

Hi, I'm Ali. I am here to help you weigh the most important issues you'll want to consider with a lawyer when applying for permanent residency in the U.S.



Ask Ali: Can I Travel?

As an Afghan arrival, you may have questions about traveling back to Afghanistan (or to another country) and want to know how travel will impact your path to securing permanent residence in the United States. **Traveling can have negative implications for your case, so it's very important that you seek legal advice before making travel plans.**

There are some requirements all travelers should know about, but the risks you should consider depend on your situation. You may need to submit a Form I-131 (Application for Travel Document). See the chart below for more information. If you need to submit a Form I-131, be sure that you are filling it out correctly based on your immigration status. Travelers who return to the United States with travel authorization will still be subject to inspection by Customs and Border Protection. **Additionally, having a travel document does not guarantee re-entry to the United States.** Please consult the State Department's [travel guide](#) for more information on visa requirements for various countries, and the most up-to-date travel recommendations.

In the following dialogues, Ali answers some common questions about traveling outside the United States. He uses the Travel Chart from the second half of this document to provide answers. You can use the Travel Chart as a quick guide to learn how travel could impact your current or future immigration status.

Let's see what Bashir needs to consider if he wants to travel to another country.



Bashir's Case

Can I travel to another country?



Bashir

Glad you asked! Traveling may complicate a person's journey towards securing permanent resident status in the United States.

How can traveling impact my ability to secure permanent resident status in the United States?



Whether you should travel outside the United States depends on which applications you have submitted, whether those applications are approved, and which countries you plan to visit while traveling.

What should I do if I want to travel outside the United States?



If you want to travel outside the United States, speak to an immigration lawyer. Your lawyer will want to know which applications you have submitted to the U.S. government, whether any of those applications have been approved, and which documents you will need to show to officials in the country you're visiting when you arrive.



Samir's Case

Now, let's hear Samir's questions about traveling to Canada.



Samir



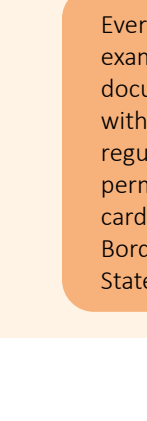
Hi, my name is Samir. I am a citizen of Afghanistan but am currently living in the United States and would like to travel to Canada.



I was an interpreter who worked for the U.S. government in Afghanistan. I just got my green card based on my approved Special Immigrant Visa (SIV).



Is there anything else I should keep in mind?



Every country has different requirements for crossing their borders. Some examples of these general travel requirements are vaccinations, travel documents, items to declare, and goods you can't bring into the country. Check with the [embassy of the country](#) you're visiting for their specific rules and regulations about entering the country. To re-enter the United States as a lawful permanent resident, you will need to present your unexpired green card, identity card (such as a passport), and any other documents requested by Customs and Border Patrol. If you have questions about what you need to re-enter the United States after traveling, please consult with a lawyer.



Hi, Samir. I need to know a little more about where you are in the immigration process. What applications have you submitted to the U.S. government, and have any of those applications been approved?



Congratulations on getting your green card! As you can see from the chart below, generally, after a person receives proof of their lawful permanent residence (also known as a green card), they may generally travel outside the United States. But remember, it is always recommended to check with [the embassy of the country](#) you're visiting for their specific rules and regulations about entering the country.



Sabria's Case



Now, let's hear Sabria's questions about traveling to Afghanistan.



Hi! My name is Sabria and I want to travel to Afghanistan to visit my family.

Hi, Sabria. I can understand your desire to visit your family. For your safety and security, traveling to Afghanistan is currently not recommended by the State Department. You can learn more about the State Department's travel recommendations by consulting their [travel guide](#) on visiting Afghanistan.

To understand how travel will impact your immigration application, status, and case, I need to know what immigration documents you have received from the U.S. government. Can you tell me more about what immigration documents you have received from the U.S. government so I can assess your travel risks?



My lawyer submitted an asylum application, but I haven't received an approval for this application yet.

