



U.S. Citizenship
and Immigration
Services

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Verification Division
Camp Springs, MD 20588

Information for SAVE Users: Cuban-Haitian Entrants

Background

The term “Cuban-Haitian Entrant” (CHE) relates to benefit eligibility rather than an immigration status. Individuals who meet the definition of a CHE may be eligible for certain public benefits.

Definition

Section 501(e) of the Refugee Education Assistance Act of 1980 (REAA) states that an individual is a CHE if they are:

- An individual granted parole as a Cuban-Haitian Entrant (Status Pending) or any other special status¹ subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services are provided;² or
- A national of Cuba or Haiti who is not subject to a final, non-appealable and legally enforceable removal order, and:³
 - Was paroled into the United States and has not acquired any other status under the Immigration and Nationality Act; or
 - Is in removal proceedings under the Immigration and Nationality Act; or
 - Has an application for asylum pending with USCIS.

Public Benefit Eligibility

Cuban-Haitian Entrants are “qualified aliens” under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and may be eligible for certain federal public benefits, including Medicaid, Refugee Cash and Medical Assistance, Refugee Social Services, Social Security, Supplemental Security Income (SSI), Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Federal Student Aid.⁴ If

¹ Cuban and Haitian nationals paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act since October 10, 1980 are considered paroled in a “special status” for Cuban or Haitian nationals unless the parole into the United States was (1) in the custody of a Federal, State, or local law enforcement or prosecutorial authority for purposes of criminal prosecution in the United States, or (2) solely to testify as a witness in proceedings before a judicial, administrative, or legislative body in the United States. 8 C.F.R. § 212.5(h).

² REAA § 501(e)(1).

³ REAA § 501(e)(2).

⁴ 8 U.S.C. § 1641(b)(7).

an applicant does not have another qualifying immigration status or category for these benefits, or has a qualifying immigration status that is subject to the five-year waiting period reflected in 8 U.S.C. § 1613 (also called the “five-year bar”),⁵ then the benefit-granting agency may need to determine that an applicant is a CHE.⁶

Documentation

The following chart provide examples of documentation that may be presented by a person claiming to be a CHE. The examples are not comprehensive. In particular, many Cubans or Haitians who have been paroled are CHEs based upon the parole even if they have obtained another immigration status. CHEs may have a wide variety of immigration documentation, including Permanent Resident Cards, that may not conclusively establish whether they are CHE without SAVE verification.⁷

⁵ CHEs are excepted from the five-year waiting period in 8 U.S.C. § 1613. See 8 U.S.C. § 1613(b)(1)(D).

⁶ For example, an applicant may be a “qualified alien” under PRWORA due to having an eligible immigration status such as Lawful Permanent Resident or being paroled into the U.S. for more than one year, but they may still be subject to a five-year waiting period for federal means-tested public benefits (specifically Medicaid, CHIP, TANF, SNAP, and SSI) from the date they became a “qualified alien.” 8 U.S.C. § 1613(a). However, if they are also a CHE, they are a “qualified alien” and also exempt from the five-year waiting period. 8 U.S.C. § 1613(b)(1)(D).

⁷ A Form I-551, Permanent Resident Card, with a CU6, CH6, HB6, or other category code is an example of an immigration document that does not conclusively establish CHE designation without SAVE verification.

