



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

FAQs on the Parole Process for Cubans, Haitians, Nicaraguans and Venezuelans

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The Department of Homeland Security (DHS) has announced new parole programs for nationals of Cuba, Haiti, Nicaragua and Venezuela who are seeking safe haven within the United States due to the conditions in their country. This process is being implemented in conjunction with a new border enforcement policy, which allows the government to apply Title 42 to Cubans, Haitians, Nicaraguans and Venezuelans who attempt to enter the United States at the border without authorization.

Title 42 is a provision of the Public Health Services Act that permits federal health authorities to prohibit the entry of individuals into the United States to protect public health. The law was first used by the Trump administration to prevent migrants from seeking asylum at the border during the height of the COVID-19 pandemic and remains in place currently. Under a joint agreement with Mexico, nationals of Cuba, Haiti, Nicaragua and Venezuela may now be returned to Mexico under Title 42.

On Jan. 6, 2023, DHS began accepting online applications for the Cuban, Haitian, and Nicaraguan programs. The Venezuelan parole process has been open since Oct. 18, 2022.

Under these parole programs, nationals of the four countries who are outside the United States may apply for advance permission to travel to the United States and enter through a grant of parole. DHS has lifted the previous cap of 24,000 Venezuelan beneficiaries and will now provide travel authorization to a total of 30,000 beneficiaries per month across the four countries.

While these processes are similar in some respects to the Uniting for Ukraine parole program, there are also significant differences. This FAQ addresses questions about eligibility, the application process, and related issues for Cuban, Haitian, Nicaraguan, and Venezuelan clients who are seeking parole.

Country Specific Parole Processes

How do the new parole processes work generally?

Based on the Uniting for Ukraine (U4U) program launched in April 2022, and the Venezuelan Parole Process launched in Oct. 2022, the new processes allow Cubans, Haitians, and Nicaraguans (and their immediate family members) outside the United States to seek parole for a two-year period. The application process is completed online

via [myUSCIS](#) and requires each individual seeking parole to have a U.S.-based “supporter,” who agrees to provide the applicant with financial support for the duration of his or her stay in the United States. If approved, the beneficiary receives travel authorization from U.S. Customs and Border Patrol (CBP) and may travel to the United States via air to seek parole at a U.S. port of entry.

These programs operate in conjunction with new border enforcement policies. Title 42 has been expanded to allow Venezuelans, Cubans, Haitians and Nicaraguans to be returned to Mexico if they are not entering with a valid visa or have been granted parole. Once Title 42 ends, the administration plans to increase use of expedited removals at the border. The stated intent behind the parole processes is to provide a safe and lawful way for nationals of these countries who are fleeing humanitarian and economic crisis to come temporarily to the United States, while also to reduce the number of individuals who are arriving at the United States’ southern border seeking asylum.

Where can I find information about the parole programs?

Details and eligibility requirements regarding the process for each country have been published in Federal Register Notices for [Cuba, Haiti, Nicaragua, and Venezuela](#). The U.S. Citizenship and Immigration Services (USCIS) has published general information on the parole process on their [website](#), along with [Frequently Asked Questions about the Process for Cubans, Haitians, Nicaraguans, and Venezuelans](#) regarding eligibility requirements, how to apply, and how to address issues that may arise in the application process.

What is the application process?

There is no fee for this application process. A U.S.-based supporter initiates the application process by filing a Form I-134A, Declaration of Financial Support, online via a [myUSCIS](#) account. USCIS uses the biographic information to conduct a background check on the supporter. The agency will also review the I-134A to ensure the supporter’s ability to financially support the parole applicant (or qualifying family member) during the two-year parole period. Once USCIS determines the I-134A is sufficient, it will email the beneficiary instructions on how to create a myUSCIS account and progress to the next step: verifying biographic information (submitted by the supporter) and attesting to having completed vaccination requirements or being eligible for an exception. Beneficiaries will also be required to download the CBP One Mobile App to enter biographic information and submit a live photo to verify identity, which will be used to complete background checks. Once all biographic and medical requirements are satisfied, beneficiaries will receive an approval or denial. If approved, beneficiaries receive a notice in their online account that provides authorization to travel to the United States and be paroled into the country. They are not required to file a Form I-131, Application for Travel Document, or pay a fee. After being paroled, the beneficiary must complete a medical screening for tuberculosis within 90 days of arrival and complete

any other vaccine requirements. As a parolee, the beneficiary may also request employment authorization by filing Form I-765.

