

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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January 31, 2022

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
Washington, D.C. 20515

Dear Chairwoman Maloney:

Media accounts continue to highlight the Biden Administration's failed border policies. For example, recent Fox News footage showed the mass release of single adult male migrants into the interior of the United States facilitated by Immigration and Customs Enforcement (ICE) via a parking garage in Brownsville, Texas.¹ As one ICE official recently described, the agency is an "unofficial travel coordination agency."² This mounting crisis is leading to longstanding consequences for our country. Without border enforcement, our national security and rule of law are threatened. Our Committee needs to conduct oversight to bring transparency and accountability to this escalating crisis.

Not only is ICE operating as an "unofficial travel coordination agency," but it is also releasing criminal illegal immigrants into our local communities.³ This comes after a January 20, 2021, DHS interim guidance⁴ limiting immigration enforcement and the subsequent September 30, 2021, final memorandum⁵ that significantly restricts interior immigration enforcement to "current" threats, certain "serious" criminals, and only those who recently entered our country illegally. The Biden Administration's commitment to protecting criminal illegal immigrants over American citizens is also evident in data demonstrating that in the first six months of the Biden Administration, ICE deportations dropped by 80 percent compared to 2020 and 90 percent compared to 2019 during the same period, including significant reductions in the removal of criminal aliens.⁶

¹ Bill Melugin and Adam Shaw, *Fox News footage shows mass release of single adult migrants into US*, FOX NEWS (Jan. 25, 2021).

² Bill Melugin and Adam Shaw, *ICE agents forced to coordinate travel for illegal immigrants, some with criminal records: source*, FOX NEWS (Jan. 27, 2021).

³ *Id.*

⁴ See Memorandum from Acting Secretary David Pekoske to Troy Miller, et. al., Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities (Jan. 20, 2021), *available at* https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf.

⁵ Memorandum to Tae D. Johnson, Acting Director, U.S. Immigration and Customs Enforcement from Alejandro N. Mayorkas, Secretary, Department of Homeland Security, Guidelines for the Enforcement of Civil Immigration Law (Sept. 30, 2021), *available at* <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf>.

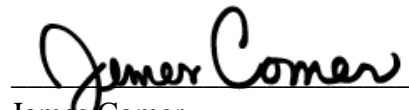
⁶ Jessica M. Vaughan, *Deportations Plummet Under Biden Enforcement Policies*, CENTER FOR IMMIGRATION STUDIES (December 6, 2021).

The Biden Administration's release policies only exacerbate the crisis at our southwest border. Month after month, we witness record levels of encounters, overwhelming our hardworking Border Patrol agents and negatively impacting border communities. There were over two million encounters of illegal border crossers since January 2021.⁷ This doesn't include the hundreds of thousands of illegal immigrants that likely evaded U.S. Border Patrol.⁸

Given this reality, it is unacceptable that Committee Democrats have failed to hold a single hearing on the Biden Administration's immigration and border security policies. This is despite repeated requests from Committee Republicans. It is imperative that the Committee conduct oversight of the ongoing southwest border crisis and the Administration's migrant release policies, including taxpayer-funded transportation of these migrants.

We renew our request for a public and in-person hearing with witnesses from the Department of Homeland Security, including ICE, U.S. Customs and Border Protection, and the U.S. Department of Health and Human Services – Office of Refugee Resettlement. We should no longer allow the Biden Administration to hide behind black tarps and midnight skies. Our constituents deserve to hear directly from these senior Administration officials on agency policies, operations, and strategies to restore order to our immigration system.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



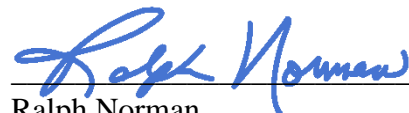
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



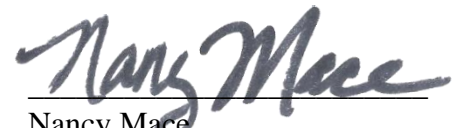
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Subcommittee on Government
Operations



Michael Cloud
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Subcommittee on Economic and
Consumer Policy



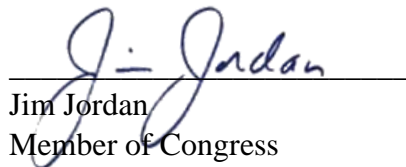
Ralph Norman
Ranking Member
Subcommittee on Environment



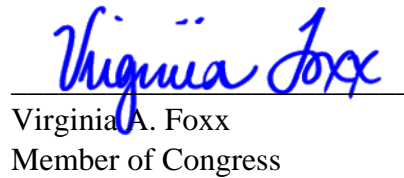
Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
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⁷ Southwest Land Border Encounters, U.S. Customs and Border Protection (Jan. 24, 2022), available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

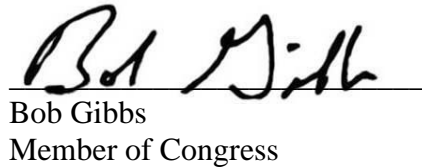
⁸ Anna Giaritelli, *More than 400,000 sneaked over southern border and got away in past year, former Border Patrol head says*, WASHINGTON EXAMINER (October 5, 2021).



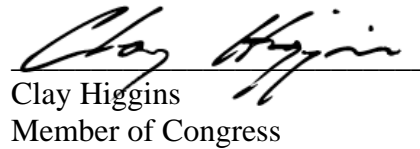
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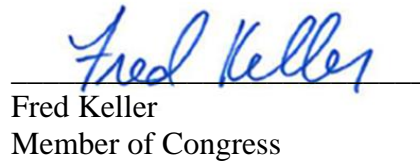
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Member of Congress



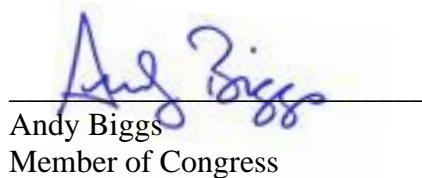
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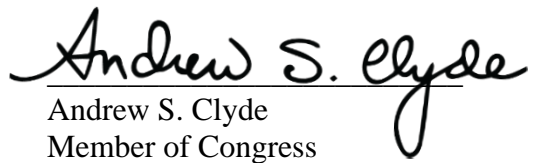
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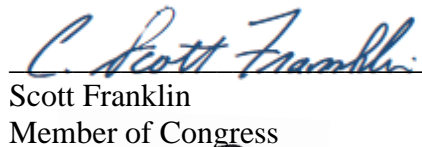
Fred Keller
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Andy Biggs
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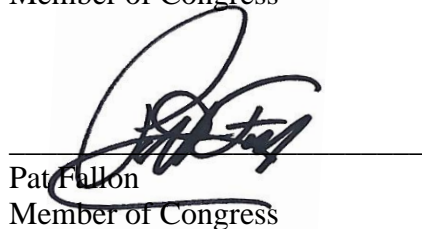
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Pat Fallon
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Yvette Herrell
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Byron Donalds
Member of Congress

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties