

Fact Sheet: New Parole Program for Cuba, Haiti, Nicaragua, and Venezuela

Current as of March 13, 2023.

On January 6, 2023, the Department of Homeland Security (DHS) <u>announced</u> <u>new parole programs for nationals of Cuba, Haiti, Nicaragua and Venezuela</u> who are seeking safe haven within the United States due to the conditions in their country.

Qualified applicants who are outside the United States and lack U.S. entry documents may be considered, on a case-by-case basis, for advanced authorization to travel to the United States and a temporary period of parole for up to two years for urgent humanitarian reasons or significant public benefit. To participate, eligible applicants must:

- Have a supporter in the United States;
- Undergo and clear robust security vetting;
- Meet other eligibility criteria; and
- Warrant a favorable exercise of discretion.

What does parole mean?

Under U.S. immigration law parole generally refers to official permission for an individual to enter and remain temporarily in the United States if they are applying for admission but do not have a legal basis for being admitted. Individuals who receive a grant of parole are allowed to enter the United States, but they are not provided with an immigration status, nor are they formally "admitted" into the country for purposes of immigration law.

How does the parole process usually work?

Parole is reviewed on a case-by-case basis by an agency within DHS, and the burden of proof is placed on the applicant to establish that parole should be authorized. If parole is authorized, the agency authorizing parole will specify how long it may last, tailored to accomplish the purpose of the parole. Parole ends on the date it is set to expire, when the recipient departs the United States, or when they acquire an immigration status. DHS may revoke parole at any time if it is no longer warranted or the recipient violates the conditions of the parole. A parolee may also apply to extend or renew their parole with the agency that first issued the parole.

For Applicants

Who is eligible to apply?

Nationals of Cuba, Haiti, Nicaragua, or Venezuela (or their immediate family member of any nationality) who are outside the United States and meet the other eligibility requirements are eligible to apply for parole.

How do I apply?

Nationals of Cuba, Haiti, Nicaragua, and Venezuela cannot directly apply for these processes. A supporter in the United States must first complete and file Form I-134A with U.S. Citizenship and Immigration Services (USCIS) on their behalf and include information about them and contact details, such as an email address. If USCIS deems the Form I-134A sufficient, they will send the recipient information about the next step in the process to be considered for authorization to travel to the United States and parole consideration at an airport of entry.

I have lived in another third country where I received temporary status. Can I still apply for this parole process?

Yes. You are still eligible to apply for this parole process.

I am currently in the United States, can I apply?

No. You must be currently outside of the United States to be eligible for this parole process.

Who is considered an "immediate family member"?

Immediate family members include the spouse, common law partner, and children (unmarried and under the age of 21) of an eligible beneficiary. The family member does not need to be a national of Cuba, Haiti, Nicaragua or Venezuela.

I do not have a valid passport, can I still apply?

No. All people applying, including minor children, must have a valid, unexpired passport.

I am from Venezuela and unable to renew my passport, can I still apply?

Maybe. According to USCIS, consistent with the National Assembly decree of May 21, 2019, certain expired Venezuelan passports remain valid. A Venezuelan passport:

- Issued before June 7, 2019 (even if expired before this date), without a passport extension ("prórroga"), is considered valid and unexpired for five years beyond the expiration date printed in the passport.
- Issued before June 7, 2019 (even if expired before this date), with a "prórroga" issued before
 June 7, 2019, is considered valid and unexpired for five years beyond the expiration date of the
 "prórroga."
- Issued before June 7, 2019 (even if expired before this date), with a "prórroga" issued on or after June 7, 2019, is considered valid and unexpired through the expiration date of the "prórroga" or for five years beyond the expiration date printed in the passport, whichever is later.
- Issued on or after June 7, 2019, without a "prórroga" is not considered valid beyond the expiration date printed in the passport.
- Issued on or after June 7, 2019, with a "prórroga" issued on or after June 7, 2019, is considered valid and unexpired through the expiration date of the "prórroga."

Does this parole process provide me with a path to permanent status?

No. Parole is a temporary status. It does not lead to permanent status in the U.S.

Can I apply for employment authorization under this parole process?

Yes. After you are paroled into the United States, you are eligible to apply for discretionary employment authorization from USCIS.

Do I have to repay my supporter?

No. People who receive parole do not have to repay, reimburse, work for, serve, marry, or otherwise compensate their supporter in exchange for filing Form I-134A on your behalf or for providing financial support while you are in the United States. Access to this process is free.

Neither the supporter nor the recipient of parole is required to pay the U.S. government a fee for the Form I-134A or participation in the process. Beware of any scams or potential exploitation by anyone who asks for money associated with applying to this process.

For Supporters

Who is eligible to be a supporter?

Supporters must reside in the United States with lawful status – which 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 of conditions of their nonimmigrant status
- Asylees, refugees, and parolees
- Temporary Protected Status (TPS) holders
- Deferred action (including DACA) recipients
- Deferred Enforced Departure (DED) holders

Individuals must also pass security and background checks.

Do I need to be a family member of the applicant to be their supporter?

No. Anyone who meets the requirements to become a supporter and is confirmed by USCIS may support eligible applicants.

Can organizations be supporters?

Yes and no. An organization cannot serve as the support on the I-134A form because the form requires an individual to sign. However, that individual can file the I-134A in association with or on behalf of an organization, business, or other entity providing support to the applicant.

What are my responsibilities as a supporter?

The supporter must be willing and able to receive, maintain, and financially support the beneficiary during the two-year parole period. USCIS decides case-by-case on the amount of financial support required.

What documentation do I need to submit with Form I-134A?

The supporter should submit proof of their U.S. citizenship or immigration status and evidence of sufficient income and resources. This evidence may include bank statements, paystubs, a letter from an employer, or a copy of the most recent tax return.

I'd like to be a supporter but cannot do so alone. May I join with others to support an applicant?

Yes. In this case, one supporter should file a Form I-134A and include supplementary evidence demonstrating the identity of, and resources to be provided by, the additional supporters and attach a statement explaining the intent to share responsibility to support the applicant. These supporters' ability to support an applicant will be assessed collectively.

I want to support an entire family. Can I file one Form I-134A for the whole family?

No. Supporters must file a separate Form I-134A for each applicant, including minor children.