

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<https://oversight.house.gov>

February 26, 2023

Troy A. Miller
(Acting) Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave., NW
Washington, D.C. 20229

Dear Acting Commissioner Miller:

On February 7, 2023, two Chief Patrol Agents from U.S. Border Patrol sectors along the southern border testified at a hearing before the House Committee on Oversight and Accountability regarding their sectors and how they have responded to the unprecedented crisis at the southern border.¹ This hearing took place after the Department of Homeland Security tried to prevent the four Chief Patrol Agents invited by the Committee from testifying.² The Committee accommodated DHS, accepting only two Chief Patrol Agents as witnesses, representing the Tucson and Rio Grande Valley sectors.³

Both witnesses provided candid testimony, but understandably confined their statements and responses to the circumstances of their respective sectors and the unique challenges they confront in those sectors. Their testimony included many qualifiers specific to their sectors and language illustrating the differences between sectors. For example: “the current migration flow and challenges in the Tucson Sector are vastly different to many other sectors across the nation,”⁴ “[f]or us, I think last year we had over 100 – 1,100 rescues just in the RGV area,”⁵ “what I can tell you from my experience in Tucson Sector is,”⁶ “currently in the Tucson Sector,”⁷ “[s]o what I can tell you, sir, again, my experience in the Tucson Sector,”⁸ “I can speak for Tucson Sector,”⁹ “Tucson is very unique,”¹⁰ “I do know in the Tucson Sector, which is what

¹ *On the Front Lines of the Border Crisis: A hearing with Chief Patrol Agents: Hearing before H. Comm. on Oversight & Accountability*, 118th Cong. (Feb. 7, 2023).

² Letter from Bryn McDonough, Acting Assistant Secretary for Legislative Affairs, Dep’t of Homeland Security to James Comer, Chairman, Committee on Oversight and Accountability (Jan. 26, 2023).

³ Letter from James Comer, Chairman, Committee on Oversight and Accountability to Alejandro Mayorkas, Secretary, Dep’t of Homeland Security (Jan. 31, 2023).

⁴ *Supra*, n.1 (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

⁵ *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

⁶ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

⁷ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

⁸ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

⁹ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

¹⁰ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

I represent,”¹¹ “[s]pecifically for RGV,”¹² “ in my area of responsibility,”¹³ “and certainly in my sector,”¹⁴ “[a]nd what’s going on in Tucson is vastly different than what’s going on in RGV,”¹⁵ “for the RGV,”¹⁶ “[a]nd what’s of concern to me in RGV.”¹⁷

The uniqueness of each sector demonstrates a need for the Committee to obtain additional information regarding other sectors on the southern border. As one witness emphasized, “if you’ve seen one Border Patrol sector, you have only seen one Border Patrol sector.”¹⁸ One of the witnesses testified that Border Patrol agents have valuable information and experience to guide lawmakers in search of legislative solutions. She stated:

I think that, as we continue to move forward, I always ask, whenever Congress is ready to put that team together, look at Border Patrol agents that come in and advise you because I think there’s many of them out there already with experience that know how to help out in building that path forward because I think it’s time. If not, otherwise, if we don’t have the right policies or consequences, the world is watching us, and we’re going to continue to see these large migration flows from around the world entering here at our southern border.¹⁹

The Committee believes Chief Patrol Agents managing other sectors have additional, valuable information that will assist the Committee in fully understanding the crisis at the southern border. We therefore request that the following Chief Patrol Agents be made available for transcribed interviews:

1. Aaron M. Heitke
Chief Patrol Agent - San Diego Sector
2. Gregory K. Bovino
Chief Patrol Agent - El Centro Sector
3. Patricia McGurk-Daniel
Acting Chief Patrol Agent - Yuma Sector
4. Peter Jaquez
Chief Patrol Agent - El Paso Sector

¹¹ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

¹² *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

¹³ *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

¹⁴ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

¹⁵ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

¹⁶ *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

¹⁷ *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

¹⁸ *Id.* (Statement of John Modlin, Chief Patrol Agent, Tucson Sector, U.S. Border Patrol).

¹⁹ *Id.* (Statement of Gloria Chavez, Chief Patrol Agent, Rio Grande Valley Sector, U.S. Border Patrol).

Acting Commissioner Miller

February 27, 2023

Page 3 of 3

5. Sean L. McGoffin
Chief Patrol Agent - Big Bend Sector
6. Jason D. Owens
Chief Patrol Agent - Del Rio Sector
7. Carl E. Landrum
Chief Patrol Agent - Laredo Sector

To accommodate the Chief Patrol Agents' schedules and minimize impact to agency operations, the Committee will conduct the requested transcribed interviews in their respective sectors at a location convenient to those Chief Patrol Agents.

To schedule the transcribed interviews 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 for your attention to this important matter.

Sincerely,



James Comer
Chairman

Committee on Oversight and Accountability

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