

Background

The Biden administration has used its [discretionary parole authority¹ to launch new programs](#) for certain nationals to grant them entry to and temporary stay in the United States. Building off the [Uniting for Ukraine](#) (U4U) and Process for Venezuelans parole models, the administration launched the [Processes for Cubans, Haitians, Nicaraguans, and Venezuelans](#) (P4CHNV) in January 2023. With US-based financial sponsors, valid passports, and the means to fly to the United States, these nationals are granted temporary status for two years and can apply for work authorization. Individuals in this process lack permanent legal protections, though they are able to apply for any potential relief, such as asylum or adjustment of status pursuant to the [Cuban Adjustment Act](#). [News reports](#) from May 2023 indicate that in the months since its launch in January, more than 1.5 million people applied for P4CHNV and over 100,000 individuals had arrived in the US.²

While welcome as part of a comprehensive regional migration and protection strategy, these parole programs and other pathways must complement but not come at the expense of access to asylum at the US-Mexico border. The administration presented P4CHNV as a tool to decrease the rising number of Cubans, Haitians, Venezuelans, and Nicaraguans arriving at the US southern border by providing a pathway for individuals to avoid the dangerous journey north while, at the same time, simultaneously expanding the use of Title 42³ to expel these nationals to Mexico without the opportunity to request asylum. Following the end of Title 42 on May 11, the Biden administration justified the implementation of a new [“asylum ban”](#) rule by the creation of new migration pathways, including P4CHNV.

For P4CHNV to become a more meaningful alternative protection pathway that facilitates access to asylum or other relief, the Department of Homeland Security (DHS) should improve its accessibility for vulnerable populations, including women and families. Drawing on the Women’s Refugee Commission’s (WRC’s) recent monitoring trips to Mexico where staff spoke with local shelter providers and dozens of women and families,⁴ this brief 1) details the barriers for accessing P4CHNV and 2) offers broader lessons for creating obtainable pathways for those outside the US to find protection here. In particular, in collaboration with international organizations, the Biden administration should leverage the new [Safe Mobility Offices](#) in Latin America as tools to increase the availability of P4CHNV for vulnerable populations who are nationals of those countries.

1 The Immigration and Nationality Act provides the Secretary of Homeland Security with the discretionary authority to parole noncitizens “into the United States temporarily under such reasonable conditions as [the Secretary] may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit.”

2 In response to the creation of P4CHNV, Republican attorneys general from 20 states filed a lawsuit challenging the process. [The trial is currently scheduled for August 2023.](#)

3 Title 42 is a provision of health law that was weaponized during the pandemic to deny people the opportunity to seek safety in the United States. Because its use was tied to the COVID-19 pandemic, the end of the public health emergency declaration on May 11, 2023 also terminated the basis for the use of Title 42 to quickly expel people seeking protection in the US back to Mexico or their countries of origin.

4 WRC traveled extensively to Mexico, mainly to the northern border, including to 1) Chiapas and Oaxaca in November 2022 2) Monterrey in January 2023 3) Ciudad Juarez and Piedras Negras in February 2023 and 4) Nogales, San Luis Rio Colorado and Mexicali in April 2023. WRC wishes to thank the dozens of CHNV women and families we spoke with who generously shared their knowledge, experiences, and potential eligibility for the parole program and Mexican shelter providers.

Recommendations to Overcome Barriers and Increase Accessibility

Barrier 1: Lack of information about P4CHNV

Based on WRC's monitoring trips, many nonprofit organizations and shelters in Mexico that host or assist people seeking asylum from Cuba, Haiti, Nicaragua, and Venezuela have reported limited and at times no knowledge of P4CHNV and its requirements. WRC spoke with some women and families in southern Mexico and northern Mexico border cities who could be potentially eligible for the process but were either not informed about P4CHNV's existence or did not understand its requirements or benefits. For example, WRC spoke to a woman named Sandra,* who had traveled through Panama's notoriously dangerous Darien Gap and arrived in Mexico in early October 2022, suffering numerous assaults along the way. Sandra had a valid passport and distant family members in the US, but she had not heard about the parole program. Additionally, many women and families were confused about the difference between P4CHNV and the [CBP One](#) scheduling system for appointments to enter the US at ports of entry.

Recommendation: The US Department of State should work with international organizations and local nonprofit service providers to improve the targeted dissemination of information about the P4CHNV and support in the application process, including through the Safe Mobility Offices.

