



March 10, 2023

PA-2023-07

## Policy Alert

SUBJECT: International Entrepreneur Parole

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to address international entrepreneur parole.

### Background

The Immigration and Nationality Act (INA) gives the Secretary of Homeland Security discretionary authority to temporarily parole any noncitizen applying for admission into the United States, under conditions the Secretary may prescribe, on a case-by-case basis for urgent humanitarian reasons or significant public benefit.<sup>1</sup>

In order to increase and enhance entrepreneurship, innovation, and job creation in the United States, on January 17, 2017, DHS published a final rule introducing the criteria for entrepreneurs who have a central and active role in a start-up U.S. company and who are seeking significant public benefit parole.<sup>2</sup> On May 29, 2018, DHS issued a proposed rule that would rescind the final rule, but DHS ultimately withdrew that proposed rule on May 11, 2021, signifying its support of the program.<sup>3</sup> USCIS is now issuing policy guidance to address international entrepreneur parole and complement the final rule.

This guidance, contained in Volume 3 of the Policy Manual, is effective immediately and applies prospectively to applications filed on or after today's date. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance on the topic.

### Policy Highlights

- Provides comprehensive guidance on the criteria for consideration and related definitions for the applicant, the start-up entity, and the qualified investment, grant, or award, as well as relevant evidence that may be submitted.

---

<sup>1</sup> See [INA 212\(d\)\(5\)](#).

<sup>2</sup> See International Entrepreneur Rule, [82 FR 5238](#) (Jan. 17, 2017).

<sup>3</sup> See Removal of International Entrepreneur Parole Program, [83 FR 24415](#) (May 29, 2018) (proposed rule) and Removal of International Entrepreneur Parole Program, [86 FR 25809](#) (May 11, 2021).

- Provides guidance pertaining to the adjudication of applications for entrepreneur parole.
- Explains the discretionary nature of the entrepreneur parole adjudication.
- Provides the conditions on parole and bases for termination and explains the criteria to be considered for an additional parole period.
- Clarifies the application process for the entrepreneur's family, including the ability of the entrepreneur's spouse to apply for authorization to work after being paroled into the United States.

### **Summary of Changes**

Affected Section: Volume 3, Humanitarian Protection and Parole

- Adds new Part G (International Entrepreneur Parole).

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

### **Citation**

Volume 3: Humanitarian Protection and Parole, Part G, International Entrepreneur Parole [[3 USCIS-PM G](#)].