

Understanding the Importance of Humanitarian Parole in the U.S. Immigration System

Parole is an essential component of U.S. immigration law. 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. As Congress considers changing the law governing parole, it is critical to understand how parole works now, and how changes would affect the immigration system.

What is Immigration Parole?

Immigration law grants the government broad latitude to deny people entry to the U.S., revoke their legal status, detain and deport them. Conversely, the [parole power](#) gives the government some flexibility to allow any foreign national to temporarily enter the country or be released from immigration custody. The government has created several different processes using this power, all of which get called “[parole.](#)”

The authority to grant parole was created in 1952 in the same law that created the “travel ban” authority invoked by President Trump. Under Section [212\(d\)\(5\) of the Immigration and Nationality Act \(INA\)](#), Congress authorized the president to grant temporary parole for “urgent humanitarian reasons” or “significant public benefit” – leaving both terms’ meanings up to executive discretion. In practice, this takes one of three broad forms:

Parole for people who apply affirmatively from outside the United States

Any noncitizen can file a request to enter the U.S. on parole. Those forms are adjudicated by U.S. Citizenship and Immigration Services. USCIS receives requests for humanitarian parole from people who need emergency permission to temporarily enter the country. [Examples of this](#) include allowing people to attend a funeral of a loved one, or access life-saving medical care.

USCIS also oversees several dedicated parole programs, including newer programs such as [Uniting for Ukraine](#) and the parole programs for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV), as well as established programs such as family reunification parole.

Each program has specific eligibility requirements. CHNV parolees, for example, must be sponsored by someone in the United States who earns enough money to support the parolee in case a job is unavailable. In other cases, parolees must have an immediate family member in the U.S. who meets certain criteria, such as being a [Filipino World War II veteran](#). Parole under these programs may only be granted for a specific time frame – for example, parole under Uniting for Ukraine is valid for two years.

Presidents of both parties have created new parole programs. Parole is the government’s best way to rapidly respond to humanitarian emergencies – such as the end of the Vietnam War or Russia’s invasion of Ukraine – by allowing people to legally migrate to safety. Parole can also reduce pressure to migrate without authorization, by offering a “line” for people to get into legally.

Parole upon arrival in the United States

Customs and Border Protection can grant parole to people who have presented themselves at a port of entry wishing to enter the United States. Often, parole granted by CBP can be very short-term – as little as 24 or 48 hours – to receive emergency medical care or testify in a judicial proceeding. In other cases, CBP will grant parole to someone while awaiting a trial in immigration court to determine whether they qualify for asylum or another form of legal relief.

This form of parole is especially important to border management today because it allows CBP to process asylum-seekers into the United States through regular means, at a legal port of entry and after essential screening (instead of crossing into the United States irregularly and being apprehended by Border Patrol). In many cases, these asylum-seekers have made appointments weeks in advance via the CBP One app, providing officials with additional time to allocate needed resources.

Parole upon release from immigration detention

ICE – and, less commonly, U.S. Border Patrol (under CBP) -- have the authority to release people from immigration custody on parole while their cases are pending. Immigrants in CBP custody have to meet certain criteria to be released on parole: they must be able to demonstrate they have a sponsor to house and support them, that they are not a danger to the community, and that they are not at risk of abandoning their cases and disappearing from authorities.

Without the parole authority, ICE would be forced to detain far more people than it has ever had capacity for – including people who have already passed initial screenings and are likely to be approved for asylum. The result would be a backup that would create overcrowding in facilities both in the United States and at the border – and, ultimately, prevent Border Patrol agents from apprehending border crossers at all because they would have nowhere to put them.

What Benefits does Parole Provide?

No matter when it is granted or by whom, parole is **always temporary in nature**, and is only valid for a certain period of time. Importantly, it does not itself create any sort of pathway to permanent legal status. However, receiving parole can make some people who otherwise qualify for legal status -- including green cards -- fully eligible to apply for them. Because parole is interwoven with other forms of legal status, constraining it could have far-reaching consequences.

Parole also allows people to **immediately apply for work permits**. Without parole, asylum seekers are barred from obtaining work authorization until 180 days after filing an asylum application. That means that people who are paroled after presenting themselves at ports of entry, for example, do not have to find months' worth of housing and support from local governments or homeless shelters – they are able to find work and support themselves nearly as soon as they arrive. Reducing or eliminating the parole authority could force local governments currently under strain to feed, clothe and house even more asylum-seekers.

Because parole is a critical tool in the toolboxes of all three major immigration agencies, it also provides benefits to the United States. It allows the United States government to respond to urgent humanitarian needs in an orderly manner by ensuring that those allowed into the U.S. temporarily are properly vetted and can support themselves. This reduces the strain on Border Patrol and interior communities alike.