

Immigration Parolees' Eligibility for Federal Benefits

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The eligibility of foreign nationals in the United States for federal public benefits is a topic of long-standing congressional and public interest. Various laws enacted over the past 45 years address the eligibility of subgroups of noncitizens for particular types of benefits. These laws include the landmark Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193), which established comprehensive restrictions on noncitizen eligibility for federal public benefits. Subsequent amendments modified PRWORA's requirements to form the basic framework that applies today.

Persons granted immigration parole (parolees) are among the noncitizens potentially eligible for federal public benefits. Under the Immigration and Nationality Act (INA), the Secretary of the U.S. Department of Homeland Security (DHS) has discretionary authority to parole foreign nationals into the United States temporarily "for urgent humanitarian reasons or significant public benefit," subject to specified conditions. Over the years, Administrations have used this authority to establish parole programs for particular populations outside the United States.

The duration of an individual's parole grant varies based on the category of parole and the circumstances of the case. In a report on FY2023 parole requests, DHS stated that it generally granted parole for an initial period between 30 days and three years. Parolees can remain in the United States for the duration of their parole grants and can apply for work authorization.

Parolee eligibility for federal public benefits is the product of multiple laws. PRWORA generally provides that a foreign national must be granted parole for a period of at least one year to be potentially eligible for benefits. This eligibility is subject to restrictions. One restriction, commonly referred to as the *five-year bar*, prohibits otherwise-eligible noncitizens from receiving certain benefits for the first five years after their entry into the United States or their grant of status.

Other laws make certain parolees eligible for benefits regardless of the length of their parole grant. These laws, which apply to certain parolees from Afghanistan, Cuba, Haiti, and Ukraine, make the parolees eligible for specified benefits to the same extent as another subgroup of noncitizens—persons admitted to the United States as refugees. Refugees are eligible for a wide range of federal public benefits and are not subject to the five-year bar.

Categories of parole that have typically been granted for at least one year and/or have benefitted Afghans, Cubans, Haitians, or Ukrainians include port of entry parole, significant public benefit parole, Uniting for Ukraine, the Cuban Haitian Nicaraguan Venezuelan (CHNV) parole processes, and Cuban family reunification parole, among others. Among the federal public benefits that parolees may be eligible to receive (subject to any applicable restrictions and other requirements, such as income eligibility standards) are benefits under the four major means-tested programs—Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF)—and certain types of refugee resettlement assistance.

This report reflects information available as of its cover date, which is subject to change as the executive branch and Congress continue to reconsider immigration policy.

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Introduction

The eligibility of foreign nationals in the United States for federal public benefits is a topic of long-standing congressional and public interest. Various laws enacted over the past 45 years, including the landmark Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193), address the eligibility of subgroups of noncitizens for particular types of benefits.

Among the noncitizens eligible for federal public benefits are certain persons granted immigration parole (parolees). The parole provision in the Immigration and Nationality Act (INA)¹ gives the Attorney General (now the Secretary of the U.S. Department of Homeland Security [DHS])² discretionary authority to “parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States.”³ Parolees can remain in the United States for the duration of their parole grants and can apply for work authorization. Immigration parole does not constitute formal admission under the U.S. immigration system.

Parole can be requested by foreign nationals inside or outside the United States in a range of circumstances. Persons who have been lawfully admitted to the country are not eligible for parole. Since the late 1950s, Administrations have used parole authority to enable particular populations abroad—often defined at least in part by nationality—to enter the United States.⁴

Parolee eligibility for federal public benefits is the product of multiple laws. PRWORA generally provides that a foreign national must be granted parole for a period of at least one year to be potentially eligible for benefits. Other laws make certain parolees potentially eligible for benefits regardless of the length of their parole grant. These laws apply to certain parolees from Afghanistan, Cuba, Haiti, and Ukraine.

To explore this multifaceted policy issue, this report opens with an explanation of the statutory provisions governing parolee eligibility for federal benefits. It then turns to DHS’s use of parole authority and the categories of parole relevant for benefit purposes. It concludes with an overview of parolee eligibility for selected federal public benefits. The report reflects information available as of its cover date, which is subject to change as the executive branch and Congress continue to reconsider immigration policy.

Federal Laws Governing Parolee Eligibility for Federal Public Benefits

Parolees are not all eligible for the same set of federal public benefits. Their eligibility depends on multiple factors, including, in some cases, the length of parole, their parole grant date, and their country of origin. One reason for this multiplicity of factors is there are multiple laws governing parolee eligibility for public benefits (as discussed in the sections below). Some of these laws make certain parolees eligible for many of the same benefits as refugees.⁵ Refugees are admitted to the United States on humanitarian grounds and are not required to demonstrate economic self-sufficiency.

¹ The Immigration and Nationality Act of 1952, as amended, is codified at 8 U.S.C. §§1101 et seq. The INA parole provision is codified at 8 U.S.C. §1182(d)(5).

² In accordance with the Homeland Security Act of 2002 (P.L. 107-296), most immigration functions of the U.S. Department of Justice’s then-Immigration and Naturalization Service (INS) were transferred to the new DHS as of March 1, 2003. Since then, the DHS Secretary has exercised immigration parole authority.

³ “Alien” is the term used in the INA for any person who is not a citizen or national of the United States. 8 U.S.C. §1101(a)(3). In this report, the terms *alien*, *noncitizen*, and *foreign national* are used interchangeably.

⁴ For additional information, see CRS Report R46570, *Immigration Parole*.

⁵ The INA defines “refugees” as persons who are typically outside their countries of nationality and are unable or unwilling to return to these countries “because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” 8 U.S.C. §1101(a)(42).

