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Immigration Parole

Updated September 18, 2025

Congressional Research Service
https://crsreports.congress.gov
R46570

CRS REPORT
Prepared for Members and
Committees of Congress

Summary

The parole provision in the Immigration and Nationality Act (INA) gives the Secretary of the Department of Homeland Security (DHS) 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 [foreign national] applying for admission to the United States."

Immigration parole is official permission to enter and remain temporarily in the United States. It does not constitute formal admission under the U.S. immigration system. An individual granted parole (a parolee) is still considered an applicant for admission. A parolee is permitted to remain in the United States for the duration of the grant of parole, and may be granted work authorization.

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). Parole can be requested by foreign nationals inside or outside the United States in a range of circumstances. Major parole categories include port-of-entry parole, advance parole, and humanitarian parole.

Available data on immigration parole are limited. In response to congressional mandates, DHS produced reports containing parole data for FY2022 and FY2023. For FY2023, DHS reported that it made a total of 1,340,002 parole grants, the overwhelming majority of which (1,244,348) were made by CBP.

Over the years, U.S. Administrations have used parole authority to bring in members of various groups of foreign nationals seeking long-term admission to the country, including Indochinese refugees, Cuban nationals, and Central American minors. Although created in response to specific circumstances, there are certain commonalities among these special parole programs. Many can be grouped under at least one of three headings: refugee-related parole programs, family reunification parole programs, and Cuban parole programs.

This use of parole authority to enable designated populations abroad to enter the United States has been particularly controversial. Some policymakers have argued that such programs are an appropriate use of the DHS Secretary's statutory authority, while others see them as violations of the "case-by-case basis" requirement of the parole provision. Reflecting the latter view, President Donald Trump's 2025 Executive Order 14159, "Protecting the American People Against Invasion," directs Administration officials to "[ensure] that the parole authority ... is exercised on only a case-by-case basis in accordance with the plain language of the statute."

Parole does not grant, nor entitle beneficiaries to later obtain, a lawful permanent resident (LPR) status. Beginning in the mid-1950s, Congress passed measures that established processes to grant LPR status to specified groups of parolees. Since the enactment of a 1960 law, persons with parole in the United States have been able to apply for and be granted LPR status, but to do so they must be eligible to receive an immigrant visa and meet other requirements.

Bills introduced and considered in recent Congresses embody differing views on the appropriate use of immigration parole authority. There have been proposals to amend the INA provision to restrict the DHS Secretary's use of parole. There also have been proposals to utilize parole authority to grant temporary immigration relief to specified populations as well as to establish mechanisms to enable parolees to obtain LPR status.

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Introduction

On the first day of his second term in office, President Trump issued two executive orders that referenced immigration parole. Executive Order 14159, "Protecting the American People Against Invasion," directed Administration officials to ensure that:

> parole authority ... is exercised on only a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual alien demonstrates urgent humanitarian reasons or a significant public benefit derived from their particular continued presence in the United States.[1]

Executive Order 14165, "Securing Our Borders," was more specific. It directed the U.S. Department of Homeland Security (DHS) to "take all appropriate action" to "terminate all categorical parole programs that are contrary to the policies of the United States established in my Executive Orders, including ... the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans [known as the CHNV parole processes]."[2] DHS subsequently took action to terminate certain categories of parole, including CHNV parole.

Immigration parole permits an alien[3] to be present temporarily in the United States for humanitarian or public benefit reasons. A parole provision (§212(d)(5)) was included in the original Immigration and Nationality Act (INA) of 1952 and was subsequently amended.[4] It currently reads, in part:

> (A) The Secretary of Homeland Security may ... in his discretion 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, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Secretary of Homeland Security, have been served the alien shall forthwith return or be returned to the custody from which he was paroled.

While seemingly limited and technical, INA parole authority has been the subject of considerable debate. It gives the DHS Secretary broad, discretionary authority to allow persons who may not otherwise be admissible to the country under the immigration laws to enter and remain in the United States temporarily. Persons granted parole (parolees) can apply for work authorization. Parole is one of several authorities that allow foreign nationals to live and work in the United States without being formally admitted to the country and without having a designated pathway to a permanent immigration status.

This report provides a brief legislative history of the INA parole provision, describes categories of parole, explores the exercise of parole authority for groups outside the United States and related debates, covers the parole application process and parolee eligibility for employment authorization, discusses the availability of parole data, explains how parolees can obtain U.S.

[1] Executive Order 14159, "Protecting the American People Against Invasion," 90 *Federal Register* 8443, January 29, 2025.

[2] Executive Order 14165, "Securing Our Borders," 90 *Federal Register* 8467, January 29, 2025.

[3] "Alien" is the term used in the Immigration and Nationality Act 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* and *foreign national* are used interchangeably.

[4] The INA is Act of June 27, 1952, ch. 477, codified, as amended, at 8 U.S.C. Sections 1101 et seq. It is the basis of U.S. immigration law. The parole provision is INA Section 212(d)(5) (8 U.S.C. §1182(d)(5)). See the **Appendix** for the full text of the original 1952 parole provision and the current parole provision.

lawful permanent resident (LPR) status, and considers recent legislative efforts to delineate appropriate uses of parole.

INA Parole Authority

Immigration parole is official permission to enter and remain temporarily in the United States. Parole does not constitute formal admission under the U.S. immigration system. A parolee is still considered an applicant for admission and is required to leave the United States before the period of parole expires.[5]

The original INA parole provision authorized the Attorney General, head of the Department of Justice (DOJ), to grant parole "for emergent reasons or for reasons deemed strictly in the public interest."[6] The INA, as initially enacted, did not contain distinct provisions for the admission of refugees; beginning in the 1950s, U.S. Administrations used the parole provision to bring in refugees.[7]

As part of the 1965 INA Amendments,[8] a "conditional entry" provision for the admission of refugees was added to the INA. House Judiciary Committee and Senate Judiciary Committee reports on the 1965 legislation stated in identical language that with this addition, the INA parole authority should thereafter be limited to certain situations:

> Inasmuch as definite provision has now been made for refugees, it is the express intent of the committee that the parole provisions of the Immigration and Nationality Act, which remain unchanged by this bill, be administered in accordance with the original intention of the drafters of that legislation. The parole provisions were designed to authorize the Attorney General to act only in emergent, individual, and isolated situations, such as the case of an alien who requires immediate medical attention, and not for the immigration of classes or groups outside of the limit of the law.[9]

The conditional entry provision, however, was limited to the Eastern Hemisphere and was subject to other restrictions. As a consequence, the executive branch continued to use parole authority to address refugee situations. During the 1960s and 1970s, large numbers of individuals from Cuba, Indochina, and other areas, who the United States considered to be refugees, were paroled into the country.[10]

The Refugee Act of 1980[11] added language to the INA defining the term *refugee* and establishing a refugee admissions process.[12] Among its other provisions, the 1980 act amended the INA

[5] A parolee, however, may apply for re-parole.

[6] See the **Appendix** for the full text of the original 1952 parole provision.

[7] In 1956, in the first use of the INA parole provision to bring in refugees, President Dwight Eisenhower directed the Attorney General to parole in 15,000 Hungarian refugees who had fled their country after the Hungarian Revolution of 1956. U.S. Congress, Senate Committee on the Judiciary, *Review of U.S. Refugee Resettlement Programs and Policies*, committee print, prepared by the Congressional Research Service, 96th Cong., 2nd sess., 66-439 O (Washington, DC: GPO, 1980), p. 9 (hereinafter cited as "1980 committee print").

[8] P.L. 89-236, §3.

[9] U.S. Congress, House Committee on the Judiciary, *Amending the Immigration and Nationality Act, and for Other Purposes*, report to accompany H.R. 2580, 89th Cong., 1st sess., H. Rept. 945, August 6, 1965, p. 15-16; U.S. Congress, Senate Committee on the Judiciary, *Amending the Immigration and Nationality Act, and for Other Purposes*, report to accompany H.R. 2580, 89th Cong., 1st sess., S. Rept. 748, September 15, 2016, p. 17.

