

# PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

## What You Need to Know:

### Parole Programs for Haiti, Cuba, Nicaragua, and Venezuela

*Last updated January 25, 2023*

#### General Information

#### What are these new country-specific parole programs?

On January 5, 2023, the Biden administration announced a suite of [policy changes](#) for Haitians, Cubans, and Nicaraguans seeking to enter the United States due to conditions in their home country—modeled after a similar program for Venezuela, which has been open since October 18, 2022. The U.S. government will provide prior travel authorization for up to 30,000 individuals each month across all parole programs for Venezuela, Haiti, Cuba, and Nicaragua.<sup>1</sup> The new parole measures were coupled with harsher border enforcement toward nationals from these countries at the U.S. border (explained below).

The authority for the U.S. Department of Homeland Security (DHS) to [grant parole](#) (entry into the United States) was first included in the Immigration Nationality Act of 1952—later expanded—and constitutes official permission for individuals to enter and temporarily remain in the United States on a “case-by-case basis for urgent humanitarian reasons or significant public benefit.”

#### Who qualifies for parole through these programs?

##### A beneficiary must:

- Be outside the United States
- Be a national<sup>2</sup> of Cuba, Haiti, Nicaragua, or Venezuela, or be an immediate family member (including a spouse, common-law partner, and unmarried children under 21) who is traveling with an eligible Cuban, Haitian, Nicaraguan, or Venezuelan
- Possess an [unexpired passport valid for international travel](#)
- Have a U.S.-based supporter who filed a Form I-134A confirmed and vetted by USCIS
- Provide their own commercial travel to a U.S. airport and final U.S. destination
- Undergo and pass required national security and public safety vetting
- Comply with all additional requirements, including public health guidelines
- Demonstrate that a grant of parole is warranted based on significant public benefit or urgent humanitarian reasons and that a favorable exercise of discretion is merited

##### An individual is ineligible if they:

- Are a permanent resident, dual national, or refugee of/in any other country, unless DHS operates a similar parole process for that country's nationals (does not apply to immediate family members)

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<sup>1</sup> On January 24, 2023, a group of Republican-led states [filed a lawsuit](#) to halt the policy. As of the publication of this FAQ, the programs are still set to go into effect.

<sup>2</sup> DHS defines a national as “a person owing permanent allegiance to a state,” which in most cases will be a citizen of that country.

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- Have been ordered removed from the United States within the past five years or are subject to a bar to admissibility based on a prior removal order
- Have crossed without authorization into the United States (between ports of entry) after the start of their country's parole program (with some limited exceptions)
- Have crossed without authorization the Mexican or Panamanian borders after the start of their country's parole program
- Are under 18 and not accompanied by a parent or legal guardian

### What are the benefits of having parole?

Parolees receive a 90-day travel authorization to travel to the United States by air. Parole provides individuals a pathway to the United States without making a dangerous trip to the U.S. border. Once paroled into the United States, parolees can also apply for work authorization. Some parolees may be able to apply for a non-REAL ID compliant driver's license or ID card [depending on the jurisdiction](#) where they live. Parole through these programs lasts for a two-year period. As of yet, USCIS has not published any information on the possibility of extending the initial parole grants. Parolees are generally considered "[qualified immigrants](#)" in regard to eligibility for some federal benefit programs, such as SNAP, CHIP, and Medicaid. Note that eligibility for benefits may vary if the parolee becomes a full-time student.

**Importantly, parole is a temporary measure and does not put recipients on a path to permanent status.** To remain in the country lawfully, parolees will need to apply for asylum, pursue other immigration pathways, or try to extend their parole if that option is available.

### Who qualifies as a supporter to sponsor a parolee through these programs?

A "supporter" must agree to provide an applicant with financial support for the duration of their stay in the United States by filing [Form I-134A](#). There is no application fee for the parole application—applying is free of charge.

A supporter must:

- Have lawful status. This includes:
  - U.S. citizens and U.S. nationals
  - Lawful permanent residents, lawful temporary residents, and conditional permanent residents
  - Nonimmigrants in lawful status who have not violated any of the terms or conditions of their nonimmigrant status
  - Asylees, refugees, and parolees
  - Temporary Protected Status (TPS) holders
  - Deferred action (including DACA) recipients
  - Beneficiaries of Deferred Enforced Departure (DED)
- Pass security and background vetting, including for public safety, national security, human trafficking, and exploitation concerns
- Demonstrate sufficient financial resources to receive, maintain, and commit to supporting the parolee for the duration of their parole period

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## Higher Education

### Can a college, university, organization, business, or other entity act as a supporter to sponsor a parolee through these programs?

A higher education institution, organization, business, or entity cannot formally serve as the supporter, since the application form requires an individual to sign. However, a representative of a college or university can serve as the signatory, and USCIS will consider financial and other support that higher education institutions or other organizations agree to provide the beneficiary. An institution or organization can demonstrate its support through a letter of commitment or other documents included with the [I-134A form](#).

### How do these parole benefits differ from those under an F-1 or J-1 visa?

F-1 and J-1 visa holders enter the United States with nonimmigrant (temporary) intent, while parole allows individuals who may be inadmissible into the United States to be admitted temporarily for humanitarian reasons or significant public benefit. Unlike those on a student or exchange visa, parolees are eligible to apply for work authorization and work off-campus without the restrictions faced by those on F-1 visas. Parolees can also access benefits like federal financial aid. However, as stated above, parole is temporary and does not in itself provide a path to permanent legal status. If an individual paroled into the United States does not secure an alternative status such as asylum or legal permanent residency and there is no policy of extension, they must leave the United States at the end of the parole period (in this case, at the end of two years). In some cases, students on F-1 or J-1 visas may wish to sponsor family members via the parole program.

