

Adjustment of Status (AOS) International Travel FAQs

- **When can I travel internationally?**

You must be in the U.S. when the AOS application is filed. Once the AOS has been filed, you may travel internationally only IF:

Upon receiving the filing receipt from USCIS from the AOS filing, **ONLY if you are in valid H-1B or L-1 status**, you and your family members (in H-4 or L-2 status) may travel outside of the United States and re-enter with your respective **valid H or L visas in your passports** (if your existing visa stamp has expired, you must apply for and obtain a new visa before returning to the United States), provided you will continue to be employed pursuant to your H-1B or L-1 status when you re-enter the U.S. In such a case, you can travel without the Advance Parole. However, you must be in the U.S. at the time we file your AOS application.

OR

For all other non-immigrant categories (except for H and L), **you cannot travel internationally until you have an approved and valid Advance Parole (travel) document or USCIS will deem your AOS application abandoned upon your departure**. An application for Advance Parole will be filed on your behalf together with your AOS. The current processing time for Advance Parole is approximately 90 days. You will receive the advanced parole travel document in the mail directly from USCIS (EAD/AP combo card).

- **What can I expect in terms of timing?**

Once your AOS is filed, you should receive the Advance Parole (AP) travel document and the Employment Authorization Document (EAD) combination card within approximately 90 days. If your spouse has been unable to work until now, the AP/EAD will allow him or her to accept employment in the U.S. During that 90 day period, you should also expect to receive an appointment to have your biometrics (fingerprints and photos) taken at a local Application Support Center. Following your biometrics appointment, USCIS will perform your background check and adjudicate your application. Your EAD/AP combo card cannot be issued until your biometrics appointment is complete.

- **Can I reschedule my biometrics appointment based on conflicting plans?**

We advise against rescheduling your biometrics appointment because it will result in the delay of your AOS petition and delay in production of your EAD/AP card. If you have a conflict, it may be possible to conduct a same day walk-in appointment. Please contact legal counsel if you find there is a conflict for your biometrics appointment.

- **Can I reschedule my interview based on conflicting travel plans?**

We advise against any travel while your lawful permanent residence application is pending. We highly advise against scheduling any travel around the anticipated time of your interview. Granting of reschedule dates for your interview is discretionary by USCIS and will delay your case significantly.

Requests for reschedule should only be made due to emergent circumstances. In order to request an interview reschedule date, please provide legal counsel with proof of the emergent circumstance and a copy of your travel itinerary. You must notify legal counsel immediately if you have an emergent circumstance that requires international travel.

- **How soon can I book travel after the interview date?**

Once you are granted lawful permanent residence status it takes approximately 2-4 weeks to receive the physical lawful permanent resident card in the mail. Your EAD/AP is no longer valid for travel once you have been approved for lawful permanent residence. We advise that you do not schedule any international travel for 30 days after the interview. If an emergent circumstance arises, contact your attorney immediately for travel advice.