

## Parole Backgrounder December 2024

### What is parole?

Parole is not an immigration status, but a discretionary authority granted by the Department of Homeland Security (DHS) to allow certain individuals to enter or remain in the United States temporarily for urgent humanitarian reasons or significant public benefit. The statutory basis for parole is §212(d)(5)(A) of the Immigration and Nationality Act (INA).

### Is there an estimate of parolees granted in recent years?

Since 2021, over 750,000 non-citizens have been granted entry to the U.S. through nationality-specific parole programs for Afghan, Cuban, Haitian, Nicaraguan, Ukrainian, and Venezuelan nationals.<sup>1</sup> Additionally, since 2023, over 800,000 people have legally entered the U.S. at land borders on humanitarian parole after scheduling appointments through the CBP One app.<sup>2</sup>

### What are some conditions of parole?

If granted humanitarian parole, a non-citizen is considered a “parolee” for the period granted, normally two years. While parole authorizes a stay in the United States, parolees are not considered officially admitted under immigration law nor do they possess any formal immigration status. Parole is subject to certain conditions, is temporary, and has an expiration date, which can be found listed on the parolee’s Form I-94, Arrival/Departure Record issued by Customs and Border Protection (CBP)<sup>3</sup> or U.S. Citizenship and Immigration Services (USCIS). In some cases, a parolee can apply to extend their parole, a process known as “re-parole.” Parolees who wish to travel outside of the United States must obtain a travel document from USCIS in advance or their parole will be automatically terminated upon their departure.<sup>4</sup>

All parolees are required to update USCIS of any change in address within 10 days of their move as a condition of parole and to abide by the laws of the United States. Depending on the type of parole, there may also be additional conditions to maintain active parole. These conditions may include certain reporting requirements or meeting certain medical requirements (e.g., vaccinations and tuberculosis screenings).

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<sup>1</sup> U.S. Customs and Border Protection, CBP Releases August 2024 Monthly Update, Sept. 16, 2024, <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-august-2024-monthly-update>.

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Customs and Border Patrol, Official Site for Travelers Visiting the United States: Apply for or retrieve Form I-94, Request Travel History and Check Travel Compliance, Nov. 30, 2024, <https://i94.cbp.dhs.gov/home>.

<sup>4</sup> 8 C.F.R. 212.5(e).

**Can parole be cancelled?**

Yes. Parole is a discretionary immigration benefit, and an individual's parole can be revoked or canceled. If the parole is revoked during the parole period, DHS is required to notify the parolee in writing. Otherwise, parole may be automatically terminated if the parolee departs or at the expiration of the authorized parole period. If an immigrant's parole status is terminated while they are in the United States, they will return to the status they had prior to parole. If they previously had no status, they may be subject to removal from the United States if they are placed in removal proceedings by DHS.<sup>5</sup>

**Can parole be extended?**

Yes. Under current policy, the availability of extensions of parole and re-parole will depend upon the category of parole. Similarly, any parole extension request application processes and requirements are specific to the type of parole.

**Are certain parolees eligible for benefits from the Office of Refugee Resettlement (ORR)?**

Yes. Both Afghan and Ukrainian parolees were eligible for ORR benefits at various points due to statutory authority.<sup>6</sup> Currently, Cuban and Haitian entrants, including parolees, are eligible for ORR benefits as well.<sup>7</sup>

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<sup>5</sup> See INA § 212(d)(1)

<sup>6</sup> Congress has authorized federal support to Ukrainians displaced by the war in Ukraine on multiple occasions, most notably in May 2022 through the AUSAA and in April 2024 through the Ukraine Security Supplemental Appropriations Act. Congress authorized Afghans arriving through parole to receive access to refugee benefits after the August 2021 Taliban takeover, U.S. withdrawal, and non-combatant evacuation operation.

<sup>7</sup> 45 C.F.R. 401.2