

Parole Sponsorship Is a Revolution in Immigration Policy

BY DAVID J. BIER

The U.S. government has recently launched multiple novel migration initiatives through which Americans may sponsor Ukrainians, Cubans, Haitians, Nicaraguans, and Venezuelans for a temporary U.S. residence known as parole. Parole allows the beneficiaries to travel to the United States legally and live there legally for at least two years. Sponsors must show financial assets and income sufficient to support the beneficiaries. The parole sponsorship processes have decreased migration from these five countries to the U.S.-Mexican border.

This policy has transformed migration to the United States. By July 2023, parole had already redirected about 316,000 people away from long, perilous treks through Mexico and into a legal framework to fly directly from their home countries or third countries to the United States. The parole sponsorship processes have accomplished these early positive results mainly because they have relatively open eligibility criteria and because the government initially expedited their adjudications.

Unfortunately, some features of the processes have

stymied the initial progress, and a backlog of about 1.7 million applicants has developed. The government also failed to cover the costs of parole processing because it exempted sponsors and parole applicants from fees usually charged to other travelers, leading to delays in adjudication. Even if resources were sufficient, the government has capped approvals for Cuba, Haiti, Nicaragua, and Venezuela at just 30,000 per month, making extremely long waits inevitable. Removing the cap and charging a fee would permit expansion to other countries where a legal avenue is sorely needed.

BACKGROUND ON PAROLE AUTHORITY

Parole-like authority has existed in some form in immigration law since at least the passing of the Immigration Act of 1917,¹ and it was codified under the name “parole” in the Immigration and Nationality Act of 1952.² The authority to parole someone into the United States comes from Section 212 of the Immigration and Nationality Act, which allows the



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Table 1

Parole processes, availability by country and years

Country	Years
Hungary	1956–1957, 1989–1990
The Philippines	1959–1974, 2016–present
Middle Eastern and communist Eastern European countries	1960–1965
Cuba	1960–present
China	1962–1965, 1990
Turkey (Russian Orthodox)	1963
Czechoslovakia	1970
Soviet Union	1971–1972, 1977–1980, 1988–2014
Uganda	1972
Chile, Uruguay, and Bolivia	1975–1980
Haiti	1980, 1991, 2010–present
Vietnam and Laos	1975–1980, 1989–1999
Cambodia	1975–1980, 1986–1999
Poland	1989–1990
Iraq	1996
Guatemala, Honduras, and El Salvador	2014–2017, 2021–present
Afghanistan	2021
Ukraine	2022–present
Venezuela	2022–present
Nicaragua	2023–present
Colombia	2023–present

Source: David J. Bier, “126 Parole Orders over 7 Decades: A Historical Review of Immigration Parole Orders,” *Cato At Liberty* (blog), Cato Institute, July 17, 2023.

secretary of the Department of Homeland Security (DHS) to waive the normal restrictions on entry for “urgent humanitarian reasons or significant public benefit.”³ The statute gives the secretary the discretion to define the meaning of these vague terms and to grant or not grant parole to those who meet those standards on a case-by-case basis. It also allows the secretary to impose “such conditions as he may prescribe” on any grant of parole, including a requirement to be sponsored.⁴

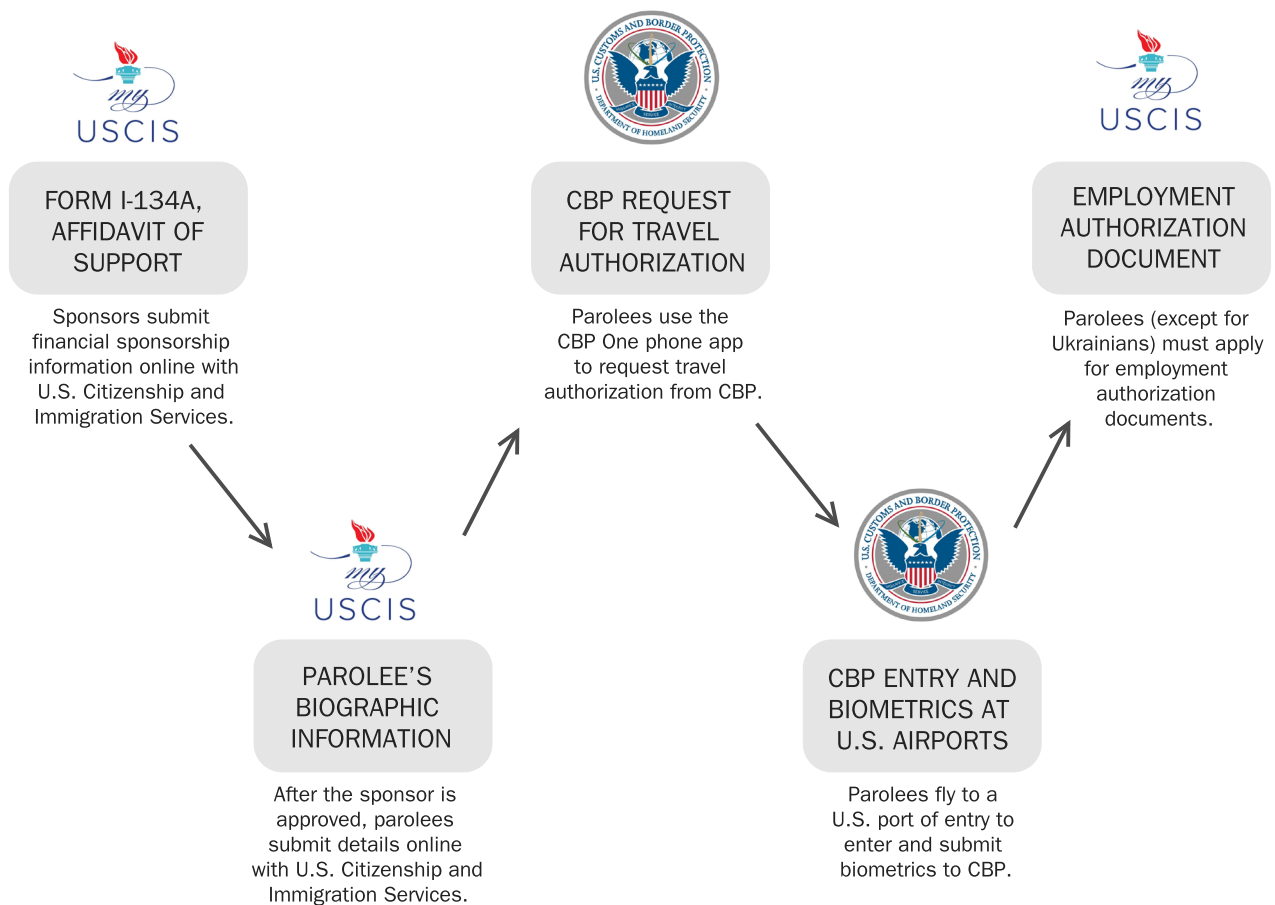
Parole is temporary, but the statute imposes no specific length regarding when it must terminate, and many parole grants have historically been indefinite or allowed renewals for as long as a concern exists about the person returning to their home country.⁵ Parole allows someone to enter the United States legally and to receive employment