Barrier 2: Demand is significantly higher than the allotted 30,000 slots and wait times are long

While U4U has no numerical limit, DHS capped the number of individuals it will approve for advanced travel authorization for P4CHNV at 30,000 a month, totaling up to 360,000 individuals per year.⁵ Reports indicate that [1.5 million individuals applied for the program](#) during the first few months, including more than 580,000 pending applications for Haitians, over 380,000 applications for Cubans, almost 120,000 for Venezuelans, and over 20,000 for Nicaraguans since the end of April 2023.

While DHS has not provided public data on approved advanced travel authorizations,⁶ CBP data shows that fewer than 30,000 have arrived in the US each month since the launch of P4CHNV. CBP [paroled 11,637 individuals](#) of the four nationalities in January, [22,755 in February](#), [27,783 in March](#), and [28,738 in April](#). The number of monthly applications for P4CHNV has been so high that USCIS [began doing a lottery](#), where half of the people are approved based on the initial date when they submitted their application and half are selected at random. DHS made this change in an attempt to maintain a "meaningful and equitable opportunity" for individuals to move forward with the process. However, due to the high demand and the lottery system, vulnerable women and children can be stuck waiting months in this process.

Recommendation: To ensure a meaningful and equitable process, the Department of Homeland Security should 1) raise the monthly cap on advanced travel authorizations, 2) approve a greater number of advanced

5 P4CHNV is contingent on the Mexican government's acceptance of the return of 1,000 CHNV nationals to Mexico per day. The US government previously struggled to deport CHNV nationals directly to their countries of origin due to [strained diplomatic relations](#) with Cuba, Venezuela, and Nicaragua, and on-the-ground [conditions in Haiti](#). Initially these returns took place under Title 42, and following May 11th, returns to Mexico occur under a [single instance of voluntary return](#) (meaning that upon subsequent attempts someone will be subjected to expedited removal) or under U.S. immigration laws following the [expedited removal process](#). WRC is concerned that the Biden administration continues to return non-Mexican nationals to Mexico, where many face insecurity, uncertain immigration status, discrimination, and danger.

6 Advanced travel authorizations from CBP are generally [available for 90 days](#) so individuals are able to travel at any point during that time period.

* Name changed to protect her identity.

travel authorizations per month to ensure that 30,000 individuals arrive in the US monthly as part of P4CHNV, and 3) allocate a percentage of slots to vulnerable individuals who are referred by international organizations and local NGO partners.

Barrier 3: Lack of valid passports

Many vulnerable individuals—including the vast majority of the Cuban, Haitian, Nicaraguan, and Venezuelan women whom WRC spoke with in Mexico—lack valid passports, which is a requirement for the process.

Due to gender inequities, women in particular face heightened struggles in [accessing identification](#). The [gender income gap](#) in the region makes it more difficult for women to amass savings needed to pay for the costs of passport processing, including the processing fee and supplemental documentation).⁷ For women who have [suffered gender-based violence](#), they may be unable to secure passports before migrating due to the prolonged time it would require they spend in proximity to their abusers. Women who have left their countries—such as Venezuelans who have migrated to Colombia or [Haitians who emigrated to Chile and Brazil](#)—may have had children during their migration journey, which adds other complexities in acquiring passports as parents and children may hold different nationalities.

In addition, individuals and families with a [fear of persecution](#) do not have valid passports⁸ due to fear of approaching their own government’s consulates. For example, one Nicaraguan family WRC spoke with in Nogales was threatened due to perceived political ties and was afraid to approach the Nicaraguan consulate for a passport before fleeing the country.

In particular, a large portion of Venezuelans [lack passports](#)—both within Venezuela and those who have migrated to another Latin American country or those who WRC spoke with in Mexico. Venezuelan passports cost \$200, far above Venezuela’s [monthly minimum wage of US\\$6](#).

Venezuela’s passport appointment website is known to be dysfunctional, with individuals waiting months or even years and resorting to pay fixers expediting fees—often subjected to corruption— that cost hundreds of dollars. Additionally, [in Haiti](#), passport processing capacity has been [strained](#) and wait times are long.

Recommendation: The Department of State and Department of Homeland Security should work, including via the Safe Mobility Offices, to provide vulnerable individuals with alternative travel documents or mechanisms or the U.S. government should eliminate the passport requirement altogether for P4CHNV.