[10] For additional information, see 1980 committee print, pp. 12-15.

[11] P.L. 96-212.

[12] The refugee definition is set forth in INA Section 101(a)(42), and the refugee admissions process in INA Section (continued...)

section on parole to restrict its use for bringing in refugees. It added a second paragraph to the parole provision as INA Section 212(d)(5)(B).[13] This paragraph, as amended by P.L. 119-1 (discussed below), now reads:

> (B) The Secretary of Homeland Security may not parole into the United States an alien who is a refugee unless the Secretary of Homeland Security determines that compelling reasons in the public interest with respect to that particular alien require that the alien be paroled into the United States rather than be admitted as a refugee under section 207.

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 further amended the parole provision to replace the original 1952 language, "for emergent reasons or for reasons deemed strictly in the public interest," with the current language specifying "on a case-by-case basis for urgent humanitarian reasons or significant public benefit."[14] IIRIRA also included language to amend separate INA provisions on the worldwide level of family-sponsored immigrants to require that long-term parolees be counted against those limits.[15]

The Homeland Security Act of 2002[16] abolished DOJ's Immigration and Naturalization Service (INS) and transferred most of its immigration functions to the new DHS as of March 1, 2003. Since then, the DHS Secretary has exercised immigration parole authority. Until enactment of the 2025 law described in the next paragraph, however, the INA parole provision continued to reference the Attorney General.

The INA parole provision was again amended in 2025 by the Laken Riley Act (P.L. 119-1). This act updated the text of the provision to replace "Attorney General" with "Secretary of Homeland Security." It also added a third paragraph to the provision, which granted standing to state attorneys general to file suit in U.S. district court against the Secretary of Homeland Security for certain alleged violations of the parole provision. The new paragraph reads:[17]

> (C) The attorney general of a State, or other authorized State officer, alleging a violation of the limitation under subparagraph (A) that parole solely be granted on a case-by-case basis and solely for urgent humanitarian reasons or a significant public benefit, that harms such State or its residents shall have standing to bring an action against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States to obtain appropriate injunctive relief. The court shall advance on the docket and expedite the disposition of a civil action filed under this subparagraph to the greatest extent practicable. For purposes of this subparagraph, a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.

Parole can be compared to other statutory and non-statutory mechanisms that provide foreign nationals with temporary authorization to be in the United States.[18] Like recipients of statutory Temporary Protected Status (TPS) and executive branch-established Deferred Action for Childhood Arrivals (DACA), for example, parolees can live and work in the United States for a

207. For additional information about the U.S. refugee admissions program, see CRS Report R47399, *U.S. Refugee Admissions Program*.

[13] P.L. 96-212, §203(f).

[14] P.L. 104-208, Division C, §602(a).

[15] P.L. 104-208, §603. For information on family-based immigration and related numerical limits, see CRS Report R43145, *U.S. Family-Based Immigration Policy*.

[16] P.L. 107-296.

[17] See the **Appendix** for the full text of the current INA parole provision.

[18] For further discussion, see Geoffrey Heeren, "The Status of Nonstatus," American University Law Review, vol. 64, issue 5 (June 2015), https://scholar.valpo.edu/cgi/viewcontent.cgi?article=1339&context=law_fac_pubs.

specified period.[19] Among the key differences, however, is that parole is subject to fewer eligibility requirements than TPS or DACA. It has been granted to persons inside or outside the country, while both TPS and DACA are limited to persons within the United States. Parole, though, is subject to at least one restriction that does not apply under TPS or DACA. A person who has been lawfully admitted to the United States, regardless of whether their authorized period of stay has expired, is not eligible for parole-in-place, which, as described below, is a term for the authorization of parole for someone inside the United States

DHS Exercise 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). In 2008, the three agencies entered into a memorandum of agreement (MOA) regarding the exercise of parole with respect to aliens outside the United States and at ports of entry.[20] Within CBP, both the Office of Field Operations (OFO), which operates at U.S. ports of entry, and the U.S. Border Patrol (USBP), which operates between U.S. ports of entry, have authority to grant parole.

Although the phrases "humanitarian reasons" and "significant public benefit" in the current parole provision are not defined in statute or regulations, the MOA states that they have taken on particular meanings over time:

> As practice has evolved, DHS bureaus have generally construed "humanitarian" paroles (HPs) as relating to urgent medical, family, and related needs and "significant public benefit["] paroles (SPBPs) as limited to persons of law enforcement interest such as witnesses to judicial proceedings.[21]

The INA provision describes parole as being temporary and generally states, "when the purposes of such parole … have been served the alien shall forthwith return or be returned to the custody from which he was paroled."[22] In addition, according to USCIS, "Parole ends on the date the parole period expires or when a parolee departs the United States or acquires an immigration status, whichever occurs first."[23] The agency also notes that it "may revoke parole at any time and without notice" upon a determination that it "is no longer warranted or a parolee fails to comply

[19] For information about TPS, see CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*; for information about DACA, see CRS Report R48590, *Frequently Asked Questions on Deferred Action for Childhood Arrivals (DACA)*.

[20] DHS, *Memorandum of Agreement between U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), and U.S. Customs and Border Protection (CBP) for the Purpose of Coordinating the Concurrent Exercise by USCIS, ICE, and CBP, of the Secretary's Parole Authority Under INA § 212(d)(5)(A) With Respect to Certain Aliens Located Outside the United States*, https://www.ice.gov/doclib/foia/reports/parole-authority-moa-9-08.pdf (hereinafter cited as "DHS, MOA on parole"). With respect to CBP, the MOA notes: "To the extent that this MOA largely assists ICE and USCIS apportion its parole caseloads, omission of specific reference to CBP should not be construed to detract from CBP's inherent authority to issue paroles. CBP does and will continue to exercise parole authority for both urgent humanitarian reasons and significant public benefit." p. 3.

[21] DHS, MOA on parole, p. 2.

[22] 8 U.S.C. §1182(d)(5).

[23] DHS, USCIS, "Humanitarian or Significant Public Benefit Parole for Aliens Outside the United States" (under the "What is Parole?" tab), January 24, 2025. Parole provides temporary authorization to be in the United States but does not constitute an immigration status under the U.S. immigration system.

with any conditions of parole."[24] A parolee in the United States who needs to remain beyond their authorized parole period can request a new period of parole (known as *re-parole*).[25]

Categories of Parole

Parole can be requested by foreign nationals inside or outside the United States in a range of circumstances. Selected broad parole categories are described below.[26]

Port-of-Entry Parole

Port-of-entry parole is authorized at the port of arrival and can be provided in a variety of situations. These include permitting the entry of an LPR returning to the United States who is not carrying proper documents. Port-of-entry parole also can be used to allow foreign nationals to enter for short stays, such as to attend a family funeral or assist in a natural disaster.

Advance Parole

As suggested by its name, advance parole is authorized prior to an individual's arrival at a U.S. port of entry. The term is most commonly used to describe 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.

An advance parole document authorizes such an alien to appear at a U.S. port of entry to seek parole after travelling abroad. However, it does not entitle the bearer to be paroled into the United States. That remains a discretionary decision to be made by CBP when the person arrives at the port of entry. Among the categories of individuals in the United States that need to request advance parole to be able to return to the country after traveling abroad are most applicants for LPR status, holders of and applicants for TPS, and individuals with parole.

Humanitarian Parole for Persons Outside the United States

This category of parole takes its name from the text of the INA provision and reflects the underlying reason for the grant of parole. Although all parole authorizations are required to be for urgent humanitarian reasons or significant public benefit, *humanitarian parole* is often used to describe a narrower category of parole grants. These are grants to persons residing outside the United States who apply for parole from abroad to enter the United States temporarily for urgent humanitarian reasons, such as to receive medical treatment.