authorization. However, parole status alone does not provide any direct way to become a legal permanent resident or U.S. citizen. In theory, anyone in the world may apply for parole, but the government adopted rules that generally restricted the definitions of “urgent humanitarian” and “significant public benefit” to reasons that, although common, would not permit migration in response to a major crisis. These reasons include medical emergencies, legal proceedings, and a relative’s death.⁶

At times, however, the government has also expanded access to parole in response to issues in specific countries or populations, issuing parole orders to specific categories at least 126 times from 1952 to 2023.⁷ Table 1 lists several nationalities that were the targets of specific parole orders. Sponsorship has also been used as a prerequisite for parole.

Figure 1

Parole sponsorship process for Ukrainians, Cubans, Haitians, Nicaraguans, and Venezuelans



Source: "Processes for Cubans, Haitians, Nicaraguans, and Venezuelans," U.S. Citizenship and Immigration Services, updated July 12, 2023.

Note: CBP = Customs and Border Protection.

Charitable organizations sponsored Hungarian parolees in 1956 and 1957 after the failed revolution there.⁸ In many other cases, parole was used for those who were sponsored by U.S. citizen relatives and who could not immediately receive an immigrant visa under the annual visa caps. In a process similar to those started recently, Soviet Jews were required to obtain individual sponsors to receive parole in 1989.⁹ Sponsors submitted affidavits of support attesting to their willingness to sponsor the Jewish immigrants during their stay in the United States.¹⁰

NEW PAROLE SPONSORSHIP PROGRAMS

On April 27, 2022, following Russia's invasion of Ukraine, the DHS created a new category of parole eligibility for

Ukrainians with U.S. sponsors called *Uniting for Ukraine*. On October 19, 2022, it created a very similar program for sponsored Venezuelans called the *Process for Venezuelans*, and on January 6, 2023, it merged the Venezuelan program with new processes for Cubans, Haitians, and Nicaraguans, collectively known as the CHNV (Cuban, Haitian, Nicaraguan, and Venezuelan) parole process.¹¹ The administration cited both the urgent humanitarian needs of those from these countries (e.g., war, violence, economic crisis, political turmoil, etc.) and the significant public interest that would accrue from directing people away from illegal migration.

The parole sponsorship process is outlined in Figure 1. Sponsors submit financial information via an I-134A form to U.S. Citizenship and Immigration Services (USCIS), a DHS agency. If the sponsor is approved, the parolee submits

Table 2

Parole sponsorship's parolee requirements

Requirement	Applies to
Is a citizen of Ukraine, Cuba, Haiti, Nicaragua, or Venezuela	All
- Resided in Ukraine on February 11, 2022, and was displaced as a result of the invasion	Ukraine
- Is not subject to a bar on entry based on a removal order and has not illegally entered Mexico, Panama, or the United States since the start of the country's program	CHNV
- Flies to a U.S. airport	CHNV
- Has no permanent or refugee status in another country	CHNV
- Is selected under the 30,000 monthly cap	CHNV
Possesses unexpired passport valid for international travel	All
Is over age 18 (unless a dependent traveling with family)	All
Clears biographic and biometric security checks	All
Attests to having obtained U.S.-required vaccinations	All

Sources: "Uniting for Ukraine," U.S. Citizenship and Immigration Services, updated July 12, 2023; and "Processes for Cubans, Haitians, Nicaraguans, and Venezuelans," U.S. Citizenship and Immigration Services, updated July 12, 2023.

