March 1, 2024

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
2702 Martin Luther King Jr. Ave, SE  
Washington, D.C. 20528

Dear Secretary Mayorkas,

The nation is entering its fourth year of the worst border crisis in recent history, but the Biden Administration has continued to show little interest in reversing its destructive border policies. This includes failing to end the abuse of parole authority, which has been used to release over one million aliens into the United States, under just your tenure as Secretary of the Department of Homeland Security (DHS). The impacts of mass parole are devastating, and are clearly evidenced by the recent murder of 22-year-old Laken Riley, a nursing student at Augusta University who was killed by alien paroled and released under this administration. The suspect, Jose Antonio Ibarra, a 26-year-old Venezuelan national, was paroled and released into the United States in September 2022 after crossing the southern border. He was later arrested in New York City for endangering a 5-year-old child but was never removed from the country due to local authorities releasing him before immigration officials could lodge a detainer. Ultimately, he traveled to Athens, Georgia, where he brutally murdered Ms. Riley. This tragic death was preventable.

Ibarra is one of thousands of Venezuelans paroled into the country under the Biden Administration. In October 2022, the administration unveiled a program that would allow Venezuelan citizens to be broadly paroled into the United States. In January 2023, this program ultimately expanded into a large-scale categorical parole program for Cubans, Haitians, Nicaraguans, and Venezuelans, allowing hundreds of thousands of migrants from these countries alone to enter the United States via parole monthly, despite the law clearly stating parole should be administered on a “case-by-case” basis.

Additionally, on January 12, 2023, DHS announced it added a new feature to the CBP One smartphone application to allow illegal aliens to schedule their entry into the U.S. at a port of entry, thus expanding parole. DHS describes this program as “expand[ing] pathways for legal immigration, limiting illegal immigration, and increasing security.” However, only Congress has the authority to create new legal immigration categories or pathways. Despite the administration’s claim it is using parole to reduce illegal immigration, the CBP One application has become another tool to erode American sovereignty by scheduling illegal immigration and facilitating a nationwide catch-and-release program.

2 https://www.law.cornell.edu/cfr/text/8/212.5.  
In the January 12, 2023, announcement, DHS claimed, “Only noncitizens who can be considered for a humanitarian exception may use CBP One.” It continued, “CBP is authorized to accept individuals on a case-by-case basis, based on the totality of circumstances, including considerations of humanitarian interests.”1 But DHS’s execution of the CBP One parole program seems to contradict not only its own announcement about the program but parole statutes currently in law as well.10

For example, between January 12, 2023, and September 30, 2023, of the 58,772 appointments made by Mexican nationals through the CBP One application, 55,099, or 93% of individuals were paroled into the United States.11 Considering DHS itself claims that “only noncitizens who can be considered for a humanitarian exception may use CBP One,” this raises questions as to why Mexican nationals are receiving parole on such a broad basis. Indeed, Mexican nationals rarely meet the circumstances to qualify for asylum – in the first half of Fiscal Year 2023, immigration judges granted asylum to a mere 4% of Mexican nationals who filed for protection.12

Yet, it appears DHS may be allowing tens of thousands of inadmissible aliens to enter the country under the same general pretext of asylum despite not qualifying for asylum under U.S. immigration law. This practice is circumventing the law by unlawfully paroling thousands of inadmissible aliens into the country, which, as we tragically saw in the case of Ms. Riley, can pose devastating impacts on our communities.13

This administration’s use of parole authority to release hundreds of thousands of migrants into the country raises serious concerns regarding the rule of law, our national sovereignty, and the safety and well-being of the American people.

As such, we request answers to the following questions by March 15, 2024:

1. On what grounds was Jose Antonio Ibarra paroled into the United States?

2. What protocols does DHS follow to vet parolees as to whether they pose public safety threats, harbor affiliations to criminal gangs, or pose national security concerns before they are released into the interior?

   a) Does DHS plan to update those protocols in the wake of the murder of Ms. Riley?

3. How many aliens have been granted parole and were released into the United States since January 20, 2021?

   a) How many aliens have been paroled into the United States for significant public benefit reasons since January 20, 2021?

   b) How many aliens have been paroled into the United States for urgent humanitarian reasons since January 20, 2021?

   c) How many paroled aliens have been released into the interior of the United States and went on to commit a crime that resulted in an arrest, charge, or conviction since January 20, 2021?

   d) Please provide the nationality and/or country of origin of those aliens paroled.

   e) Please provide a data breakdown of which states each paroled alien was released to or indicated as their final destination.

   f) Please describe in detail how DHS keeps track of parolees once they are released into the United States.

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10 INA 212(d)(5)
4. How many Mexican nationals have been paroled into the United States since January 20, 2021?
   
a) How many Mexican nationals have been paroled into the United States for significant public benefit reasons since January 20, 2021?
   
b) How many Mexican nationals have been paroled into the United States for urgent humanitarian reasons since January 20, 2021?
   
c) Of the Mexican nationals paroled into the United States, how many scheduled their entry through the CBP One application?
   
d) How many Mexican nationals applied for parole but were rejected since January 20, 2021? Please provide the reason(s) they were rejected for parole.
   
e) How many Mexican nationals have been granted asylum since January 20, 2021?

Thank you for your attention to this inquiry.

Sincerely,

Chip Roy
Member of Congress

Mike Collins
Member of Congress