

The Fiscal Consequences of Parole During the Biden Administration

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The immigration parole program was intended to allow a small number of otherwise inadmissible aliens to enter the United States temporarily on a case-by-case basis due to compelling humanitarian need or public benefit. The decision by the Biden administration to use parole to release an estimated 2.8 million otherwise inadmissible aliens into the country represents a profound distortion of the intent of the program. My testimony will focus on the fiscal consequences of this policy. The limited information available on the country of origin of parolees indicates that they are almost certainly a net fiscal drain — creating more in costs than they pay in taxes. This is primarily due to their low average education levels, which results in relatively low earnings and tax payments, not from low rates of work. Parolees’ lower wages and education cause a large share to qualify for welfare programs, with perhaps half of households headed by parolees using one or more major welfare programs. Allowing large numbers of less-educated parolees to enter and remain in the country is very costly for taxpayers.

Key Findings:

- I estimate that an unprecedented 2.8 million people were granted parole during the Biden Administration.
- Educational attainment is a key determinant of income, tax payments and use of means-tested programs. New adult immigrants from virtually every top parolee-sending country are significantly less-educated than U.S.-born adults.
- The average wages of newly arrived adult immigrant men from most of the primary parolee-sending countries are less than half that of U.S.-born men.
- Households headed by recent immigrants from virtually every major parolee-sending country have substantially higher welfare use than U.S.-born households. On average about half of households headed by immigrants from the top parolee-

sending countries access one or more welfare programs — nearly twice the rate of U.S.-born households.

- Parolees are able to access welfare for a number of reasons: First, some have U.S.-born children. Second, those paroled for at least one year are considered “qualified aliens,” with the welfare eligibility of new lawful permanent residents, while others have immediate access. Third, all residents can access some programs (e.g. WIC and Medicaid for pregnant women). Fourth, some states offer welfare to otherwise ineligible aliens.
- In addition to traditional welfare programs, 40 percent of households headed by recent immigrants from the primary parolee-sending countries have incomes low enough to receive the Earned Income Tax Credit (EITC). Those receiving the EITC pay no federal income tax and instead receive a cash payment.
- Immigrants from the top parolee-sending countries do pay taxes, including federal income and payroll taxes. However, on average parolee headed households have only about 47 percent the federal tax liability of U.S.-born households.
- The fiscal drain created by high welfare use and lower average tax contributions by immigrants from parolee-sending countries are not caused by low rates of work. Working-age men (18 to 64) from parolee-sending countries generally have rates of work that match or exceed U.S.-born men.
- By working and consuming, parolees add tens of billions of dollars to the nation’s GDP each year, but this is not a measure of their tax contributions or the benefits they create for Americans. Almost all the increase in economic activity they create goes to the parolees themselves in the form of wages.

Introduction

The Immigration and Nationality Act remains the country’s foundational immigration law. That law allows the attorney general to “parole” aliens into the United States. It states, “The Secretary of Homeland Security may... in his discretion parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien...”¹

It is important to note that the law is clear that it is not a program to be used *en masse* but instead parole is to be done only on a case-by-case basis. Moreover, those granted parole are not considered to be formally admitted to the country. Further, when the reason for the parole no longer exists, the parolee should be returned to DHS custody, and the alien is to be dealt with in the same way as any other person trying to be admitted into the United States. Center for Immigration Studies Resident Fellow in Law and Policy Andrew Arthur's publication, "Biden Has Paroled In Two Million-Plus Inadmissible Aliens" provides a valuable overview of the Biden administration's approach to parole.² For the history of parole and the legal framework surrounding it, please see Center for Immigration Studies Legal Fellow George Fishman's detailed analysis entitled, "The Pernicious Perversion of Parole: A 70-year battle between Congress and the president."³

Parolees are eligible to apply for employment authorization (8 C.F.R. § 274a.12(c)(11)). Further, after one-year, those granted parole are eligible for federal welfare benefits to the same extent as any lawful permanent residents (8 U.S.C. §§ 1613(a), 1641(b)(4)). Due to specific policies and legal provisions, most parolees from Cuba, Haiti, Afghanistan, and Ukraine have much more immediate access to welfare programs.⁴ This eligibility for means-tested programs has important implications for public coffers. As we will see, recent immigrants from the primary parolee-sending countries make heavy use of the nation's welfare system.

Number Of Parolees Under Biden

The government does not make it easy to determine how many people were granted parole in recent years. In June 2024, my colleague Andrew Arthur estimated that more than two million individuals had been granted parole by the Biden Administration at that time.⁵ That number has since grown significantly.

Parole in FY2021. To the best of my knowledge, the government did not release a comprehensive report on the number of individuals granted parole in FY2021 by CBP and ICE. However, we do know in that year CBP's Office of Field Operations (OFO) at the Southern Border ports paroled 23,750 individuals into the country between February and September 2024.⁶ ICE paroled an additional 36,940 other migrants that fiscal year.⁷ Combined, OFO and ICE paroled 60,690 individuals in FY2021. Note, however, that not all of those FY 2021 ICE paroles occurred during the Biden administration, as the first three months of FY2021 were during the Trump administration. On the other hand, this figure does not include those paroled by Border Patrol in 2021.