Note: CHNV = Cuba, Haiti, Nicaragua, or Venezuela.

biographic information to USCIS and then requests travel authorization from Customs and Border Protection (CBP), another DHS agency. After flying to the United States, CBP authorizes entries and status valid for up to two years, though the government can extend this period. The government may also provide Temporary Protected Status—a status reserved for noncitizens already inside the United States—to parolees before their two years expire, which it has already provided to Ukrainians.¹²

Table 2 shows the requirements for parolees to participate. Besides the cap for CHNV applicants, the most common difficulty is obtaining a valid passport, which can be expensive and time-consuming in these countries, and it may also be impossible for some people if they have already fled the country. If an applicant meets all the requirements, CBP will grant parole only on a case-by-case basis accounting for all relevant factors—including security, criminal history, migration history, and so forth—to the primary beneficiary as well as to the spouse and minor child if the U.S. sponsor files for them as well. This means that applicants can be denied even if they meet all the requirements; though, reportedly this happens rarely.

Table 3 shows the requirements for sponsors. Multiple individuals can pool resources to file an I-134A if they meet the other requirements.¹³ Businesses may use their assets or income to support the sponsorship by a named sponsor.

Technically, the rules list no specific income or asset threshold to sponsor, but the general principle outlined in other areas of immigration law is that sponsors must have incomes or assets equal to or exceeding the federal poverty threshold for a household size that includes all the individuals they have sponsored.¹⁴ For example, a household of four sponsoring a household of four would need to provide evidence of income of \$50,560 in 2023.¹⁵

Some potential sponsors are concerned about the seemingly open-ended liability that an I-134A imposes on them to care for the parolee. Courts have held that the I-134A is not a legally binding contract between the sponsor and the parolee or the government,¹⁶ and past agency statements support this view.¹⁷ But USCIS has implied that failure to fulfill the I-134A requirements might be fraud,¹⁸ and the form's strong attestation language puts the sponsor in a position where they will want to avoid any risk and meet their obligations.

Regardless, the I-134A still serves three important purposes: establishing that the sponsor and beneficiary have agreed to the sponsorship conditions, that mutually agreed-upon plans to meet the beneficiary's needs were made before authorizing travel, and that the sponsor could meet the beneficiary's needs if called upon. Most sponsors have a personal connection to the parolee, giving them a personal stake in the outcome.¹⁹

Table 3

Parole sponsorship’s U.S. sponsor requirements

Requirement
Have U.S. citizenship, permanent residence, parole, or other lawful U.S. status
Demonstrate assets or income sufficient to financially support the parolee, if necessary, at about the poverty line for a household size that includes the sponsor’s household and all sponsored individuals
Submit a bank statement from the officer of a U.S. bank or other financial institution, a letter of employment, and copies of U.S. federal tax returns that demonstrate sufficient income or assets
Submit an affidavit of support on a form I-134A attesting to a willingness to “receive, maintain, and support the beneficiary for the duration of their temporary stay,” including by finding them (if necessary) health care, housing, and employment
Clear security checks

Sources: “Uniting for Ukraine,” U.S. Citizenship and Immigration Services, updated July 12, 2023; and “Processes for Cubans, Haitians, Nicaraguans, and Venezuelans,” U.S. Citizenship and Immigration Services, updated July 12, 2023.

PRIVATE SPONSORSHIP WORKS IN PRACTICE

Parole sponsorship has played out in many different specific arrangements. Some sponsors put up the parolees in their own homes while seeking other housing for them. One woman in Massachusetts housed 11 parolees at once.²⁰ Others only cosign a lease to help them rent an apartment. In many cases, parolees already have family who can house them or a job lined up and need a financial sponsor only for legal purposes.²¹ Sponsors sometimes pay for other needs, such as cars or other transportation, so that the parolees can find jobs.²² Some sponsors pay for airfare, but most parolees appear to cover this cost.²³

Once they are settled, some parolees seek employment, while others try to complete their education.²⁴ Sometimes the need to obtain U.S. certifications slows them down,²⁵ but they can often work while they finish their studies or training. One parolee said, “The United States is the only country [where we] could go with no English and immediately get a job.”²⁶ Workers are in such demand that some companies are directly using their finances to sponsor applicants, such as those in the North Dakota oil industry.²⁷ Some companies shut out of the H-2B visa program have turned to parole sponsorship to bring over workers.²⁸

If these parolees assimilate to the same employment level as their longer-settled conationals, parole will have added about 650,000 new workers to the U.S. labor force by July 2025.²⁹ The largest portion (20 percent) of immigrants from these countries worked in educational or health services in March 2022. This employment increase would add roughly \$25 billion to the economy each year.³⁰