In short, parole is temporary and requires a status change to remain in the United States. In general F, J, or H-visas will likely be the preferable choice for many. However, this parole program may be an option to bring students or scholars from these countries who have been unable to obtain an F or J visa and have financial support or a scholarship from a higher ed institution. Parole can provide certain additional benefits and may be an option for family, friends, or colleagues.

#### Two hypothetical examples:

- A Haitian student had his F-1 student visa stamp denied at the U.S. embassy in Haiti for failing to prove temporary intent. After speaking to his international student adviser and/or immigration attorney, he may now consider parole as an option in addition to applying again for the F-1.
- A Venezuelan J-1 scholar in the United States is worried about her brother in Venezuela. With the economic crisis, he has not worked in months. She may consider talking to an attorney about sponsoring her brother for parole. Parole is a temporary option that does not have a related path to permanence in the United States, but it may be an option for him to be in the United States and able to work while he makes a longer-term plan.

### Are parolees through these programs eligible for federal financial aid?

Parolees under the programs for Venezuela, Cuba, Haiti, and Nicaragua may be eligible if they meet certain criteria. Unlike the new statutory language that adjusted eligibility for federal public benefits for [Afghan](#) or [Ukrainian](#) parolees, the programs for Venezuela, Haiti, Cuba, and Nicaragua did not create any changes to eligibility for federal benefits. That means that individuals paroled under these programs may be [eligible for federal student aid](#), but they are subject to existing guidance from the U.S. Department of Education.

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## Accessing federal financial aid:

If the applicant fails the automated match process with DHS conducted after the FAFSA is submitted, individuals paroled into the United States for at least one year must provide:

- Unexpired documentation of their parole status (such as an I-94) with a stamp indicating that the individual has been paroled for at least one year. Title IV funds cannot be disbursed after the document has expired.
- Evidence from DHS that they are in the United States for other than a temporary purpose and intend to become a citizen or lawful permanent resident (such as having filed form I-485 to apply for lawful permanent residence, being the named relative of a petitioner on form I-130, or submitting form I-797C [sent by DHS in response to form I-485]).

If the student does not submit an I-797C, they may send alternative documentation to [SAVE](#) and ensure that the SAVE response is “Parolee-Expires” or “Parolee-Indefinite” and that the Pending Applications or DHS Comments sections indicate one of the documents mentioned above.

## What about previous programs for Cubans and Haitians?

Section 501(e) of the Refugee Education Assistance Act of 1980 defines a specific category called a Cuban-Haitian Entrant (CHE). All Cuban-Haitian entrants are potentially eligible for Federal Student Aid.

**NOTE:** Certain documents showing that the holder is a Cuban-Haitian entrant continue to convey CHE status even if the expiration date has passed.

See [Information for SAVE Users: Cuban-Haitian Entrants](#) for examples of documentation, SAVE verification procedures, and other information regarding CHEs. If you are not sure whether documentation establishes that someone is a CHE, submit it as part of a third-step verification request following the instructions in the SAVE CHE information sheet. The SAVE response will let you know whether the submitted information and documentation are sufficient to verify that the student is a CHE. Remember to click on the Cuban/Haitian Entrant Button to verify CHE status. **DHS will not verify this status if this button is not clicked.**

## Parole and Border Enforcement

### What does this mean for people arriving at the U.S. border?

Unlike the previous programs for Afghanistan and Ukraine, and much like the program for Venezuela, the newer parole programs have been paired with the expansion of Title 42 to cover individuals from Nicaragua and Cuba (Haitian arrivals are already subject to Title 42). Title 42 is a public health authority that expels individuals to Mexico who attempt to enter the United States without prior authorization, including those seeking asylum. Asylum advocates have [critiqued](#) these new measures.

Individuals who attempt to enter the United States without documentation do not have a legal basis to remain, and those who cannot be expelled pursuant to Title 42 will be “increasingly subject” to expedited removal to their country of origin and subject to a five-year ban on re-entry. Of note, the updated border measures have [sparked concern](#) from the United Nations refugee agency.

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## **Additional Information**

### **International Student and Scholar Populations**

	<b>Students (2021/22)</b>	<b>Scholars (2020/21)</b>
<b>Nicaragua</b>	553	19
<b>Cuba</b>	114	19
<b>Venezuela</b>	5,317	191
<b>Haiti</b>	1,015	15

[Source: Open Doors](#)

### **Resources**

- [Federal Register Notice - Implementation of a Parole Process for Haitians](#)
- [Federal Register Notice - Implementation of a Parole Process for Cubans](#)
- [Federal Register Notice - Implementation of a Parole Process for Nicaraguans](#)
- [Federal Register Notice - Implementation of a Parole Process for Venezuelans](#)
- [Information for SAVE Users: Cuban-Haitian Entrants](#) - USCIS
- [FAQ](#) - USCIS
- [Fact Sheet](#) - White House
- [FAQ](#) - National Immigrant Justice Center (NIJC)
- [FAQ](#) - Catholic Legal Immigration Network, Inc. (CLINIC)
- [Haitian Parole Program Fact Sheet](#) - Institute for Justice and Democracy in Haiti
- [Statement on New U.S. Border Measures](#) - UNHCR

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