Parole FY2022 through FY2024. In FY2022, Border Patrol granted parole to 378,235 aliens.⁸ In addition, there were 264,836 grants of parole by OFO to aliens it released at the ports of

entry and under Operation Allies Welcome/Refuge (for Afghans) and Ukraine Humanitarian parole in 2022.⁹ Finally, ICE paroled an additional 79,670 individuals that fiscal year.¹⁰ This means a total of 722,741 individuals were paroled by DHS in FY2022.

In FY 2023, Border Patrol paroled 304,000 individuals.¹¹ In addition, OFO issued 64,437 port of entry paroles; released 362,255 others on parole at the ports with a Notice to Appear and an I-194; paroled 96,260 under Uniting for Ukraine; and paroled 50,236 Cuban nationals, 85,345 Haitian nationals, 38,113 Nicaraguan nationals, and 66,987 Venezuelan nationals under CHNV Parole.¹² Also, 85,610 individuals were granted parole by ICE in FY2023, for a total of 1,153,243 DHS paroles in that year.¹³

To the best of my knowledge, DHS has not published a report for FY2024 detailing grants of parole by CBP and ICE. However, we do know that in FY2024, OFO at the southern border granted 547,660 individuals paroled¹⁴, and that 59,815 Cuban nationals, 125,742 Haitian nationals, 54,930 Nicaraguan nationals, and 50,107 Venezuelan nationals were paroled under CHNV.¹⁵ Finally, ICE granted parole to 60,620 others in FY 2024.¹⁶ Adding those ICE and CBP OFO totals together means that at least 898,874 individuals were paroled by DHS in FY2024.

Parole in FY2025. Only limited information is available for the first part of FY2025. We do know that in October and November of FY2025, 88,450 individuals were paroled by OFO at the southern border¹⁷, and 9,250 individuals were granted parole by ICE in FY2025, for a total of 97,700 in grants of parole.¹⁸

Adding these figures to those granted parole in FY2022, FY2023, and FY2024 means that some 2.8 million inadmissible aliens were paroled into the United States by the Biden Administration. This is an extraordinary number. It is extremely hard to argue given these numbers that the grants of parole during the prior administration met the statutory require that they be done on a case-by-case basis for specific humanitarian need or to benefit the United States, to say nothing of fiscal implications.

The Fiscal Impact of Recent Parolees

Educational attainment. One of the largest and most important studies on the fiscal impact of immigrants was a 2017 study by the National Academies of Sciences, Engineering, and Medicine. That study found that the education level of immigrants is a key factor that determines fiscal impact.¹⁹ A 2024 Manhattan Institute study also concludes that educational attainment is the key factor that determines an immigrant's net fiscal impact.²⁰

The reasons for this are straightforward. Education determines what type of jobs immigrants typically do and their resulting incomes. Income matters enormously because it affects both tax payments and eligibility for means-tested government programs. Unfortunately, it is not possible to estimate the education level of recent parolees precisely, mainly because that information is not collected by the government from parolees. However, it is possible to use Census Bureau data, particularly the Current Population Survey, to estimate the education level of recently arrived immigrants from the primary parolee-sending countries.²¹ Due to sample size the results for some individual countries reported should be interpreted with caution.

Education Level by Countries. Table 1 reports the education level of recent immigrants from countries that account for a large share of parolees. Again, we do not have a perfect representative sample of parolees. What can be said from Census Bureau data collected in 2024 is that, in general, new immigrants from the countries that make up much of the parolee population are significantly less educated than are U.S.-born Americans.

As the table shows, while it is not the case for all countries, relative to the U.S.-born a much larger share of new adult immigrants from parolee countries do not have even a high school diploma. For the most part, recent immigrants from parolee countries tend to be significantly less likely to have a bachelor’s degree than the U.S. born. The lower level of education of immigrants from the primary parolee-sending countries has important fiscal implications.

Table 1				
Educational Attainment for Recently Arrived Adult Immigrants from Countries that Sent a Significant Number of Parolees				
Country	<HS	HS only	Some College	Bachelor's or more
Cuba	9%	44%	12%	34%
Haiti	21%	34%	27%	19%
Nicaragua	29%	36%	11%	23%
Venezuela	7%	33%	16%	43%
CHNV countries*	13%	37%	17%	32%
Ukraine	3%	20%	17%	61%
Afghanistan	16%	56%	11%	18%
Guatemala	60%	27%	5%	8%
El Salvador	44%	31%	13%	12%
Honduras	39%	42%	8%	10%
All the above countries	25%	36%	14%	25%
U.S.-born	6%	29%	28%	36%

Source: Oct, Nov, Dec public use 2024 Current Population Survey. Analysis confined to those who arrived 2020 to 2024 based on year of entry question in the survey. Values do not equal 100% due to rounding. *Cuba, Haiti, Nicaragua and Venezuela.