Can an attorney or DOJ accredited representative submit a G-28 along with the I-134A on behalf of the supporter online?

No, currently there is no way to submit a G-28 online in conjunction with the I-134A. Attorneys and DOJ accredited representatives may assist in the preparation of I-134As. However, supporters must have their own USCIS account and submit their I-134A on their own.

How can an attorney or DOJ accredited representative get information about an application that has been filed?

In order to receive information about an I-134A that has already been filed, a legal representative must have a G-28 on file. While the G-28 cannot be filed online with the I-134A, representatives may submit a G-28 separately through a myUSCIS representative account online and can then inquire about their client's case by contacting the USCIS Contact Center.

Supporter Requirements

Who is eligible to be a supporter?

The I-134A must be filed by a supporter who is residing in the United States in lawful status. For purposes of this program, USCIS has provided a list of those considered to have "lawful status," which includes the following:

- 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; and
- Beneficiaries of Deferred Enforced Departure (DED).

Lawful status does not include those with pending asylum or initial TPS applications. There is no requirement that the supporter be related to the beneficiary or be of a minimum age.

Supporters must pass security and background vetting and demonstrate sufficient financial resources to receive, maintain, and support the beneficiary for the duration of the parole period.

What are the responsibilities of the supporter?

The supporter must be willing and able to receive, maintain, and financially support the beneficiary during the two-year parole period. There is no bright-line rule requiring a

specific amount of income or assets; USCIS will evaluate each application on a case-by-case basis as to whether the financial support is sufficient.

When I-134s are required from those seeking fiancé(e) visas or humanitarian parole in other contexts, USCIS refers to the Federal Poverty Guidelines (FPG) to determine whether the supporter has demonstrated an income of at least 100 percent of the FPG for his or her household size. The current guidelines are available at <https://www.uscis.gov/i-864p>. In this context, however, USCIS has not indicated that it will apply the 100 percent of FPG standard to supporters and has instead emphasized its discretionary power. Until we learn more, this 100 percent standard might be a helpful starting point for assessing whether a supporter can satisfy the financial requirements.

Can a person act as a supporter on behalf of a family or multiple individuals?

Yes, however a separate I-134A must be filed on behalf each beneficiary. While there is no limit to how many beneficiaries a supporter may agree to support, USCIS will determine if a supporter has the financial ability to support all beneficiaries for the duration of the parole period.

Can an organization, business or entity act as a supporter?

An organization, business, or entity cannot serve as the supporter on an I-134A, since the form requires an individual to sign. However, USCIS will consider financial and other support that organizations agree to provide for a beneficiary. This could include the following: receiving the beneficiary upon arrival in the United States and providing transportation to initial housing; ensuring that the beneficiary has safe and appropriate housing for the duration of the parole and initial basic necessities; helping the beneficiary complete necessary paperwork, such as for employment authorization, a Social Security card, or services for which the individual may be eligible; ensuring that the beneficiary's health care and medical needs are met for the duration of the parole; and assisting the beneficiary with accessing education, learning English, securing employment and enrolling children in school. An organization can demonstrate its support through a letter of commitment or other document included with the I-134A.

May a beneficiary have multiple I-134A supporters?

Multiple supporters may join to provide support for a beneficiary. However, per the USCIS website, one supporter should file an I-134A and include supplementary evidence demonstrating the identity of and resources to be provided by the additional supporters. A statement explaining the intent to share responsibility for supporting the beneficiary should be attached. USCIS will assess the supporters' collective ability to support the beneficiary.

Is the I-134A enforceable?

No court has recently addressed the enforceability of the I-134A or [I-134](#) (the paper version of the online form) against the supporter by either the beneficiary or by a federal

or state agency that provides benefits to the beneficiary. For a detailed discussion of this issue, and the use of Form I-134A more generally, see CLINIC's [Frequently Asked Questions About Form I-134, Affidavit of Support](#).

What documentation should the supporter submit with the I-134A?