Title IV of PRWORA

Title IV established comprehensive restrictions on noncitizen eligibility for federal public benefits. Subsequent amendments⁶ modified PRWORA's requirements to form the basic framework that applies today. These restrictions apply to the majority of non-naturalized (i.e., non-U.S. citizen) foreign-born persons, including parolees. The restrictions vary based on immigration status and type of federal public benefit.

PRWORA defines "federal public benefit" to include "any retirement, welfare, health, disability ... or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States."⁷

PRWORA states that aliens, unless they are "qualified aliens" (see the "Qualified Alien" section below), are ineligible for federal public benefits. In addition, PRWORA places a number of restrictions on qualified aliens' eligibility for certain federal means-tested public benefits (FMTPBs) (for example, see the "Five-Year Bar" section). PRWORA exempts certain types of benefit programs, usually considered to be emergency programs, from its noncitizen eligibility requirements.⁸

PRWORA's Notwithstanding Clause

Title IV of PRWORA provides that its noncitizen eligibility requirements apply "notwithstanding any other provision of law."⁹ However, the implications of this provision are not always clear, and determining whether the eligibility restrictions apply to a federal benefit may be a source of confusion in terms of how PRWORA interacts with the underlying statute of a specific program.¹⁰ Thus, while PRWORA created blanket noncitizen eligibility requirements, noncitizen eligibility is not uniform across federal public benefit programs because PRWORA interacts with the other laws, regulations, and guidance that govern each individual program.¹¹

Qualified Alien

PRWORA created the term "qualified alien."¹² As noted previously, PRWORA states that aliens are ineligible for federal public benefits unless they are qualified aliens.¹³ Qualified aliens include lawful permanent residents (LPRs), refugees, and various other groups of noncitizens.¹⁴ Noncitizens paroled into the United States for at least one year are qualified aliens, as are Cuban-Haitian entrants (see the "Cuban-Haitian Entrants" section).

⁶ For example, see Title V of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA; P.L. 104-208, Division C), Title V of the Balanced Budget Act of 1997 (BBA 97; P.L. 105-33), the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998 (P.L. 105-306), the Consolidated Appropriations Act, 2021 (P.L. 116-260), and the Consolidated Appropriations Act, 2024 (P.L. 118-42).

⁷ 8 U.S.C. §1611(c)(1).

⁸ This includes emergency Medicaid; short-term, in-kind emergency disaster relief; and services or assistance designated by the Attorney General as (1) delivering in-kind services at the community level, (2) providing assistance without individual determinations of each recipient's needs, and (3) being necessary for the protection of life and safety. Noncitizens who do not meet the definition of *qualified aliens* are eligible for these emergency programs.

⁹ 8 U.S.C. §1611(a).

¹⁰ For more information on the legal framework governing Title IV of PRWORA, see CRS Legal Sidebar LSB10526, *PRWORA and the CARES Act: What's the Prospective Power of a "Notwithstanding" Clause?*, and CRS Report R46510, *PRWORA's Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues*.

¹¹ For more information, see CRS Report R46510, *PRWORA's Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues*.

¹² 8 U.S.C. §1641(b).

¹³ 8 U.S.C. §1611(a).

¹⁴ These other groups include noncitizens granted withholding of removal, noncitizens granted conditional entry before 1980, certain abused spouses and children, and Compacts of Free Association (COFA) migrants. 8 U.S.C. §1641(b).

Nonqualified aliens are all other noncitizens, including short-term parolees (i.e., those granted parole for less than one year).¹⁵ Nonqualified aliens are ineligible for most federal public benefits.

Five-Year Bar

PRWORA places a number of additional restrictions on qualified aliens' eligibility for certain FMTPBs, such as Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF).¹⁶

One such restriction prohibits certain qualified aliens from receiving FMTPBs for the first five years after U.S. entry/grant of status (often referred to as the *five-year bar*). The five-year bar applies to certain qualified aliens who entered the United States on or after August 22, 1996.¹⁷ Individuals paroled into the United States for at least one year are generally subject to the five-year bar.

Some groups of qualified aliens are exempt from the five-year bar, such as refugees and Cuban-Haitian entrants.¹⁸ Some parolees, such as certain Afghan and Ukrainian parolees, are treated like refugees for the purposes of public benefits (see the "Eligibility of Other Groups of Noncitizens for Refugee Benefits" section); thus, these parolees are also exempt from the five-year bar.

States can choose to cover qualified aliens subject to the five-year bar during those five years using only state funds (known as coverage at the *state option*). States can also choose to cover nonqualified aliens, such as short-term parolees.¹⁹

Time-Limited Eligibility for Certain Humanitarian Groups

PRWORA allows some qualified aliens to be eligible for certain FMTPBs for up to either five or seven years after their entry/grant of status, depending on the program.²⁰ This time-limited eligibility applies to various qualified aliens, including refugees and Cuban-Haitian Entrants.²¹

Refugee Resettlement Assistance Provisions in the Refugee Act of 1980 (P.L. 96-212)

P.L. 96-212 (Title III, Part B), as amended, established the Office of Refugee Resettlement (ORR) in the U.S. Department of Health and Human Services (HHS) and tasked the office with funding and administering several types of refugee assistance programs. These include programs to provide time-limited

¹⁵ Other nonqualified aliens include nonimmigrants (e.g., foreign students, tourists), Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) holders, recipients of Deferred Enforced Departure (DED), asylum applicants, various other classes of noncitizens granted temporary permission to remain in the United States, and unauthorized immigrants.