Significant Public Benefit Parole for Persons Outside the United States

A counterpart to the humanitarian parole category, this category similarly takes its name from the text of the INA provision and reflects the underlying reason for the grant of parole. As used here, it includes parole grants to persons residing outside the United States who apply for parole from abroad to enter the country temporarily for significant public benefit, such as to participate in a legal proceeding.

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[24] DHS, USCIS, "Humanitarian or Significant Public Benefit Parole for Aliens Outside the United States" (under the "What is Parole?" tab), January 24, 2025.

[25] For additional information, see DHS, USCIS, "Humanitarian or Significant Public Benefit Parole" (under the "Re-Parole" tab).

[26] The categories, as described herein, are mutually exclusive but are not exhaustive.

Parole-in-Place

Parole-in-place 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, children, and parents) of active duty members and former members of the U.S. Armed Forces and the Selected Reserve of the Ready Reserve.[27]

Parole for Persons in Removal Proceedings

This category of parole applies to aliens in removal proceedings or aliens who have final orders of removal, as well as aliens granted deferred action by ICE at any point after the commencement of removal proceedings.[28]

Special Parole Programs for Persons Outside the United States

Over the years, INS and DHS have established special parole programs for particular populations abroad in response to specific circumstances; these are sometimes referred to as "categorical parole" programs, the term used in E.O. 14165 mentioned above. Among these are parole programs—such as the Cuban lottery (described below)—established in connection with international agreements. (These special parole programs are the subject of a separate section below.)

Biden Administration Use of Parole

Notable among recent Administrations, the Biden Administration used or attempted to use parole authority in new systematic ways on a large scale. A key rationale underlying some of these uses of parole was promotion of border management. For example, in announcing new measures to increase border security and reduce unlawful border crossings in early 2023, the Biden Administration included initiatives that "expand and expedite legal pathways for orderly migration and result in new consequences for those who fail to use those legal pathways."[29] Among these pathways were an expanded parole process for Venezuelans[30] and new parole processes for Cubans, Haitians, and Nicaraguans.[31] The application process for CHNV parole was

[27] DHS, USCIS, *Parole of Spouses, Children and Parents of Active Duty Members of the U.S. Armed Forces, the Selected Reserve of the Ready Reserve, and Former Members of the U.S. Armed Forces or Selected Reserve of the Ready Reserve and the Effect of Parole on Inadmissibility under Immigration and Nationality Act §212(a)(6)(A)(i),* policy memorandum, November 15, 2013. Reasons cited in this memorandum in support of the use of parole-in-place in such cases included that U.S military service members and veterans experience stress and anxiety due to their family members' immigration status, that this worry can affect military preparedness, and that the United States has made a commitment to support and care for veterans.

[28] For information about other types of parole requests handed by ICE, see DHS, *Privacy Impact Assessment for the ICE Parole and Law Enforcement Programs Case Management Systems*, DHS/ICE/PIA-049, December 3, 2018.

[29] White House, "Fact Sheet: Biden-Harris Administration Announces New Border Enforcement Actions," January 5, 2023.

[30] The Venezuelan process was first implemented in October 2022. For additional information, see DHS, "Implementation of a Parole Process for Venezuelans," 87 *Federal Register* 63507, October 19, 2022.

[31] For additional information about the CHNV processes, see DHS, "Implementation of a Parole Process for Cubans," 88 *Federal Register* 1266, January 9, 2023; DHS, "Implementation of a Parole Process for Haitians," 88 *Federal Register* 1243, January 9, 2023; DHS, "Implementation of a Parole Process for Nicaraguans," 88 *Federal Register* 1255, January 9, 2023; and DHS, "Implementation of Changes to the Parole Process for Venezuelans," 88 *Federal Register* 1279, January 9, 2023. Also see CRS Report R47654, *Immigration Options for Immigration Parolees*.

modeled on the process developed for Uniting for Ukraine (see the "Refugee-Related Parole Programs" section).

Another example of the proactive use of parole for border management-related purposes was the Biden Administration's use of the CBP One mobile application. U.S.-bound migrants in Mexico who used CBP One to schedule appointments to present themselves at certain U.S. ports of entry for processing were routinely issued a notice to appear (NTA) in immigration court and released on parole by CBP.[32]

In what it described as an effort to preserve family unity, the Biden Administration sought to use parole authority to enable unauthorized noncitizen spouses and children of U.S. citizens to become LPRs while remaining in the United States (see the "Parole and Permanent Immigration Status" section). This parole program, known as Keeping Families Together, was announced in 2024[33] and was ended later that same year.[34] It represented a significant expansion of the use of parole-in-place in terms of scale. (Other uses of parole by the Biden Administration are discussed in the next section.)

Selected Immigration Parole Programs for Persons Outside the United States

A number of parole programs have been established over the years to enable members of designated populations abroad to enter the United States. Although created in response to specific circumstances, there are certain commonalities among these special parole programs. Many of them can be grouped under one (or more) of three headings: refugee-related parole programs, family reunification parole programs, and Cuban parole programs.

There are some parole programs, however, that do not fall under any of the three headings. The International Entrepreneur Parole (IEP) program, established during the Obama Administration, provides an example. It was the subject of a final rule issued in January 2017. The rule summary described the purpose of the IEP program as being "to increase and enhance entrepreneurship, innovation, and job creation in the United States."[35] The preamble further stated:

> Under this final rule, an applicant would need to demonstrate that his or her parole would provide a significant public benefit because he or she is the entrepreneur of a new start-up entity in the United States that has significant potential for rapid growth and job creation.[36]

Refugee-Related Parole Programs

Since the end of World War II, the United States has established various immigration programs for the admission of foreign nationals fleeing persecution.[37] Prior to enactment of the 1980

[32] Such individuals could choose to apply for asylum or other forms of humanitarian protection during their removal proceedings. For additional information, see CRS Report R48078, *Credible Fear and Defensive Asylum Processes: Frequently Asked Questions*.

[33] For program details, see DHS, "Implementation of Keeping Families Together," 89 *Federal Register* 67459, August 20, 2024.

[34] For additional information, see Suchita Mathur, "Judge Strikes Down 'Keeping Families Together' Parole Process," American Immigration Council, November 13, 2024.

[35] DHS, "International Entrepreneur Rule," 82 *Federal Register* 5238, January 17, 2017.

[36] DHS, "International Entrepreneur Rule." For additional information about the IEP program, see DHS, USCIS, "International Entrepreneur Rule," January 25, 2025.

[37] For additional information, see 1980 committee print.

Refugee Act, immigration parole was the chief means used to bring in aliens considered to be refugees. From the late 1950s through the 1970s, hundreds of thousands of individuals from Cuba, Indochina, Eastern Europe, and other areas were paroled into the United States.

Parole continued to be granted to some individuals considered by the United States to be refugees after enactment of the Refugee Act. In a notable 1980 example, the Attorney General paroled in tens of thousands of Cubans and Haitians who arrived in the United States by boat during what is known as the Mariel Boatlift. Until 2017, Cuban nationals were routinely granted parole under the "wet foot/dry foot" policy. As described in a 2017 DHS fact sheet, "'wet-foot/dry-foot' generally refers to an understanding under which Cuban migrants traveling to the United States who are intercepted at sea ('wet foot') are returned to Cuba or resettled in a third country, while those who make it to U.S. soil ('dry foot') are able to request parole."[38]

In the late 1980s, denial rates for Soviet refugee applicants were increasing because of changes in U.S. refugee processing and other factors. In response, in 1989, Congress passed the Lautenberg Amendment. As subsequently amended to correct references to the Soviet Union following its dissolution, it required the Attorney General (now the Secretary of DHS) to designate categories of former Soviet and Indochinese nationals—including specified categories of religious minorities from an independent state of the former Soviet Union, or of Estonia, Latvia, or Lithuania—for whom less evidence would be needed than otherwise to prove refugee status. It also provided for adjustment to permanent resident status of certain Soviet and Indochinese nationals granted parole after being denied refugee status.[39] In connection with this legislation, INS and then USCIS offered parole to certain religious minorities from the former Soviet Union who were denied refugee status. This parole program ended in 2011.[40]

Another parole program (for unsuccessful refugee applicants) was established in 2014. It was part of the Central American Minors (CAM) refugee and parole program for certain minor children in El Salvador, Guatemala, and Honduras. When a child was found *ineligible* for refugee status under the CAM program, the child and any accompanying family members were considered for immigration parole.[41] In written testimony prepared for a 2015 Senate hearing on the CAM program, a USCIS official explained, "[T]o grant parole under this program, USCIS must find that the individual is at risk of harm in his or her country and that the applicant merits a favorable exercise of discretion."[42]

Parole also figured into the CAM program in another way. A qualifying parent, for purposes of the program, was an individual who was at least age 18 and was lawfully present in a specified

[38] DHS, "Fact Sheet: Changes to Parole and Expedited Removal Policies Affecting Cuban Nationals," January 12, 2017. According to the fact sheet: "Considering the reestablishment of full diplomatic relations, Cuba's signing of a Joint Statement obligating it to accept the repatriation of its nationals who arrive in the United States after the date of the agreement, and other factors, the Secretary concluded that … the parole policies discussed above [including the "wet foot/dry foot" policy] are no longer warranted."

