Refugee, Asylum and International Operations Directorate

Humanitarian Parole Program
The Humanitarian Parole Program is administered by the Humanitarian Affairs Branch Office of International Operations
Overview of Parole Authority

Legal Authorities

- Parole is governed by numerous Public Laws and national policy, such as:
  - Section 212(d)(5) of the Immigration and Nationality Act, Title 8, United States Code, Section 1182(d)(5): provides authority to the Attorney General to parole aliens into the United States
  - Sections 402 and 421 of the Homeland Security Act of 2002, P.L. 107-29: transfers authority for immigration matters, including parole, to the Secretary of DHS; and
  - Title 8, Code of Federal Regulations, Section 212.5: provides regulations for the parole of aliens into the United States
Humanitarian Parole

Legal Authorities (continued)

• Parole is a discretionary authority that allows for the temporary entry of individuals into the United States for urgent humanitarian reasons or for significant public benefit

• Parole does not constitute an admission into the United States

• Parole does not convey any benefits to the beneficiary
What is Humanitarian Parole?

- Humanitarian Parole is an extraordinary measure sparingly used to bring an otherwise inadmissible alien into the United States for a temporary period of time due to a compelling emergency.

- Humanitarian Parole is not intended to be used to circumvent normal visa issuing procedures, bypass delays in visa issuance, or immigrate to the United States.

- It is possible that a parolee can adjust to a permanent status from parolee (e.g., parolees granted asylum, beneficiary of a relative petition, Cubans through the Cuban Adjustment Act, etc.).
Who Can Apply for Humanitarian Parole?

• Anyone can make an application on behalf of someone who is outside of the United States and has an urgent need to enter the country.

• Individuals may also self petition for Humanitarian Parole if they are outside the United States.
Common Types of Parole Requests

• Reasons for Parole include but are not limited to the following:
  
  – Medical
  
  – Family Reunification (adults and children)
  
  – Civil and Criminal Court Proceedings
  
  – Other Emergent Requests
HAB staff triages requests for HP received and attempts to provide immediate processing in accordance with the following criteria:

• Life threatening medical emergencies

• Family reunification

• Children under 16

• Physically and/or mentally challenged individuals

Last updated: February 2011
Jurisdiction

- USCIS, ICE, and CBP exercise concurrent parole authority
  - USCIS (HAB) authorizes parole for aliens outside the United States for many reasons, including humanitarian.
  - ICE authorizes parole aliens outside of the United States for many reasons, including law enforcement and intelligence purposes as well as to release detained aliens from custody.
  - CBP authorizes parole at United States ports of entry, including pre-flight inspection facilities.

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Application Forms and Documentation

- **Form I-131, Application for Travel Document** (required for all requests)
- Non-refundable of $305 that can not be waived
- A concise, to the point but comprehensive statement of facts supporting the parole request
- Birth, marriage, or death certificates

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Application Forms and Documentation (continued)

- Official identification for Beneficiary (e.g., copy of passport)
- Proof of immigration status for Petitioner in the United States
- Divorce decrees
- Guardianship/Adoption decrees
- Other pertinent documentation
Application Forms and Documentation (continued)

• Form I-134, Affidavit of Support with:
  – Income tax returns for the previous two years
  – Proof of current employment
  – Medical and/or insurance coverage (applicable to medical cases)
  – Proof of immigration status (if Sponsor is different from Petitioner)
  – Form I-134 must be signed and dated
Adjudications Decisions

- If the parole request is approved, HAB will notify the petitioner and any representative of record.

- HAB will then coordinate with the USCIS Overseas Officers or US Embassy or Consulate for issuance of appropriate travel documentation.

- If the parole request is denied, HAB will notify the applicant and any representative of record.
Re-Paroles

- There is no provision in the regulations to “extend” a parole for an individual who is present in the US. A parole ends on the date the parole period expires or when the alien departs the US if this occurs prior to the expiration of the parole.

- HAB has the authority to Re-Parole an alien if the initial parole authorization was issued by the HAB.

- A request for Re-Parole requires the filing of a complete parole application package (including a nonrefundable fee of $305) that contains information supporting the need for a Re-Parole.
Conclusion

• Over the years, approximately 25% of the received applications have been approved. Generally we receive approximately 1200 applications per year.

• Please remember that humanitarian parole cannot be used to circumvent normal immigration procedures and it is not a means to bypass delays in visa issuance. Therefore, humanitarian parole should not be recommended to individuals unless all other avenues for entry into the United States have been exhausted.

• Complete application instructions including downloadable forms can be found at www.uscis.gov
QUESTION/ANSWER SESSION