U.S. Immigration Category	U.S. Immigration Documents	Cuban or Haitian Nationality
Parole as CHE (Status Pending)	Form I-94, Arrival/Departure Record, with a Department of Homeland Security or legacy Immigration and Naturalization Service stamp noting “Cuban-Haitian Entrant (Status Pending).”	U.S. immigration documentation is evidence of nationality. No additional evidence of nationality required.
Parole or other special status	<ul style="list-style-type: none"> • Form I-94 or Cuban or Haitian passport with a Department of Homeland Security or legacy Immigration and Naturalization Service stamp noting “parole under 212(d)(5).” • Form I-766, Employment Authorization Document (EAD), with category code “C11” or “A04.” The C11 code indicates that the individual was paroled into the United States. • Documentation issued by U.S. Immigration and Customs Enforcement (ICE), such as Form I-830, Notice to EOIR: Alien Address containing information that the individual was released from ICE custody and paroled pursuant to 8 C.F.R. § 212.5. 	<p>If Born In Cuba:</p> <ul style="list-style-type: none"> • Expired or unexpired Cuban passport (<i>Pasaporte de la Republica de Cuba</i>) that lists the holder’s place of birth as being Cuba; or • Cuban birth certificate issued by the appropriate civil registry in Cuba <p>If Born Outside Cuba:</p> <ul style="list-style-type: none"> • Unexpired Cuban passport (<i>Pasaporte de la Republica de Cuba</i>); • Nationality Certificate (<i>Certificado de Nacionalidad</i>); or • Citizenship Letter (<i>Carta de Ciudadanía</i>). <p><i>Note:</i> A Cuban consular certificate documenting an individual’s birth outside of Cuba to at least one Cuban parent is not sufficient evidence to establish Cuban citizenship. This is true even if the consular certificate states that the individual to whom the certificate was issued is a Cuban citizen.</p> <p><i>Note:</i> A Cuban birth certificate acknowledging a birth outside of Cuba or Cuban consular birth record issued for a principal applicant who was not born in Cuba is not sufficient to prove Cuban citizenship. A birth certificate issued by an entity outside of Cuba is not sufficient evidence to establish Cuban citizenship.</p>
Pending Asylum Application	<ul style="list-style-type: none"> • An EAD with a category code of “C08.” The C08 code indicates that the individual has a pending application for asylum. • Form I-797C, Notice of Action confirming USCIS receipt of the individual’s Application for Asylum and Withholding of Removal, Form I-589. 	<p>If Born In Haiti:</p> <ul style="list-style-type: none"> • Expired or unexpired Haitian passport; • National Identity Card (<i>Carte D’identification Nationale</i>) (also known as a Voting Card); • Birth certificate (<i>Acte de Naissance</i>) with photo identification; or • Birth Extract Issued by Haitian National Archives (<i>Extrait de Naissance</i>) accompanied by photo identification⁸ <p>If Born Outside Haiti:</p> <ul style="list-style-type: none"> • Unexpired Haitian passport; • National Identity Card (<i>Carte D’identification Nationale</i>) (also known as a Voting Card); or • Certificate of naturalization or certificate of citizenship issued by the Haitian government accompanied by photo identification
Individual in Removal Proceedings	Documentation issued by the Department Homeland Security (DHS) or the Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) showing pending removal proceedings, such as Notice to Appear, DHS Form I-862 and Order of Supervision, DHS Form I-220B.	

⁸ Please visit the [Department of State Reciprocity Schedule for the Republic of Haiti webpage](#) to obtain information about Haitian Birth Extracts.

SAVE Verification

Verification Request

SAVE user agencies that are authorized to receive CHE information may request it by selecting the Cuban/Haitian Entrant button when submitting their SAVE case for verification. After receiving a response to an initial verification request, ensure that the Cuban/Haitian Entrant button is selected.

If you select the Cuban/Haitian Entrant button, you must upload a copy of documentation that establishes the applicant is a CHE. Please see the Documentation section above and then upload a copy of the documentation:

- Drag and drop the file into the blue “Drag file to upload” box; or
- Click the Upload File button and use your browser to select the file.

Once you have uploaded the file, click Institute Additional Verification to submit the verification request.

SAVE Response

SAVE then reviews and researches the case. SAVE will display Case Under Review in a yellow box at the top of the SAVE response screen until the research is complete.

If Cuban/Haitian Entrant data is available, it will be displayed under the SAVE Response Details on the left side of the page.

Additional Requests

Cuban/Haitian Entrant

VAWA

Upload a document
Uploading a document is required to escalate this case for additional verification.

Screen Shot 2019-07-16 at 10.40.54 AM.png

or

Upload File

Institute Additional Verification

Close Case Close and Start New Case

SAVE Response

Applicant Status: Lawful Permanent Resident
Employment Eligibility: Employment Authorized - Indefinite

The applicant is a non-national of the U.S. who has been granted authorization to live and work in the United States permanently as an immigrant. See the Guide to Understanding SAVE Verification Responses for additional information. Follow your agency's policy when determining whether this applicant is eligible for benefits.

SAVE Response Details

Case Verification Number
2019144150843VX

CDA Code
G5

Grant Date
Not Applicable

Response Date
07/16/2019

Cuban/Haitian Information

Cuban/Haitian Entrant
Applicant is a Cuban/Haitian Entrant

Agency Submitted Details

Full Name
JANE REBECCA JONES

Date of Birth
08/03/1996

Alien Number
143196577

Document Description
No

Requested Benefits
Driver License

Agency Requests
Grant Date
Cuban/Haitian Entrant

Special Comments
this is a test

Close Case Close and Start New Case

Records Correction and Other Safeguards

User agencies that believe any part of a SAVE response is incorrect, including any CHE information, should contact the SAVE Resolutions and Audits unit using the contact information provided in the SAVE Program Guide.

If a user agency denies a benefit application based solely or in part on the SAVE response, the user agency must provide the applicant with adequate written notice and information to contact DHS so that they may correct their records in a timely manner. Notice is sufficient if a user agency provides the applicant with the SAVE Records: Fast Facts for Benefit Applicants sheet from the SAVE website or a successor SAVE Fact Sheet. User agencies must provide all applicants denied a benefit based partly or completely upon a SAVE response with the opportunity to challenge the denial through the agency's process for appealing or contesting the denial.

Further Information

User agencies who need further information about SAVE verification of CHE should contact SAVE through established channels.