PAROLE PROCESSING

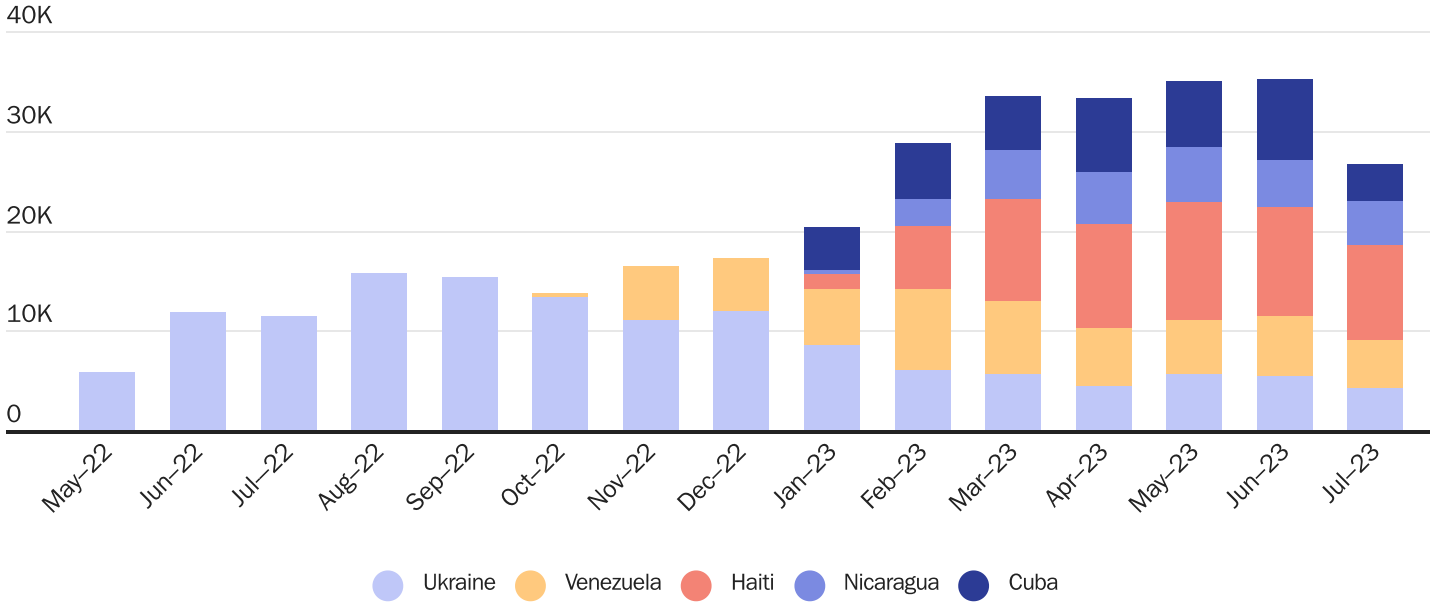
The Uniting for Ukraine parole process has no cap or numerical limit on sponsorships or beneficiaries. As of July 2023, about 135,000 Ukrainians have entered the United States through the parole process, with arrivals peaking in the summer of 2022 (Figure 2). By contrast, the CHNV processes have a cap of 30,000 parolees per month, with actual arrivals coming in below that amount in July 2023. Cumulatively, as of July 2023, about 181,000 Cubans, Haitians, Nicaraguans, and Venezuelans had entered legally through this process for a total of 316,000 parolees.³¹ Ukraine has accounted for 43 percent of all parole arrivals since May 2022. But in July 2023, 84 percent of the arrivals came from Cuba, Haiti, Nicaragua, and Venezuela and only 16 percent from Ukraine.

Despite the CHNV process’s size, the cap of 30,000 approvals per month has created a massive backlog of sponsorship applications. According to media reports, the CHNV backlog had reached 1.1 million at the end of April 2023. Figure 3 shows the breakdown of that reported backlog by country: about 580,000 Haitians, 380,000 Cubans, 120,000 Venezuelans, and 20,000 Nicaraguans. At the end of April 2023, USCIS was still receiving 12,000 applications per day but approving fewer than 1,000. This pace has since slowed, but the backlog still reached about 1.7 million at the end of July 2023.

This backlog implies that applicants at the end of the line and those applying in August 2023 and after will wait an average of over four and a half years to receive parole under the current cap. For this reason, CHNV applicants are not processed on a first-come, first-served basis. Instead, half the CHNV applicants are now processed from the end of the line, while the other applicants are selected randomly from all

Figure 2

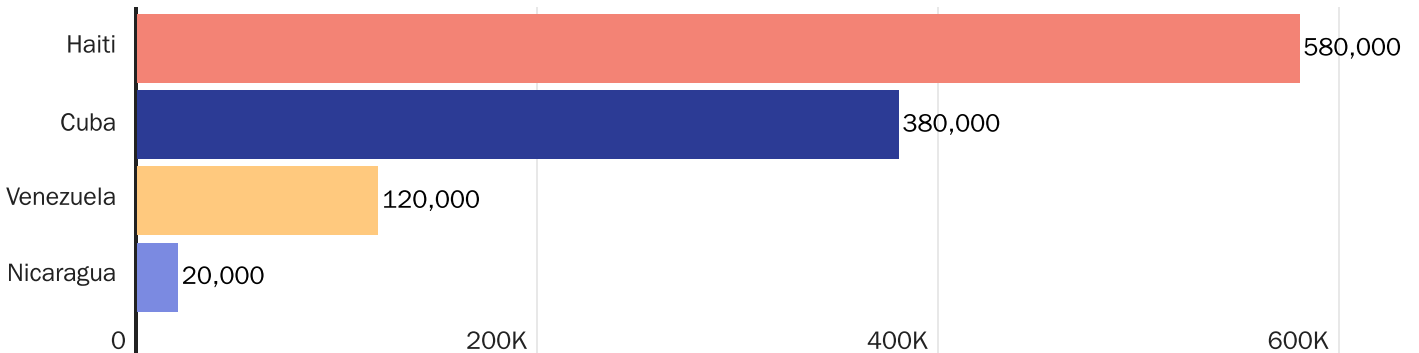
Parole sponsorship arrivals by month and country, January 2022–July 2023