The supporter should submit proof of his or her 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. Note that USCIS has not indicated that supporters must submit any specific documentation to demonstrate sufficient income and resources.

For reference, the general [Instructions](#) to the I-134 list the following documents as being required:

- A signed statement from an officer of the bank or other financial institution that states when the account was opened, the total amount deposited for the past year, and the present balance of such account;
- A signed statement from an employer on business letterhead that states the date and nature of employment, salary paid, and whether the position is temporary or permanent;
- A copy of the last federal income tax return, or a report of commercial rating concern (if self-employed); and
- A list containing the serial numbers and denominations of bonds and names of the owners (if applicable).

While these are not required for I-134As submitted in the parole process, supporters may want to consider including some of these documents if they are available.

Beneficiary Eligibility

Who qualifies as a beneficiary for these country specific parole processes?

Beneficiaries must meet the following eligibility requirements:

- Be outside the United States;
- Be a national of Cuba, Haiti, Nicaragua, or Venezuela, or be an immediate family member (spouse, common law partner, and/or unmarried child under age 21) who is traveling with an eligible Cuban, Haitian, Nicaraguan or Venezuelans;
- Possess an unexpired passport valid for international travel;
- Have a U.S.-based supporter who filed a Form I-134A on his or her behalf that USCIS has vetted and confirmed as sufficient;
- Provide for 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 vaccination requirements and other public health guidelines; and

- 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.

In addition, a potential beneficiary is ineligible if that person:

- Is a permanent resident or dual national of any other country, or holds refugee status in any country, unless DHS operates a similar parole process for that country's nationals. Note that this requirement does not apply to immediate family members of an eligible beneficiary with whom they are traveling.
- Has been ordered removed from the United States within the past five years or is subject to a bar to admissibility based on a prior removal order;
- Has crossed irregularly into the United States, between ports of entry, after Jan. 9, 2023 (for Cubans, Haitians and Nicaraguans), or after Oct. 19, 2022 (for Venezuelans);
 - An exception applies to Cubans, Haitians and Nicaraguans who entered the United States without authorization after Jan. 9, 2023, or Venezuelans who entered the United States after Dec. 20, 2023, and have been permitted a single instance of voluntary departure pursuant to INA § 240B or withdrawal of their application for admission pursuant to INA § 235(a)(4)
- Not have unlawfully crossed the Mexican or Panamanian borders after Jan. 9, 2023 (for Cubans, Haitians and Nicaraguans), or after Oct. 19, 2022 (for Venezuelans); or
- Is under 18 and not traveling through this process accompanied by a parent or legal guardian, and as such is a child whom the inspecting officer would determine to be an unaccompanied child.

I have lived in another third country where I received temporary status (for example, a Temporary Protection Permit or Permiso de Proteccion Temporal, from Colombia). Does this disqualify me from the parole process?

No. Having been granted a temporary status is not the same as permanent residency and does not disqualify someone from eligibility for this parole process. USCIS has confirmed this during an October 2022 stakeholder engagement and in its FAQ.

Who is eligible for the parole process as 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. Therefore, a dependent spouse or child may qualify for parole even if they are a dual national of a designated country and another country or have refugee status or permanent resident status in a country other than the four designated countries. Any child who is under the age of 18 must be traveling with a parent or legal guardian to qualify for the parole process. Family members' cases can be linked together using the online process.

I meet the requirements to be considered for the parole process, but my immediate family member is a dual national or permanent resident of another country. Can I be the primary beneficiary to allow my family member to qualify for parole?

Yes. Beneficiaries for this parole process may not be a permanent resident or dual national of any other country and cannot currently hold refugee status in any country. However, this requirement does not apply to the immediate family members of an eligible beneficiary, including a spouse or common law partner or unmarried children under the age of 21.

What if a beneficiary does not possess a valid passport?

Each beneficiary, including minor children, must have a valid, unexpired passport.

What about Venezuelan nationals who are unable to renew their passports?

USCIS provides the following information on its website regarding extensions for Venezuelan passports:

Certified extensions of passport validity serve to meet this requirement. If a beneficiary's passport validity has been extended, the expiration date of the extension should be reflected as the passport expiration date. CBP will not authorize travel if the beneficiary's passport or extension is expired.