[39] The Lautenberg Amendment was first enacted as part of the FY1990 Foreign Operations, Export Financing, and Related Programs Appropriations Act (P.L. 101-167, §§599D, 599E). It has been regularly extended since, although there have been some lapses between extensions.

[40] For additional information, see DHS, USCIS, "Green Card for a Lautenberg Parolee," July 8, 2025.

[41] DHS, USCIS, "Central American Minors (CAM) Program," October 11, 2024 (hereinafter cited as "USCIS, CAM").

[42] Testimony of Joseph Langlois, Associate Director, Refugee, Asylum and International Operations, U.S. Citizenship and Immigration Services, in U.S. Congress, Senate Committee on the Judiciary, Subcommittee on Immigration and the National Interest, hearing, *Eroding the Law and Diverting Taxpayer Resources: an Examination of the Administration's Central America Minors Refugee/Parole Program*, 114th Cong., 1st sess., April 2015.

immigration category. The specified categories included parole (provided the parent had been issued parole for at least one year).[43]

In 2017, DHS announced that it was terminating the parole part of the CAM program.[44] As a result of related litigation and a court settlement, however, DHS agreed in 2019 to process cases that had been conditionally approved for parole at the time of the termination announcement.[45] In 2021, DHS and the Department of State announced the reopening of the CAM program.[46]

DHS also provided refugee-related rationales for two other recent uses of parole—for Afghans and Ukrainians (although in neither case were beneficiaries first considered for refugee status as in some of the preceding examples). In the case of Afghans, the United States facilitated the evacuation, relocation, and U.S. resettlement of "vulnerable Afghans, including those who worked in Afghanistan alongside the United States for the past two decades," in connection with the 2021 U.S. military withdrawal from that country.[47] Many of these Afghans were paroled into the United States. (Given the circumstances of the evacuation, Afghan nationals did not submit parole applications in advance as under the parole process for Ukrainians described below.)[48]

Uniting for Ukraine was established in April 2022 following the February 2022 Russian invasion of that country. DHS characterized the program as "a streamlined process to provide Ukrainian citizens who have fled Russia's unprovoked war of aggression opportunities to come to the United States."[49] In language like that used to refer to refugee populations, DHS described the program as "complement[ing] the generosity of countries throughout Europe that are hosting millions of Ukrainian citizens and others who have been displaced."[50] Uniting for Ukraine is an application-based process in which successful applicants receive authorization to travel to the United States to request parole at a U.S. port of entry from CBP. Ukrainians do not apply for the Uniting for Ukraine program on their own behalf. Instead, a U.S.-based supporter must initiate the application process by submitting Form I-134A, in which the supporter agrees to financially support the Ukrainian beneficiary.[51] The Trump Administration paused the acceptance of Form I-134A in January 2025 (see the "Parole Application Process" section).

Family Reunification Parole Programs

Family reunification is an underlying principle of the U.S. immigration system. The INA provides for U.S. citizens and LPRs to file immigrant visa petitions on behalf of certain family members. The family-based immigration system is subject to statutory preferences and numerical limits that

[43] USCIS, CAM (under the "Eligibility" tab).

[44] DHS, "Termination of the Central American Minors Parole Program," 82 *Federal Register* 38926, August 16, 2017.

[45] USCIS, CAM.

[46] U.S. Department of State, "Restarting the Central American Minors Program," March 10, 2021, https://2021-2025.state.gov/restarting-the-central-american-minors-program/ (archived content). For additional information, see DHS and Department of State, "Bureau of Population, Refugees, and Migration; Central American Minors Program," 88 *Federal Register* 21694, April 11, 2023.

[47] DHS, *Department of Homeland Security Operation Allies Welcome Afghan Evacuee, Quarterly Status Update 2*, Fiscal Year 2022 Report to Congress, March 10, 2023, p. 2, https://www.dhs.gov/sites/default/files/2023-06/PLCY%20-%20AFG%202503%20Update%202_0.pdf.

[48] For additional information, see CRS Report R47654, *Immigration Options for Immigration Parolees*.

[49] DHS, "Uniting for Ukraine," https://www.dhs.gov/archive/uniting-ukraine (archived content).

[50] DHS, "Uniting for Ukraine," https://www.dhs.gov/archive/uniting-ukraine (archived content).

[51] For further information, see DHS, "Implementation of the Uniting for Ukraine Parole Process," 87 *Federal Register* 25040, April 27, 2022. Also see CRS Report R47654, *Immigration Options for Immigration Parolees*

may result in years-long waits for visas for some prospective immigrants after their petitions are approved.[52] The principle of family reunification is also reflected in various immigration parole programs.[53]

The Cuban Family Reunification Parole (CFRP) program was established in 2007, a peak year for U.S. Coast Guard interdictions of Cuban nationals.[54] It was seen as a way to both discourage Cubans from undertaking dangerous maritime crossings and meet the U.S. commitment on legal Cuban migration levels under the 1994 U.S.-Cuban Migration Agreement (see the "Other Parole Programs for Cuban Nationals" section). The similar Haitian Family Reunification Parole (HFRP) program was announced in 2014 to "provid[e] the opportunity for certain eligible Haitians to safely and legally immigrate sooner to the United States."[55] The CFRP and HFRP programs were aimed, respectively, at Cuban and Haitian nationals who were beneficiaries of family-based immigrant visa petitions filed by family members in the United States and were waiting for visas to become available. Under the programs, certain U.S. citizens and LPRs who had filed immigrant visa petitions on behalf of family members in Cuba or Haiti that were approved were invited by the State Department to apply to USCIS for parole for their relatives. If parole was granted, the Cuban or Haitian national could enter and live in the United States without having to wait for their immigrant visas to become available.

For a variety of reasons, both the CFRP and the HFRP programs lagged during the first Trump Administration.[56] In the case of the former, "CFRP processing was suspended due to the significant drawdown in U.S. government personnel from U.S. Embassy Havana for security reasons in 2017 and the closure of the USCIS field office in Havana in 2018."[57] Regarding the HFRP program, no new invitations were issued to U.S.-based petitioners to apply for parole for their relatives during the first Trump Administration.[58] USCIS announced its intention to terminate the HFRP program in 2019 but never did so.[59]

In 2023, the Biden Administration announced it was updating the Cuban and Haitian family reunification processes and creating new family reunification processes.[60] The new programs,

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[52] See CRS Report R43145, *U.S. Family-Based Immigration Policy*.

[53] Family reunification is also a feature of some refugee-related parole programs, including the CAM program and the Lautenberg Amendment (as discussed in the preceding section). To be considered for U.S. admission under the Lautenberg Amendment, a prospective refugee must have family in the United States.

[54] DHS, "Cuban Family Reunification Parole Program," 72 *Federal Register* 65588, November 21, 2007.