Source: “Nationwide Encounters,” Customs and Border Protection, last updated August 28, 2023.
 Note: Data are estimated based on inadmissibles at airports minus the average number of inadmissibles at airports preprogram.

Figure 3

Parole sponsorship backlog by country, April 30, 2023



Source: Camilo Montoya-Galvez, “1.5 Million Apply for U.S. Migrant Sponsorship Program with 30,000 Monthly Cap,” CBS News, updated May 22, 2023.

those waiting.³² This creates positive press stories from the applicants who receive processing much more quickly than the average applicant while preventing the longest-pending applicants from potentially waiting indefinitely.

PAROLE SPONSORSHIP’S EFFECTS ON BORDER MIGRATION

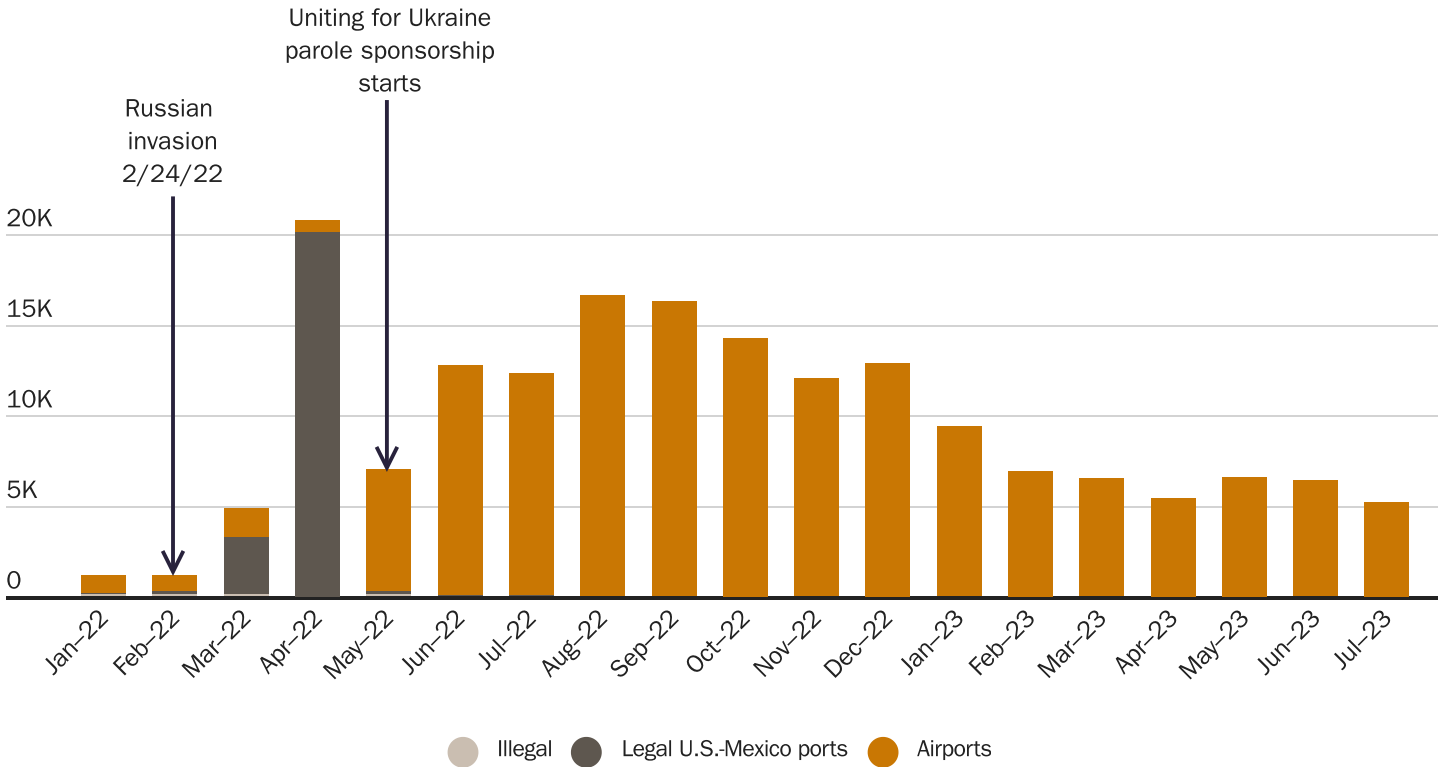
The DHS created the Uniting for Ukraine process to allow Ukrainians displaced by Russia’s invasion to enter the United States in a “safe, legal, and orderly”

manner.³³ Immediately following the Russian invasion in February 2022, more than 23,000 Ukrainians entered the United States at land crossing points with Mexico.³⁴ These individuals were granted parole for one year.³⁵ But although they entered legally, it took resources to process them away from other border priorities, and Ukrainians had to endure waiting times in dangerous Mexican border cities.³⁶ Even before the invasion, hundreds of Ukrainians who would have been inadmissible without parole or asylum had arrived at the southwest border.

