

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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### MEMORANDUM

**TO:** Committee on Oversight and Accountability Members

**FROM:** Committee on Oversight and Accountability Majority Staff

**DATE:** September 19, 2024

**RE:** Consequences of the Biden-Harris Administration's Mismanagement and Policy Failures

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#### Introduction

- From the first day Joe Biden and Kamala Harris took office, their Administration began rapidly implementing a policy agenda which had profound ramifications for the economy, the rule of law, and national security.
- Whether through executive orders, rulemaking, guidance, or displays of incompetent management and weak leadership, the Administration has demonstrated its inability to govern coherently and deliver for the American people as it is pulled along by crisis after crisis.
- Poor policy choices, little to no accountability for officials who failed to deliver on their missions, and weak and ineffective leadership on the global stage are hallmarks of the Biden-Harris Administration that have exacerbated the risk of fraud, waste, abuse, and mismanagement of government programs and operations.
- This failure of leadership has led to serious negative consequences for the American people, eroding their purchasing power while wasting their money on progressive policies that do not achieve real world results, and leaving them vulnerable to security threats at home and abroad.

## Summary

- The Biden-Harris Administration’s expansive and costly regulatory agenda, combined with out-of-control spending fueled by Congressional Democrats’ irresponsibility in the 117th Congress, contributed to **high levels of inflation** and will continue leading to sustained price increases into the future as high regulatory costs are passed along to consumers.
- Americans now pay, on average, **over 20 percent more** for the same goods and services tracked by the Consumer Price Index than they did when Joe Biden and Kamala Harris took office in January 2021.
- The Biden-Harris Administration’s deliberate policy choices led to an **historic border crisis** by eroding border security and encouraging millions of illegal aliens to enter and remain in the country unlawfully.
- The resulting chaos overwhelmed law enforcement, undermined the functioning of the lawful immigration system, and **left the country more vulnerable** to infiltration by terrorists and criminals.
- The Biden-Harris Administration’s often touted “accomplishments” are only massive expenditures of taxpayer dollars that have failed to yield real-world results due to **mismanagement, waste, and abuse**.
- The Biden-Harris Administration has demonstrated that it is **not competent to enact even its priority programs** and is unable or unwilling to handle the day-to-day operations of key Executive Branch functions.
- The Biden Harris Administration’s **weak and ineffective leadership on the global stage** has exacerbated global conflicts, created instability, and emboldened adversaries—putting Americans at risk at home and abroad.

## Economic and Regulatory Policy

In 2019, national unemployment rates were at 50-year lows<sup>1</sup> and the average year-over-year inflation rate was only 1.9 percent.<sup>2</sup> Americans now feel much less confident about the state of the economy and the future ahead.<sup>3</sup> As of May 2024, wages had failed to keep pace with rising inflation for twelve consecutive months.<sup>4</sup> Reports cite that one in three workers feel as though they are living paycheck to paycheck.<sup>5</sup>

Multi-trillion dollar spending packages allegedly aimed at reinvigorating the economy, such as the American Rescue Plan, the Infrastructure Investment and Jobs Act (IIJA), and the Inflation Reduction Act (IRA), contributed to the inflationary pressures facing consumers.<sup>6</sup>

Vice President Harris cast the tie-breaking vote in the Senate that sent the IRA's bloated spending proposals to President Biden's desk to sign.<sup>7</sup> The bill's title itself was intentionally misleading. The bill was not intended to actually reduce inflation. President Biden recently admitted as much publicly at a speech in Wisconsin, saying, "...the [IRA is the] most significant climate change law ever...it is a \$369 billion bill...we should have named it was it was."<sup>8</sup> These exorbitant spending packages, especially the IRA, funneled taxpayer money to the hands of left-wing climate groups instead of to the direct benefit of the American people through "climate justice grants."<sup>9</sup>

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<sup>1</sup> Anneken Tappe, *US unemployment drops to lowest since 1969*, CNN BUSINESS (Oct. 4, 2019), available at <https://www.cnn.com/2019/10/04/economy/september-jobs-report/index.html>.

<sup>2</sup> Hiranmayi Srinivasan, *U.S. Inflation Rate by President: From Eisenhower to Biden*, INVESTOPEDIA (Jul. 5, 2024), available at <https://www.investopedia.com/us-inflation-rate-by-president-8546447#toc-donald-trump-20172021>.

<sup>3</sup> Megan Brenan, *Confidence in Biden Economic Stewardship Historically Low*, GALLUP (May 6, 2024), available at <https://news.gallup.com/poll/644750/confidence-biden-economic-stewardship-historically-low.aspx>.

<sup>4</sup> Elise Gould, *Average wages have surpassed inflation for 12 straight months*, ECONOMIC POLICY INST. (May 15, 2024), available at <https://www.epi.org/blog/average-wages-have-surpassed-inflation-for-12-straight-months/>.

<sup>5</sup> Sarah Foster, *Penny-pinching nation: More than a third of workers say they're living paycheck to paycheck*, BANKRATE (Jul. 15, 2024), available at <https://www.bankrate.com/banking/living-paycheck-to-paycheck-survey/>.

<sup>6</sup> David Ditch and Richard Stern, *The Road to Inflation: How an Unprecedented Federal Spending Spree Created Economic Turmoil*, HERITAGE FOUND. (Sept. 21, 2023), available at <https://www.heritage.org/budget-and-spending/report/the-road-inflation-how-unprecedented-federal-spending-spree-created>.

<sup>7</sup> Melissa Quinn, *Senate passes Democrats' sweeping climate, health and tax bill, delivering win for Biden*, CBS NEWS (Aug. 8, 2022), available at <https://www.cbsnews.com/news/inflation-reduction-act-senate-pass-climate-healthcare-tax-bill/>.

