

## Understanding the June 18, 2024 “Keeping Families Together” Executive Actions

On June 18, 2024, the Biden administration announced [executive actions](#) that would allow for certain undocumented spouses and stepchildren of U.S. citizens to apply for Parole in Place and begin a path to obtain lawful permanent status. The announcement also includes a plan to streamline the process for DACA recipients and other Dreamers to more quickly receive work visas and be eligible for an employment visa process if they meet certain criteria.



**UPDATE:** On August 23<sup>rd</sup>, Texas and 15 other states filed a lawsuit in the Eastern District of Texas to end the program, claiming it is an abuse of parole authority. On August 27<sup>th</sup>, a temporary restraining order was granted for fourteen days. At this time, applications can be submitted but cannot be processed. For more information about the lawsuit please visit <https://www.uscis.gov/keepingfamilies-together>

### Who will the Executive Action impact?

- **Undocumented spouses of U.S. citizens:** The President’s action will impact undocumented spouses of U.S. citizens who are married and living for more than 10 years in the U.S. Approximately [1.3 million](#) undocumented people living in the U.S. are married to citizens, and up to 500,000 could be impacted.
- **Undocumented stepchildren of U.S. citizens:** The President’s action will also benefit an estimated 50,000 immigrant children with a parent who is married to a U.S. citizen. Undocumented stepchildren of U.S. citizens will be eligible to apply for the parole process if they are under the age of 21.
- **DACA recipients and Dreamers:** The President’s action ensures DACA recipients and other Dreamers who have earned a higher education in the U.S. and received an offer of employment from a U.S. employer in a field related to their degree will more quickly receive work visas and be eligible for an employment visa process if they are college-graduates with high-skill job offers.

### What are the criteria necessary to be considered eligible for Parole in Place (PIP) for undocumented spouses of U.S. citizens?

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 U.S. 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.

### **What is the ultimate impact of the June 18, 2024 “Keeping Families Together” Executive Action for undocumented spouses of U.S. citizens?**

It would allow certain eligible undocumented spouses and stepchildren of U.S. citizens to remain in the U.S. with their families and obtain work permits for up to three years. They have three years to obtain a green card without having to leave the U.S. and after 5 years of living in the U.S. as a green card holder, can apply for citizenship.

### **Will the June 18th Executive Action apply to undocumented spouses of U.S citizens who have overstayed their visa?**

No. Anyone who has been formally admitted, including someone who has overstayed their visa, would not be eligible. Because individuals who are in the U.S. without having been formally admitted are considered “applicants for admission” [under the INA](#), (Immigration and Nationality Act) they are eligible for parole.

### **What is Parole in Place (PIP)?**

Parole in Place allows an individual who came into the United States without authorization to apply to stay in the United States, apply for work authorization and be protected from deportation for a certain period.

### **How is PIP granted?**

PIP is granted on a case-by-case basis by the Department of Homeland Security (DHS) for urgent humanitarian or significant public benefit reasons. [Section 212\(d\)\(5\)\(A\)](#) of the INA authorizes DHS the discretion to issue parole.

### **Is PIP a new program?**

No. The first dedicated PIP program was a “[military parole in place](#)” which is still used today. In November 2013, USCIS issued a [policy memorandum](#) supporting granting parole to undocumented children, parents, and spouses of active duty or retired service members.

### **How many PIP applications of this type have been recently reviewed?**

Since 2020, 47,000 applications have been approved, less than 40% of the total applications received by USCIS.

### **What impact does the President’s Executive Action have on Dreamers and DACA recipients?**

The Executive Action calls to streamline the 212(d)(3) waiver to help ensure that many DACA recipients and other Dreamers could be sponsored for temporary work visas, thereby securing their immigration status and opening pathways to permanent residency and ultimately citizenship in the future.

### **How would this work?**

DACA recipients and other Dreamers would be required to depart the U.S. and apply at a consulate or embassy to be readmitted with a nonimmigrant work visa. This process can be long and unpredictable. Given DACA youth and Dreamers have lived in the U.S. undocumented, even if they now have DACA, this could trigger an [immigration bar](#) preventing them from re-entering for up to 10 years. The 212(d)(3) nonimmigrant visa waiver can resolve these immigration bars and certain other [inadmissibility issues](#) that might result in a visa being denied. The waivers are discretionary and weigh factors like the

reasons for seeking visa and prior immigration violations. The Executive Action would streamline this process and offer Dreamers with college degrees and job offers the option to eventually adjust their immigration status.

**Is the President's Executive Action permanent?**

No. As this Executive Action is taken by the President, it is not permanent. The program may be cancelled or not renewed by a future Presidential Administration. While this action may provide initial relief from deportation to the identified population, it is not a substitute for meaningful legislative immigration reform.