¹⁶ For more information on these programs, see the "Parolee Eligibility for Selected Federal Public Benefits" section.

¹⁷ 8 U.S.C. §1613(a).

¹⁸ 8 U.S.C. §1613(b)(1). In addition, the five-year bar does not apply to qualified aliens who have a military connection (8 U.S.C. §1613(b)(2)). The five-year bar also does not apply to LPRs who were previously in an exempt category (e.g., an individual who came to the United States as a refugee and then adjusted status to become an LPR).

¹⁹ 8 U.S.C. §1621.

²⁰ 8 U.S.C. §1612.

²¹ When PRWORA was enacted in 1996, lawmakers limited the eligibility of certain humanitarian categories for selected FMTPBs to a maximum of five years. The five-year limit was designed to allow noncitizens in some of these categories (e.g., refugees, asylees) to meet the necessary residency requirements before applying for citizenship. However, some observers noted that delays in processing naturalization applications resulted in some noncitizens exhausting their program eligibility before becoming citizens (for example, see Testimony of Susan Golanka et al., in U.S. Congress, House Committee on Ways and Means, Subcommittee on Human Resources, *Technical Corrections to Welfare Reform Legislation*, hearing, 105th Cong., 1st sess., February 26, 1997, H.Hrg. 105-1 [Washington, DC: GPO, 1997], p. 34, <https://hdl.handle.net/2027/pst.000031682350>). To address this situation, lawmakers increased the time limit for selected FMTPBs from five to seven years in the BBA 97 (P.L. 105-33).

cash assistance and medical assistance²² to refugees as well as programs “to assist refugees in obtaining the skills which are necessary for economic self-sufficiency.”²³ ORR provides Refugee Cash Assistance and Refugee Medical Assistance through its Transitional and Medical Services program and employment-related assistance through its Refugee Support Services program.²⁴

In addition to these programs, P.L. 96-212 authorizes a program of initial resettlement assistance for arriving refugees. Known as the Reception and Placement program, it is administered by the U.S. Department of State’s Bureau of Population, Refugees, and Migration. It provides reception upon arrival in the United States, basic-needs support (e.g., housing, furnishings, food, clothing) for at least 30 days, and referrals to health, employment, education, and other services, as needed, among other assistance.²⁵

Eligibility of Other Groups of Noncitizens for Refugee Benefits

As discussed previously, refugees are eligible for a range of federal benefit programs. Over the years, multiple laws have made other specified groups of noncitizens eligible for some or all of the same federal benefits as refugees. For example, legislation enacted in 1987 to provide for the admission to the United States as immigrants of certain Vietnamese nationals fathered by U.S. citizens made these individuals eligible for refugee resettlement assistance.²⁶ Other laws of this type have made specified groups of immigration parolees eligible for refugee resettlement assistance and made other federal public benefits available to refugees.

Cuban-Haitian Entrants

The Refugee Education Assistance Act of 1980 (P.L. 96-422), as amended, addressed the eligibility of Cubans and Haitians for federal assistance and benefits.²⁷ The original law was enacted during the Mariel Boatlift—a mass migration of asylum seekers that brought approximately 125,000 Cubans and 25,000 Haitians to South Florida in 1980.²⁸ The Carter Administration used its parole authority to provide for the legal entry of Mariel arrivals, who it described as “Cuban-Haitian entrants.”

Section 501(e) of P.L. 96-422, as amended, defined the term “Cuban and Haitian entrant” for purposes of eligibility for federal assistance. The definition included the following groups of parolees:

- (1) any individual granted parole status as a Cuban/Haitian Entrant ... regardless of the status of the individual at the time assistance or services are provided; and
- (2) any other national of Cuba or Haiti—
 - (A) who—(i) was paroled into the United States and has not acquired any other status under the Immigration and Nationality Act ... and
 - (B) with respect to whom a final, nonappealable, and legally enforceable order of removal has not been entered.

²² 8 U.S.C. §1522(e). Refugee cash and medical assistance are limited to 12 months from the ORR eligibility date; HHS, Administration for Children and Families, *Benefits for Refugees*, June 2023.

²³ 8 U.S.C. §1522(c)(1)(A)(i). Most of these programs are available to refugees for up to five years from their admission date; HHS, Administration for Children and Families, *Benefits for Refugees*, June 2023.

²⁴ For additional information on these programs, see HHS, Administration for Children and Families, *FY2025 Justification of Estimates for Appropriations Committees*, pp. 46-63, <https://www.acf.hhs.gov/sites/default/files/documents/olab/fy-2025-congressional-justification.pdf>.

²⁵ For additional information, see CRS Report R47399, *U.S. Refugee Admissions Program*.

²⁶ P.L. 100-202, §101(e), Title V, §584, 8 U.S.C. §1101 note.

²⁷ This act is codified at 8 U.S.C. §1522 note.

²⁸ Drew DeSilver, *Executive actions on immigration have long history*, Pew Research Center, November 21, 2014, <https://www.pewresearch.org/short-reads/2014/11/21/executive-actions-on-immigration-have-long-history/>.

Section 501 directed the President “to exercise authorities with respect to Cuban and Haitian entrants which are identical to the authorities which are exercised under [the Refugee Assistance provisions of the INA].” It also stated, “the President may, by regulation, provide that benefits granted under any law of the United States (other than the [INA]) with respect to individuals admitted to the United States [as refugees] ... shall be granted in the same manner and to the same extent with respect to Cuban and Haitian entrants.” As noted previously, PRWORA made Cuban and Haitian entrants eligible for certain federal public benefits to the same extent as refugees.

