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Updates on Immigration Relief Programs: CHNV Parole and TPS

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In March 2025, the Department of Homeland Security (DHS) made several changes to various immigration relief programs, which were enjoined in different federal district courts. More recently, the Supreme Court of the United States issued decisions allowing for the termination of several programs to proceed, including the termination of the 2023 Venezuela TPS designation. Similarly, the Supreme Court of the United States issued an order lifting a preliminary injunction by the US District Court for the District of Massachusetts that had stayed parts of the March 25, 2025, Federal Register notice titled, “Termination of Parole Process for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV).” On June 6, 2025, US Citizenship & Immigration Services (USCIS) announced that individuals whose parole is affected by the termination of the CHNV Parole Program and whose employment authorization is revoked will receive notifications in their myUSCIS accounts.

As background, on January 6, 2023, the Biden Administration opened a humanitarian parole program. This program allowed certain nationals from Cuba, Haiti, Nicaragua, and Venezuela (CHNV) to apply for entry to the US for temporary stays of up to two years due to urgent humanitarian reasons and heightened instability in these countries. All individuals admitted through the CHNV program needed to have a US-based supporter, pass security vetting, and meet other criteria. Parole is not an immigration status, but it did offer participants the ability to secure employment authorization. During the two-year parole period, individuals could seek humanitarian relief or other immigration benefits, if eligible, and work during that time. Similarly, there have been additional updates regarding the termination of Temporary Protected Status (TPS) designations for Venezuela, Haiti, Afghanistan, Nepal, and Cameroon. Many individuals who have entered the US through the CHNV Parole Program and TPS may have already applied for other forms of relief to allow them to stay in the US and apply for work authorization.

Employers should take strategic measures to ensure they have continuing good faith that their employees have valid work authorization, including:

1. Identify Impacted Employees: With frequent updates and changes to various immigration relief programs, employers may need to take quick action, including recent updates to TPS for Venezuela, Haiti, Afghanistan, Nepal, and Cameroon.

Employers may also wish to monitor approaching expiration for TPS workers, which may be sooner than initially expected dates. The following government website serves as the best source for updates: USCIS

Temporary Protected Status.

1. **CHNV:** Individuals who have entered under the CHNV category and provided copies of their Employment Authorization Document (EAD) cards for I-9 compliance typically have “C11” indicated on their EAD cards. These individuals should receive updates in their myUSCIS accounts.
2. **TPS Haiti Designation:** Individuals who have entered under the TPS category typically have “A12” or “C19” on their EAD cards. Haitians working in the US with TPS designation will lose their status effective August 3, 2025.
3. **TPS Venezuela Designation:** Individuals who have entered under the TPS category typically have “A12” or “C19” on their EAD cards. For Venezuelans, the TPS designation is more complex due to the 2021 and 2023 designations.
 - a. Venezuelans with TPS-related work authorization that expires October 2, 2026, but was issued after February 5, 2025, are no longer qualified to work in the US and must be terminated immediately.
 - b. Venezuelans with TPS-related work authorization that expires October 2, 2026, but was issued on or before February 5, 2025, continue to have valid work authorization during the litigation.
 - c. Venezuelans with the 2021 TPS designation will lose work authorization effective September 10, 2025.

2. Reach Out to Impacted Employees: Confirm whether they have updated work authorization documentation, which may be based on another pathway they have already applied for. If so, update the Form I-9.

3. Conduct Internal Audit and Compliance: Review and ensure I-9s are properly documented and in compliance.

4. Engage in Workforce Planning: While the number of impacted employees may not be high, as we continue to monitor changes and terminations of various relief programs, employers may want to take proactive measures to cross-train employees, assess recruitment strategies, and develop action plans for worksite enforcement.

As the immigration landscape continues to evolve, we will continue to monitor updates.

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