As you can see from the Travel Chart below, leaving the country as an asylum seeker carries risks. Traveling back to Afghanistan could prevent you from being able to obtain asylum in the United States. Generally, because asylum is an application based on fear of returning to your country of persecution, travel to Afghanistan could indicate that you would no longer experience or would no longer fear persecution and may make you ineligible for asylum. The U.S. government may assume you have abandoned your asylum application. Always consult with a lawyer if you have questions about your particular circumstances.



How about traveling to other countries while my asylum application is pending?

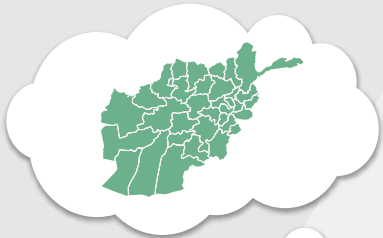
Given that your application for asylum is pending, you must apply for and receive a travel document (also called an advance parole document*) by submitting Form I-131 prior to travel. Please keep in mind that advance parole does NOT replace your passport and does not guarantee reentry into the United States. A lawyer should verify applicable documents prior to any travel, and we recommend seeking legal advice prior to making plans. You should also confirm what visa or entry requirements may exist for the country that you intend to travel to prior to making any plans.



Is there anything else I should keep in mind?

It's possible that you may not be able to re-enter the United States even if you have the correct documents. You may have to petition a U.S. embassy in the country that you are visiting to re-apply for an alternative re-entry document, which could result in long wait times before you are able to return to the United States, and the application may or may not be approved.

Seek advice from an immigration lawyer to evaluate your options prior to any travel outside the United States.



Sabria

Travel Chart: Can I Travel Outside of the United States While Applying for Immigration Benefits or After Receiving Immigration Benefits?



The chart below helps you to understand how traveling may impact you and why it's important to seek legal advice before you make plans. To use the chart, follow three simple steps:

1. Find the application you are currently approved for or are pursuing with the U.S. government in the first column.
2. Follow the row to help you consider your options.
3. Consult an ILSAA lawyer for guidance related to your unique situation.

Type of Status	Application Status	What do I need to know?
Parole	Parolee	Generally, if a parolee (someone who has parole) leaves the United States, that person's parole will end when they depart. If a parolee wishes to travel outside the United States, that person must apply for a travel document (advance parole*; Form I-131) and receive advance parole BEFORE leaving the United States. This process usually takes several months. However, even if that person is granted advance parole, leaving the United States, even for a short period, can impact that person's eligibility for other temporary and permanent forms of relief, including Temporary Protected Status (TPS) and asylum. If you have a parole-based Employment Authorization Document (EAD), you may continue to work when you return to the United States as long as that document is unexpired. If you do not have an EAD or your EAD is now expired, you will need to request an EAD upon your return to the United States with advance parole. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.
Temporary Protected Status (TPS)	Pending TPS Application	Generally, to travel outside the United States, a TPS applicant must apply for a travel document (advance parole*; Form I-131) and receive advance parole BEFORE leaving. This process usually takes several months. However, even if a person is granted advance parole, leaving the United States, even for a short period, could affect that person's eligibility for other temporary and permanent forms of relief, including TPS and asylum. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.
	Approved TPS	Generally, to travel outside the United States, a TPS beneficiary must apply for travel authorization (Form I-131) and receive Form I-512T, Authorization for Travel by a Noncitizen to the United States BEFORE leaving. A TPS travel document does not replace that person's passport, but it can be accepted as proof that the person is authorized to travel to the United States instead of needing a visa. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.