Parolee Employment and Income. The first column in Table 2 reports the share of recently-arrived, working-age (18 to 64) immigrant men from the top parolee-sending countries who are employed. In general, immigrant men from these countries have relatively high rates of work. However, the second column in the table shows that employed immigrants from these countries earn significantly lower average wages than U.S.-born men. The third column in Table 2 reports income from all sources, not just wages, for recently arrived men from parolee countries. For the most part, new immigrant men from these countries have significantly lower average incomes than U.S.-born men. The same is true on the right side of the table when all adults are considered. This is not surprising, given the large share with modest levels of education.

Table 2					
Average Wages and Total Income for Recently Arrived Adult Immigrants from Countries that Sent a Significant Number of Parolees					
Country	Men Only			Both Sexes	
	Share 18 to 64 to 64 Employed	Average Wages for Employed Men	Total Average income from all	Average wages for Employed	Total Average income from all
Cuba	74%	\$37,647	\$43,487	\$32,724	\$48,578
Haiti	34%	\$61,158	\$61,992	\$40,990	\$41,387
Nicaragua	91%	\$41,731	\$44,767	\$36,963	\$40,373
Venezuela	80%	\$24,843	\$27,915	\$22,578	\$26,193
CHNV countries*	72%	\$34,205	\$38,151	\$29,722	\$37,457
Ukraine	70%	\$57,494	\$58,045	\$56,988	\$57,453
Afghanistan	67%	\$11,933	\$13,777	\$15,225	\$17,949
Guatemala	84%	\$39,970	\$41,245	\$36,593	\$38,179
El Salvador	84%	\$23,821	\$25,428	\$25,958	\$27,170
Honduras	75%	\$20,808	\$24,829	\$22,879	\$26,013
All the above countries	75%	\$33,903	\$36,926	\$30,847	\$36,118
U.S.-born	77%	\$77,653	\$72,989	\$67,764	\$60,596

Source: Public-use 2024 Current Population Annual Social and Economic Supplement. Analysis confined to adult immigrants who arrived 2020 to 2024 based on year of entry question in the survey. *Cuba, Haiti, Nicaragua and Venezuela.

The significantly lower average wages and income of immigrants from these countries means they will almost certainly pay significantly less in taxes than the U.S.-born. Income is a key determinant of tax liability. Of course, we would expect the income of parolees to rise over time if they are allowed to stay in the country. However, when we look at all immigrants from these same countries, not just recent arrivals, we still find that their average wages and incomes are much lower than the U.S.-born.²²

Parolee Use of Welfare Programs. Welfare use is an important indicator of fiscal impact because not only are the programs themselves costly, but those receiving them generally pay little to no federal or state income tax as well. Table 3 shows that, compared to the U.S.-born, households headed by recently-arrived immigrants from the primary parolee-sending countries have much higher use of welfare, with the exception of new immigrants from Haiti. In addition to traditional welfare, Table 3 shows that households headed by recent immigrants from parolee-sending countries, for the most part, have incomes low enough to qualify for cash payments from the Earned Income Tax Credit (EITC) compared to the U.S.-born. The EITC is the nation’s largest means-tested cash anti-poverty program for workers. Table 4 only reports those with incomes low enough to receive cash payments.

Not everyone eligible for the program receives it. However, because parolees have work authorization and valid social security numbers it seems very likely that most parolees who are eligible for the EITC receive it.

Table 3					
Use of Welfare and the EITC by Households Headed by Recently Arrived Immigrants from Countries that Sent a Significant Number of Parolees					
Country	Any Welfare	Cash	Food	Medicaid	Earned Income Tax Credit
Cuba	51%	11%	40%	33%	33%
Haiti	10%	<1%	7%	10%	10%
Nicaragua	36%	5%	19%	31%	34%
Venezuela	46%	2%	35%	26%	36%
CHNV countries*	42%	5%	31%	27%	31%
Ukraine	65%	8%	24%	43%	28%
Afghanistan	88%	11%	56%	64%	51%
Guatemala	48%	10%	26%	41%	60%
El Salvador	74%	1%	55%	56%	75%
Honduras	61%	4%	51%	45%	51%
All the above countries	50%	6%	35%	35%	40%
U.S.-born	28%	5%	17%	19%	10%

Source: Public-use 2024 Current Population Annual Social and Economic Supplement. Analysis confined to households headed by immigrants who arrived 2020 to 2024 based on the year of entry question in the survey. Values do not equal 100% due to rounding. Cash programs include SSI, TANF and state assistance programs, food includes SNAP, school lunch and WIC. Any welfare includes cash, food, Medicaid and public and subsidized housing. *Cuba, Haiti, Nicaragua and Venezuela.

Putting aside Haiti, households headed by recent immigrants from parolee countries make extensive use of the welfare system and EITC. It may seem surprising that these households have such high welfare use, given that they are newly arrived in the country. But a number of factors explain this situation. First, some of these households have at least one U.S.-born child, who have full welfare eligibility. Second, those granted parole from

Cuba, Haiti, Afghanistan, and Ukraine have immediate access to the welfare system, just as legal immigrants do in most cases. Third, as already mentioned, all parolees gain welfare eligibility after one year of residence in the U.S. Fourth, all individuals in the United States, including parolees, are eligible for certain programs such as WIC, free/subsidized school meals, and Medicaid for pregnant women. Fifth, some states offer welfare programs to aliens ineligible for federally funded welfare.