But after the creation of the Uniting for Ukraine process,

Figure 4

Ukrainians' locations of entry for parole, January 2022–July 2023



Source: "Nationwide Encounters," Customs and Border Protection, last updated August 28, 2023.

Note: Data are estimated based on inadmissibles at airports minus the average number of inadmissibles at airports preprogram.

the number of Ukrainians arriving at the southwest border plummeted by 99.9 percent from April 2022 to June 2023. Even compared with the preinvasion levels, the numbers fell 90 percent—85 percent for illegal crossers and 92 percent for legal crossers. Figure 4 shows that the decline occurred mainly in the same month Uniting for Ukraine was implemented (May 2022).

At the same time as Uniting for Ukraine was implemented, the DHS stated that undocumented Ukrainians who arrived at the southwest border after the parole process was created could be expelled under the Title 42 health code expulsion policy. In fact, only 15 percent of the small number of Ukrainians who subsequently came to the southwest border were, in fact, expelled in 2022, and only 8 percent in 2023.

The parole process was the reason for the decline in southwest border arrivals, not Title 42. Unlike paroles at the U.S.-Mexican border, Uniting for Ukraine allowed the government to conduct vetting and ensure that Ukrainians

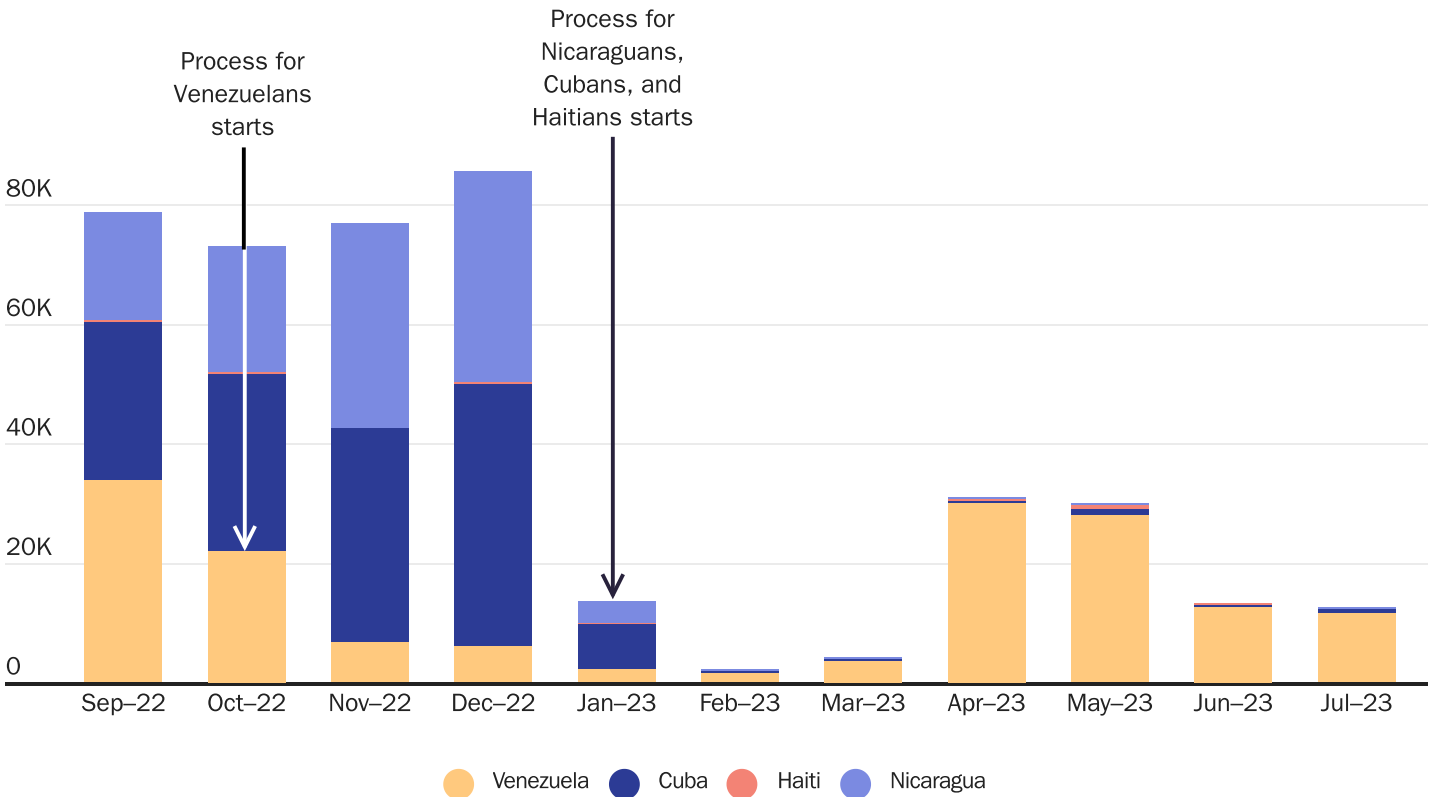
had travel arranged to their final destinations before their entries. Figure 4 shows that it also moderated flows, bringing down the numbers from the peak and spacing them out over several months.

