

# Congress of the United States

Washington, DC 20515

April 19, 2021

The Honorable Kamala D. Harris  
Vice President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20515

Dear Madam Vice President:

Over two weeks ago, President Joe Biden delegated the Administration's response to the humanitarian and security crisis at the southern border to you.<sup>1</sup> However, it is unclear what, if any, actions you have directed or plan to initiate to respond to the crisis that continues to worsen every day.<sup>2</sup> As leaders of the House Committee on the Judiciary, the House Committee on Homeland Security and the House Committee on Oversight and Reform, we request the opportunity to meet with you as soon as possible to discuss the Biden-Harris Administration's response to the catastrophe on the southern border.

The situation on the southern border is a crisis. Your characterization of it as "a huge problem" is an understatement.<sup>3</sup> Department of Homeland Security Secretary Alejandro Mayorkas recently stated that "[w]e are on pace to encounter more individuals on the southwest border than we have in the last 20 years."<sup>4</sup> Yet, it appears that the Biden-Harris Administration refuses to take meaningful action to stop the influx of illegal aliens to the border, and is instead releasing thousands into the interior.

U.S. Customs and Border Protection (CBP) monthly data shows an alarming increase in illegal alien encounters in just one month. According to CBP, there were 172,331 such encounters on the southern border during March 2021—a 71 percent increase over February.<sup>5</sup> Of these encounters, 18,890 were unaccompanied alien children (UACs), a 100 percent increase over February.<sup>6</sup> The total number of southern border encounters during this fiscal year is already over half a million, and we have not even entered the months in which crossing numbers are historically the highest.<sup>7</sup> CNN reported that due to overwhelming numbers, CBP is forced to hold UACs for an average of 107 hours before transferring custody to the Department of Health and

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<sup>1</sup> Eugene Daniels, *Biden makes Harris the point person on immigration issues amid border surge*, POLITICO, (Mar. 24, 2021), <https://www.politico.com/news/2021/03/24/kamala-harris-immigration-border-surge-477810>.

<sup>2</sup> Mark Moore, *Where is Kamala? Two weeks since being named border czar, Harris still hasn't visited*, NY POST, (Apr. 7, 2021), <https://nypost.com/2021/04/07/two-weeks-since-being-named-border-czar-kamala-hasnt-visited/>.

<sup>3</sup> Jason Lemon, *Kamala Harris Concedes Border Surge Is 'Huge Problem,' as Biden Admin Officials Tour Texas Facility*, NEWSWEEK, (Mar. 24, 2021), <https://www.newsweek.com/kamala-harris-concedes-border-surge-huge-problem-biden-admin-officials-tour-texas-facility-1578484>.

<sup>4</sup> *Id.*

<sup>5</sup> U.S. Customs and Border Protection, *FY Southwest Land Border Encounters by Month*, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>; U.S. Customs and Border Protection, *CBP Announces March 2021 Operational Update*, <https://www.cbp.gov/newsroom/national-media-release/cbp-announces-march-2021-operational-update>.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

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Human Services (HHS).<sup>8</sup> The standard for a maximum holding time is 72 hours prior to transfer.<sup>9</sup>

Just last week, members of our Committees traveled to the southern border to observe firsthand the dire situation and hear directly from those affected by the border crisis. We heard from CBP officials who have had to divert scarce resources away from the agency's primary national security mission and law enforcement duties to instead process illegal aliens. During the trip, we observed pods in CBP facilities that were built to accommodate 33 individuals during the pandemic but were now holding over 500. We saw children who had been in CBP custody for at least 11 days. We heard that smugglers are using large groups of migrants to distract law enforcement as they smuggle narcotics across unsecured parts of the border. We talked to Border Patrol agents, state and local law enforcement officials, landowners, and others who begged for help to stop the flow of aliens. Each person we talked to said they had not heard from you or received any direction or plan from you to help their situation.

The crisis at the southern border is a creation of the radical policies of the Biden-Harris Administration. Because President Biden has delegated leadership in this area to you, we respectfully request a meeting prior to April 30, 2021, to discuss how the Biden-Harris Administration plans to end this unprecedented border catastrophe. We look forward to your prompt response.

Sincerely,



Jim Jordan  
Ranking Member  
House Committee on the Judiciary



John Katko  
Ranking Member  
House Committee on Homeland  
Security



James Comer  
Ranking Member  
House Committee on Oversight and Reform

cc: The Honorable Jerrold L. Nadler  
Chairman  
House Committee on the Judiciary

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<sup>8</sup> Priscilla Alvarez, *Unaccompanied Migrant Children Staying in Border Patrol Facilities and Average of 107 Hours, Internal Records Show*, CNN, (Mar. 10, 2021), <https://www.cnn.com/2021/03/10/politics/migrant-children-border-patrol/index.html>.

<sup>9</sup> 8. U.S.C. § 1232(b)(3).

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The Honorable Bennie G. Thompson  
Chairman  
House Committee on Homeland Security

The Honorable Carolyn B. Maloney  
Chairwoman  
House Committee on Oversight and Reform