

MILITARY PAROLE IN PLACE

What is Parole in Place? Military Parole in Place is a discretionary immigration benefit granted by U.S. Citizenship and Immigration Services on a case-by-case basis. Under the legal authority of *INA § 212(d)(5)(A)*, the Secretary of Homeland Security has the discretion to “parole” an individual into the United States for urgent humanitarian reasons or significant public benefit. While parole is traditionally used for individuals outside the U.S., Military PIP is specifically designed for foreign nationals who are already physically present in the United States but entered without authorization (i.e., they were not inspected and admitted by an immigration officer). The core purpose of this policy is to safeguard military preparedness. The Department of War and Department of Homeland Security recognize that service members face significant stress and anxiety regarding the immigration status of their immediate family. By providing a mechanism for temporary authorized stay, the policy reduces the risk of family separation allowing service members to focus on their mission-essential duties.

Who is Eligible? To qualify for Military PIP, an applicant must demonstrate both a qualifying relationship to a military sponsor and that the sponsor meets specific service requirements. Qualifying Military Sponsors include: (1) active-duty members of the U.S. Armed Forces, (2) individuals in the Selected Reserve of the Ready Reserve, and (3) military veterans (living or deceased) who served on active duty or in the Selected Reserve of the Ready Reserve and were not dishonorably discharged. Eligible Family Members (Applicants) include: (1) spouses, (2) widow(er)s, (3) parents, and (4) sons and daughters (children of any age).

Primary Benefits: A military relationship ordinarily weighs heavily in favor of parole in place. Absent criminal convictions or other serious adverse factors, PIP is generally considered an appropriate exercise of discretion. Approved applicants are authorized to remain in the U.S. in one-year increments, with the possibility of extensions (re-parole). Approval satisfies the requirement of being “inspected and paroled” under immigration law, which is a primary prerequisite for adjusting status to Lawful Permanent Residence. Recipients are eligible to apply for an Employment Authorization Document by filing Form I-765. Upon approval, the beneficiary is issued Form I-94 (Arrival/Departure Record). This may be a paper form or accessed electronically via the CBP website. The Admit Until Date on this form is the critical date marking the expiration of the authorized period. While PIP does not “erase” past unlawful presence, the recipient stops accruing *further* unlawful presence during the authorized parole period.

Green Card Eligibility: Without PIP, individuals who entered without inspection must typically depart the U.S. and apply for an immigrant visa at a U.S. Embassy or Consulate abroad. This departure often triggers “reentry bars”—statutory prohibitions (typically 3-year or 10-year bars) that prevent the individual from returning to their family in the U.S. for years.

By receiving a grant of parole, the applicant satisfies the “inspected and paroled” requirement of *INA § 245(a)*. This allows many family members to complete the entire Adjustment of Status process within the United States, avoiding the risks of consular processing and family separation. It is critical to note that while PIP satisfies the “entry” requirement, it does not erase “unlawful status.” Under *INA § 245(c)(2)*, individuals in unlawful status are generally barred from adjusting status. However, “Immediate Relatives” of U.S. citizens are exempt from this bar. Immediate Relatives are defined as the spouse, unmarried children under 21, and parents of U.S. citizens. Because of this, PIP is most effective for the families of U.S. citizen service members. Families of Lawful Permanent Resident sponsors may still face hurdles regarding past unlawful status despite a grant of PIP.

Application Requirements and Procedures: The application must be submitted to the USCIS office with jurisdiction over the applicant’s place of residence. All non-English documents must include a certified English translation. Required evidence includes:

- Cover Letter
- Form I-131 from the illegal immigrant (Part 1 and Part 8)
- Letter explaining how they entered country illegally (age, where, with whom, where to, etc.)
- Letter from service member explaining how hardship of separation would affect them
- Copy of Military ID Cards
- Copy of Marriage Certificate
- 2 Passport-Style Photos of Immigrant
- Copy of Divorce Decree (if applicable)
- Birth Certificate of Military Sponsor and Beneficiary
- Form of Identification of the Beneficiary
- Military Assignment/Deployment Orders

Limitations and Disclaimers: PIP is a temporary discretionary grant and does not constitute a permanent immigration status or a Green Card on its own. PIP does not “cure” or erase periods of unlawful presence accrued prior to the grant of parole. PIP does not waive other grounds of inadmissibility, such as criminal convictions or security-related issues. USCIS reserves the right to deny PIP if serious adverse factors are present in the applicant’s history.

Resources	Contact Information
USCIS Military Help Line	877-CIS-4MIL (877-247-4645)
Fort Bliss Legal Assistance Office	(915) 568-7141; usarmy.bliss.gqda-otjag.mesg.bliss-legal-assistance-office@army.mil
Office USCIS Website	www.uscis.gov/military
Military OneSource	1-800-342-9647 (free certified translations)