All of these factors, coupled with the large share of parolees with modest levels of education, and resulting low incomes, means many qualify for welfare. In addition, there is a large welfare bureaucracy whose job it is to help those eligible for programs navigate the system. Finally, welfare costs are by no means the only costs parolees will create. Public education is one of the largest costs. We know that 20.8% of recent immigrants from the top parolee-sending countries are school-age (5 to 17).²³ Applying this percentage to the 2.8 million estimate of parolees in the country means that there are roughly 582,000 parolees in schools. In the United States, average expenditure per pupil is \$17,700 a year.²⁴ This translates into more than \$10 billion a year spent by public schools on parolees.

Average Tax Payments. Table 4 provides estimated federal tax payments for the primary parolee-sending countries. Overall, the table shows that in almost every case these households generally have much lower median incomes and federal income tax liability.

Country	Median Household Income	Avg. Household Size	Avg. Federal Income Tax Liability	Average Social Security Tax ¹	Average Medicare Taxes ²	Liability for All Three Taxes	Average Tax Liability Relative to US-born
Cuba	\$36,000	2.6	\$13,540	\$3,410	\$1,001	\$17,952	94%
Haiti	\$55,238	2.4	\$4,665	\$2,512	\$698	\$7,875	41%
Nicaragua	\$78,408	3.2	\$11,437	\$5,068	\$1,381	\$17,886	93%
Venezuela	\$38,001	3.4	\$4,464	\$3,239	\$792	\$8,495	44%
CHNV countries*	\$40,001	2.9	\$8,591	\$3,388	\$917	\$12,896	67%
Ukraine	\$22,500	2.6	\$8,933	\$4,839	\$1,132	\$14,904	78%
Afghanistan	\$9,000	4.1	-\$3,146	\$1,137	\$266	-\$1,743	0%
Guatemala	\$40,001	3.9	-\$581	\$2,445	\$572	\$2,436	13%
El Salvador	\$34,000	3.5	-\$2,231	\$2,469	\$577	\$815	4%
Honduras	\$30,000	3.8	-\$1,436	\$2,551	\$597	\$1,712	9%
All the above countries	\$36,540	3.2	\$5,161	\$3,120	\$803	\$9,085	47%
U.S.-born	\$81,421	2.3	\$13,502	\$4,469	\$1,189	\$19,159	n/a

Source: Public-use Current Population Survey Annual Social and Economic Supplement. Analysis limited to households head by immigrants who arrived 2020 to 2024. Those with negative federal income tax liability do not owe federal income taxes, and may receive cash payments under such programs as the EITC and ACTC. ¹Equals 6.2% of earnings up to the Social Security tax limit. ²Equals 1.45% of earnings. *Cuba, Haiti, Nicaragua and Venezuela.

This is less true for Social Security and Medicaid taxes. This is partly because immigrant households often have more workers than U.S.-born households, even if the average earnings of those workers are significantly lower. The federal tax liability of the primary parolee-sending countries are

collectively only one-third that of households headed by the U.S.-born. The leading parolee-sending countries make extensive use of welfare, but they also pay significantly less in federal taxes. This makes it almost certain that parolees are a net fiscal drain.

The federal income figures are those calculated by the Census Bureau and represent liability, not actual tax payments. Further, payroll taxes are calculated as a simple percentage of earnings. If immigrants from these countries are less likely to comply with tax laws, then their actual payments would be less. However, these individuals are eligible for work authorization, so the overwhelming majority are probably being paid on the books and thus subject to income and payroll taxes.

Impact on Size of the U.S. Economy. Using the 2.8 million parolees under President Biden as a starting point, it is possible to very roughly estimate the impact of parolees on the overall size of the U.S. economy. Based on Census Bureau data, if 59.4 percent are working, earning a little less \$31,000 (see Table 2), then their labor income adds \$51 billion per year to the U.S. GDP.²⁵

But there are two things to keep in mind about this number. First, it is very small relative to the U.S. economy of roughly \$30 trillion. Second, although some may call the larger GDP that immigrants create a “benefit” or “contribution” to America, it is not a measure of their tax contributions, nor does it represent the benefits they create for the U.S.-born. Almost all the increase in economic activity immigrants in general or parolees in particular create

goes to the parolees themselves in the form of wages — as it should, since they are the ones doing the work. There is no clear evidence showing immigration substantially increases the per capita GDP of the U.S.-born.

Conclusion

It is understandable to focus on the plight of those who have left their homelands in search of a better life in the United States. But seeing illegal immigrants simply as desperate people facing desperate circumstances fails to appreciate that they are also rational risk-takers who are responding to the incentives we create. By handing out parole in a fashion never before contemplated, the Biden Administration encouraged ever larger numbers of people to seek entry into the United States, creating the border crisis and pushing the overall level of immigration to levels never before seen.

Elected leaders are supposed to act in the best interest of the American people. By encouraging so many inadmissible aliens to come to the border by misusing parole, the Biden administration created a cascading series of consequences for the American people. My testimony today focused only on the scale of parole during the prior administration and the negative fiscal impact it almost certainly creates.