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 on or after June 7, 2019, without a "prórroga" is not considered valid beyond the expiration date printed in the passport.
- Regardless of passport issue date, with a "prórroga" issued before June 7, 2019, a passport is considered valid and unexpired for five years beyond the expiration date of the "prórroga."
- Regardless of passport issue date, with a "prórroga" issued on or after June 7, 2019, a passport is considered valid and unexpired through the expiration date of the "prórroga."

According to the [USCIS FAQ](#), those who qualify for the exceptions above do not need to manually add five years to the expiration date on their passports when confirming their information on Form I-134A.

Are there other country specific policies regarding passport validity?

USCIS follows Department of State (DOS) guidance on the validity of documents such as passports. Consult the [DOS reciprocity table](#) for country-specific information about the validity of passports.

Does each family member need his or her own I-134A? Can one I-134A be filed for a family if the supporter can demonstrate sufficient support?

At least one Form I-134A must be filed for each beneficiary, including minor children. A supporter may agree to support multiple beneficiaries, such as for various members of a family, but he or she must file a separate I-134A for each beneficiary.

To ensure that family members are processed together, the primary beneficiary can create a “group” on myUSCIS and add beneficiary family members to his or her account. If approved, travel authorization for each family member would be posted to the primary beneficiary’s account.

Can a child under age 18 enter the United States alone as a beneficiary of the parole process?

No. Children who are under the age of 18 must travel to the United States in the care and custody of their parent or legal guardian to benefit under this program. Children who arrive at a U.S. port of entry without their parent or guardian may be placed in the custody of the U.S. Department of Health and Human Services under the Trafficking Victims Protection Reauthorization Act in order to protect against human trafficking and other exploitation. A child who would travel without a parent or guardian would need to apply instead for humanitarian parole through the standard Form I-131 application process.

What other steps must be completed after an I-134A is found sufficient?

USCIS will send the beneficiary an email with instructions on how to create a myUSCIS account and take other next steps. The beneficiary must review his or her biographic information and make any necessary edits before confirming it. The beneficiary must also attest to the following:

- Not being a permanent resident or dual national of any other country; that he or she does not hold refugee status in another country; or affirming that the applicant is the spouse, common-law-partner, or unmarried child under the age of 21 and traveling with an eligible beneficiary;
- Understanding the requirement that children under age 18 must travel with a parent or legal guardian; and
- Having either completed or satisfied an exception to the vaccine requirements for measles, polio and the first dose of an [FDA approved or authorized COVID-19](#) vaccine or a [WHO-Emergency use listed \(EUL\) COVID-19 vaccine](#).

What happens after travel authorization is approved?

Beneficiaries will receive an email instructing them to check their myUSCIS account for the result of their authorization to travel to the United States and seek parole under the new process. The travel authorization is valid for 90 days, and beneficiaries are responsible for arranging and funding their own travel. Beneficiaries are instructed to travel to the United States by air. CBP will inspect the beneficiary upon arrival to the port

of entry and make a discretionary decision about whether to parole him or her into the country for a period of up to two years. Once paroled, the individual may apply for an employment authorization document (EAD) using the (c)(11) category code. If granted, the EAD would be valid for the duration of the parole grant. The filing fee for the I-765 is \$410, but fee waivers are available. After being paroled into the United States, the beneficiary must attest to receiving a medical screening for tuberculosis, including an Interferon-Gamma Release Assays (IGRA) test, within 90 days. Additional details about the vaccine requirements and exceptions are available on the USCIS [Vaccine Attestation page](#).

My travel authorization will expire soon, and I am unable to arrange travel to the United States. Can I request an extension?

If a beneficiary is unable to travel within the authorized 90-day travel period, the supporter may submit a one-time request to USCIS for a 90-day travel authorization extension. Beneficiaries cannot make the extension request on their own behalf. Supporters must submit the extension request 30 days before, and no more than 30 days after, the expiration of the original travel authorization. A separate request must be made for each individual beneficiary seeking an extension. For instructions on how to submit the request online see the [USCIS FAQ under "Travel Authorization," Q1](#).

How long does it take to receive travel authorization?

The process is intended to be fast and streamlined. The first beneficiaries have been paroled into the United States through this process within four days of applying. Since this is a new process, we will continue to monitor processing times.

Can the initial two-year grant of parole be extended?

