Cuba, Haiti, Nicaragua, Venezuela (CHNV) Parole Program

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What is the Cuba, Haiti, Nicaragua, and Venezuela (CHNV) parole program?

On January 6, 2023, the Biden Administration <u>opened</u> a humanitarian parole program allowing certain nationals from <u>Cuba</u>, <u>Haiti</u>, <u>Nicaragua</u>, <u>and Venezuela</u> (<u>CHNV</u>) to apply for entry to the U.S. for a temporary stay of up to two years. All individuals admitted through the <u>CHNV program</u> must have a U.S.-based supporter, pass security vetting, and meet other criteria. <u>Parole</u> is not an immigration status. During the two-year parole period, individuals may seek humanitarian relief or other immigration benefits, if they are eligible, and work during that time. In <u>August 2024</u>, following a temporary program pause and as a part of an internal review, the Department of Homeland Security (DHS) added <u>enhanced vetting measures</u> for U.S.-based supporters.

In January 2023, the Administration committed to accepting 30,000 beneficiaries a month from across the four countries, raising the cap on a <u>previous parole program</u> solely for Venezuelan beneficiaries. Within the <u>first six months</u> of launching the program, over 35,000 Cubans, 50,000 Haitians, 21,500 Nicaraguans, and 48,500 Venezuelans came to the U.S. through the program. As of <u>August 2024</u>, almost 530,000 people have been granted parole through the CHNV program, according to U.S. Customs and Border Protection (CBP).

As of October 2024, there is no re-parole process for any of the CHNV parolees, according to <u>USCIS</u>. More information for individuals granted parole under CHNV can be found in the "Questions Relating to Beneficiaries" section of the <u>FAQ for CHNV</u> on the USCIS website.

What is parole?

As a statutory provision, <u>parole</u> gives the Secretary of Homeland Security the discretionary authority to permit certain individuals on a case-by-case basis to enter and remain in the U.S. for urgent humanitarian reasons or significant public benefit. It's important to note that parole does not confer immigration status and applies only for limited periods of time.

Has parole been used before?

Yes. Both Democratic and Republican administrations have used <u>parole authority for 70 years</u> including programs for Vietnamese and Cuban nationals. In 1980, Cubans and Haitians were paroled into the U.S. during the Mariel Boatlift. In 2007, the Bush Administration established the <u>Cuban Family Reunification</u> <u>Program</u>. In 2022, the Biden Administration announced <u>Uniting for Ukraine (U4U)</u>. These examples demonstrate the U.S.'s longstanding commitment to ensuring access to lawful pathways for protection.

How does the CHNV program work?

The CHNV program operates much like the preceding Uniting for Ukraine program and requires qualified nationals abroad and their immediate family members to have a U.S. tie or supporter who promises to support them in the U.S. To be a supporter of a CHNV applicant, an individual must be a U.S. citizen, a lawful permanent resident, or hold a U.S. lawful status. While an individual can file to become a supporter, it's also possible for a business, organization, or multiple individuals to jointly take on the responsibility of supporting a CHNV applicant. The eligibility requirements for the CHNV program can be found <u>here</u>.

Why are only Cuban Haitian, Nicaraguan and Venezuelan nationalities eligible for the CHNV program?

Urgent humanitarian reasons and heightened instability in Cuba, Haiti, Nicaragua and Venezuela, continue to cause nationals to leave and seek safety. According to the <u>DHS</u>, by providing a safe and lawful pathway, the CHNV program resulted in an immediate decrease of border encounters of nationals from all four countries.

In <u>Cuba</u>, people face food shortages and the most severe economic crisis since the 1990s. In <u>Haiti</u>, a combination of ongoing natural disasters, poverty, and political instability has created a series of crises. Around <u>60 percent</u> of the capital city of Haiti is currently under the control of gangs. In <u>Nicaragua</u>, the president has implemented authoritarian measures including the removal of term limits, imprisonment of political opponents, and the use of lethal force against protestors. Consequently, the instability within the country has led to a <u>doubling in the number</u> of Nicaraguan asylum seekers in Costa Rica. In <u>Venezuela</u>, more than <u>7 million</u> individuals have fled due to limited access to food and opportunities. The Venezuelan president implemented extrajudicial executions, military tribunals, and has suppressed free press.

What is the latest news on legal challenges to CHNV?

Despite parole's long history, the CHNV program now faces litigation from Texas and 20 states challenging the Administration's parole authority. The plaintiffs <u>allege</u> that the Administration has "effectively created a new visa program without the formalities of legislation from Congress" (*Texas v. DHS*), and requested the Court end the program and declare it unlawful. In March 2023, <u>seven U.S. citizens filed a motion</u> to become parties to the litigation and defend their ability to be a supporter of their loved ones, which was granted by the Court. Global Refuge filed an <u>amicus brief</u> in support of the interveners. In March 2024, Judge Tipton <u>dismissed</u> the case, finding that because the number of CHNV nationals entering the U.S. dropped dramatically since program inception, the plaintiffs <u>lacked</u> <u>standing</u> to bring the claim. The plaintiffs <u>appealed</u> the decision. The Fifth Circuit has <u>not indicated</u> if it will hold an oral argument on the appeal.

Why is the CHNV program important?

The CHNV program gives families a safe pathway to be reunited and communities the space to <u>live out</u> <u>their faith</u>. Since the start of the CHNV parole processes, Global Refuge has provided services to migrants and their families in need who are approved for parole. One of Global Refuge's clients who arrived from Venezuela through CHNV reunited with her mother after eight years. Unlike her mother who risked her life in a dangerous trek from Venezuela and through multiple countries to the U.S.-Mexico border, the client arrived in the U.S. without making the same harrowing journey. Another Global Refuge client from Nicaragua who was facing persecution boarded a plane for the first time and reunited with her sister who she hadn't seen for 37 years. Despite these positive outcomes, a significant demand remains for safe legal pathways to protection and parole is not a replacement for a functioning asylum system and long-needed immigration reform.