Prior research makes it clear that by adding large numbers of people to the country with modest levels of education, which parole has done, creates a net fiscal drain — taxes paid minus costs. That said, there is no evidence that parolees are lazy or that most came to get welfare. Rather, the limited data available on new immigrants from the top parolee-sending countries indicate they have lower levels of education than the U.S. born. As a result, although many work, they tend to have modest incomes and make relatively modest tax contributions. At the same time, the data indicates that they make extensive use of the welfare system. All of this means they are a net fiscal drain on public coffers.

To avoid this situation in the future, parole needs to be used only as originally intended — a limited program for a small number of otherwise inadmissible aliens on a case-by-case basis. Enforcing the law and sending as many parolees back to their home countries as possible will help avoid fiscal costs in the future. If the huge number of paroles currently living in the country are allowed to stay, so will the fiscal drain they create.

¹Section 212(d)(5)(A) of the Immigration and Nationality Act.

<https://uscode.house.gov/view.xhtml?edition=prelim&num=0&req=granuleid%3AUSC-prelim-title8-section1182>

²“Biden Has Paroled In Two Million-Plus Inadmissible Aliens,” Andrew R. Arthur, Center for Immigration Studies, June 21, 2024, <https://cis.org/Arthur/Biden-Has-Paroled-Two-MillionPlus-Inadmissible-Aliens>

³“The Pernicious Perversion of Parole: A 70-year battle between Congress and the president,” George Fishman, February 16, 2022, Center for Immigration Studies. <https://cis.org/Report/Pernicious-Perversion-Parole#2>

⁴The Afghanistan Supplemental Appropriations Act, 2022, and Additional Afghanistan Supplemental Appropriations Act, 2022 (ASA) provided the Office of Refugee Resettlement (ORR) with specific appropriations to provide parolees from Afghans with welfare benefits. See also “Benefits for Afghan Humanitarian Parolees,” Administration for Children and Families, Office of Refugee Resettlement, 2023, <https://acf.gov/sites/default/files/documents/orr/Benefits-for-Afghan-Humanitarian-Parolees.pdf>. The Additional Ukraine Supplemental Appropriations Act, 2022 (AUSAA) provided funding for welfare for parolees from Ukraine. See also, “Ukrainian Humanitarian Parolees Eligible for ORR Benefits and Services,” Administration for Children and Families, Office of Refugee Resettlement, March 2023, <https://acf.gov/sites/default/files/documents/orr/PL-22-13-Ukrainian-Humanitarian-Parolees-Eligible-for-ORR-Benefits-and-Services.pdf>. Cuban and Haitians granted parole under the Cuban Haitian Entrance Act are eligible immediately for most federal benefits. See “ACF’s Office of Refugee Resettlement (ORR) Benefits for Cuban/ Haitian Entrants,” Administration for Children and Families, Office of Refugee Resettlement, December 2022, <https://acf.gov/sites/default/files/documents/orr/Benefits-for-Cuban-Haitian-Entrants.pdf>. For more discussion see, “The Welfare Giveaway in Biden’s Cuban and Haitian Parole and Release Programs,” Andrew Arthur, December 12, 2023, Center for Immigration Studies, <https://cis.org/Arthur/Welfare-Giveaway-Bidens-Cuban-and-Haitian-Parole-and-Release-Programs> See also “Parole with Benefits: A million Biden parolees march toward a multi-billion-dollar welfare ‘parole payday,’” George Fishman, Center for Immigration Studies, April 13, 2023, <https://cis.org/Report/Parole-Benefits>

⁵“Biden Has Paroled in Two Million-Plus Inadmissible Aliens,” Andrew R. Arthur, Center for Immigration Studies, June 21, 2024, <https://cis.org/Arthur/Biden-Has-Paroled-Two-MillionPlus-Inadmissible-Aliens>

⁶The “Immigration Enforcement and Legal Processes Monthly Tables” web site:

<https://ohss.dhs.gov/topics/immigration/immigration-enforcement/immigration-enforcement-and-legal-processes-monthly> has an excel file:

https://ohss.dhs.gov/sites/default/files/2025-01/2025_0116_ohss_immigration-enforcement-and-legal-processes-tables-november-2024.xlsx showing those granted parole by the Office of Field Operations at the Southern Border. Column Z line 96 in the sheet labeled “CBP SWB Book-Outs by Agency” in the above Excel file shows 25,030 individuals in FY2024 were granted parole by OFO at the southern border.

⁷The “ICE Detentions” web site: <https://ohss.dhs.gov/khsm/ice-detentions> has an Excel file

<https://ohss.dhs.gov/sites/default/files/2025-01/KHSM%20Detentions%20%28Book-outs%29%20fy25m11.xlsx>. The sheet in the above Excel file labeled “Annual ICE Book-outs by Reason” reports those granted parole by ICE by fiscal year starting in 2014.

⁸See page 8 in *Parole Requests Fiscal Year 2022, Report to Congress, July 12, 2023*, Department of Homeland Security. www.dhs.gov/sites/default/files/2023-08/23_0712_cbp_fy22_parole_requests.pdf

⁹ *Id.* at page 4.

¹⁰See endnote 7 for the source of information for those granted parole by ICE.

