PennState Law Center for Immigrants' Rights Clinic

PARS EQUALITY CENTER

Khanbabai Immigration Law

Humanitarian Parole and the Affidavit of Support: FAQ for Sponsors

September 10, 2021

Q: What is humanitarian parole? Humanitarian parole is a temporary discretionary authorization to enter the United States that can be granted based on humanitarian or significant public benefit reasons. Each application for humanitarian parole must be accompanied with an Affidavit of Support from a sponsor.

Q: What does it mean to be a sponsor? A sponsor must demonstrate they have sufficient income or financial resources to help support a humanitarian parole applicant so that they will not become a "public charge" while in the United States. "Public charge" is a term of art in immigration law but refers to situations when the individual is dependent on the federal government. The sponsor acts as the assurance to the government that they have financial means to help support a foreign national if that becomes necessary. Essentially, the I-134 form helps USCIS get a sense of the assistance that will be available to the parolee.

Q. What kind of support do I have to provide? There is no specific requirement regarding the kind of support. In effect, the support is mostly a moral obligation.

Q: What does it mean to have sufficient income or resources? There are no clear rules on what "sufficient" income or resources are under immigration law for the I-134 form. With that said, because USCIS has familiarity with the Federal Poverty Guidelines, these guidelines can be a guide to showing sufficient income. As an example, 100% of the poverty guidelines for a family of 4 is: $26,500.

Q: Is the Form 1-134 legally binding? No. According to the Department of State Foreign Affairs Manual: "This affidavit, submitted by the applicant at your request, is not legally binding on the sponsor and should not be accorded the same weight as Form I-864."

Q: What kind of evidence can a sponsor provide to show they have sufficient income or financial resources? The USCIS Form I-134 Instructions include a variety of sample supporting documents to submit along with Form I-134. Some of the typical documents include: the most recently filed IRS 1040 form, W-2 or 1099 form; verification of employment letter or business license; and paystubs for a minimum of a month for proof of sufficient income. For proof of sufficient resources, various documents can be provided to show the level of assets of the

sponsor for example—a deed of home with estimate of value, financial statements for stocks and bonds, and bank account statements.

Q: Can organizations serve as a sponsor? Yes. Organizations such as legal service providers, churches, and non-profit organizations can serve as a sponsor. Organizations can also write letters of support to bolster an individual sponsor.

Q: Do sponsors have to pay money up front? No. Sponsors do not have to make a payment up front. Rather, they have to agree to financially support the foreign national if this becomes necessary while they are in the United States.

Q: If I am sponsoring a family, do I have to fill out more than one form? Yes. According to the Form Instructions, you must submit a separate Form I-134 for each foreign national.

Q. Is there a fee for form I-134? There is no fee for Form I-134 to serve as a financial sponsor. However, there is a fee for the humanitarian parole application, Form I-131.

Q. Does a sponsor have to be a U.S. Citizen or lawful permanent resident (i.e., green card holder)? There is no formal indication that the sponsor must be a U.S. citizen or green card holder.

Q. When is the I-134 considered operative? The I-134 is considered operative only when the individual has arrived in the United States.

Q: Where can I find more information about the Form I-134? There is very little government issued guidelines on the I-134. With that said, below are a few resources:

- USCIS – United States Citizenship and Immigration Resources
- Health and Human Services Poverty Guidelines
- Foreign Affair Manual