Afghan Parolees

In connection with the 2021 U.S. military withdrawal from Afghanistan and subsequent Taliban takeover, the United States facilitated the evacuation and relocation of Afghan nationals to the United States. Most of these Afghans were granted parole for two years.²⁹ P.L. 117-43 (Division C, §2502(b)), as amended by P.L. 117-328 (Division M, §1501), provides that Afghans paroled into the United States between July 30, 2021, and September 30, 2023, are eligible for the same resettlement assistance and other federal benefits as refugees. P.L. 117-43 further provides that certain family members of these parolees, who themselves are granted parole after September 30, 2022, are likewise eligible for these benefits.

Ukrainian Parolees

In April 2022, the Biden Administration announced a new parole program for Ukrainians displaced by the February 2022 Russian invasion of their country. Through the Uniting for Ukraine program, Ukrainians outside the United States have been granted immigration parole for up to two years.³⁰ P.L. 117-128 (Title IV, §401), as amended by P.L. 118-50 (Division B, §301), makes Ukrainians paroled into the United States between February 24, 2022, and September 30, 2024, eligible for the same resettlement assistance and other federal benefits as refugees (with the explicit exception of the Reception and Placement program). P.L. 117-128 further provides that specified family members of these individuals, who themselves are paroled in after September 30, 2023, are also eligible for the same benefits.

DHS Use of Parole Authority

The DHS Secretary’s parole authority has been delegated to three agencies within the department: U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), and U.S. Customs and Border Protection (CBP). These entities are variously responsible for approving and granting different types of parole.

Only limited data on DHS’s use of parole in the last 20 years are publicly available.³¹ The data that are available cover FY2022 and FY2023 and were published by DHS in response to congressional mandates.³² The latest report, *Parole Requests, Fiscal Year 2023, Fourth Quarter*, includes information and data for full

²⁹ For additional information about these parole grants, see the “Afghans” section of CRS Report R47654, *Immigration Options for Immigration Parolees*.

³⁰ For additional information, see the “Ukrainians” section of CRS Report R47654, *Immigration Options for Immigration Parolees*; and DHS, “Uniting for Ukraine,” February 10, 2025, <https://www.dhs.gov/ukraine>.

³¹ Annual reports of immigration statistics for FY1995 to FY2003 published by INS and then DHS contained data tables on parole grants. DHS’s subsequent reports have not included such data.

³² Joint explanatory statements accompanying the FY2022 DHS appropriations act (Division F of P.L. 117-103) and the FY2023 DHS appropriations act (Division F of P.L. 117-328) directed DHS to provide quarterly reports on parole requests and grants. DHS has published one such report for FY2022 (*Parole Requests, Fiscal Year 2022*, July 12, 2023, https://www.dhs.gov/sites/default/files/2023-08/23_0712_cbp_fy22_parole_requests.pdf) and three for FY2023 (*Parole Requests, Fiscal Year 2023, First Quarter*, July 13, 2023, https://www.dhs.gov/sites/default/files/2023-08/23_0713_dmo_plcy_parole_requests_q1.pdf; *Parole Requests, Fiscal Year 2023, Second and Third Quarter*, December 4, 2023, https://www.dhs.gov/sites/default/files/2024-01/2023_1204_dmo_plcy_parole_requests_q2_and_q3.pdf; and *Parole Requests, Fiscal Year 2023, Fourth Quarter*, April 3, 2024, https://www.dhs.gov/sites/default/files/2024-07/2024_0403_dmo_plcy_parole_requests_q4.pdf).

year FY2023. The data in this report are limited to initial parole grants. They do not include grants of new periods of parole to parolees already in the United States (re-paroles).

Regarding the length of initial parole grants in FY2023, the DHS report states, “each parole grant was made on a case-by-case basis for a duration generally between 30 days and 3 years.”³³ Parole grants of interest for the purposes of this CRS report are generally those issued for one year or longer. As discussed previously, under PRWORA noncitizens paroled into the United States for at least one year are considered qualified aliens for federal public benefit purposes. In addition, other laws have made specified Cuban, Haitian, Afghan, and Ukrainian parolees eligible for certain federal public benefits. These laws do not make benefit eligibility contingent on receiving a parole grant of a particular duration; however, many beneficiaries of these laws will have been granted parole for at least one year.³⁴

Parole Categories

Parole grants in the categories listed here typically have been issued for at least one year, according to DHS’s most recent report.³⁵ The list is not exhaustive, however; it does not include all such categories. Based on available information in the DHS report, the listed categories are those that have accounted for larger numbers of parole grants in recent years.³⁶ As of the cover date of this CRS report, some parole categories have been terminated and some are under review in accordance with executive orders issued in January 2025.³⁷

Port of Entry Parole

Port of entry parole may be granted to an arriving foreign national who has not applied in advance for authorization to travel to a U.S. port of entry (POE) to request parole. Such parole may be granted for an “emergent need,” such as “a legitimate law enforcement purpose or a medical emergency.”³⁸ These parole grants have typically been for one year.

Noncitizen Issued a Form I-94 + Notice to Appear and Released on Parole

An arriving foreign national who is encountered and processed at a POE and issued an arrival/departure record (Form I-94) and a notice to appear (NTA) in immigration court may be released on parole. Among these parolees are persons who used the CBP One mobile application to schedule appointments to present themselves at a POE for processing. (According to DHS, effective January 20, 2025, CBP One is no longer

³³ DHS, *Parole Requests, Fiscal Year 2023, Fourth Quarter*, April 3, 2024. This report includes full-year FY2023 data.