The goal of the CHNV process was similar but focused on reducing specifically *illegal* crossings rather than southwest border entries generally. By this standard, the process has succeeded. As Figure 5 shows, illegal entries from Venezuelans fell 66 percent from September 2022 to July 2023. From December 2022 to July 2023, illegal entries from Haitians fell 77 percent; from Cubans, 98 percent; and from Nicaraguans, 99 percent. It is worth noting that Haitian illegal entries were already well under control by late 2022 because nearly all were already being paroled in a separate unsponsored parole procedure at southwest land ports of entry. As of July 2023, all CHNV arrests were down 90 percent from their peaks in 2021 and 2022.

Because arrivals have remained far lower than before, the sponsorship processes alone may have deterred

Figure 5

Cubans, Haitians, Nicaraguans, and Venezuelans arrested crossing illegally, September 2022–July 2023



Source: “Nationwide Encounters,” Customs and Border Protection, last updated August 28, 2023.
 Note: Data are estimated based on inadmissibles at airports minus the average number of inadmissibles at airports preprogram.

about three-quarters of a million illegal entries from all four countries through July 2023. This is four times as many unlawful entries prevented as legal entries permitted under the process.³⁷ Combined with the other parole process at the U.S.-Mexican border (now called CBP One), parole has transformed most migration from these countries from mostly illegal to mostly legal in less than a year (Figure 6). CHNV border crossers went from accounting for 38 percent of Border Patrol arrests in September and December 2022 to only 9 percent in July 2023.

Although Mexico simultaneously agreed to accept back some CHNV crossers arrested by the U.S. Border Patrol, Mexico actually accepted only 31 percent of CHNV crossers who entered between February and May 2023.³⁸ The only reason the percentage was not lower was because total illegal migration remained so low. This implies that parole deserves more credit than the expulsion policy. Indeed, many Venezuelans who entered in April and May 2023 expressed that they felt the need to enter when they did exactly

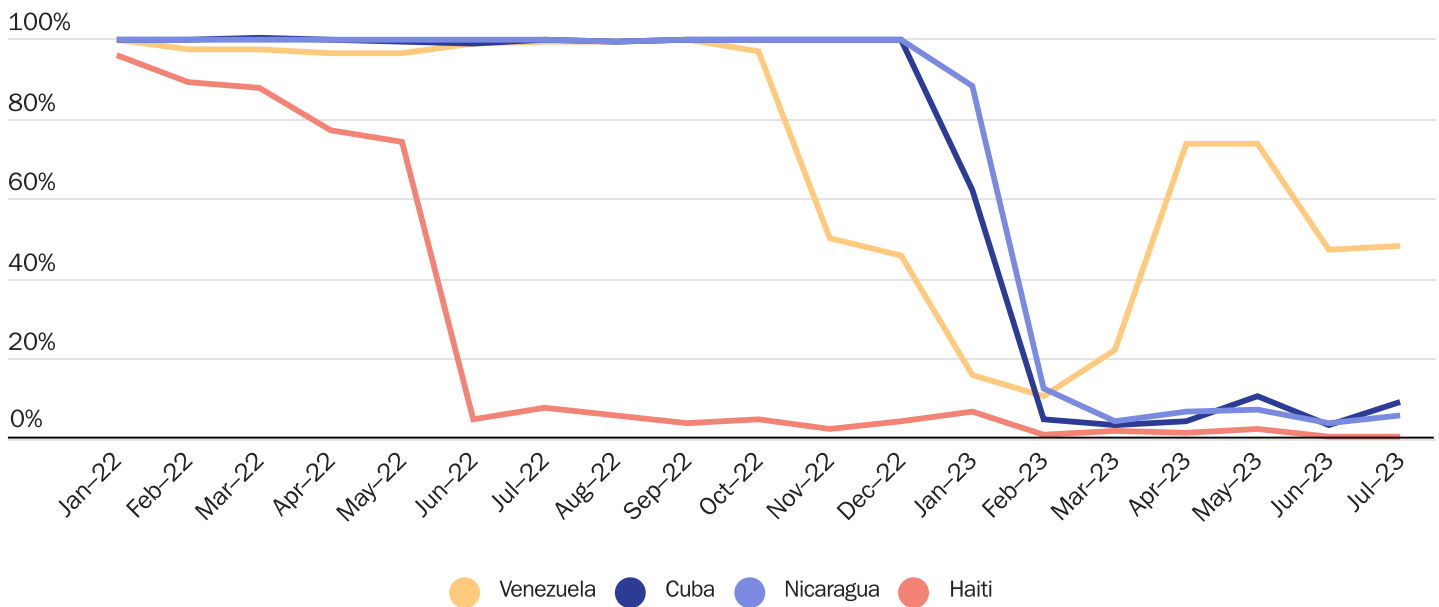
because Title 42 was ending,³⁹ and they were disqualified from parole sponsorship for entering Mexico illegally.

