

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

November 2, 2022

The Honorable Alejandro Mayorkas
Secretary
U.S Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas:

We write to continue our oversight of the Department of Homeland Security's (DHS) response to the border crisis. Fiscal Year 2022 was an abject failure for border security and national sovereignty. In fact, it was the worst on record in American history.¹ This past fiscal year set records for encounters of illegal immigrants,² migrant deaths,³ apprehensions of suspected terrorists,⁴ and seizures of fentanyl⁵ at the southern border. We cannot endure another year of the Biden Administration's failed border policies. We have written DHS fifteen times this Congress to conduct oversight over the border crisis. Again, we request documents and information to understand the Biden Administration's plans, if any, to secure the border.

According to U.S. Customs and Border Protection, the agency made 2,206,436 apprehensions of illegal aliens in Fiscal Year 2022.⁶ These numbers—released late at night on a Friday—do not even include individuals who evaded apprehension entirely, which are estimated to be over half a million people.⁷ Hundreds of thousands of these illegal aliens were ultimately released into the interior of the country.⁸ Under the prior administration, Fiscal Year 2019 was a year in which both Democrats and Republicans declared a crisis at the southern border,⁹ U.S. Border Patrol encountered less than 860,000 people.¹⁰ The Biden Administration, however, refuses to acknowledge this current, unprecedented and deadly crisis. Vice President Harris even

¹ See Nick Miroff, *U.S. arrests along Mexico border top 2 million a year for first time*, WASH. POST (Sept. 19, 2022).

² Newsroom, Southwest Land Border Encounters, U.S. Customs and Border Protection (accessed Oct. 24, 2022) available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

³ Griff Jenkins, Bill Melugin & Timothy H.J. Nerozzi, *Record 856 migrants die at southern border in fiscal year 2022: CBP*, FOXNEWS (Oct. 22, 2022).

⁴ Newsroom, CBP Enforcement Statistics Fiscal Year 2022, CBP (accessed Oct. 24, 2022), available at <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

⁵ Newsroom, Drug Seizure Statistics, U.S. Customs and Border Protection (accessed Oct. 24, 2022), available at <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

⁶ Newsroom, Southwest Land Border Encounters, U.S. Customs and Border Protection (accessed Oct 24, 2022) available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

⁷ Bill Melugin, *Illegal immigrant 'gotaways' crossing US-Mexico border number more than half a million, DHS sources say*, FOX NEWS (Jul. 25, 2022).

⁸ Newsroom, Custody and Transfer Statistics FY2022, U.S. Customs and Border Protection (accessed Oct. 24, 2022) available at <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>.

⁹ Jennifer Agiesta, *CNN Poll: Three-quarters of Americans say there's a crisis at the border*, CNN (July 2, 2019).

¹⁰ *Supra*, n. 2.

claims that the border is “secure” and insists that “[w]e have a secure border in that that is a priority for any nation, including ours and our administration.”¹¹ This is simply not true.

All available evidence highlights illegal drugs and immigrants streaming across the southern border every day. For example, seizures of the deadly, China-sourced-opioid,¹² fentanyl, which is responsible for killing thousands of Americans,¹³ have spiked at the southern border.¹⁴ Even more evades interdiction entirely as the cartels leverage chaos to overwhelm U.S. Border Patrol to smuggle in fentanyl undetected between ports of entry.¹⁵ A record high 856 illegal aliens died at the border in FY22.¹⁶ U.S. Border Patrol made 98 apprehensions of suspected terrorists at the southern border this fiscal year—nearly quadruple the previous five years combined.¹⁷ Over half-a-million individuals are known to have eluded apprehension entirely. This raises troubling national security implications.¹⁸

The Biden Administration created this crisis. It rolled back or eliminated deterrent-focused policies that were working to manage the flow of illegal border crossers. It shirked its duty to enforce the laws of this country to provide a safe and secure border to the American people. These failures cannot be repeated. To assist Committee Republicans in conducting this important oversight, please provide the following information, no later than November 16, 2022, covering the time period January 20, 2021, to the present:

1. All documents and communications regarding any plan within DHS to secure operational control of the southern border;
2. All documents and communications regarding any plan within DHS to reduce illegal border crossings;
3. All documents and communications regarding any plan within DHS to reduce the number of gotaways;
4. All documents and communications regarding any plan within DHS to increase the seizure rate of dangerous drugs, including but not limited to Fentanyl, on the southern border; and
5. All documents and communications regarding any plan within DHS to reduce the risk of terrorist entries.

¹¹ Douglas Murray, *With Martha's Vinyard Meltdown, Maybe Dems Will FINALLY Understand Illegal Immigration Problems.*, N.Y. POST, (Sept. 15, 2022); Hayden Sparks, *Vice President Harris Calls Southern Border 'Secure' Under Biden Administration*, THE TEXAN (Sept. 15, 2022).

¹² Liz Friden & Jennifer Griffin, *Gone too soon: Fentanyl flowing from China*, FOX NEWS (June, 22, 2022).

¹³ National Institute on Drug Abuse, *Overdose Death Rates*, NIH (accessed Oct. 24, 2022), available at <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates>.

¹⁴ *Supra*, n. 4.

¹⁵ See Joel Rose, *Border Patrol apprehensions hit a record high. But that's only part of the story*, NPR NEWS (Oct. 23, 2021).

¹⁶ *Supra*, n. 3.

¹⁷ *Supra*, n. 4.

¹⁸ See *supra*, n.9.

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Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



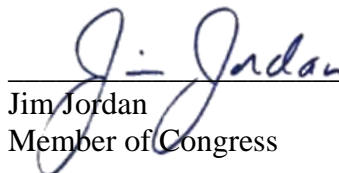
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



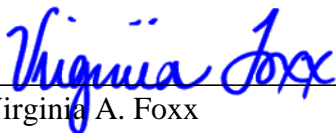
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



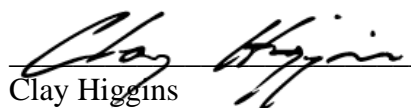
Jim Jordan
Member of Congress



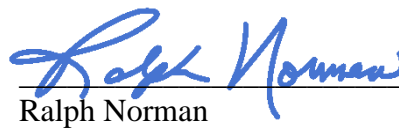
Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



Clay Higgins
Member of Congress



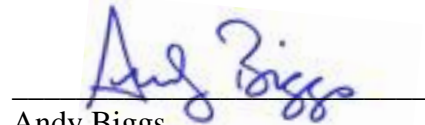
Ralph Norman
Member of Congress



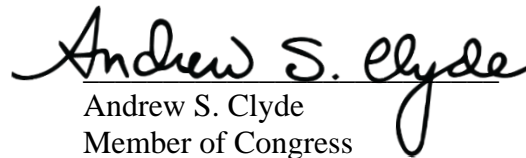
Pete Sessions
Member of Congress



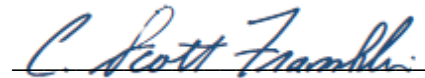
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Andy Biggs
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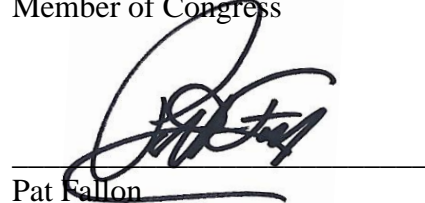
Andrew S. Clyde
Member of Congress



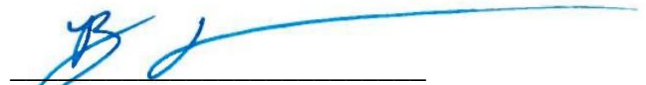
C. Scott Franklin
Member of Congress



Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Byron Donalds
Member of Congress



Mike Flood
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

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 Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties