

<i>Category</i>	<i>Comment and Response</i>	
Instructions Form I-131	<p>1. Page 1: “What Is the Purpose of This Form?”</p>	<p>Comment: The commenter recommends the “NOTE” in this section on Form I-131 instructions be amended to add, “before you may return to the United States” at the end.</p> <p>Response: USCIS has made numerous edits to the forms instructions due to the comments received from the public, other DHS components, and other Federal agencies. We did not adopt the commenter’s language exactly as proposed but we believe the NOTE on page 1 of the instructions as edited accomplish the gist of what the commenter suggested regarding the “NOTE”.</p>
	<p>2. Page 2, “Who May File Form I-131”</p>	<p>Comment: The commenter recommends the last sentence in the first paragraph (a) should be amended to reflect the regulatory requirements under 8 CFR §223.2(b)(1) for the collection of biometrics and proposes language.</p> <p>Response: USCIS will not adopt the commenter’s proposed language. The form instructions’ biometrics requirements are authorized by 8 CFR 103.2(b)(9), which states in part: ...The applicant, petitioner, sponsor, beneficiary, or other individual may appear as requested by USCIS, or prior to the dates and times for fingerprinting or of the date and time of interview”... No additional discussion of the legal authority is not necessary to include and the current instructions are sufficient.</p>
	<p>3.</p>	<p>Comment: The commenter is a TPS recipient who appreciates that he/she can adjust status after travel and can go through consular processing without fear of being barred for 10 years for unlawful presence.</p> <p>Response: We appreciate that the commenter believes the revised form and instructions may be helpful to his or her situation. No changes would be made to this collection as a result of this comment..</p>
	<p>4.</p>	<p>Comment: The commenter asks for clarification if it is possible to apply for two advance parole applications at the same time months in advance.</p> <p>Response: The current Form I-131 allows an applicant to opt for one exit and reentry or multiple trips.</p>
	<p>5. Page 4</p>	<p>Comment: The commenter suggests Form I-131 instructions be amended to better reflect the guidelines for advance parole and travel as outlined in the DACA FAQs.</p> <p>Response: USCIS accepts this suggestion. The instructions have been revised to more closely reflect responses found in the DACA Frequently Asked Questions.</p>

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	<p data-bbox="296 277 575 305">6. Page 4, Section 3.a.(3)</p> <p data-bbox="606 277 1835 334">Comment: The commenter suggests Form I-131 instructions be amended to clearly explain that advance parole for DACA recipients is not strictly limited to the enumerated circumstances and include other legitimate reasons.</p> <p data-bbox="606 375 1877 490">Response: This comment is adopted. Every application for a travel document is reviewed based on its own merits, and the list of examples for the need to travel provided in the instructions are not exhaustive. The instructions are now more clear that an advance parole travel document will typically be granted to recipients of DACA when they show that they need to travel for business, education or humanitarian reasons, but not <u>only</u> for these reasons.</p>
	<p data-bbox="296 500 548 557">7. Page 4, Section 3.b. Travel Warning.</p> <p data-bbox="606 500 1877 557">Comment: The commenter suggests Form I-131 instructions be reorganized and streamlined for this section for clarity. The commenter recommends adopting newly proposed language.</p> <p data-bbox="606 589 1877 704">Response: USCIS does not adopt the commenter’s proposed language but instead clarifies this section’s language by recognizing INA 235 does refer to expedited removal and removal proceedings under INA 240. The form instructions accurately state that an unparoled applicant for admission may be subject to removal <i>under or pursuant to</i> the processes identified at INA 235.</p>
	<p data-bbox="296 716 527 743">8. Section 3.b.(8)(c)</p> <p data-bbox="606 716 1898 831">Comment: The commenter indicates that Form I-131 should instruct individuals who have obtained advance parole, and who have been granted DACA after having been ordered deported or removed, to seek reopening and administrative closure or termination of proceedings before departing the United States. The commenter recommends adopting newly proposed language.</p> <p data-bbox="606 863 1877 1011">Response: USCIS understands the commenter’s request, but it will not adopt the commenter’s proposed language. The instructions have been revised instead to reflect responses found in the DACA Frequently Asked Questions, and USCIS believes these revisions reflect the clarifications suggested by the commenter. We do not feel that it is necessary to provide further guidance in these instructions than the extensive warnings already provided as to what actions and applicant should take before submitting an application for a travel document or traveling.</p>
Instructions Form I-131	<p data-bbox="296 1024 575 1052">9. Page 5, Section 3.c.(2)</p> <p data-bbox="606 1024 1898 1140">Comment: The commenter indicates Form I-131 instructions are confusing and may cause readers to conflate different types of parole—parole from immigration detention, under INA §236(a), and parole into the United States under INA §212(d)(5). The commenter suggests USCIS can clarify this section by combining the note with the main text and making a few small changes.</p> <p data-bbox="606 1172 1877 1287">Response: USCIS recognizes the need for clarification. The instructions have been significantly revised to clarify procedures to apply for Advance Parole if the alien is a recipient of deferred action under childhood arrival, and to state that an applicant who is not granted parole may be subject to removal <i>based on</i> INA 212, rather than <i>based on</i> INA 237. USCIS believes the revised instructions address the concerns expressed by the commenter.</p>

