duties as a crewman, or your travel is on the orders of the United States government, other than exclusion or deportation order.)

Advance Parole. An advance parole may not be issued to a person who is in deportation proceedings, is the beneficiary of a private bill, or is subject to the 2 year foreign residence requirement due to having held J-1 nonimmigrant status.

General Filing Instructions.

Please answer all questions by typing or clearly printing in black ink. Indicate that an item is not applicable with "N/A". If an answer is "none," please so state. If you need extra space to answer any item, attach a sheet of paper with your name and your A#, if any, and indicate the number of the item. Every application must be properly signed and filed with the correct fee. You must file your application with the required Initial Evidence. If you are under 14 years of age, your parent or guardian may sign the application in your behalf.

A reentry permit or refugee travel document may be sent to a U.S. Consulate or INS office overseas for you to pick up if you request it when you file your application. However, you must be in the U.S. when you file the application.

Initial Evidence.

- **Evidence of eligibility.** *If you are a permanent resident or conditional resident, you must attach:*
 - a copy of your alien registration receipt card; or
 - if you have not yet received your alien registration receipt card, a copy of the biographic page and the page indicating initial admission as a permanent resident of your passport, or other evidence that you are a permanent resident; or

- a copy of the approval notice of a separate application for replacement of your alien registration receipt card or temporary evidence of permanent resident status.

If you are a refugee or asylee applying for a refugee travel document, you must attach a copy of the document issued to you by the Service showing your refugee or asylee status and indicating the expiration of such status.

If you are in the U.S. and are applying for an advance parole document for yourself you must attach a copy of any document for yourself issued by the Service showing any present status in the United States, and an explanation or other evidence demonstrating the circumstances that warrant issuance of advance parole. If you are basing your eligibility for advance parole on your separate application for adjustment of status, you must also attach a copy of the filing receipt for that application. If you are traveling to Canada to apply for an immigrant visa, you must also attach a copy of the consular appointment.

If the person to be paroled is outside the U.S., you must also submit:

- a statement of how, and by whom, medical care, housing, transportation, and other expenses and subsistence need will be met;
- an Affidavit of Support (Form I-I 34), with evidence of the sponsor's occupation and ability to provide necessary support;
- a statement of why a U.S. visa cannot be obtained, including when and where attempts were made to obtain a visa;
- a statement of why a waiver of excludability cannot be obtained to allow issuance of a visa, including when and where attempts were made to obtain a waiver, and a copy of any written decision;
- a copy of any decision on an immigrant petition filed for the person, and evidence regarding any pending immigrant petition; and
- a complete description of the emergent reasons why parole should be authorized and copies of any evidence you wish considered, and indicating the length of time for which parole is requested.

Photographs. You must submit 2 identical natural color photographs of yourself taken within 30 days of this application. The photos must have a white background, be unmounted, printed on thin paper, and be glossy and unretouched. They should show a three-quarter frontal profile showing the right side of your face, with your right ear visible and with your head bare (unless you are wearing a headdress as required by a religious order of which you are a member). The photos should be no larger than 2 X 2 inches, with the distance from the top of the head to just below the chin about 1 and 1/4 inches. Lightly print your A# on the back of each photo with a pencil. (If you are applying for an advance parole and are outside the U.S., keep these photographs. You will be instructed as to where to submit them if parole is approved. If you are applying for parole for another person, the required photographs are of the person to be paroled.)

Copies. If these instructions state that a copy of a document may be filed with this application and you choose to send us the original, we may keep that original for our records.

Where to File.

Reentry Permit or Refugee Travel Document. Mail your application to: USINS, Northern Service Center, 100 Centennial Mall North, Room B-26, Lincoln, NE 68508.

Advance Parole. If the person being filed for is in the United States, file the application at the INS office with jurisdiction over the area in which you live. If he or she is not in the United States, mail it to: USINS, Office of International Affairs and Parole, 425 I Street N.W., Room 1203, Washington, DC 20536.

Effect of Travel Before the Travel Document is Issued.

Departure from the United States before a decision is made on an application for a reentry permit or refugee travel document does not affect the application. Departure from the United States or application for admission to the United States before a decision is made on an application for an advance parole document shall be deemed an abandonment of the application.

Fee.

The fee for this application is \$65.00. The fee must be submitted in the exact amount. It cannot be refunded. **DO NOT MAIL CASH.** All checks and money orders must be drawn on a bank or other institution located in the United States and must be payable in United States currency. The check or money order should be made payable to the Immigration and Naturalization Service, except that:

- If you live in Guam, and are filing this application in Guam, make your check or money order payable to the "Treasurer, Guam."
- If you live in the Virgin Islands, and are filing this application in the Virgin Islands, make your check or money order payable to the "Commissioner of Finance of the Virgin Islands."

Checks are accepted subject to collection. An uncollected check will render the application and any document issued invalid. A charge of \$5.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn.

Processing Information.

Acceptance. Any application that is not signed or is not accompanied by the correct fee will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. However, an application is not considered properly filed until it is accepted by the Service.

Initial processing.

Once the application has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your application.

Requests for more information or interview. We may request more information or evidence or we may request that you appear at an INS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

Decision. You will be advised of the decision on your application. If it is approved, the document will be issued.

In validation. Any travel document obtained by making a material false representation or concealment in this application will be invalid. A document will also be invalid if you are ordered excluded or deported. In addition, a refugee travel document will be invalid if the U.N. Convention of July 28, 1951, shall cease to apply or shall not apply to you as provided in Article 1C, D, E, or F of the Convention.

Effect off Claim to Nonresident Alien Status for Federal Income Tax Purposes.

An alien who has actually established residence in the United States after having been admitted as an immigrant or after having adjusted status to that of an immigrant, and who is considering the filing of a nonresident alien tax return or the non-filing of a tax return on the ground that he/she is a nonresident alien, should consider carefully the consequences under the immigration and naturalization laws if he/she does so.

If you take such action, you may be regarded as having abandoned residence in the United States and as having lost immigrant status under the immigration and naturalization laws. As a consequence, you may be ineligible for a visa or other document for which lawful permanent resident aliens are eligible; you may be inadmissible to the United States if you seek admission as a returning resident; and you may become ineligible for naturalization on the basis of your original entry or adjustment as an immigrant.

Penalties.

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.

Privacy Act Notice.

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit you are filing for. Our legal right to ask for this information is in 8 USC 1203 and 1225. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your request.

Paperwork Reduction Act Notice.

We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete and file this application is as follows: (1) 10 minutes to learn about the law and form; (2) 10 minutes to complete the form; and (3) 35 minutes to assemble and file the application, for a total estimated average of 55 minutes per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to both the Immigration and Naturalization Service, 425 I Street, N.W., Room 5304, Washington, D.C. 20536; and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115-0005, Washington, D.C. 20503.