



U.S. Department of Homeland Security

# Fact Sheet: DHS Announces New Process to Promote the Unity and Stability of Families

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## En español

The Department of Homeland Security (DHS) announced actions to promote family unity in the immigration process, consistent with the Biden-Harris Administration's commitment to keeping families together. This announcement utilizes existing authorities to promote family unity, but only Congress can fix our broken immigration system.

Under current law, noncitizens married to a U.S. citizen may apply for lawful permanent residence through their marriage to a U.S. citizen. However, to apply for lawful permanent residence, many noncitizens must first depart the United States and wait to be processed abroad, resulting in a prolonged, potentially indefinite, period of separation from their U.S. citizen family members and causing tremendous hardship to all concerned. Consequently, these families live in fear and face deep uncertainty about their future.

To address this challenge, DHS will establish a new process to consider, on a case-by-case basis, requests for certain noncitizen spouses of U.S. citizens who have lived in the United States for 10 years or more; do not pose a threat to public safety or national security; are otherwise eligible to apply for adjustment of status; and merit a favorable exercise of discretion. If eligible, these noncitizens will be able to apply for lawful permanent residence without having to leave the United States. DHS estimates that approximately 500,000 noncitizen spouses of U.S. citizens could be eligible to access this process; on average, these noncitizens have resided in the United States for 23 years. Approximately 50,000 children of these spouses also will be eligible for this process. Noncitizens who pose a threat to national security or public safety will not be eligible for this process, as aligned with our immigration enforcement priorities. If a noncitizen poses a threat to national security or public safety, DHS will detain, remove, or refer them to other federal agencies for further vetting, investigation, or prosecution as appropriate.

Today's actions build on unprecedented steps by the Biden-Harris Administration to strengthen family unity including by implementing family reunification parole processes for nationals of Colombia, El Salvador, Guatemala, Honduras, and Ecuador; updating and modernizing the Cuban and Haitian family reunification parole processes; leading the Family Reunification Task Force to reunify nearly 800 children with their families who were separated; and establishing country-specific parole processes for certain nationals of Cuba, Haiti, Nicaragua, and Venezuela (CHNV) who have a U.S.-based supporter.

## Eligibility and Process

To be considered on a case-by-case basis for this process, an individual 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; and
- Have a legally valid marriage to a U.S. citizen as of June 17, 2024.

In addition, individuals must have no disqualifying criminal history or otherwise constitute a threat to national security or public safety and should otherwise merit a favorable exercise of discretion.

Noncitizen children of potential requestors may also be considered for parole under this process if they are physically present in the United States without admission or parole and have a qualifying stepchild relationship to a U.S. citizen as of June 17, 2024.

In order to be considered for parole, an individual will need to file a form with USCIS along with supporting documentation to show they meet the requirements and pay a fee. Further information regarding eligibility and the application process, including a notice in the Federal Register, will be published in the near term. USCIS will reject any filings or individual requests received before the date when the application period begins later this summer.

Upon receipt of a properly filed parole in place request USCIS will determine on a case-by-case basis whether a grant of parole is warranted and whether the applicant merits a favorable exercise of discretion. All requests will take into consideration the potential requestor's previous

immigration history, criminal history, the results of background checks and national security and public safety vetting, and any other relevant information available to or requested by USCIS. USCIS has strong processes in place to identify and address potential fraud, which will be applied here to ensure the integrity of this program.

## Other Action

In addition, DHS will join the Department of State in an effort to more efficiently facilitate certain employment-based nonimmigrant visas for eligible individuals, including Deferred Action for Childhood Arrivals (DACA) recipients and undocumented noncitizens, who have graduated from an accredited U.S. institution of higher education. By clarifying and enhancing the existing process, the Department of State's policy will give U.S. employers increased confidence that they can hire the talent they need, and that they will be able to quickly get to work. DHS will implement the Department of State's policy update.

## Topics

[CITIZENSHIP AND IMMIGRATION SERVICES \(/TOPICS/CITIZENSHIP-AND-IMMIGRATION-SERVICES\)](#)

## Keywords

[BIDEN-HARRIS ADMINISTRATION \(/KEYWORDS/BIDEN-HARRIS-ADMINISTRATION\)](#)

[DEFERRED ACTION FOR CHILDHOOD ARRIVALS \(DACA\) \(/KEYWORDS/DEFERRED-ACTION-CHILDHOOD-ARRIVALS-DACA\)](#) [FAMILY \(/KEYWORDS/FAMILY\)](#)

[IMMIGRATION REFORM \(/KEYWORDS/IMMIGRATION-REFORM\)](#) [LAWFUL PATHWAYS \(/KEYWORDS/LAWFUL-PATHWAYS\)](#)

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