³⁴ For example, past and present special parole initiatives for Afghans, Ukrainians, Cubans, and Haitians have provided parole grants of more than one year (see the “Parole Categories” section).

³⁵ DHS, *Parole Requests, Fiscal Year 2023, Fourth Quarter*, April 3, 2024, p. ii.

³⁶ The DHS report does not enumerate parole grants in categories that accounted for fewer than 100 grants in each quarter of FY2023. See *Ibid.*, Table 2 notes, p. 6.

³⁷ Section 16 of E.O. 14159, *Protecting the American People Against Invasion*, directs specified Administration officials to “rescind the policy decisions of the previous administration that led to the increased or continued presence of illegal aliens in the United States, and align any and all departmental activities with the policies set out by this order and the immigration laws.” The required actions include “ensuring that the parole authority under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) is exercised on only a case-by-case basis in accordance with the plain language of the statute.” Section 7(b) of E.O. 14165, *Securing Our Borders*, directs the DHS Secretary to “terminate all categorical parole programs that are contrary to the policies of the United States established in my Executive Orders, including the program known as the ‘Processes for Cubans, Haitians, Nicaraguans, and Venezuelans.’” Section 7(c) of this order further directs the DHS Secretary to “align all policies and operations at the southern border of the United States to be consistent with the policy of Section 2 of this order [on border security] and ensure that all future parole determinations fully comply with this order and with applicable law.”

³⁸ DHS, CBP, *Muster Guidelines for Parole Classification at POEs*, week of October 29, 2018, <https://www.cbp.gov/sites/default/files/assets/documents/2023-May/Muster%20Guidelines%20for%20Parole%20Classification%20at%20POEs.pdf>.

available for this purpose.³⁹ In addition, according to multiple April 2025 media reports, DHS is sending notices to persons who scheduled appointments using CBP One and were given an NTA and released on parole, “informing them that their parole status is being terminated.”⁴⁰ These parole grants typically have been for one year.

ICE Parole from Custody

This category of parole represents ICE Enforcement and Removal Operations (ERO) final releases where the noncitizen has been booked out of ICE ERO custody with a release reason of “paroled.” These parole grants typically have been for one year.

Advance Humanitarian Parole

This category of parole takes its name from the text of the INA parole provision and reflects the underlying reason for the grant of parole.⁴¹ Advance humanitarian parole can be granted for urgent humanitarian reasons, such as to receive medical treatment. Persons residing outside the United States may apply for humanitarian parole for themselves (known as *self-petitioning*) or another person or entity can apply on their behalf. Successful self-petitioners or beneficiaries receive authorization to travel to the United States to request parole at a POE.⁴² These parole grants have typically been for a maximum of one year.⁴³

Significant Public Benefit Parole

A counterpart to the humanitarian parole category, significant public benefit parole similarly takes its name from the text of the INA provision and reflects the underlying reason for the grant of parole. It can be granted for significant public benefit, such as to participate in a legal proceeding. Successful self-petitioners or beneficiaries receive authorization to travel to the United States to request parole at a POE.⁴⁴ These parole grants typically have been for one year.

Parole for Individuals Abroad

This appears to be a general parole category. Some Afghan nationals who were relocated to the United States after the 2021 military withdrawal from Afghanistan were paroled in under this category. (Other Afghans were paroled in under the category discussed in the next section.) These parole grants have typically been for a maximum of two years.

³⁹ DHS, CBP, “CBP Removes Scheduling Functionality in CBP One™ App,” January 21, 2025, <https://www.cbp.gov/newsroom/national-media-release/cbp-removes-scheduling-functionality-cbp-one-app>.

⁴⁰ See, for example, Camilo Montoya-Galvez, “Migrants who entered U.S. via Biden-era CBP One app stripped of legal status, told to leave ‘immediately,’” CBS News, April 8, 2025, <https://www.cbsnews.com/news/migrants-cbp-one-app-legal-status-stripped-dhs/>. According to the article, DHS confirmed the parole revocations to CBS News. See also Ali Bianco, “DHS revokes parole for hundreds of thousands who entered via the CBP One app,” *Politico*, April 8, 2025, <https://www.politico.com/news/2025/04/08/dhs-parole-revoked-app-00007326>; and Rebecca Beitsch, “Legal status revoked for 985,000 migrants who entered US under Biden-era CBP One app,” *The Hill*, April 8, 2025, <https://thehill.com/policy/national-security/5237720-trump-immigration-crackdown-dhs-parole-protections-migrants-biden-cbp-one-app-southern-border/>.

⁴¹ This type of parole is different than “advance parole,” which most commonly describes the issuance of a document to a foreign national (other than an LPR) residing in the United States who needs to depart and wants to return, and whose conditions of stay do not otherwise allow for re-entry into the country.

⁴² For additional information, see DHS, USCIS, “Humanitarian or Significant Public Benefit Parole for Noncitizens Outside the United States,” January 24, 2025, https://www.uscis.gov/humanitarian/humanitarian_parole.

⁴³ According to USCIS, which has primary responsibility for adjudicating these requests, “We typically grant parole for no more than 1 year, although we may grant parole for a longer duration depending on the reason for the parole”; see https://www.uscis.gov/humanitarian/humanitarian_parole.

⁴⁴ For additional information, see DHS, USCIS, “Humanitarian or Significant Public Benefit Parole for Noncitizens Outside the United States,” January 24, 2025, https://www.uscis.gov/humanitarian/humanitarian_parole.

