

ADVISORY

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INS Issues Foreign Travel Advisory for Aliens With Pending Immigration Applications

The Immigration and Naturalization Service (INS) reminds aliens who have applied to adjust status to that of permanent resident that they must obtain Advance Parole (Form I-131-- Application for Travel Document) from the INS before traveling abroad (see INS Travel Advisory Questions and Answers). Travel outside of the United States may have severe consequences for certain aliens who are in the process of adjusting their status. Such aliens may be unable to return to the United States, their applications may be denied, or both.

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. Those 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 a year or more are inadmissible for 10 years. Aliens who are unlawfully present, depart the U.S. and subsequently reenter under a grant of parole, may nevertheless be ineligible to adjust their status.

INS urges all aliens with pending applications for adjustment of status to consult an immigration attorney, immigration assistance organization accredited by the Board of Immigration Appeals, the INS National Customer Service Center at 1-800-375-5283, or the INS web site: www.ins.gov before making any foreign travel plans.

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