



Legislation Text

File #: Res 0606-2023, **Version:** *

Res. No. 606

Resolution calling on Congress to pass, and the President to sign, legislation updating the Cuban, Haitian, Nicaraguan, and Venezuelan parole program to allow parolees to work in the United States without waiting for their I-765 applications for employment authorization to be approved, and for the President to take executive action granting or extending temporary access to work permits to asylum seekers currently residing in the United States who are ineligible for the parole program.

By Council Members Ayala, Cabán, Restler, Hanif and Riley

Whereas, New York City has seen a significant influx of asylum seekers over the last year; and

Whereas, Over 53,000 asylum seekers have come to New York City as part of this influx with over 33,400 people still in the city's care in shelters and HERRCs across the five boroughs; and

Whereas, After an asylum seeker enters the United States, they have one year from their date of entry to submit an asylum application; and

Whereas, After an asylum application is properly filed, an asylum seeker has to wait 150 days before they can submit an I-765 application for employment authorization; and

Whereas, Once an I-765 application is submitted, the applicant must wait for approval from the United States Citizenship and Immigration Services (USCIS) before they are able to legally work in the United States; and

Whereas, Asylum seekers and immigration advocates in New York City indicate the process to file an initial asylum application has become more complicated and often takes longer than the year currently allotted and delays opportunities to apply for work authorization; and

Whereas, In 2017 the I-765 application was one page long and now it is seven pages; and

Whereas, Once a work authorization application is submitted, significant processing backlogs at the

federal level have resulted in delays receiving approval to work; and

Whereas, Although the USCIS has set a new goal to process I-765 applications in three months, reports show processing times average 4.3 months, with some processing times taking up to 15 months; and

Whereas, In response to the crisis in Ukraine, the Biden Administration introduced “Uniting for Ukraine,” a parole program that streamlined the process for Ukrainians entering the United States; and

Whereas, In addition to streamlining entry to the United States, Ukrainians entering under “Uniting for Ukraine” are able to immediately begin working without waiting for their I-765 applications to be approved; and

Whereas, Although the newly introduced parole program for Cubans, Haitians, Nicaraguans, and Venezuelans similarly streamlines entry by providing an opportunity for individuals to obtain advance authorization to travel to the United States, individuals entering from these countries must wait for their I-765 applications to be approved before starting work in the United States; and

Whereas, Venezuelans who crossed the Mexican or Panamanian borders after October 19, 2022 or Cubans, Nicaraguans, and Haitians who crossed after January 9, 2023 are not eligible for the parole program; and

Whereas, With the significant backlog processing employment authorization applications, the current influx of asylum seekers are often unable to access work and income, and support themselves or their families; and

Whereas, Without access to work authorization, asylum seekers in New York rely on city services, straining the city’s infrastructure, increasing costs, and requiring the city to ask for financial support from the state and federal government; and

Whereas, As more asylum seekers come to the United States even under the new Cuban, Haitian, Nicaraguan, and Venezuelan parole program, employment authorization applications will continue to increase and exacerbate the processing backlog; and

Whereas, Due to the unpredictability and delays in receiving employment authorization approval, asylum seekers often become victims of employment abuses, like wage theft, when left to seek work without work permits; and

Whereas, There is growing bipartisan support to reform immigration processes specifically related to employment authorization applications in order to diminish burdens on local and state governments, reduce the workload of USCIS, and boost the economy by increasing the workforce; and

Whereas, Employment authorization regulations for asylum seekers and parolees under the Cuban, Haitian, Nicaraguan, and Venezuelan parole program must be revised in order to address the growing backlog and prepare for future applicants; and

Whereas, Legislation must be introduced to update the Cuban, Haitian, Nicaraguan, and Venezuelan parole program, to provide employment authorization similar to “Uniting for Ukraine” so parolees can start working in the United States without waiting for approval; and

Whereas, To address the numerous asylum seekers in the United States who are not eligible under the current parole program, executive action must be taken to change administrative rules to grant or extend temporary access to work permits; and

Whereas, Employment authorization must be made more accessible to the newly arrived asylum seekers and parolees who are desperate to work; and

Whereas, Individuals entering the United States deserve opportunities for employment, and not to be stalled by bureaucratic roadblocks, in order to provide for themselves and their families; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, legislation updating the Cuban, Haitian, Nicaraguan, and Venezuelan parole program to allow parolees to work in the United States without waiting for their I-765 applications for employment authorization to be approved, and for the President to take executive action granting or extending temporary access to work permits to asylum seekers currently residing in the United States who are ineligible for the parole program.

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