WHY PAROLE SPONSORSHIP WAS INITIALLY SUCCESSFUL

The CHNV and Uniting for Ukraine parole processes were primarily successful because they rapidly approved applicants for legal travel to the United States.⁴⁰ Several policy choices enabled the rapid approval of applicants. Unlike most other immigration applications, the DHS adopted an entirely online filing process that rapidly screened and approved parole sponsors and parolees. Security screening followed the streamlined procedures used at the U.S.-Mexican border, and applicants were only required to submit biometrics upon landing at a U.S. airport, which removed a significant delay in other migration processes while still allowing for biometric verification of a person’s identity and background. Some parolees were approved in a day.⁴¹

Figure 6

Share of Cubans, Haitians, Nicaraguans, and Venezuelans entering illegally, measured as a percent of total Customs and Border Protection encounters, January 2022–July 2023



Source: “Nationwide Encounters,” Customs and Border Protection, last updated August 28, 2023.

Both processes adopted presumptions in favor of approval and declined to demand evidence for every single eligibility criterion, which reduced the burden on adjudicators reviewing the applications. For instance, Ukrainians simply had to attest that they were in Ukraine before the invasion rather than find evidence of their precise location on February 24, 2022—an arduous undertaking for people displaced by an invasion. Initially, limiting reviews to the essential components of the application allowed for approvals to occur in about five weeks on average rather than months or years.⁴² This made applicants from these countries feel confident that they would receive approval quickly and avoid the trip to the U.S.-Mexican border.

As a result of the quick procedures, the first approvals occurred within a week of the processes being announced, compared with the multiyear-long process for permanent legal immigration for the limited few who are even eligible for those routes.⁴³ In addition to the time saved, the parole process also greatly reduced the costs of migrating for most immigrants, which used to cost thousands of dollars to pay for flights or travel through multiple countries to the U.S.-Mexican border—all while risking shakedowns from criminals and government officials.⁴⁴ The broad accessibility

of these pathways and the quick adjudications directed people to seek sponsors and apply to enter legally rather than go to the U.S.-Mexican border.

CHALLENGES AND OPPORTUNITIES FOR SPONSORSHIP REFORM

Unfortunately, the success of parole sponsorship is now in jeopardy. The 30,000 cap on CHNV approvals has created such a long backlog (about 1.7 million now) that it has nearly shuttered the program to new applicants. With a near guarantee that they will not be processed for nearly five years, many asylum seekers from these countries who would otherwise have applied to enter legally will start crossing illegally again, which is a less assured but far quicker path to U.S. entry.

One reason for the cap is the cost of adjudicating applications. Applicant fees, not Congress, provide nearly all USCIS funding, yet the government exempted the usual \$575 fee for parole requests for the CHNV and Uniting for Ukraine processes,⁴⁵ and Uniting for Ukraine applicants are also exempt from paying the \$410 fee for employment authorization documents.⁴⁶ USCIS also has a process to allow case-by-case fee waivers for other parolees’ employment

authorization documents. These lost fees prevented the agency from receiving at least \$220 million in revenue to hire officers to adjudicate the applications, and now the agency is running up against financial constraints on expanding the cap. According to the USCIS Ombudsman 2023 report, “Implementing these humanitarian parole programs without additional funding puts a strain on the agency’s resources.”⁴⁷ Resource constraints may explain the 25 percent decline in arrivals in July 2023.

The DHS should charge the standard parole fee to cover the adjudication cost. This imposition is minor compared with fees commonly charged by cartels at the U.S.-Mexican border. Moreover, removing the requirement for employment authorization documents for parolees to work legally can offset the cost. This would save parolees money after they arrive and let them work much sooner. Congress has already mandated that Ukrainian parolees receive immediate work authorization without an additional document, but the DHS has the independent authority to allow other parolees to work incident to status, using their parole documents as proof of employment authorization.⁴⁸

Finally, once the process has better financial backing, it should be expanded to additional countries. In particular, the top countries of origin for illegal crossers should benefit

from similar processes—namely, Brazil, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, and Peru. A similarly significant reduction in illicit entries for these eight nationalities would reduce Border Patrol arrests by 93,000 as of July 2023, bringing it down by 70 percent to a logistically manageable level for the first sustained period in many years.

CONCLUSION

The U.S. government’s parole sponsorship processes build on a long tradition of using parole to respond to immigration crises. The processes have redirected many migrants away from risky journeys through Mexico into a lawful framework. By allowing sponsors to financially support beneficiaries, the programs have facilitated safe and orderly migration, reducing the strain on government resources. However, insufficient funding and a low cap have hampered the initial progress of the programs. Despite these hurdles, the potential benefits of expanding the processes to more countries and implementing cost-recovery measures offer opportunities for future reform. As the parole sponsorship initiatives evolve, they illustrate the potential for creative policy solutions to address humanitarian and security concerns while shaping migration flows in a more controlled and legal manner.

NOTES

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3. 8 U.S.C. § 1182(d)(5)(A) (2022).
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