At this time, USCIS has not published any information regarding the possibility of extending the initial parole grants. General DHS policy is that the agency that initially granted parole is the one that grants re-parole to allow a parolee to remain for an additional period.

Can someone with a valid B1/B2 visa or other nonimmigrant visa attempt to enter the United States under the new parole process instead?

Yes, individuals may apply for parole under this process even if they already have a valid nonimmigrant visa. While having a valid nonimmigrant visa is not a disqualifying factor, potential beneficiaries should consult with an immigration practitioner about the relative pros and cons of entering with parole versus as a nonimmigrant.

What benefits are these parolees eligible for?

The answer will turn on the person's nationality and the state where they are residing.

Cubans and Haitians paroled into the United States would satisfy the definition of "Cuban/Haitian Entrants," which is a federal term that allows eligibility for wide range of federal benefit programs. They would also meet the definition of "qualified immigrants,"

which also entitles them to apply for many of these same benefits. They would be eligible to apply for the following major federal programs, though they would have to meet each program's income and other specific requirements: Supplemental Security Income (SSI); Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp program; Temporary Assistance to Needy Families (TANF); Medicaid; Refugee Medical Assistance (if ineligible for Medicaid); Refugee Cash Assistance; Refugee Resettlement Services; the Child Health Insurance Program (CHIP); and Social Security retirement and disability benefits if fully insured based on employment history. They would also qualify for other federal programs, such as Low-Income Home Energy Assistance Program (LIHEAP) and FEMA rental assistance.

Venezuelans and **Nicaraguans** who are paroled into the United States for more than one year would also be considered "qualified immigrants," but would not be eligible for the same range of programs due to five-year restrictions. They would still be eligible to apply for the following: LIHEAP, FEMA, as well as housing programs funded through the Housing and Urban Development (HUD). Several states provide access to SNAP, as well as Medicaid and CHIP, for parolees who are children; they also provide access to prenatal care to parolees who are pregnant. Some states also supplement or replace what the federal government has restricted in the way of SSI, TANF SNAP, Medicaid and CHIP.

Can someone who is paroled under these programs travel abroad, either with advance parole or an existing nonimmigrant visa?

USCIS notes on its website that if someone has already been paroled into the United States through this process, parole will be terminated automatically if the individual departs without obtaining advance authorization to travel. However, parolees may be able to apply for advance parole. The I-131 instructions state that individuals paroled into the United States who seek to travel abroad temporarily for urgent humanitarian reasons or in furtherance of a significant public benefit may be eligible for advance parole.

Note that a parolee who departs and then attempts to re-enter the United States using a B1/B2 visa may terminate his or her parolee status upon admission in B1/B2 status. The parolee may also face scrutiny at the port of entry regarding whether he or she possesses the requisite nonimmigrant intent. Until there is more clarity on this issue and guidance from DHS, beneficiaries should be cautioned about traveling abroad.

Does the parole process provide parolees with a path to permanent status?

No. Parole is only a temporary remedy and does not put recipients on a path to permanent status. Practitioners should screen these clients for more permanent relief if they would like to stay here permanently, including eligibility for asylum, an employment- or family-based visa, or some other immigration benefit.

Will CBP still grant parole to Cubans, Haitians, Nicaraguans, or Venezuelans who arrive at the border without going through the parole process?

As of Oct. 12, 2022, Title 42 expulsions have been expanded to include Venezuelans, who can now be expelled to Mexico. As of Jan. 5, 2023, Cubans, Haitians, and Nicaraguans will also be subject to Title 42. While there are some exemptions to Title 42, nationals from these countries should be aware that the policy of expulsions is now being enforced. In addition, CBP will increase the use of expedited removal for migrants who cannot be expelled pursuant to Title 42 and as a result are processed under Title 8 authorities.

Where can I find the USCIS guidance on applying for parole through these country-specific processes and contacting USCIS regarding technical or processing issues?

USCIS has published information on the new parole processes on its [website](#). In addition, its [Frequently Asked Questions about the Process for Cubans, Haitians, Nicaraguans and Venezuelans](#) provide more detailed information about how to address technical issues that may arise in the application process, how to submit case inquiries to USCIS, and how to correct any erroneous information that was submitted during the process.