<https://ohss.dhs.gov/sites/default/files/2025-01/KHSM%20Detentions%20%28Book-outs%29%20fy25m11.xlsx>. The sheet in the above Excel file labeled “Annual ICE Book-outs by Reason” reports those granted parole by the Border Patrol by year starting in FY2014.

¹¹See page 6 in *Parole Requests Fiscal Year 2023, Fourth Quarter, Fiscal Year 2023 Report to Congress*, April 3, 2024, Department of Homeland Security. www.dhs.gov/sites/default/files/2024-07/2024_0403_dmo_plcy_parole_requests_q4.pdf

¹² *Id.*

¹³See *id.* at page 7.

¹⁴The “Immigration Enforcement and Legal Processes Monthly Tables” website:

<https://ohss.dhs.gov/topics/immigration/immigration-enforcement/immigration-enforcement-and-legal-processes-monthly> has an Excel file:

https://ohss.dhs.gov/sites/default/files/2025-01/2025_0116_ohss_immigration-enforcement-and-legal-processes-tables-november-2024.xlsx showing those granted parole by the Office of Field Operations at the Southern Border. Column Z, line 135 in the sheet labeled “CBP SWB Book-Outs by Agency” in the above Excel file shows 547,660 individuals in FY2024 were granted parole by OFO at the southern border.

¹⁵ CHNV Paroles for FY 2024 were calculated by subtracting the aliens paroled under that program by nationality in a CBP press release captioned “CBP Releases September 2024 Monthly Update” (<https://www.cbp.gov/newsroom/national-media-release/cbp-releases-september-2024-monthly-update>) from the same totals provided in a CBP press release captioned “CBP Releases September 2023 Monthly Update” (<https://www.cbp.gov/newsroom/national-media-release/cbp-releases-september-2023-monthly-update#:~:text=In%20September%202023%2C%20CBP%20processed,air%2C%20truck%2C%20and%20rail.>).

¹⁶ See endnote 7 for the source of information for those granted parole by ICE.

¹⁷ See endnote 14 for the source of information for those granted parole by OFO at the Southwest border.

¹⁸ In the same Excel file and sheet cited in footnote 5, Column Z, line 148 shows 88,450 individuals were granted parole by OFO. For grants of parole for FY2025 by ICE see endnote 7.

¹⁹ “The Economic and Fiscal Consequences of Immigration,” National Academies of Sciences, Engineering, and Medicine. 2017, <https://doi.org/10.17226/23550>

²⁰ “The Lifetime Fiscal Impact of Immigrants,” Daniel Di Martino, Manhattan Institute September 2024, <https://media4.manhattan-institute.org/wp-content/uploads/the-lifetime-fiscal-impact-of-immigrants.pdf>.

²¹ The nine countries we report education and other data on in this testimony reflect the limited information available from the Parole Requests reports cited above and Border Patrol data showing the country of birth and the fiscal year of border encounters in recent years. Ukraine, Afghanistan, and Venezuela in particular are included in our list because the Biden Administration specifically used parole to admit large numbers of individuals from these countries. However, the nine countries we do report data for do not represent the comprehensive list of all the countries parolees have come from.

²² Table 2 shows that recent immigrant men from the top parolee-sending countries earn 40 percent as much as U.S.-born adult men. All immigrant men from these same countries, not just the recently arrived, earn 57 percent as much. This is a clear indication that more established immigrants from these countries do earn more than their newly arrived counterparts, but their wages still lag significantly behind their U.S.-born male counterparts.

²³ This is based on analysis of the October, November, and December Current Population Survey for the top parolee-sending countries used throughout this report.

²⁴ “U.S. Public Education Spending Statistics,” Melanie Hanson, February 8, 2025, Education Data Initiative, <https://educationdata.org/public-education-spending-statistics>

²⁵ The figures for the share of recent immigrants employed from the major parolee countries come from an analysis of the fourth quarter monthly Current Population Survey from 2024.

Charles Marino Testimony on “Case by Case: Returning Parole to Its Proper Purpose”

Chairman Green, Ranking Member Thompson, and Members of the Committee. Thank you for the opportunity to appear today to testify on the necessity of thorough vetting of migrants entering the country on Parole, aka Temporary Protected Status, to ensure the homeland security of the United States and the safety of the American public.

As a former career official within the Department of Homeland Security, working under both Republican and Democratic leadership to help protect the country by creating and implementing homeland security policies and programs, I am keenly aware of the ever-present dynamics between politics and the creation of national security strategy, especially in the areas of border security and immigration enforcement.

I continue part of my work in national security today as the founder and CEO of Sentinel, and by sharing my knowledge and experience with students, as an Adjunct Professor at the University of South Carolina, teaching future generations the impact of politics on the development of national security strategy.

The Threat Environment & Vetting of Migrants

The current volume of threats against the United States remains robust in volume, more diverse in type, and originates from more places than at any other time in our history.

While the threat environment is constantly evolving, what must remain consistent as an essential foundation to secure the homeland is the indisputable need for border security, immigration enforcement, and thorough end-to-end vetting of those entering the U.S. under lawful programs like asylum and

parole necessary to prevent criminal and terrorist threats from entering the country.

