

Advice on Traveling Abroad for DACA, TPS and International Students

November 20, 2024

One of the first acts of the Trump Presidency in 2017 was to enforce travel restrictions on who could enter the United States. In anticipation of a potential new travel ban enacted on January 20, 2025, plus other possible immigration restrictions, CUNY Citizenship Now! is providing recommendations to individuals in the CUNY community who are looking to travel abroad during the winter recess and December/January holiday season.

Individuals with DACA

Students with DACA should be safe traveling abroad with Advance Parole, even if they expect returning after January 20, 2025. Advance Parole – USCIS permission to return to the U.S. after travel abroad – allows reentry in the same status the student had before leaving, provided that the student has not engaged in illegal activity in the U.S. or abroad, such as a criminal activity that would make them inadmissible when they try to re-enter. That said, to avoid the anxiety about pending immigration law changes, many DACA recipients may feel more comfortable returning earlier. We recommend returning to the U.S. on or before January 19, 2025.

Additionally, we recommend students return to the United States via JFK Airport. Inspectors there have more experience with DACA entrants, and we can sometimes intervene to assist the student and inquire when a person is detained for an extensive period.

Individuals Temporary Protective Status (TPS)

Students and staff with TPS traveling abroad with Advance Parole should make every effort to return before January 19, 2025. This advice differs from that given to DACA students because the Trump administration **may** try to immediately end TPS, at which point the individual would not have the possibility to return as a TPS holder. The administration does not have a similar option for DACA.

Returning to the U.S. with Advance Parole

Individuals returning with Advance Parole should expect to undergo secondary inspection, which is when you are interviewed by a Customs and Border Inspection (CBP) officer in a room. You need not fear these interviews but should be prepared for the extra scrutiny. CBP officers have the right to check your phones for calls and messages and your social media pages.

International Students

F-1 and J-1 students should face no problems reentering the United States on January 20 and after, **provided they have a valid unexpired visa and have not violated their status. They should prepare for increased scrutiny at reentry and may be denied entry if CBP finds evidence that they have violated their status such as by working without authorization. CBP officers have the right to check your phones for calls and messages and your social media pages. Again, to avoid the anxiety we recommend returning to the U.S. on or before January 19, 2025.**

Students **SHOULD NOT** travel abroad if they must obtain a new visa at a U.S. Consulate on January 20 or after. We will reconsider this advice after January 20, 2025. It is impossible to know what restrictions the new administration might place on the issuance of new visas.

We are prioritizing consultations if you are traveling abroad on Advance Parole, so please email citizenshipnowinfo@cuny.edu for a consultation with an attorney.