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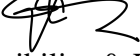


**U.S. Customs and
Border Protection**

July 7, 2023

TO: Richard Revesz, Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Elizabeth Cappello
Deputy Chief Information Officer
Department of Homeland Security

FROM: Matthew S. Davies 
Executive Director, Admissibility & Passenger Programs
U.S. Customs and Border Protection

SUBJECT: Emergency Approval Request for Expansion of Use of the Advance Travel
Authorization Capability for the Family Reunification Parole Processes under the
Paperwork Reduction Act

This memorandum requests an emergency approval to revise the existing collection of information under the Paperwork Reduction Act (PRA) for U.S. Customs and Border Protection's (CBP) Advance Travel Authorization (ATA) capability to collect certain information, including photographs, in advance of travel. At the direction of the Department of Homeland Security (DHS), CBP plans to expand ATA capability to include Cuban Family Reunification Parole (CFRP) and Haitian Family Reunification Parole (HFRP) programs, as well as newly established Family Reunification Parole (FRP) processes for certain Colombian, Salvadoran, Guatemalan, and Honduran beneficiaries of approved Form I-130, Petition for Alien Relative. This information collection was established through an emergency approval, on October 18, 2022 under OMB Control Number 1651-0143, for collection of information from certain undocumented noncitizens from Venezuela. On January 4, 2023, another emergency request expanded this collection to include certain undocumented noncitizens from Nicaragua, Cuba, and Haiti, and to remove the previously approved numerical cap for noncitizens from Venezuela.

This emergency approval will allow DHS to work with its interagency partners to allow certain noncitizens from Cuba, Haiti, Colombia, El Salvador, Guatemala, and Honduras and, in some cases, certain qualifying immediate family members, to submit information through the recently developed CBP ATA capability within the CBP One™ application as part of the process to

request an advance authorization to travel to the United States to seek a discretionary grant of parole. There is no numerical cap on the number of noncitizens from these six countries who may apply for this process, however, participation will be limited to those individuals who meet certain DHS established criteria, including possession of a valid, unexpired passport or other authorized documentation, as well as having an approved U.S.-based supporter. Pending Office of Management and Budget (OMB) approval, this functionality may expand to CFRP, HFRP and the additional four FRPs as early as July 10, 2023.

The information collected through this emergency request will allow DHS to vet noncitizens who may otherwise present themselves for inspection at a southwest land border POE, or enter the United States between POEs, without any prior vetting. The advance vetting affords the noncitizen the opportunity to book international travel to arrive near their intended United States destination address and, as a result, is expected to reduce the strain on CBP resources at the southwest land border and across the region. Importantly, the processes will also advance the Administration's foreign policy goals by demonstrating U.S. partnership and commitment to the shared goals of addressing migration through the hemisphere, both of which are essential to maintaining strong relationships with key partners to manage migration collaboratively.

DHS is implementing these updated and new FRP processes consistent with Executive Order (EO) 14010 Section 3(b)(ii)¹ and the Collaborative Migration Management Strategy issued by the National Security Council (NSC).¹

Emergency Justification

DHS is requesting an emergency information collection revision under 5 CFR 1320.13, with the intention of carrying out all the regular requirements for publication and review after implementation. These processes and the related information collection changes are urgently needed to make available additional lawful pathways as an alternative to irregular migration to help relieve pressure at the Southwest Border (SWB) by providing a mechanism for which to make case-by-case decisions on granting parole based on urgent humanitarian needs or significant public benefit. This approach is consistent with the U.S. national interest and its foreign policy priorities.

DHS requests an emergency approval to expand the existing ATA data collection to allow CBP to collect certain biographic and biometric information from individuals from Cuba, Haiti, Colombia, El Salvador, Guatemala, and Honduras to request an advance authorization to travel to the United States to seek a discretionary grant of parole under the FRP process. DHS will

¹ Executive Order 14010, *Creating a Comprehensive Regional Framework to Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border*, Sec. 3(b)(ii) (Feb. 2, 2021), <https://www.govinfo.gov/content/pkg/FR-2021-02-05/pdf/2021-02561.pdf>, directed the Secretary of Homeland Security to consider the promotion of "family unity by exercising the Secretary's discretionary parole authority to permit certain nationals of the Northern Triangle who are the beneficiaries of approved family-sponsored immigrant visa petitions to join their family members in the United States, on a case-by-case basis."

¹ National Security Council, *Collaborative Migration Management Strategy* (July 2021) <https://www.whitehouse.gov/wp-content/uploads/2021/07/Collaborative-Migration-Management-Strategy.pdf>.

soon be publishing accompanying *Federal Register* Notices (FRNs) to announce and establish the FRP processes for nationals of Colombia, El Salvador, Guatemala, and Honduras to support this effort. DHS will also publish information explaining the updates to the family reunification programs for nationals of Cuba and Haiti.

The agency cannot reasonably comply with the normal clearance procedures under the PRA because delayed implementation may further raise pressure on U.S. border operations and the migration management conducted by our foreign partners, and could jeopardize our relations with foreign partners.

The FRP processes represent one part of the United States' ongoing efforts to engage hemispheric partners to increase their efforts to collaboratively manage irregular migration. The expansion of lawful pathways for noncitizens to enter the United States is necessary to ensure partners' continued collaboration on migration issues, including the ability of the United States to meet other immigration-management priorities.

After implementation of the revised collection to expand the respondent group, CBP will undergo the normal PRA revision process, beginning with a 60-day notice for public comment as described at 5 CFR 1320.10, within 45 days of approval. After publication of the FRNs required under the PRA, DHS will address comments and concerns as necessary and submit the information collection to OMB for three-year approval within the required timeframe.

Thank you for your consideration of this Emergency Request.