Barrier 4: Lack of US-based financial sponsor

To be eligible for P4CHNV, individuals must have a US-based sponsor with legal immigration status and the financial means to receive and support the individual for the two-year parole period. Many women and families with protection needs do not have close connections in the US that fulfill the sponsorship requirements, making them ineligible or vulnerable to [exploitative scams](#). While the USCIS website notes that access to the process is free and sponsors as well as beneficiaries should be wary of anyone who asks for money to participate in the process, [scams](#) have popped up via Facebook or WhatsApp to charge potential beneficiaries in exchange for sponsorship.

7 WRC would also like to thank Catalina Revollo from CORE Latin America for her insights.

8 International and US refugee and asylum law requires that an applicant be unable or unwilling to avail themselves of the protection of their country of origin because of a well-founded fear of persecution. Were CHNV women or families to obtain passports in order to qualify for parole and then later seek more durable protection, like asylum, in the US, US immigration authorities could consider their obtaining passports as contradicting their claims that their governments cannot or will not protect them.

To address this barrier, a recently-founded initiative, [Welcome.US](#), launched [Welcome Connect](#)—a platform that connects potential beneficiaries to sponsors. The platform was initially created to support U4U in 2022 and expanded to support P4CHNV in February 2023. Currently, people seeking a sponsor can [register on the platform](#) on the third Tuesday of every month. However, due to the high volume of registrations, Welcome Connect has not been able to [meet the demand](#) of individuals in need.

Recommendation: 1) The Biden administration should work with Welcome.US in increasing the number of US-based sponsors registered via Welcome Connect, 2) The State Department should work with international organizations and nonprofits to provide information to vulnerable individuals about Welcome Connect and support them signing up for the the platform, including at the new Safe Mobility Offices.

Barrier 5: Eligibility cutoff date based on irregular entry or interdiction at sea

Nationals from Cuba, Haiti, Nicaragua, and Venezuela are also ineligible for the parole program if they irregularly entered the United States, Panama, or Mexico after specified cutoff dates, which is October 19th, 2022 for Venezuelans and January 9th, 2023 for Cubans, Haitians and Nicaraguans. There is an exception for single instances of voluntary departure⁹ to Mexico. In addition, Cubans and Haitians [interdicted at sea](#) after April 27, 2023 are also ineligible. In contrast, Uniting for Ukraine does not have these restrictive requirements and allows Ukrainians to apply for the parole process from any third country.

Overall, the cutoff date restriction has not worked as a [meaningful deterrent](#) and instead only limits access for vulnerable individuals. Many of the women and families WRC spoke with were ineligible for P4CHNV because they crossed irregularly via Panama's Darien Gap and arrived in Mexico following the cutoff dates or they have crossed the US southern border and been expelled under Title 42. The lack of information on the P4CHNV in the region as well as other factors—such as immediate security concerns, including gender-based violence—may lead otherwise eligible individuals to be forced to migrate to the US-Mexico border, and in doing so render them automatically ineligible for P4CHNV in the future. WRC only spoke with a small number of individuals in Mexico who arrived in Mexico before the cutoff date and had been waiting for an opportunity to seek protection in the US.

Recommendation: The Department of Homeland Security should eliminate the cutoff date for P4CHNV so that vulnerable people are eligible for the process, while also ensuring access to asylum at the US-Mexico border.

Conclusion

As the Biden administration expands its regional approach towards migration and protection and creates new pathways, the P4CHNV offers valuable lessons on what is needed to create accessible and meaningful pathways. Crucially, any regional pathway must supplement—but not replace—access to asylum at the US-Mexico border. The administration must work with international organizations to ensure that information is disseminated widely to local nonprofit organizations and target populations to ensure that eligible individuals are aware of the program's existence, requirements, and benefits. Restrictive requirements such as valid passports, US-based financial sponsors, and cutoff dates hinder access for vulnerable populations and the administration should eliminate these requirements or at the very least, consider alternatives. Finally, to avoid lengthy, uncertain wait times, the administration should aim for the number of slots available for a pathway to meet the demand.

⁹ Individuals permitted a single instance of voluntary departure pursuant to INA section 240B, [8 U.S.C. 1229c](#) or withdrawal of their application for admission pursuant to INA section 235(a)(4), [8 U.S.C. 1225\(a\)\(4\)](#) will remain eligible.

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Women's Refugee Commission

The Women's Refugee Commission (WRC) improves the lives and protects the rights of women, children, and youth who have been displaced by conflict and crisis. We research their needs, identify solutions, and advocate for programs and policies to strengthen their resilience and drive change in humanitarian practice. Since our founding in 1989, we have been a leading expert on the needs of refugee women, children, and youth and the policies that can protect and empower them. womensrefugeecommission.org.

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