



TESTIMONY OF

**U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security**

BEFORE

**Committee on Homeland Security
Subcommittee on Border Security and Enforcement
and
Subcommittee on Oversight, Investigations, and Accountability
United States House of Representatives**

ON

“Examining CBP One: Functions, Features, Expansion, and Risks”

March 21, 2024

2:00pm

Washington, DC

Chairman Higgins, Chairman Bishop, Ranking Member Correa, Ranking Member Ivey, and distinguished Members of the Subcommittees:

Thank you for the opportunity to speak with you today about the operational execution of some of the processes U.S. Citizenship and Immigration Services (USCIS) helps administer. USCIS is the government agency that oversees lawful immigration to the United States, and I am proud to serve with the over 20,000 government employees and contractors that work at more than 200 USCIS offices across the country and the world to accomplish this mission.

USCIS remains steadfast in its commitment to ensuring a fair, orderly, and humane immigration system, consistent with U.S. law and international obligations. As part of our mission, USCIS helps administer parole processes for Ukrainians, Cubans, Haitians, Nicaraguans, and Venezuelans and their immediate family members. These processes support the U.S. Department of Homeland Security's (DHS) broader strategy to disincentivize irregular migration by simultaneously expanding the availability of safe, orderly, and lawful processes to come to the United States, and strictly enforcing our nation's immigration laws by imposing consequences on individuals who do not avail themselves of these lawful pathways.

I am here today to explain USCIS's role in the execution of these parole processes.

Background

Building on the success of the Uniting for Ukraine parole process, DHS established the parole process for Venezuelans in October 2022 and the parole processes for Cubans, Haitians, and Nicaraguans in January 2023. Through these processes, certain nationals of Cuba, Haiti, Nicaragua, and Venezuela (CHNV) and their immediate family members may request to come to the United States in a safe and orderly way. The processes are capped at 30,000 parolees per month across the four nationalities. Eligible beneficiaries, who are outside the United States, may be considered by U.S. Customs and Border Protection (CBP), on a case-by-case basis for urgent humanitarian reasons or significant public benefit, for advance authorization to travel and a temporary period of parole for up to two years. To participate, eligible beneficiaries must:

- Have a confirmed supporter in the United States who must first complete a process with USCIS;
- Undergo and clear robust security vetting;
- Meet other eligibility criteria; and
- Warrant a favorable exercise of discretion.

Parole Supporter Definition and Requirements

USCIS's role in the CHNV processes is to assess whether a potential supporter in the United States who commits to providing financial and other support for the beneficiary by filing Form I-134A, *Online Request to be a Supporter and Declaration of Financial Support*, meets established requirements. The supporter is the individual who pledges to provide financial support to the beneficiary for the duration of the parole authorization period.

To serve as a supporter in this process, an individual or an individual representing an entity must:

- Be a U.S. citizen, national, or lawful permanent resident; hold a lawful status in the United States, such as Temporary Protected Status or asylum; or be a parolee or recipient of deferred action or Deferred Enforced Departure;
- Pass security and background vetting, including for public safety, national security, human trafficking, and exploitation concerns; and
- Demonstrate sufficient financial resources to receive, maintain, and support the individual(s) they are agreeing to support for the duration of their parole period.

The supporter is required to submit a Form I-134A for each individual they wish to support and demonstrate the adequacy of financial resources to support that individual during their stay in the United States. Financial support may be offered by organizations, businesses, or other entities, however, the I-134A must be filed by an individual. In those instances, USCIS reviewers may accept a letter of commitment from the organization and consider its financial resources.

Sufficient Financial Evidence

The potential supporter must show evidence of sufficient financial resources to qualify as a supporter for purposes of the CHNV parole processes. USCIS uses the Federal Poverty Guidelines as a general guide to assess financial sufficiency.

Potential supporters who file Form I-134A on behalf of a beneficiary under these processes must be willing and able to receive, maintain, and support the listed beneficiary for the duration of their parole, and articulate how they will do so.

Examples of evidence to show sufficient financial resources can include tax documents, bank statements, and pay stubs. Potential supporters are also required to describe in detail their plan for providing essential support to beneficiaries, such as basic living needs, appropriate housing, and access to available services and benefits, such as learning English, securing employment, and enrolling in school.

Security Screening

USCIS employs a multi-faceted approach to screening and vetting potential supporters. At filing, system checks are initiated automatically on supporters for all submissions. These checks will automatically flag cases with matching records (or “hits”). USCIS officers determine whether the hit relates to the potential supporter. If the hit relates to the potential supporter, the USCIS officer will determine whether the hit impacts the potential supporter’s eligibility for these processes. For example:

- The potential supporter is subject to an order of protection.
- The potential supporter is under investigation for, has been arrested for (without disposition), or has been convicted of any of the following offenses:
 - Egregious Public Safety;¹

¹ An Egregious Public Safety case is defined by USCIS and U.S. Immigration and Customs Enforcement (ICE) in the 2020 Memorandum of Agreement (MOA) Between USCIS and ICE Regarding the Referral of Immigration

- Adam Walsh Act violations;
- Domestic violence;
- Sexual assault; or
- Immigration fraud.²
- The potential supporter poses a potential national security, public safety, or trafficking concern, as indicated by the hit.
- Any association with crimes involving children (child exploitation, child sex abuse, child abuse, etc.) or trafficking in persons.

USCIS also uses a wide range of risk-based modeling and biographic searches to initiate referrals to its Fraud Detection and National Security (FDNS) Directorate for additional screening of potential supporters, and even site visits or administrative investigation where appropriate. This can occur at all stages of the process and is based on continuously reassessed risk factors and on direct referrals from reviewers, tips, or biographic data scrapes.

Once the potential supporter has filed the Form I-134A and it is confirmed by USCIS, the beneficiary receives emailed instructions for creating a USCIS online account and linking their case. In the online account, the beneficiary reviews and confirms their biographic information and completes necessary attestations (including attestations for eligibility and vaccines) for themselves and, if applicable, immediate family members. Once this information has been submitted, CBP determines whether to issue an advance travel authorization to the beneficiary and makes a case-by-case parole determination at the port-of-entry.

Conclusion

Thank you again for the opportunity to explain our role, and I would be happy to answer any questions.

Benefit Fraud and Public Safety Cases. This includes murder, sexual abuse of a minor, and illicit trafficking of controlled substances or trafficking of persons but this is not exhaustive.

² Immigration fraud is defined by USCIS in the Policy Manual under Chapter 2 – Overview of Fraud and Willful Misrepresentation.