We must further ensure that these programs are not corrupted and exploited by politics and those wishing to do harm to Americans. I believe we would all agree that the safety and security of the American public must always remain paramount.

As a case study for what can and will go wrong when politics overtakes sound homeland security policies, we have no further to look than the last four years and the threats that have entered the country via the CHNV TPS program from the countries of Cuba, Haiti, Nicaragua, & Venezuela.

A program ripe with fraud committed by terrorist groups, gangs, cartels, & nation states, combined with the inability of the U.S. to thoroughly vet the backgrounds of those who

entered the country, unnecessarily increased our public safety and terrorism threat level exponentially. All while Americans were assured by the previous administration that all refugees arriving in the country had been thoroughly vetted.

As obvious facts today demonstrate, that could not be further from the truth, because it was never possible. The fact is, vetting is only as good as the systems the U.S. is vetting against, and the truth is that many countries either don't have systems in place to maintain derogatory information on individuals as we do, they refuse to share that information with us, or the information cannot be verified or trusted.

Simply put, this means that if an individual from another country has not been encountered by U.S. or ally countries law enforcement, intelligence, or military agencies, there will be no record of that person with U.S. authorities.

This is what has allowed cartels, gangs, and suspected terrorists to enter the country under these programs. Additionally, on the back end of these programs, sponsor & residential information listed for migrants was also not consistently verified. It is what caused the CHNV program to be paused under the Biden admin when it was discovered by the Inspector General that the same “3,000 sponsors” were listed for approximately 500,000 parolees, with bogus names and residences.

In fact, according to a recent DHS OIG report entitled “DHS Does Not Have Assurance That All Migrants Can be Located Once Released into the United States” “... of 981,671 migrant records documented by USBP from March 2021 through August 2022, addresses for more than 177,000 migrant records were either missing, invalid for delivery, or not legitimate residential

locations.” So now not only do we not know the full backgrounds of many migrants, but we also don’t know where they ARE within the country! An obvious recipe for disaster.

As we all know, the U.S. Border Patrol’s has encountered hundreds of people on the Terrorist Screening Database (TSDB) at the southern and northern borders the last four years. So, we naturally must ask how many on that list many have made it in via TPS or Asylum claims?

Recently more than a dozen Uzbekistan nationals, smuggled in by a suspect with connections to ISIS, were released into the United States. Some are now missing, just as are many of those from the Afghanistan withdrawal debacle who were ushered onto our soil without thorough vetting.

If we are going to extend TPS eligibility to countries, we must ensure that the ability to vet migrants from that country is

intact, both within the country of origin and within the U.S. This cannot be a one-sided equation hoping that U.S. agencies will have information on everyone – it's not realistic and it's dangerous!

Further, with gangs and cartels transitioning in designation from Transnational Criminal Organizations to Foreign Terrorists Organizations, resources like the National Counterterrorism Center (NCTC) under the DNI will need to play a greater role with respect to intelligence and information sharing.

With an estimated 10-15 million migrants encountered on our borders, with a mind-boggling deportation rate of less than 10% overall; what is most concerning are the estimated 2 million “got aways” who have crossed into America without being detained. What we also know is *how* the most nefarious of them—from adversarial countries including China, Russia,

and Iran—are buying passage into the United States. They’re going through Mexico’s powerful cartels, whose businesses are booming! Through human trafficking and manipulation of legal programs.

Combined with the growing threat from nation state actors, terrorists groups, gangs, & cartels, the ability of terrorist cells to infiltrate our borders and exploit legal programs have culminated to create a perfect storm; If we don’t take drastic action now, our nation’s days of prosperity & safety — the very reason people by the millions risk their lives to come here—will come to an end.

There are Solutions

First and foremost, we must gain the will of Congress to use every asset, resource, capability, technology, and

diplomatic strategy to secure our borders and maintain the integrity of lawful pathways into the country.

We must also remember that programs like “asylum” and “parole” as the U.S. immigration law currently defines it, doesn’t mean “an escape from poverty.”

TPS was intended by Congress to be temporary, not to gain eventual amnesty. The overuse of TPS has added to the challenges.

Where thorough vetting is not possible, the U.S. must say no to providing TPS until reliable vetting programs can be established.

Enhanced coordination between DNI, DHS, DOJ, & State Dept re data sharing agreements w/ countries and vetting of migrants.

Accountability for abuse. What happened the last four years can never happen again, not in a post 9/11 America!

It is time to return to the intended statutory use of lawful pathways into the United States, while prioritizing the safety and security of the American public.

Thank you, and I am pleased to answer any questions that you may have.

Mr. Chairman and Members of the Subcommittees, thank you for inviting me here today to speak to the dangerous effort of some administrations, including the Biden administration, to abuse discretionary authorities to effectively create whole new immigration programs under the guise of parole or withholding prosecutorial authority.

Oxy-moronic phrases related to illegal immigration have become part of our legal lexicon in the last decade-and-a-half due to the abuse of immigration parole authority under 8 U.S.C. §1182. Phrases like “categorical parole” and “parole program” make no sense in light of the law, yet now we hear officials use these phrases as if they are legitimate occurrences, when they are not. Such abuses may be seen as an extension of what President Obama argued were simply exercises of prosecutorial discretion (i.e., to prosecute no one that fit in defined categories).