Operation Allies Refuge/Operation Allies Welcome (Afghans)

From July 2021 through the end of FY2022, during Operation Allies Refuge (OAR) and then Operation Allies Welcome (OAW), the United States relocated tens of thousands of Afghan nationals to the United States, the majority of whom were granted parole at a POE.⁴⁵ These parole grants were typically for two years.

Uniting for Ukraine

In April 2022, following the February 2022 Russian invasion of Ukraine, DHS established Uniting for Ukraine, an application-based parole process under which a U.S.-based supporter must agree to financially support a Ukrainian beneficiary and initiate the application. Successful beneficiaries received authorization to travel to the United States to request parole at a POE.⁴⁶ These parole grants have typically been for two years. According to DHS, this parole process is under review.⁴⁷

Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) Parole

In January 2023, DHS implemented new parole processes for Cubans, Haitians, and Nicaraguans, along with an updated process for Venezuelans. Based on Uniting for Ukraine but subject to additional restrictions, the CHNV processes required a U.S.-based supporter to initiate the application process on behalf of a beneficiary and agree to provide financial support. Successful beneficiaries received authorization to travel to the United States to request parole at a POE.⁴⁸ CHNV parole grants have typically been for two years. On March 25, 2025, DHS announced it was terminating the CHNV parole processes as of that date.⁴⁹

Cuban Family Reunification Parole

In 2007, DHS established a family reunification parole process for nationals of Cuba.⁵⁰ Under this program, petitioners in the United States with approved family-based petitions on behalf of nationals of Cuba could receive an invitation from the Department of State to begin the parole application process for their beneficiary family member in Cuba. Successful beneficiaries received authorization to travel to the United States to request parole at a POE so that they could wait in the United States for their family-based immigrant visas to become available. Parole grants under this program have typically been for two years. In

⁴⁵ For further information, see CRS Report R47654, *Immigration Options for Immigration Parolees*. OAW was followed by Operation Enduring Welcome, which focuses on resettling Afghans through immigration avenues that provide long-term immigration status, such as the Afghan Special Immigrant Visa programs. Afghan nationals abroad who want to be considered for parole can apply for advance humanitarian parole or significant public benefit parole, as described previously.

⁴⁶ For further information, see the “Ukrainians” section of CRS Report R47654, *Immigration Options for Immigration Parolees*; and DHS, “Uniting for Ukraine,” February 10, 2025, <https://www.dhs.gov/ukraine>.

⁴⁷ As of the cover date of this report, DHS’s “Uniting for Ukraine” web page has been archived. Links to additional information about this parole process redirect users to the following alert: “Due to the Jan. 20, 2025 Executive Order, Securing Our Borders, USCIS is pausing acceptance of Form I-134A, Online Request to be a Supporter and Declaration of Financial Support, until we review all categorical parole processes as required by that order.” DHS, USCIS, “Update on Form I-134A,” January 28, 2025, <https://www.uscis.gov/newsroom/alerts/update-on-form-i-134a>. Form I-134A had been required as part of the application process for Uniting for Ukraine.

⁴⁸ For further information, see the “Cubans, Haitians, Nicaraguans, and Venezuelans” section of CRS Report R47654, *Immigration Options for Immigration Parolees*.

⁴⁹ DHS, “Termination of Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans,” 90 *Federal Register* 13611, March 25, 2025, <https://www.govinfo.gov/content/pkg/FR-2025-03-25/pdf/2025-05128.pdf>.

⁵⁰ For further information, see DHS, USCIS, “The Cuban Family Reunification Parole Program,” October 11, 2024, <https://www.uscis.gov/humanitarian/humanitarian-parole/the-cuban-family-reunification-parole-program>. In 2014, DHS established a similar program for Haitian nationals. See DHS, USCIS, “The Haitian Family Reunification Parole (HFRP) Program,” January 24, 2025, <https://www.uscis.gov/humanitarian/humanitarian-or-significant-public-benefit-parole-for-aliens-outside-the-united-states/the-haitian-family-reunification-parole-hfrp-program>.

2023, DHS updated the Cuban family reunification process.⁵¹ The updated process offered parole grants for three years.⁵² According to DHS, the updated Cuban family reunification parole process is under review.⁵³

Family Reunification Task Force Parole

This category of parole pertains to certain families separated at the Southwest border by the U.S. government during the first Trump Administration. A 2023 settlement agreement in a class action lawsuit provided for certain separated family members to be granted parole to reunite. Potential beneficiaries include parents, legal guardians, or children who were separated from one another at the border between January 20, 2017, and January 20, 2021. Persons who qualified and were inside the United States could apply for parole in place (see next item) provided that they had not been lawfully admitted to the country.⁵⁴ These parole grants typically have been for three years.

Parole in Place

This category of parole authorizes individuals who are physically present in the United States but have not been lawfully admitted to remain in the country. In accordance with a 2013 USCIS policy memorandum, parole in place has been granted to certain family members (spouses, widow(er)s, sons, daughters, and parents) of active-duty members and veterans of the U.S. Armed Forces and the Selected Reserve of the Ready Reserve.⁵⁵ Stateless persons in the United States may also be eligible for parole in place.⁵⁶ Under the parole in place processes for military family members and stateless individuals, parole has been granted in one-year increments. It is unclear from publicly available information to what extent persons other than military family members and stateless individuals have been granted parole in place.

Parole Grants in FY2023

Table 1 provides data on the parole categories described in the preceding section.⁵⁷ The data reported in the table are limited to initial parole grants and do not include re-paroles.

