

.03 Cuban or Haitian Entrant

REVISION 49
(01/01/21 - 12/31/21)

A Cuban or Haitian Entrant is an individual who has fled to the United States (US) from either Cuba or Haiti to escape oppression, persecution, national distress, or environmental disasters.

Cubans or Haitians classified as Cuban or Haitian Entrants under Section 501(e) of the Refugee Education and Assistance Act of 1980 are considered qualified aliens. There is no 5-year waiting period for potential eligibility. This law defines a Cuban or Haitian Entrant as one of the following:

- Any national granted parole as a Cuban or Haitian Entrant (Status Pending) or granted any other special status. The status is established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time of assistance or when services are provided.
- Any other national of Cuba or Haiti who:
 - Was paroled into the US and has not acquired any other status under the Immigration and Nationality Act (INA)
 - Is the subject of removal proceedings under the INA
 - Has an application for asylum pending with the INA

As qualified aliens, Cuban or Haitian Entrants are potentially eligible for NA benefits indefinitely without a waiting period.

These noncitizens with less than 8 months in the US should be seen by the Refugee Unit only and should have a citizenship code of RE on IDCI. After 8 months, their citizenship code should be EA.

NOTE These noncitizens are not work eligible and therefore exempt from Jobs Program requirements.

When additional information regarding the participant's continued eligible status is needed, contact the US Immigration Automated Court Verification line, EIOR at (800) 898-7180.

A Cuban or Haitian entrant who is later granted Lawful Permanent Resident (LPR) status is potentially eligible for NA and CA based on their previous eligible status.

Cuban or Haitian nationals who are **not** classified as Entrants are granted Temporary Protected Status (TPS). An individual who is on TPS is permitted to remain temporarily in the US. On 05/22/2021, the Department of Homeland Security (DHS) granted TPS for Haitian nationals who reside in the US as of 05/21/2021. Cuban or Haitian nationals who are granted TPS are not eligible for NA or CA, unless they meet other qualifying criteria. (See [Qualified Noncitizens](#))

A Cuban or Haitian national granted TPS is not eligible for NA or CA benefits until they have been in a qualified status for 5 years.

NOTE The Haitian Family Reunification Parole program (HFRP) allows Haitian beneficiaries of family-based immigrants the opportunity to apply for a grant of parole for approximately two years while residing in the U.S with their family. Those approved for the HFRP program will be paroled into the U.S. as Cuban-Haitian entrants. This allows them to be eligible for NA benefits without a waiting period.

Legal References: 7 CFR §273.4(a)
7 CFR 273.4(a)(6)(i)(H)