



Alerts

A Guide to Immigration Eligibility for the Department of Homeland Security's "Parole in Place" Application

July 31, 2024

Insights for Employers

The Department of Homeland Security (DHS) has announced that on **August 19, 2024**, they will begin accepting applications for its new Parole in Place process, which is intended to promote family unity and stability.

The Parole in Place program should provide much-needed relief to many mixed-status families who face lengthy separations, sometimes stretching for years or decades at a time. While more details on the process are still forthcoming, the DHS has provided the following information so far.

Who is Eligible?

To be considered for this discretionary grant of parole on a case-by-case basis, you must:

- Be present in the United States without admission or parole;
- Have been continuously present in the United States for at least 10 years as of **June 17, 2024**;
- Have a legally valid marriage to a U.S. citizen as of **June 17, 2024**;
- Not have any disqualifying criminal history or otherwise constitute a threat to national security or public safety; and
- Otherwise, merit a favorable exercise of discretion.

Noncitizen children of spouses who are granted parole under this process may also be considered for parole on a case-by-case basis if they are physically present in the United States without admission or parole and have a qualifying stepchild relationship with a U.S. citizen parent as defined by the Immigration and Nationality Act as of **June 17, 2024**.

What Should Applicants Do Now?

DHS recommends that applicants begin to gather evidence of eligibility, such as:

- Evidence of a legally valid marriage to a U.S. citizen as of **June 17, 2024**;
- Government-issued documentation of proof of identity, such as a valid passport, birth certificate, driver's license, etc.;

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- Evidence of your spouse's U.S. citizenship, such as a passport, birth certificate, or Certificate of Naturalization;
- Documentation to establish your continued presence in the United States for at least 10 years as of **June 17, 2024**. Examples of documentation could include copies of the following:
 - Rent receipts or utility bills;
 - School records (letters, report cards, etc.);
 - Hospital or medical records;
 - Birth certificates of children born in the United States;
 - Dated bank transactions;
 - Automobile license receipts, title, or registration;
 - Deeds, mortgages, or rental agreement contracts;
 - Insurance policies; or
 - Tax returns or tax receipts.

For noncitizen children of requestors, evidence of eligibility could include:

- Evidence of the child's relationship to the noncitizen parent, such as a birth certificate or adoption decree;
- Evidence of the noncitizen parent's legally valid marriage to a U.S. citizen as of **June 17, 2024**; and
- Evidence of the child's presence in the United States as of **June 17, 2024**.

What's Next?

Applications cannot be submitted yet. DHS will publish a Federal Register notice that will further explain eligibility and the application process. Any application filed before that guidance and the implementation date will be rejected.

DHS will continue to provide additional information and updates on this process through their website: [Process to Promote the Unity and Stability of Families](#).

If you have questions or would like to schedule a consultation to discuss these important immigration programs, [please contact our immigration services group](#).