[55] Remarks of then-Deputy Secretary of Homeland Security Alejandro Mayorkas, in DHS, USCIS, "DHS To Implement Haitian Family Reunification Parole Program," press release, October 17, 2014, https://www.uscis.gov/archive/dhs-to-implement-haitian-family-reunification-parole-program (archived content). Also see DHS, "Implementation of Haitian Family Reunification Parole Program," 79 *Federal Register* 75581, December 18, 2014.

[56] For additional information, see DHS, "Implementation of Changes to the Cuban Family Reunification Parole Process," 88 *Federal Register* 54639, August 11, 2023; and DHS, "Implementation of Changes to the Haitian Family Reunification Parole Process," 88 *Federal Register* 54635, August 11, 2023.

[57] DHS, USCIS, "USCIS Resumes Cuban Family Reunification Parole Program Operations," September 1, 2022, https://www.uscis.gov/archive/uscis-resumes-cuban-family-reunification-parole-program-operations (archived content).

[58] DHS, "Implementation of Changes to the Haitian Family Reunification Parole Process," 88 *Federal Register* 54635, 54636, August 11, 2023.

[59] DHS, USCIS, "USCIS to End Certain Categorical Parole Programs," news release, August 2, 2019, https://www.uscis.gov/archive/uscis-to-end-certain-categorical-parole-programs (archived content) (hereinafter cited as "USCIS, August 2019 news release"). For additional information, see DHS, "Implementation of Changes to the Haitian Family Reunification Parole Process," 88 *Federal Register* 54635, 54636 (footnote 5), August 11, 2023.

[60] DHS, "Fact Sheet: U.S. Government Announces Sweeping New Actions to Manage Regional Migration," April 27, 2023, https://www.dhs.gov/archive/news/2023/04/27/fact-sheet-us-government-announces-sweeping-new-actions-manage-regional-migration (archived content).

which were established in the second half of 2023, applied to nationals of Colombia, El Salvador, Guatemala, Honduras, and Ecuador. In language that applied generally to the updated and new family reunification parole processes, DHS described the application process, as follows, in its announcement of the program for Ecuador:

> The Family Reunification Parole process begins with the Department of State issuing an invitation to the petitioning U.S. citizen or lawful permanent resident family member whose Form I-130 on behalf of an Ecuadorian beneficiary has been approved.... The invited petitioner can then initiate the process by filing a request on behalf of the beneficiary and eligible family members to be considered for advance travel authorization and parole.[61]

Petitioners were instructed to file Form I-134A to initiate parole applications for their beneficiaries. The Trump Administration has paused the acceptance of this form while it conducts a review of parole programs in accordance with E.O. 14165 (see the "Parole Application Process" section).

The Filipino World War II Veterans Parole Program, implemented in 2016, made eligible for parole certain beneficiaries of approved family-based immigrant visa petitions that were filed by Filipino veterans or their surviving spouses.[62] According to USCIS, if parole was granted, the beneficiaries could "provide support and care to their aging veteran family members" in the United States while waiting for their visas to become available.[63] Under the family-based immigration system and its per country limits, visa waiting times for nationals of the Philippines can be particularly long. In specified circumstances, this program permitted beneficiaries to seek parole on their own behalf based on an approved petition filed by an eligible veteran or surviving spouse. In 2019, USCIS announced its intention to terminate this parole program.[64] In 2021, the agency announced it would continue the program.[65]

Other Parole Programs for Cuban Nationals

Cuban nationals have been the beneficiaries of several special parole programs over the years. In addition to refugee-related grants of parole and the CFRP program, Cubans have been granted parole under programs that include the Special Program for Cuban Migration and the Cuban Medical Professional Parole (CMPP) program.

The Special Program for Cuban Migration, also known as the Cuban lottery, grew out of the 1994 U.S.-Cuban Migration Agreement. Under that accord, the United States agreed, among other things, to allow at least 20,000 Cubans to migrate legally to the United States each year, excluding immediate relatives of U.S. citizens. The Cuban lottery, which was established to help meet that target of 20,000, has been restricted to Cuban adults who meet certain basic qualifications. Interested Cubans have applied during an open season, and winners have been randomly chosen. Lottery winners have then been interviewed for consideration for parole. Successful applicants could bring their spouses and minor children with them to the United

[61] DHS, "DHS Announces Family Reunification Parole Process for Ecuador," October 18, 2023, https://www.dhs.gov/archive/news/2023/10/18/dhs-announces-family-reunification-parole-process-ecuador#:~:text=The%20invited%20petitioner%20can%20then,reasons%20or%20significant%20public%20benefit (archived content).

[62] DHS, USCIS, "Filipino World War II Veterans Parole Policy," 81 *Federal Register* 28097, May 9, 2016.

[63] DHS, USCIS, "USCIS to Implement Filipino World War II Veterans Parole Program," May 9, 2016, https://www.uscis.gov/archive/uscis-to-implement-filipino-world-war-ii-veterans-parole-program (archived content).

[64] USCIS, August 2019 news release.

[65] As of the cover date of this report, USCIS has an active "Filipino World War II Veterans Parole (FWVP) Program" web page dated June 27, 2025, available at https://www.uscis.gov/humanitarian/humanitarian-or-significant-public-benefit-parole-for-aliens-outside-the-united-states/filipino-world-war-ii-veterans-parole-program.

States. There have been three Cuban lottery open seasons to date (in FY1994, FY1996, and FY1998).[66] According to USCIS, "since 1998, the Cuban Government has not permitted a new registration for the Special Program for Cuban Migration."[67]

The CMPP program, which was established in 2006, allowed Cuban health-care providers who were conscripted by the Cuban government to study or work in another country to apply to enter the United States on parole. Their accompanying spouses and any minor children could also be considered for parole.[68] The program was terminated in 2017 as "part of the ongoing normalization of relations between the governments of the United States and Cuba."[69]

Debate Over Parole Programs for Specified Populations

Over the years, the executive branch's use of its discretionary parole authority for members of specified classes of foreign nationals has been controversial. A 1996 House Judiciary Committee report on a predecessor bill to IIRIRA that proposed more restrictive changes to the parole provision than were ultimately enacted (see the "INA Parole Authority" section of this CRS report) included the following in its section on "Background and Need for the Legislation":

> The text of section 212(d)(5) is clear that the parole authority was intended to be used on a case-by-case basis to meet specific needs, and not as a supplement to Congressionally-established immigration policy. In recent years, however, parole has been used increasingly to admit entire categories of aliens who do not qualify for admission under any other category in immigration law, with the intent that they will remain permanently in the United States.[70]

Some House Judiciary Committee members at the time opposed the committee-approved changes to the parole provision. In a "Dissenting Views" section of the committee report, they argued against revising the language of INA Section 212(d)(5): "The current law provides the Attorney General with appropriate flexibility to deal with compelling immigration situations."[71] (Recent legislation related to the use of parole for classes of individuals is discussed in the "Legislation on Parole in Recent Congresses" section of this CRS report.)

Almost 20 years later, during the Obama Administration, then-DHS Secretary Jeh Johnson directed USCIS to issue new policies on the use of parole-in-place for individuals in the United States who had U.S. citizen and LPR family members seeking to enlist in the U.S. Armed Forces. He provided the following rationale for using parole authority for a class of individuals:

> Although parole determinations must be made on an individualized basis, the authority has long been interpreted to allow for designation of specific classes of aliens for whom parole

[66] For additional historical information, see archived CRS Report R40566, *Cuban Migration to the United States: Policy and Trends*.

[67] DHS, USCIS, "Notice of Changes to Application Procedures for the Cuban Family Reunification Parole Program," 79 *Federal Register* 75579, 75580, December 18, 2014. In this notice, USCIS cited Cuba's failure to permit a new lottery registration as a reason for the establishment of the CFRP program: "Without this pool of individuals, there was a deficiency in the number of Cubans potentially eligible for travel to the United States."

[68] For additional information, see DHS, USCIS, "Cuban Medical Professional Parole (CMPP) Program," January 19, 2017.