⁵¹ DHS also updated the Haitian family reunification parole process and established new family reunification parole processes for nationals of certain other countries. For further information, see DHS, “DHS Announces Family Reunification Parole Processes for Colombia, El Salvador, Guatemala, and Honduras” (archived content), January 20, 2025, <https://www.dhs.gov/archive/news/2022/02/19/operation-allies-welcome-announces-departure-all-afghan-nationals-us-military-bases>.

⁵² For further information, see DHS, USCIS, “The Cuban Family Reunification Parole Program,” October 11, 2024, at <https://www.uscis.gov/humanitarian/humanitarian-parole/the-cuban-family-reunification-parole-program>.

⁵³ As of the cover date of this report, DHS links to information about the updated family reunification parole process for Cubans (and nationals of other countries) redirect users to the following alert: “Due to the Jan. 20, 2025 Executive Order, Securing Our Borders, USCIS is pausing acceptance of Form I-134A, Online Request to be a Supporter and Declaration of Financial Support, until we review all categorical parole processes as required by that order.” DHS, USCIS, “Update on Form I-134A,” January 28, 2025, <https://www.uscis.gov/newsroom/alerts/update-on-form-i-134a>. Form I-134A had been required as part of the application process for the updated Cuban family reunification parole process (and the family reunification parole process for nationals of other countries).

⁵⁴ For further information, including a link to the settlement agreement, see DHS, “Family Reunification Task Force,” January 28, 2025, at <https://www.dhs.gov/family-reunification-task-force>. Also see DHS, “Learn more about family reunification,” at <https://www.together.gov/qualifications>.

⁵⁵ For further information, see DHS, USCIS, “Discretionary Options for Military Members, Enlistees and Their Families,” January 25, 2025, <https://www.uscis.gov/military/discretionary-options-for-military-members-enlistees-and-their-families>.

⁵⁶ For further information, see DHS, USCIS, “Statelessness,” January 24, 2025, <https://www.uscis.gov/humanitarian/statelessness>.

⁵⁷ The parole category Operation Allies Refuge/Operation Allies Welcome, which accounted for fewer than 100 parole grants in each quarter of FY2023, is not included in **Table 1**. See *Parole Requests, Fiscal Year 2023, Second and Third Quarter*, December 4, 2023, Table 2 notes, p. 6.

Table 1. FY2023 Parole Grants of One Year or More

Parole Category	Typical Length of Parole	Number of Grants
Port of entry	1 year	64,437
Noncitizen issued a Form I-94 + NTA and released	1 year	362,255
ICE parole from custody	1 year	85,608
Advance humanitarian	365 days maximum	4,868
Significant public benefit	1 year	4,171
Parole for individuals abroad	2 years maximum	1,009
Uniting for Ukraine	2 years	96,260
CHNV processes ^a	2 years	240,681
Cuban Family Reunification ^b	2 years	2,415
Family Reunification Task Force	3 years	1,426
Parole in place	1 year ^c	10,046 ^d

Source: DHS, *Parole Requests, Fiscal Year 2023, Fourth Quarter*, April 3, 2024, Tables 2-4 and Appendix A.

Notes: The grant numbers represent parole events, not unique individuals; the grant numbers are limited to initial parole grants. NTA = notice to appear.

- This category combines the parole categories for Cubans, Haitians, Nicaraguans, and Venezuelans.
- This is the original Cuban Family Reunification category, not the 2023 updated version.
- The source does not provide a typical length for parole in place grants as a whole. Under the DHS parole in place policies for military families and stateless individuals, parole is granted in one-year increments (DHS, USCIS, "Discretionary Options for Military Members, Enlistees and Their Families," <https://www.uscis.gov/military/discretionary-options-for-military-members-enlistees-and-their-families>, and USCIS, "Statelessness," <https://www.uscis.gov/humanitarian/statelessness>).
- This number represents total grants of parole in place.

Parolee Eligibility for Selected Federal Public Benefits

Table 2 outlines the eligibility of various groups of parolees for the benefits listed below. The parolees included are those with parole grants of at least one year (see **Table 1**) as well as those made eligible for public benefits regardless of the duration of their parole grants. Also included, for comparison purposes, are persons with parole grants of less than one year who have not been made separately eligible for public benefits. This report does not discuss other eligibility criteria that a noncitizen must meet to be eligible for these programs (e.g., income eligibility standards).⁵⁸

The selected benefits include the four major means-tested public benefit programs and other selected benefits:

- **Medicaid** is a joint federal-state program that finances the delivery of primary and acute medical services, as well as long-term services and supports, to low-income populations,

⁵⁸ For information about other eligibility criteria by program, see the reports linked in the footnotes for each of the programs listed.

including children, pregnant women, adults, individuals with disabilities, and people aged 65 and older.⁵⁹

- The **Supplemental Nutrition Assistance Program (SNAP)** provides benefits to low-income, eligible households on an electronic benefit transfer card; benefits can then be exchanged for foods at authorized retailers.⁶⁰
- **Supplemental Security Income (SSI)** is a federal assistance program that provides monthly cash payments to aged, blind, or disabled individuals who have limited income and resources (i.e., assets).⁶¹
- The **Temporary Assistance for Needy Families (TANF)** block grants to states fund a wide range of benefits and services for low-income families with children.⁶²
- The **Affordable Care Act (ACA) Premium Tax Credits (PTCs)** are a federal subsidy that reduces the cost to eligible households of enrolling in specified ACA health insurance exchange plans. Households must meet income and other eligibility criteria to receive the PTC.⁶³
- **Office of Refugee Resettlement (ORR) Refugee Benefits** include Refugee Cash Assistance, Refugee Medical Assistance, and Refugee Support Services.⁶⁴
- **The Reception and Placement Program** provides initial resettlement services to arriving refugees. The services include pre-arrival services (e.g., placement); reception on arrival in the United States; basic needs support (e.g., housing, furnishings, food, and clothing) for at least 30 days; and help accessing health, employment, education, and other services, as needed.⁶⁵

⁵⁹ For more information, see CRS Report R43357, *Medicaid: An Overview*, CRS In Focus IF11912, *Noncitizen Eligibility for Medicaid and CHIP*, and CRS Report R47351, *Noncitizens' Access to Health Care*.

