



*Community FAQ**

The Benefits, Risks, and Process for Applying for Parole-in-Place Under the Family Reunification Task Force's Process March 2022

The Department of Homeland Security (DHS)'s Family Reunification Task Force has established a parole process for some people who were separated at the U.S.-Mexico border as a result of the Trump administration's Zero-Tolerance Policy and other similar Trump administration practices. This process has been established through negotiations in a lawsuit called *Ms. L. v. ICE*. Parents and children who were deported as a result of the Zero-Tolerance Policy can benefit from humanitarian parole. Parents, children, and other family members who were not deported as a result of the policy and currently live in the United States may now benefit from parole-in-place. While parole-in-place carries many benefits, applying for parole-in-place may also carry some risks. Through this Community FAQ, you will learn about the application process for parole-in-place for separated families and understand both the benefits and risks of submitting an application.

What is parole?

Parole is a kind of temporary permission to be in the United States that DHS can decide to give to noncitizens on a case-by-case basis, where there is urgent humanitarian reason or significant public benefit. The Family Reunification Task Force has set up two processes for families affected by the Zero-Tolerance Policy to access parole: humanitarian parole and parole-in-place. Humanitarian parole is the process for family members who are outside of the United States to enter the United States so they can reunite with their families and remain here temporarily. Parole-in-place is the process for families already reunited in the United States.

What is parole-in-place?

Parole-in-place is a kind of temporary permission to be in the United States that United States Citizenship and Immigration Services (USCIS) can decide to give to noncitizens who are already in the United States on a case-by-case basis, where there is urgent humanitarian reason or significant public benefit.

Who is eligible for parole-in-place?

Under the Family Reunification Task Force process, parole-in-place is available to people who were separated at the United States-Mexico border by United States Customs and Border

* This Community FAQ is for informational purposes only and is not legal advice. To get legal advice specific to your situation, consult a qualified immigration attorney.

Protection (CBP) under Trump's Zero-Tolerance and related family separation policies. In addition to parents/guardians and children who were separated, additional family members, such as a spouse, other child, or other family member may be eligible to apply for parole-in-place. Take, for example, the case of a father and daughter who were separated by CBP at the border and were later released from detention to join the daughter's mother in the United States. The separated father and daughter as well as the child's mother would be eligible to apply for parole-in-place. Additional family members who entered the United States after May 7, 2021 are not eligible to apply for parole-in-place.

Other kinds of immigration proceedings do not affect a person's eligibility for parole-in-place. For example, people can get parole-in-place even if they are currently in deportation proceedings before an Immigration Court, have submitted an asylum application to USCIS, or have received an order of deportation. Additionally, if a separated parent and/or child received humanitarian parole and returned to the United States through the Family Reunification Task Force process or through a court order, their additional family members such as a spouse, other child, or other family member who are already in the United States are eligible to apply for parole-in-place.

How long does parole-in-place last and is it renewable?

Parole-in-place granted by the Family Reunification Task Force will last for three years. In the past, parole-in-place has been a renewable benefit. However, it is possible that a future presidential administration could decide to terminate this program.

What are some benefits of being granted parole-in-place?

A grant of parole-in-place will let the recipients stay in the United States and they will generally be protected from deportation for three years. Parole-in-place recipients will be eligible to apply for a work permit and do not have to pay the application fee. If granted, the work permit lasts for three years. Depending on the state they live in, people granted parole-in-place may be eligible for public benefits like cash assistance programs. If a person who entered the U.S. without permission has or is eligible to be the beneficiary of a petition (called an I-130) to immigrate through a U.S. citizen family member, getting parole-in-place may let that person apply for a green card without leaving the country. Importantly, however, parole-in-place does not lead to a green card by itself.

What are some risks of applying for parole-in-place?

Applying for parole-in-place requires the applicant to give sensitive information to DHS. Parole-in-place applicants will share their home address, fingerprints, and photograph with DHS. United States Immigration and Customs Enforcement (ICE) could potentially use information shared with USCIS to arrest and deport the applicant. Although the Biden administration has pledged to reunite separated families and keep them together, it is important to keep in mind that

every application will go through a background check process, and future presidential administrations may decide to end this program.

USCIS may choose to deny an application for parole-in-place. If a person’s application is denied, and they are identified as an [enforcement priority](#), that person could get arrested and detained and/or put into deportation proceedings, and could ultimately be deported. This is a particular risk for additional family members of the separated parent and child because, among other reasons, they may be submitting information to the government that makes the government aware for the first time that they are in the United States. Such family members may face a higher risk of having their applications denied and suffering negative consequences from giving their information to DHS. People considering applying for parole-in-place **should first talk with an immigration lawyer** if they have:

- 🚩 A prior arrest, detention or criminal record of any sort, even if they believe that no record of it exists
- 🚩 An unlawful entry into the United States on or after May 7, 2021
- 🚩 Multiple unlawful entries into the United States
- 🚩 A prior deportation order (does not apply to separated parent or child)

What are the requirements for applying for parole-in-place?

The specific requirements for applying for parole-in-place are different depending on which family member is applying for the benefit. Generally, it is easier for a separated parent or child to meet the requirements for applying than it is for other family members, as reflected by the below color-coding.

| <i>Application Requirements</i> | Separated parent/guardian and child | Spouse of separated parent and other minor children | Additional family members |
|---------------------------------|--|--|--|
| <i>Identification</i> | Government-issued photo identification that is valid and unexpired | Unexpired passport | Unexpired passport |
| <i>Proving relationship</i> | No evidence of relationship required | Evidence showing family relationship with separated family members (e.g., birth certificate, marriage certificate) | Evidence showing family relationship with separated family members (e.g., birth certificate, marriage certificate) |

| | | | |
|---|---|---|---|
| <i>Establishing date of entry</i> | No evidence of date of entry required | Statements or documentation showing entry into the United States before May 7, 2021 | Statements or documentation showing entry into the United States before May 7, 2021 |
| <i>Proving cohabitation (living together)</i> | No evidence of living together required | No evidence of living together required | Evidence showing living together with the separated family members |

When must additional family members file their parole-in-place applications relative to the separated parent or child?

Families should submit all family members’ applications for parole-in-place at the same time unless there are exceptional circumstances.

Should I apply for parole-in-place if my case is pending in immigration court?

People can get parole-in-place even if they are currently in deportation proceedings, but DHS may require them to delay or pause their immigration court case. DHS may do this because they do not want to spend government resources on allowing a person to temporarily remain in the United States and hearing their immigration cases at the same time.

How do I access the application for parole-in-place?

There is no fee to apply for parole-in-place. People who have an immigration lawyer should talk with their lawyer about applying for this benefit. Families without an immigration lawyer who do not meet any of the risk factors listed above may self-register on the [Together.gov](https://www.together.gov) government website. An employee of the International Organization for Migration will be in contact to help complete the applications for parole-in-place. We encourage families to consult with an immigration lawyer before going through this process through the International Organization for Migration.