The abuse of parole authority by the executive branch raises several concerns:

1. **Erosion of Legislative Authority:** By creating broad programs under the guise of parole, the executive branch encroaches upon Congress’s constitutional authority to regulate immigration.
2. **Legal Uncertainty:** Programs implemented by the executive branch, lacking legislative authority will be struck down (e.g., DAPA), leading to uncertainty for beneficiaries and the waste of administrative resources.
3. **Precedent for Future Overreach:** Allowing any administration to ignore the rule of law, sets a precedent that future administrations might exploit, further destabilizing the balance of powers.

In light of these concerns, it is imperative to adhere strictly to the statutory limitations of parole authority. Any substantial changes to immigration policy should be accomplished through the legislative process, ensuring democratic accountability and the preservation of the constitutional framework.

The United States’ immigration parole authority, as delineated by Congress, was explicitly designed to be exercised on a case-by-case basis for urgent humanitarian reasons or significant public benefit. This framework ensures that the executive branch does not unilaterally create broad immigration policies, preserving the balance of powers and upholding the rule of law. However, the Obama and Biden administrations implemented programs that violate this statutory mandate, leading to significant legal and societal ramifications.

Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans (DAPA): Overextension of Executive Authority

In 2012, the Obama administration introduced DACA, granting deferred action to certain individuals who illegally entered the U.S. as children. This was followed by the 2014 announcement of DAPA, aimed at deferring deportation for illegal alien parents of U.S. citizens or lawful permanent residents. While these programs were framed as exercises of prosecutorial discretion, they effectively established broad criteria for deferring deportation for large categories of individuals.

DACA and DAPA constituted executive overreach, effectively creating new immigration policies without Congressional approval. In 2015, the courts began finding such programs illegal. An injunction by a federal district court was entered that year, which was upheld by the Fifth Circuit Court of Appeals. The Supreme Court's 4-4 split decision in 2016 left the injunction in place, effectively halting DAPA's illegal implementation.

Central American Minors (CAM) Program: Sidestepping Legislative Intent

The CAM program, also initiated during the Obama administration and later expanded under President Biden, allows certain minors from El Salvador, Guatemala, and Honduras to be considered for refugee status or parole to reunite with parents lawfully present in the U.S. While the program aimed to provide a legal pathway to people who did not have a legal way to enter America, it raised further concerns regarding the executive branch's use of parole authority.

The Immigration and Nationality Act specifies that parole should be granted on a case-by-case basis for urgent humanitarian reasons or significant public benefit. However, the CAM program established a broad mechanism for parole, effectively creating a new avenue for entry without Congressional approval.

CHNV Parole Program: A Contemporary Example of Overreach

The Biden administration's CHNV parole program, initiated in 2022 for Venezuelan nationals and later expanded to include Cubans, Haitians, and Nicaraguans, represents another instance where parole authority has been applied broadly and systematically, instead of on a case-by-case basis. The CHNV program allows nationals from these countries to request advance authorization to travel to the U.S. and be considered for parole at ports of entry, despite not having any legal basis to enter the U.S. under existing immigration law.

This program circumvents the traditional visa process and exceeds the intended scope of parole authority, distorting the parole authority beyond recognition, effectively creating a shadow immigration system without Congressional approval or oversight.

Parole Plus Alternative to Detention (Parole + ATD): Legal Challenges and Implications

The Parole + ATD program, implemented by the Biden administration, sought to manage border processing by allowing certain illegal immigrants to be paroled into the U.S. and enrolled in alternative detention programs. However, in March 2023, a Florida court blocked the use of this program, highlighting the fact that the program was for "release" not "parole." In other words, the court found that the Biden administration was conducting a catch and release program under the guise of issuing parole to a massive category (not case-by-case) of illegal aliens.

This court pointed out a common feature of parole abuse, that is turning the whole concept on its head: instead of individual aliens meeting eligibility criteria and obtaining discretionary

parole, the Biden administration instead created INELIGIBILITY requirements. If an illegal alien did not meet the INELIGIBILITY requirements, he/she was paroled into the U.S.

The judge in that case further found that for every 90 days of “Parole + ATD”, it would take 5.5 years and \$49 million to clear – and that backlog is just to BEGIN removal proceedings, not to conclude them. And with 40% of border apprehensions being given this parole path, it has created a massive backlog to clear.

Congressional Intent and the Case-by-Case Mandate

The Immigration and Nationality Act of 1952 grants the executive branch the discretion to parole individuals into the U.S. temporarily for urgent humanitarian reasons or significant public benefit, explicitly stating this should occur on a case-by-case basis. The 1996 Illegal Immigration Reform and Immigrant Responsibility Act further emphasized this limitation to prevent the executive from establishing broad parole programs.

Despite this clear mandate, the aforementioned programs have applied parole to large groups, effectively creating new immigration pathways without legislative approval. This not only undermines the separation of powers but also sets a precedent for future administrations to unilaterally alter immigration policy, all while undermining our nation, our states and our poorest Americans.