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10. Page 6: “General Instructions,” “How to Fill Out Form I-131” Item 3.	<p>Comment: We strongly urge USCIS to retain the language of the current instructions regarding the use of “N/A” or “None.”</p> <p>Response: USCIS appreciates the suggestion of the commenter that a blank space may lead an applicant to think they forgot to answer the question during a quick review before its submission. As a result, USCIS will change the form to allow NA or None as an answer in the drop down menu and not require that spaces remain a blank when the question is not applicable to the applicant.</p>
11. Page 8, Section 2.a-b.	<p>Comment: The commenter recommends Form I-131 instructions in section b. be combined with section a. and the first paragraph of text be amended to reflect change as photograph specifications are the same regardless of the type of travel document the applicant is seeking.</p> <p>Response: USCIS accepts this recommendation and has revised the language as suggested.</p>
12. Page 8, Section 3.	<p>Comment: The commenter recommends Form I-131 instructions be cross-referenced for additional details; laying out the biometrics requirements clearly and succinctly.</p> <p>Response: USCIS believes Form I-131 instructions are sufficient and clear as to when and where biometrics are required and references to the regulations would only add redundant or unnecessary text.</p>
13. Page 9: “General Requirements,” “Expedite Request Instructions.”	<p>Comment: The commenter suggests amending this section to include expedited processing of non-humanitarian applications for advance parole. They point reasons why an applicant for advance parole, including DACA-based applicants, might need to obtain expedited advance parole in order to depart the U.S. quickly.</p> <p>Response: USCIS accepts this recommendation and has added language clarifying that adjudication of expedited requests applies equally to all applicants. In addition, USCIS has added the criteria that are necessary to demonstrate the need to request expedited approval.</p>
14. “What Is the Filing Fee?” “How to Check if the Fees Are Correct.”	<p>Comment: This section should be moved to the top of the “What is the Filing Fee?” section so that applicants are immediately notified of the need to verify the current fees by checking the USCIS website or calling the USCIS National Customer Service Center.</p> <p>Response: USCIS accepts this recommendation and has made the suggested revision.</p>
Instructions Form I-131	<p>Comment: The commenter suggest prior to implementing the proposed changes to the Form I-131 and instructions, USCIS should amend the Adjudicator’s Field Manual (AFM) to mirror the changes and should also ensure that all guidance referenced by Immigration Service Officers in the course of adjudicating travel document applications is consistent with the new instructions.</p> <p>Response: USCIS will amend AFM to be consistent with changes to Form I-131.</p>