Type of Status	Application Status	What do I need to know?
Special Immigrant Visa (SIV)	Pending SIV Application	Generally, to travel outside the United States, a person must apply for a travel document (advance parole*; Form I-131) and receive advance parole BEFORE leaving. This process usually takes several months. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.
	Approved SIV (but has NOT yet received a green card)	Generally, to travel outside the United States, a person must apply for a travel document (advance parole*; Form I-131) and receive advance parole BEFORE leaving. This process usually takes several months. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.
	Approved SIV (with Green Card)	<p>Generally, after a person receives proof of their lawful permanent residence (also known as a green card), they may travel outside the United States. However, you should consider these factors:</p> <ul style="list-style-type: none"> • While lawful permanent residents need only present their green card to reenter the United States, foreign countries may have other requirements. Contact the embassy of the foreign country you will be visiting for their requirements. • Airlines may also have their own requirements. Check with your airline(s) before travelling. • Do not travel outside the United States for over 180 days in a 1-year period (whether one big trip or several small trips). • Some individuals will receive conditional green cards. Those individuals must follow any conditions on their green card. <p>Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.</p>
Asylum	Pending Asylum Application	<p>Generally, asylum applicants should not travel to their country of persecution because it may be viewed as “voluntary re-availment,” which means the person may not be eligible for asylum.</p> <p>Generally, to travel elsewhere, an asylum applicant must apply for advance parole* (Form I-131) and receive advance parole BEFORE departing or else that person’s asylum application may be considered abandoned. Additionally, it is very important to avoid travelling using travel documents (e.g., passports) issued by the country of persecution, which may also be considered “voluntary re-availment.”</p> <p>Furthermore, asylum applicants in removal proceedings cannot re-enter the United States after departing.</p> <p>Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.</p>
	Approved Asylum (with or without Pending Green Card Application Based on Asylum)	<p>Generally, asylees (someone who has been granted asylum) should not travel to their country of persecution because such travel may be a basis for the U.S. government to terminate the person’s asylum status. Also, during the first year of asylee status, travel outside the United States can count against the one year of physical presence in the United States needed to adjust status and could delay the asylee’s eligibility for lawful permanent residence.</p> <p>To travel elsewhere, an asylee generally must apply for a refugee travel document (Form I-131) BEFORE departing</p>

Type of Status	Application Status	What do I need to know?
Asylum (Cont.)	Approved Asylum (with or without Pending Green Card Application Based on Asylum) (Cont.)	<p>the United States. The asylee should only travel using the refugee travel document and NOT travel using the documents (including passports) from their country of persecution.</p> <p>Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.</p>
	Approved Green Card Based on Asylum	<p>Generally, lawful permanent residents who received a green card based on their asylee status should understand that travel to their country of persecution may be a basis for the U.S. government to terminate their lawful permanent residence.</p> <p>To travel elsewhere, lawful permanent residents (based on asylee status) may need to apply for a refugee travel document (Form I-131). They should only travel with their green card and a refugee travel document. They should NOT travel using the documents from their country of persecution.</p> <p>However, there are rules about how you can travel with your green card:</p> <ul style="list-style-type: none"> • While lawful permanent residents need only present their green card to reenter the United States, foreign countries may have other requirements. Contact the embassy of the foreign country you will be traveling to for their requirements. • Airlines may also have their own requirements. Check with your airline(s) before travelling. • Do not travel outside the United States for over 180 days in a 1-year period (whether one big trip or several small trips). • Some individuals will receive conditional green cards. Those individuals must follow any conditions on their green card. <p>Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.</p>
Withholding of Removal or Convention Against Torture (CAT) protection	Pending Application for Withholding of Removal or CAT Protection	<p>Do not travel to your country of origin.</p> <p>Generally, to travel elsewhere, a withholding of removal or CAT protection applicant must apply for a travel document (advance parole*; Form I-131) and receive advance parole BEFORE departing or else that person's application will be considered abandoned.</p> <p>If you are not eligible for asylum and are only eligible for Withholding of Removal and CAT protection, you should not travel outside the United States at all.</p> <p>Furthermore, applicants in removal proceedings cannot travel. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.</p>

Type of Status	Application Status	What do I need to know?
Withholding of Removal or Convention Against Torture (CAT) protection (Cont.)	Approved Withholding of Removal or CAT Protection	There is no right to travel outside the United States with an approved withholding of removal or CAT protection. If you leave the United States, you will not be permitted to return based on these forms of protection. Consult with an immigration lawyer if you have questions about how travel could impact your current or future immigration status.

*Advance Parole: The USCIS website states:

“Advance parole allows you to travel back to the United States without applying for a visa. A transportation company (airlines) can accept an advance parole document instead of a visa as proof that you are authorized to travel to the United States. An advance parole document does not replace your passport.

Please note that having an advance parole document does not guarantee that you will be allowed to reenter the United States. At the airport or border, a U.S. Customs and Border Protection (CBP) officer will make the final decision about whether to allow you to reenter the United States.”

