

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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<https://oversight.house.gov>

January 20, 2023

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

Dear Secretary Mayorkas:

The Committee on Oversight and Accountability is conducting oversight of the Department of Homeland Security's (DHS) potential involvement in covering up the poor conditions at the southern border in El Paso, Texas to benefit President Biden's recent three hour photo-op.<sup>1</sup> The Biden Administration has created and failed to resolve the worst border crisis in American history.<sup>2</sup> For weeks, large encampments of homeless illegal border crossers—released by the Biden Administration—have encamped on the streets of El Paso.<sup>3</sup> These encampments were cleared immediately prior to President Biden's visit to the city on January 8, 2023.<sup>4</sup> We write to understand the circumstances surrounding the role DHS played in clearing homeless illegal border crossers for President Biden's visit to El Paso.

President Biden, who waited nearly two years to witness first-hand the border crisis he created,<sup>5</sup> visited a staged version of the border in El Paso on January 8.<sup>6</sup> Instead of witnessing the chaotic crisis that plagues border communities every day, the President toured sites "sanitized" before his arrival.<sup>7</sup> U.S. Customs and Border Protection officials conducted roundups of illegal aliens before President Biden's arrival.<sup>8</sup> The Central Processing Center in El Paso went from being overwhelmed with illegal border crossers to being below its capacity of 1,000 individuals.<sup>9</sup> Before the President's visit, El Paso's migrant camps were so overwhelmed and unsanitary that local officials were concerned that the camps would become hotbeds for

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<sup>1</sup> See Greg Wehner, Bill Melugin & Jessica Chasmar, *Biden sees 'sanitized' border crisis as migrant encounters plummet at El Paso and encampments cleared: sources*, FOX NEWS (Jan. 8, 2023).

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

<sup>3</sup> See Uriel J. Garcia, *El Paso scrambles to move migrants off the streets and gives them free bus rides as shelters reach capacity*, THE TEXAS TRIBUNE (Sept. 20, 2022).

<sup>4</sup> *Supra*, n.1.

<sup>5</sup> See Jarret Renshaw & Andrea Shalal, *Biden heads to Mexican border in bid to show progress on immigration*, REUTERS (Jan. 8, 2023).

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

<sup>7</sup> *Supra*, n.1.

<sup>8</sup> See Isabel Vincent & Luis Chaparro, *El Paso cleans up migrant camps before Joe Biden border visit*, NY POST (Jan. 7, 2023).

<sup>9</sup> *Supra*, n.1.

infectious disease.<sup>10</sup> The President apparently did not see a single released illegal alien in a border town overwhelmed with illegal border crossers released by his Administration.<sup>11</sup>

Fiscal Year 2022 set records for encounters of illegal border crossers,<sup>12</sup> migrant deaths,<sup>13</sup> apprehensions of suspected terrorists,<sup>14</sup> and seizures of deadly fentanyl<sup>15</sup> at the southern border. The first three months of Fiscal Year 2023 continued to trend in the wrong direction, with over 600,000 apprehensions—the vast majority, or 430,000 being released into the United States—and over 240,000 known gotaways who evaded apprehension entirely.<sup>16</sup> President Biden did not witness that reality during his photo-op at the border.

The American people and their elected representatives must know the circumstances surrounding DHS's involvement in the removal of inconveniently positioned illegal aliens from sites in El Paso before the President's arrival. I therefore request the following documents and information, covering the time period January 20, 2021 to the present, as soon as possible but no later than February 3, 2023:

1. All documents and communications within the Department of Homeland Security or any component agency, including but not limited to United States Secret Service, related to homeless encampments of released illegal border crossers in or near El Paso;
2. All documents and communications between the Department of Homeland Security or any component agency and the City of El Paso related to homeless encampments of released illegal border crossers in or near El Paso;
3. All documents and communications between the Department of Homeland Security or any component agency and the State of Texas, including but not limited to Texas Department of Public Safety, related to homeless encampments of released illegal border crossers in or near El Paso.

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<sup>10</sup> See MaryAnn Martinez, *El Paso officials worry migrant camp could spread infectious disease*, NY POST (Dec. 29, 2022).

<sup>11</sup> See Griff Jenkins (@GriffJenkins), Twitter (Jan. 9, 2023 at 8:22am), available at <https://mobile.twitter.com/GriffJenkins/status/1612439554010529792>.

<sup>12</sup> See Newsroom, Southwest Land Border Encounters, U.S. Customs and Border Protection (accessed Jan. 1, 2023) available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

<sup>13</sup> See Griff Jenkins, Bill Melugin & Timothy H.J. Nerozzi, *Record 856 migrants die at southern border in fiscal year 2022: CBP*, FOX NEWS (Oct. 22, 2022).

<sup>14</sup> See Newsroom, CBP Enforcement Statistics Fiscal Year 2022, U.S. Customs and Border Protection (accessed Jan. 1, 2023), available at <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

<sup>15</sup> See Newsroom, Drug Seizure Statistics, U.S. Customs and Border Protection (accessed Jan. 1, 2023), available at <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

<sup>16</sup> See Griff Jenkins (@GriffJenkins), Twitter (Dec. 29, 2022 at 8:44am), available at <https://twitter.com/GriffJenkins/status/1608458935807377410>.

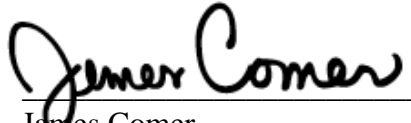
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To schedule the delivery of responsive documents or ask any related follow-up questions, please contact Committee on Oversight and Accountability Majority Staff at (202) 225-5074. The Committee on Oversight and Accountability is the principal oversight 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,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style and is positioned above a horizontal line.

James Comer

Chairman

Committee on Oversight and Accountability

cc: The Honorable Jamie Raskin, Ranking Member  
Committee on Oversight and Accountability