[69] DHS, "Statement by Secretary Johnson on the Continued Normalization of our Migration Relationship with Cuba," January 12, 2017, https://www.dhs.gov/archive/news/2017/01/12/statement-secretary-johnson-continued-normalization-our-migration-relationship-cuba (archived content).

[70] U.S. Congress, House Committee on the Judiciary, *Immigration in the National Interest Act of 1995*, report to accompany H.R. 2202, 104th Cong., 2nd sess., H.Rept. 104-469, pt. 1, March 4, 1996, p. 140.

[71] H.Rept. 104-469, p. 538.

> should be favorably considered, so long as the parole of each alien within the class is considered on a discretionary, case-by-case basis.[72]

As discussed above, the first Trump Administration took steps to terminate several parole programs aimed at particular populations, including family reunification parole programs for Haitians and Filipino World War II veterans. The 2019 news release about the intended termination of these two programs quoted then-USCIS Acting Director Ken Cuccinelli as saying, "Under these categorical parole programs, individuals have been able to skip the line and bypass the proper channels established by Congress." He also said, "USCIS is committed to exercising this limited authority in a manner that preserves the integrity of our immigration system and does not encourage aliens to unlawfully enter the United States."[73]

The second Trump Administration has acted to end some parole programs in accordance with E.O. 14159 and E.O. 14165. As noted, USCIS has paused the acceptance of the form used to initiate parole applications under CHNV, Uniting for Ukraine, and several family reunification parole programs.[74] Regarding the CHNV processes, which were singled out in E.O. 14165, DHS announced in June 2025 that it was sending termination notices to CHNV parolees.[75]

Obtaining Parole

The process of requesting immigration parole from DHS varies by parole category, and not all types of parole require requests.[76] Persons who are granted parole can apply for work authorization. There are limited available data on DHS parole grants.

Parole Application Process

Persons seeking parole may use USCIS Form I-131, "Application for Travel Document," to apply for either an advance parole document for individuals currently inside the United States or an advance parole document for individuals outside the United States.[77] This form may also be submitted by another person on behalf of the prospective parolee.

The advance parole document for individuals inside the United States (referenced in the "Advance Parole" section of this CRS report) authorizes an alien to appear at a U.S. port of entry after travelling abroad to seek parole into the United States. Applicants for parole-in-place also need to submit Form I-131.

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[72] DHS, Memorandum to Leon Rodriguez, Director, U.S. Citizenship and Immigration Services, from Jeh Charles Johnson, Secretary of Homeland Security, *Families of U.S. Armed Forces Members and Enlistees*, November 20, 2014, https://www.dhs.gov/sites/default/files/publications/14_1120_memo_parole_in_place_0.pdf (archived content). The memorandum noted that making parole available to family members of prospective enlistees would represent an expansion of the parole-in-place policy since 2013 for family members of U.S military service members and veterans.

[73] USCIS, August 2019 news release. The news release described "categorical parole" as "programs designed to consider parole for entire groups of individuals based on pre-set criteria."

[74] DHS, USCIS, "Update on Form I-134A," January 28, 2025.

[75] DHS, "DHS Issues Notices of Termination for the CHNV Parole Program, Encourages Parolees to Self-Deport Immediately," June 12, 2025. For additional information, see DHS, "Termination of Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans," 90 *Federal Register* 13611, March 25, 2025; and DHS, "Litigation-Related Update: Supreme Court stay of CHNV Preliminary Injunction," June 6, 2025.

[76] See *Parole Requests, Fiscal Year 2023, Fourth Quarter*, April 3, 2024, p. 5, https://www.dhs.gov/sites/default/files/2024-07/2024_0403_dmo_plcy_parole_requests_q4.pdf (hereinafter cited as "DHS, Parole Requests for FY2023 Q4").

[77] Form I-131 is also used to apply for other travel documents, such as a refugee travel document. See DHS, USCIS, Instructions for Form I-131, January 20, 2025.

Applicants for humanitarian parole or significant public benefit parole, as described above, and applicants under some special parole programs use Form I-131 to apply for an advance parole document for individuals outside the United States. Applicants for re-parole also apply for this type of advance parole document (despite being physically present in the United States).

A Form I-131 filed by or on behalf of a prospective parolee typically must be accompanied by Form I-134, "Declaration of Financial Support," which may be filed by the parole applicant or another individual on the applicant's behalf. According to the Form I-134 instructions, "Whether or not the beneficiary of this Form I-134 will have sufficient means of support while in the United States is an important factor in determining whether to exercise discretion to authorize parole."[78]

The Biden Administration introduced a new parole application form (Form I-134A, "Online Request to be a Supporter and Declaration of Financial Support") to initiate applications under several of the special parole processes it established. These included Uniting for Ukraine (which began requiring the new form in 2023), the CNHV parole processes, and new or updated family reunification parole processes for nationals of certain countries. In January 2025, after President Trump took office, USCIS "paus[ed] acceptance of Form I-134A ... until we review all categorical parole processes as required by [E.O. 14165]."[79]

Other types of parole have their own application procedures. For example, principal applicants to the International Entrepreneur Parole program must file Form I-941, "Application for Entrepreneur Parole." Applicants in removal proceedings seeking release from ICE custody must contact their local ICE office. ICE is responsible for handling such parole requests.

Work Authorization for Parolees

Immigration regulations that make parolees eligible for employment authorization date to the 1980s. In May 1981, INS amended its regulations to add new provisions on employment authorization.[80] These provisions enumerated two classes of aliens eligible to work: (1) aliens who were authorized for employment incident to their status, and (2) aliens who had to apply for work authorization. The first class included aliens who were paroled into the United States as refugees, as described in INA Section 212(d)(5)(B) (discussed in the "INA Parole Authority" section of this CRS report). Other aliens granted parole in accordance with INA Section 212(d)(5) were not listed as part of either class.

In November 1981, INS published a final rule to add INA Section 212(d)(5) parolees to the class of aliens who had to apply for work authorization, describing them as follows: "Any alien paroled into the United States temporarily for emergent reasons or for reasons deemed strictly in the public interest: *Provided*, The alien establishes an economic need to work."[81] The rule also added a new provision on criteria to establish economic necessity. The preamble to the rule discussed the rationale for adding the new paragraph on parolees: "Although section 212(d)(5)(A) of the Act authorizes the exercise of discretion regarding the conditions of parole for such alien, and

[78] DHS, USCIS, Instructions for Form I-134, January 20, 2025.

[79] DHS, USCIS, "Update on Form I-134A," January 28, 2025, https://www.uscis.gov/newsroom/alerts/update-on-form-i-134a.

[80] DOJ, INS, "Employment Authorization to Aliens in the United States," 46 *Federal Register* 25079, May 5, 1981. According to the rule summary, "The new rules are necessary to codify the various Service Operations Instructions and policy statements in one place in the regulations so that the public may conveniently locate the rules on employment authorization for aliens and the standards which are applicable." p. 25080.

[81] DOJ, INS, "Employment Authorization; Revision to Classes of Aliens Eligible," 46 *Federal Register* 55920, 55921, November 13, 1981. The "emergent reasons" and "strictly in the public interest" language reflected the text of the INA 212(d)(5)(A) at the time.

which implies work authorization, this new class of aliens is added to Part 109 of 8 CFR to avoid any uncertainty."[82]

Current DHS regulations describe three classes of aliens who are eligible for employment: (1) "Aliens authorized [for] employment incident to status," (2) "Aliens authorized for employment with a specific employer incident to status or parole," and (3) "Aliens who must apply for employment authorization."[83] Different parolees fall within each of these classes. As under the 1981 regulations, the first class includes aliens who are paroled in as refugees.[84] The second class includes aliens who are paroled in as entrepreneurs under the IEP program[85] (see the "Selected Immigration Parole Programs for Persons Outside the United States" section). The third class includes aliens granted parole "for urgent humanitarian reasons or significant public benefit pursuant to section 212(d)(5) of the Act"[86] as well as spouses of international entrepreneur parolees.[87] Under current regulations, parolees who fall within these employment-authorized classes are not required to show an economic necessity to work.