⁶⁰ For more information, see CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

⁶¹ For more information, see CRS In Focus IF10482, *Supplemental Security Income (SSI)*, CRS Report R44948, *Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI): Eligibility, Benefits, and Financing*, and CRS Report R46697, *Noncitizen Eligibility for Supplemental Security Income (SSI)*.

⁶² For more information, see CRS In Focus IF10036, *The Temporary Assistance for Needy Families (TANF) Block Grant*.

⁶³ For more information, see CRS Report R44065, *Overview of Health Insurance Exchanges*, CRS Report R44425, *Health Insurance Premium Tax Credit and Cost-Sharing Reductions*, and CRS Report R47351, *Noncitizens' Access to Health Care*.

⁶⁴ For more information, see HHS, ORR, "Refugee Services," <https://www.acf.hhs.gov/orr/programs/refugees>.

⁶⁵ For more information, see CRS Report R47399, *U.S. Refugee Admissions Program*.

Table 2. Summary of Parolee Eligibility for Selected Federal Public Benefits

Status/ Category	Medicaid	SNAP	SSI	TANF	ACA PTCs	ORR Refugee Benefits	Reception and Placement
Afghan parolees	Eligible for seven years after entry/grant of status Eligible at state option after seven years	Eligible	Eligible for seven years after entry/grant of status Ineligible after seven years	Eligible for five years after entry/grant of status Eligible at state option after five years	Eligible	Eligible	Eligible
Cuban-Haitian entrants	Eligible for seven years after entry/grant of status Eligible at state option after seven years	Eligible	Eligible for seven years after entry/grant of status	Eligible for five years after entry/grant of status Eligible at state option after five years	Eligible	Eligible	Ineligible
Parolees, granted for at least one year	Generally ineligible for five years after entry ^a Otherwise eligible at state option	Most are ineligible for five years after entry, with some exceptions (e.g., children under age 18) ^b	Ineligible unless they have a military connection ^c	Generally ineligible for five years after entry/grant of status ^d Otherwise eligible at state option	Eligible	Ineligible	Ineligible
Parolees, granted for less than one year ^e	Ineligible, except for emergency services ^f	Ineligible	Ineligible	Ineligible	Eligible with some exceptions ^g	Ineligible	Ineligible
Ukrainian parolees	Eligible for seven years after entry/grant of status Eligible at state option after seven years	Eligible	Eligible for seven years after entry/grant of status Ineligible after seven years	Eligible for five years after entry/grant of status Eligible at state option after five years	Eligible	Eligible	Ineligible

Source: CRS analysis of 8 U.S.C. §§1101 note, 1611, 1612, 1613, 1641.

- a. Some states exempt pregnant women and/or children from the five-year bar. For more information, see “Medicaid and CHIP Coverage of Lawfully Residing Children & Pregnant Women,” <https://www.medicaid.gov/medicaid/enrollment-strategies/medicaid-and-chip-coverage-lawfully-residing-children-pregnant-women>.
- b. For SNAP, some groups of qualified aliens are exempt from the five-year bar, such as refugees (8 U.S.C. §1613(b)(1)) and qualified aliens who have a military connection (8 U.S.C. §1613(b)(2)), children under the age of 18 (8 U.S.C. §1613(c)(2)(L)), and individuals receiving specified disability benefits (7 C.F.R. §273.4(a)(6)(ii)).
- c. The term *military connection* refers to a qualified alien who is lawfully residing in the United States and is (1) an honorably discharged veteran, (2) an active-duty member of the U.S. Armed Forces, or (3) the spouse, unmarried surviving spouse, or unmarried dependent child of such a veteran or servicemember (8 U.S.C. §1613(a)(2)).
- d. For TANF, some groups of qualified aliens are exempt from the five-year bar, such as refugees (8 U.S.C. §1613(b)(1)) and qualified aliens who have a military connection (8 U.S.C. §1613(b)(2)). Certain states may have more restrictions for TANF eligibility. For more information, see Migration Policy Institute, “Immigrants’ Eligibility for U.S. Public Benefits: A Primer,” January 2024, https://www.migrationpolicy.org/sites/default/files/publications/mpi_immigrants-access-public-benefits_final.pdf.
- e. The category “parolees, granted less than one year” excludes any parolees who are covered by another parolee category that provides eligibility for public benefits (i.e., Afghans, Cuban-Haitian entrants, Ukrainians).
- f. Under emergency Medicaid (§1903(v)(3) [42 U.S.C. §1396b(v)(3) and 8 U.S.C. §1611(b)(1)(A)]), states are required to provide limited Medicaid services for the treatment of an emergency medical condition to otherwise eligible aliens regardless of immigration status or lack of immigration status. For pregnant women, emergency Medicaid includes services covered under the state plan (e.g., routine prenatal care, labor and delivery, and routine postpartum care) (42 C.F.R. §440.255(b)(2)).
- g. See 45 C.F.R. §155.20(3) for exceptions.

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