Available Data on Parole

Annual reports of immigration statistics for FY1995 through FY2003 published by the former INS and then DHS contained "Parolee" sections with data on parole grants.[88] DHS's *2003 Yearbook of Immigration Statistics*, the last to include such data, contained annual data for FY1998 through FY2003 on several categories of parolees.[89] During this six-year period, the annual total number of persons paroled into the United States ranged from about 235,000 to about 300,000, with port-of-entry parolees accounting for more than half of each annual total.[90]

Only limited data on DHS's use of parole since then are publicly available. Among the available data are statistics covering FY2022 and FY2023 that were published by DHS in response to congressional mandates.[91] The DHS reports for FY2022[92] and FY2023[93] included quarterly data on parole grants by CBP, the DHS component responsible for determining whether or not to grant parole in the majority of cases. The FY2023 reports also included parole grant data for ICE and

[82] DOJ, INS, "Employment Authorization; Revision to Classes," p. 55921.

[83] 8 C.F.R. §274a.12.

[84] 8 C.F.R. §274a.12(a)(4).

[85] 8 C.F.R. §274a.12(b)(37).

[86] 8 C.F.R. §274a.12(c)(11).

[87] 8 C.F.R. §274a.12(c)(34). Children of international entrepreneur parolees may not be authorized for or accept employment on the basis of parole under that program. 8 C.F.R. §274a.12(c)(11) citing 8 C.F.R.§212.19(h)(4).

[88] INS yearbooks for FY1996-FY2001 and DHS yearbooks since FY2002 are available at DHS, Office of Homeland Security Statistics, "Yearbook of Immigration Statistics," August 20, 2025, https://ohss.dhs.gov/topics/immigration/yearbook.

[89] DHS, Office of Immigration Statistics, *2003 Yearbook of Immigration Statistics*, September 2004, pp. 81-84, https://ohss.dhs.gov/sites/default/files/2023-12/Yearbook_Immigration_Statistics_2003.pdf.

[90] DHS, Office of Immigration Statistics, *2003 Yearbook of Immigration Statistics.*

[91] 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.

[92] DHS published one 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).

[93] DHS published three reports 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 DHS, Parole Requests for FY2023 Q4).

USCIS as well as data on parole requests received and approved by ICE and USCIS. As DHS explained in its FY2023 report for the fourth quarter with respect to ICE and USCIS parole data, requests, approvals, and grants each represent a "stage in the parole process," with requests being "the number of applications and petitions for parole submitted," approvals being "the number of parole requests authorized," and grants being "the number of paroles given."[94]

The parole grant data in the FY2022 and FY2023 DHS reports reflect numbers of grants, not unique individuals. For FY2022, DHS reported 795,561 parole grants by CBP (417,326 by OFO and 378,235 by USBP).[95] For FY2023, DHS reported 1,244,348 parole grants by CBP (940,348 by OFO and 304,000 by USBP) as well as 85,608 parole grants by ICE and 10,046 parole grants by USCIS.[96] For both years, the quarterly OFO data were reported by what DHS termed "parole classes of admission."[97]

In addition, from October 2022 to November 2024, DHS's Office of Homeland Security Statistics (OHSS) published monthly tables on CHNV parole. It reported a total of 532,110 parole grants during the October 2022-November 2024 period.[98]

The FY2022 and FY2023 DHS reports specified the length of parole grants under various parole classes of admission. The report covering the fourth quarter of FY2023, which included information and data for FY2023, stated, "Each grant of parole was made on a case-by-case basis for a duration generally between 30 days and 3 years."[99]

Parole and Permanent Immigration Status

A parolee is permitted to remain in the United States for the duration of the grant of parole, and may be granted work authorization. A parole grant, however, does not provide a designated pathway to a permanent immigration status.

The INA, as originally enacted in 1952, did not allow parolees to apply for adjustment of status, which is the standard process of obtaining LPR status while in the United States. The main adjustment of status provision in the 1952 act (INA §245(a)) provided only for the adjustment of status of an alien lawfully admitted to the United States as a nonimmigrant[100] if the alien had an immigrant visa immediately available and met other requirements.

INA Section 245(a) was amended in 1960 to provide for the adjustment of status of an alien who had been inspected and admitted or *paroled* into the United States.[101] This provision thus gives

[94] DHS, *Parole Requests for FY2023 Q4*, p. 5. The report provides the following example of the distinction between an approval and a grant: "a noncitizen may receive an approval from USCIS, but that noncitizen may not receive the grant of parole unless the person appears at a [U.S. port of entry] and is paroled into the United States by CBP" (p. 5).

[95] DHS, *Parole Requests, Fiscal Year 2022*, July 12, 2023, pp. 4, 8.

[96] DHS, Parole Requests for FY2023 Q4, p. 5.

[97] DHS, *Parole Requests, Fiscal Year 2022*, July 12, 2023, pp. 5-8; DHS, Parole Requests for FY2023 Q4, p. 9. For a discussion of the FY2023 parole grant data, see CRS Report R48514, *Immigration Parolees' Eligibility for Federal Benefits*.

[98] DHS, OHSS, "Immigration Enforcement and Legal Processes Monthly Tables - November 2024," https://ohss.dhs.gov/sites/default/files/2025-01/2025_0116_ohss_immigration-enforcement-and-legal-processes-tables-november-2024.xlsx (see link to "CHNV Processes"/ "Confirmed CHNV Paroles by Program Process" table).

[99] DHS, Parole Requests for FY2023 Q4, p. ii.

[100] A nonimmigrant is a foreign national who is lawfully admitted to the United States for a temporary period of time and a specific purpose (e.g., tourists, students, diplomats). For additional information, see CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

[101] P.L. 86-648, §10.

parolees a potential pathway to LPR status, but it is subject to a number of requirements and restrictions. Among the requirements, an individual must be eligible to receive an immigrant visa and must have an immigrant visa immediately available in order to adjust status. This, in turn, typically requires the individual to have either a family member or employer sponsor under the existing family-based or employer-based permanent immigration system. To be eligible for adjustment of status, an individual also must be admissible to the United States for permanent residence. The INA enumerates grounds of inadmissibility, which are grounds upon which aliens are ineligible to receive visas or to be admitted to the United States.[102] These include health, criminal, and security grounds, among others. Some grounds of inadmissibility include exceptions, and some can be waived. In addition, adjustment of status under INA Section 245(a) is not applicable to individuals who, for example, have engaged in unauthorized employment or have failed to maintain lawful status continuously since U.S. entry, although there are exceptions to these ineligibilities for certain persons, including certain relatives of U.S. citizens.[103]

Historical Adjustment of Status Acts

Prior to the enactment of the Refugee Act of 1980, as noted, parole authority was one of the mechanisms used to bring refugees into the United States. Laws enacted between the mid-1950s and the late 1970s provided for the adjustment of status of specified groups of parolees, including paroled refugees from World War II, the Hungarian Revolution of 1956, and the Vietnam War.[104] Also enacted during this period, in the aftermath of the Cuban Revolution, was the Cuban Adjustment Act. Unique among adjustment of status measures, the Cuban Adjustment Act is not limited to a finite group of Cuban parolees and does not include an end date. In its current form, it provides for the adjustment of status "of any alien who is a native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959 and has been physically present in the United States for at least one year" subject to certain requirements.[105]

After 1980, parole continued to be granted to particular groups of foreign nationals seeking permanent admission to the United States, and legislative provisions continued to be enacted to enable members of these groups to adjust to LPR status. One of these adjustment provisions was enacted as part of the Lautenberg Amendment, which, as amended, provided for the adjustment of status of nationals of an independent state of the former Soviet Union, Estonia, Latvia, Lithuania, Vietnam, Laos, or Cambodia who were granted parole after being denied refugee status (see the "Refugee-Related Parole Programs" section).[106]

Over the years, beneficiaries of special parole programs have often had a prescribed pathway to LPR status. In the case of the Cuban programs, for example, parolees could avail themselves of the Cuban Adjustment Act. Beneficiaries of the family reunification parole programs could adjust status under the standard INA adjustment of status provisions once their immigrant visas became available. Beneficiaries of some other special parole programs, however—such as the CAM

[102] INA §212(a) (8 U.S.C. §1182(a)). For additional information, see CRS In Focus IF12662, *Immigration: Grounds of Inadmissibility*.

[103] An exception applies to *immediate relatives* of U.S. citizens. INA Section 201(b)(2) (8 U.S.C. §1151(b)(2)) defines this term to mean the unmarried children under age 21, spouses, and parents of a U.S. citizen, with the U.S. citizen required to be at least age 21 in the case of parents.

[104] These laws included P.L. 85-559, July 15, 1958; P.L. 86-648, July 14, 1960; and P.L. 95-145, October 28, 1977.

[105] P.L. 89-732, as amended, 8 U.S.C. §1255 note.

[106] P.L. 101-167, §599E, as amended (8 U.S.C. §1255 note). Other post-1980 parolee adjustment of status acts include P.L. 104-208, Division C, Section 646 (Poles and Hungarians) (8 U.S.C. §1255 note), and P.L. 111-293 (Haitian orphans) (8 U.S.C. §1255 note).

program and the IEP program, or more recently, the CHNV processes—do not have a prescribed LPR pathway. Such individuals may be eligible to obtain LPR status through an existing mechanism[107] but would not necessarily be eligible under any existing pathway.

Legislation on Parole in Recent Congresses

Multiple bills on immigration parole have been introduced in recent Congresses. They embody differing views on the appropriate use of parole authority. Among the parole-related bills receiving action in the 118th Congress was the Secure the Border Act of 2023 (H.R. 2), which was passed by the House. H.R. 2 (Division B, Title VII) proposed to rewrite the INA parole provision to limit parole authority. It would have authorized the granting of parole only to persons who were not present in the United States, with an exception for certain spouses and children of members of the U.S. Armed Forces on active duty. It would have added statutory definitions of "urgent humanitarian reason" and "significant public benefit." The former would have been limited to situations such as medical emergencies, the imminent death of a close family member, or the return to the United States of an applicant for LPR status. The latter would have been limited to cases in which an alien assisted or would assist the federal government in a law enforcement matter. The bill would also have prohibited the DHS Secretary from granting parole "according to eligibility criteria describing an entire class of potential parole recipients." Among its other proposed changes, House-passed H.R. 2 would have restricted parole grants to a maximum duration of one year and would have made parolees ineligible for employment authorization, with limited exceptions. Other bills introduced in the 117th through 119th Congresses included parole reform language similar to that in H.R. 2.[108]

Other bills to limit the DHS Secretary's parole authority have proposed different types of restrictions. These have included proposals to prohibit the granting of parole to specified categories of foreign nationals,[109] place an annual numerical limitation on parole grants,[110] or rescind the DHS Secretary's parole authority altogether.[111]

Measures to authorize the granting of parole to members of specified populations have also been introduced in recent Congresses. For example, bills have sought to require DHS to grant parole to certain parents and children separated by the department[112] or to give DHS discretion to parole certain veterans into the United States to receive health care.[113] In addition, H.R. 2 (Division B, Title VII) and many of the related bills cited above would have effectively authorized a Cuban family reunification parole program.

As noted previously, a parole grant does not provide a designated pathway to LPR status and parolees, including beneficiaries of some special parole programs, may not be eligible for an

[107] For example, some parolees may be able to obtain LPR status through the asylum process. For additional information, see CRS Report R48249, *What Is Affirmative Asylum?*

[108] See, for example, S. 5301, as introduced in the 117th Congress; H.R. 2640, as reported in the 118th Congress; S. 2324, as introduced in the 118th Congress; and H.R. 696 and S. 1589, as introduced in the 119th Congress.

[109] See, for example, S. 4818, as introduced in the 118th Congress.

[110] See, for example, H.R. 3725, as introduced in the 119th Congress.

[111] See, for example, H.R. 194, as introduced in the 118th Congress.

[112] See, for example, H.R. 2766, as introduced in the 117th Congress. A parole process for family members separated at the U.S.-Mexico border during the first Trump Administration was established as part of a 2023 settlement agreement in a class action lawsuit. For additional information, see DHS, "Family Reunification Task Force," January 28, 2025.

[113] See, for example, S. 3276, as introduced in the 118th Congress.

existing LPR pathway. Recent bills have proposed to establish LPR mechanisms for certain Afghan[114] and Ukrainian[115] parolees.

Conclusion

There are differing views on the appropriate use of INA parole authority. For example, the American Immigration Council[116] views parole as "an essential component of U.S. immigration law." According to the group, "It can be an important tool to manage the processing of migrants at U.S. borders; a powerful response to humanitarian crisis; and a way to allow people in the United States to work legally and become self-sufficient."[117] On the other hand, the Center for Immigration Studies[118] argues that parole authority has been used much more broadly than is warranted: "Immigration parole is a narrow power given by Congress to the president to let in people who are inadmissible; it was intended to be used in a handful of cases, such as in a medical emergency or the need for an inadmissible alien to testify in court.... Parole was one of the tools the Biden administration used to freelance a parallel immigration system to evade the numerical limits on immigration established by Congress."[119] Bills introduced in recent Congresses can be seen as efforts to further these competing points of view on parole—by alternatively legislating the use of parole for various purposes or adding new statutory restrictions on parole authority. If Congress opts to enact any of these measures, it may in the process further define the appropriate use of parole.

[114] See, for example, S. 2327/H.R. 4627 and S. 2324, as introduced in the 118th Congress.

[115] See, for example, H.R. 3911, as introduced in the 118th Congress.

[116] The American Immigration Council describes its work as being "to advance positive public attitudes and create a more welcoming America—one that provides a fair process for immigrants and adopts immigration laws and policies that take into account the needs of the U.S. economy." See American Immigration Council, "About Us," https://www.americanimmigrationcouncil.org/our-impact/mission-vision/.

[117] American Immigration Council, *Understanding the Importance of Humanitarian Parole in the U.S. Immigration System*, January 2024, https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/understanding_humanitarian_parole_factsheet.pdf.

[118] The Center for Immigration Studies describes itself as being "animated by a unique pro-immigrant, low-immigration vision which seeks fewer immigrants but a warmer welcome for those admitted." See Center for Immigration Studies, "About the Center for Immigration Studies," https://cis.org/Center-For-Immigration-Studies-Background.

[119] Mark Krikorian, *Trump's Immigration Test*, Center for Immigration Studies, January 22, 2025, https://cis.org/Oped/Trumps-Immigration-Test.

Appendix. INA Parole Provision (§212(d)(5))

Current Provision

(A) The Secretary of Homeland Security may, except as provided in subparagraph (B) or in section 214(f),[120] in his discretion 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, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Secretary of Homeland Security, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.

(B) The Secretary of Homeland Security may not parole into the United States an alien who is a refugee unless the Secretary of Homeland Security determines that compelling reasons in the public interest with respect to that particular alien require that the alien be paroled into the United States rather than be admitted a refugee under section 207.

(C) The attorney general of a State, or other authorized State officer, alleging a violation of the limitation under subparagraph (A) that parole solely be granted on a case-by-case basis and solely for urgent humanitarian reasons or a significant public benefit, that harms such State or its residents shall have standing to bring an action against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States to obtain appropriate injunctive relief. The court shall advance on the docket and expedite the disposition of a civil action filed under this subparagraph to the greatest extent practicable. For purposes of this subparagraph, a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.

As Originally Enacted

The Attorney General may in his discretion parole into the United States temporarily under such conditions as he may prescribe for emergent reasons or for reasons deemed strictly in the public interest any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Attorney General, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.

[120] INA Section 214(f)(2) places restrictions on the granting of parole to crewmembers in certain circumstances.

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