<sup>8</sup> President Joseph R. Biden, *Remarks on the Economy in Wisconsin*, C-SPAN (Sept. 5, 2024), available at <https://www.c-span.org/video/?538086-1/president-biden-remarks-economy-wisconsin#> (starting at 11:13 through 11:32); see also *Speeches and Remarks by President Biden Highlighting How His Investing in America Agenda is Benefitting Communities Across Wisconsin and Ensuring Americans Have a Brighter, More Prosperous Future*, Westby, WI, (Sept. 5, 2024), available at <https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/09/05/remarks-by-president-biden-highlighting-how-his-investing-in-america-agenda-is-benefitting-communities-across-wisconsin-and-ensuring-americans-have-a-brighter-more-prosperous-future-westby-wi/> (transcript of speech).

<sup>9</sup> Inflation Reduction Act Environmental and Climate Justice Program, U.S. EPA, available at <https://www.epa.gov/inflation-reduction-act/inflation-reduction-act-environmental-and-climate-justice-program>.

At the same time, agencies have put forth sweeping regulations costing billions in implementation costs that will slow economic growth as households and businesses grapple with how to adapt—ultimately passing costs on to consumers.<sup>10</sup> Agencies under President Biden and Vice President Harris have imposed over **\$1.5 trillion** in new federal regulatory costs<sup>11</sup> that will ultimately be passed on to consumers.

Total inflation of the Consumer Price Index since January 2021 (261.582) is **20.2 percent** as of July 2024 (314.540).<sup>12</sup> That means that goods tracked within the Consumer Price Index rose, on average, in price by 20.2 percent over that time period.

Estimates have shown that **households now spend over \$11,400 more each year** to maintain the same quality of life as they did in January 2021.<sup>13</sup> Although the Administration claims that inflation has come down since its peak, any positive inflation is cumulative, meaning prices continue increasing on top of prior increases: prices have not come down.

Housing and shelter price increases, on an annual basis, are outpacing average inflation, rising at 5.2 percent.<sup>14</sup> Nearly half (49.9 percent) of homeowners and renters in America are struggling to afford their housing payments.<sup>15</sup>

Mortgage interest rates were just under 3 percent at the end of the previous administration but have now doubled.<sup>16</sup> The current average 30-year mortgage rate is around 6.35 percent,<sup>17</sup> having fallen from a peak of 7.8 percent in October 2023.<sup>18</sup> At the same time of year in 2019, the rate was around 3.5 percent.<sup>19</sup>

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<sup>10</sup> Douglas Holtz-Eakin, *Small Business and the Regulatory State – An Update*, AM. ACTION FORUM (Jun. 28, 2024) available at <https://www.americanactionforum.org/daily-dish/small-business-and-the-regulatory-state-an-update/>.

<sup>11</sup> American Action Forum, *Regulation Rodeo: Explore the Data*, available at <https://regrodeo.com/> (last visited Sept. 11, 2024) (Years 2022, 2023, and 2024).

<sup>12</sup> News Release: Bureau of Labor Statistics, U.S. Dep't. of Labor: *Consumer Price Index—July 2024* (Aug. 14, 2024), available at <https://www.bls.gov/news.release/pdf/cpi.pdf>; News Release: Bureau of Labor Statistics, U.S. Dep't. of Labor: *Consumer Price Index—January 2021* (Feb. 11, 2021), available at [https://www.bls.gov/news.release/archives/cpi\\_02102021.pdf](https://www.bls.gov/news.release/archives/cpi_02102021.pdf).

<sup>13</sup> Aimee Picchi, *Americans need an extra \$11,400 today just to afford the basics, Republican analysis finds*, CBS NEWS (Nov. 30, 2023), available at <https://www.cbsnews.com/news/inflation-households-need-extra-11400-these-states-its-even-higher/>.

<sup>14</sup> Alicia Wallace, *Prices fell in June for the first time since the start of the pandemic*, CNN BUSINESS (July 11, 2024), available at [https://www.cnn.com/2024/07/11/economy/us-cpi-consumer-inflation-june/index.html?cid=external-feeds\\_iluminar\\_msn](https://www.cnn.com/2024/07/11/economy/us-cpi-consumer-inflation-june/index.html?cid=external-feeds_iluminar_msn).

<sup>15</sup> Lily Katz, *Skipping Meals and Working Overtime: The Sacrifices Americans Make to Afford Housing*, REDFIN (April 5, 2024), available at <https://www.redfin.com/news/homebuying-sacrifices-survey-2024/>.

<sup>16</sup> Stephen Moore, *Trump's Record Far Superior to Biden's on Debt and Inflation*, HERITAGE FOUND. (Jul. 17, 2024), available at <https://www.heritage.org/debt/commentary/trumps-record-far-superior-bidens-debt-and-inflation>.

<sup>17</sup> Federal Reserve Bank of St. Louis, *30-Year Fixed Rate Mortgage Average in the United States*, available at <https://fred.stlouisfed.org/series/MORTGAGE30US> (week ending September 5, 2024) (last visited Sept. 10, 2024).

<sup>18</sup> *Id.*, see also Jim Sergent, *Across America, how high mortgage rates keep buying a house out of reach*, USA TODAY (November 30, 2023), available at <https://www.usatoday.com/story/graphics/2023/11/30/high-mortgage-rates-hurt-housing-affordability/71656296007/>.

<sup>19</sup> Federal Reserve Bank of St. Louis, *30-Year Fixed Rate Mortgage Average in the United States*, available at <https://fred.stlouisfed.org/series/MORTGAGE30US> (week ending September 5, 2019) (last visited Sept. 10, 2024).

The combination of high interest rates and rising home prices prohibits many potential homeowners from purchasing a home. To afford a median-priced home at around \$400,000, on average Americans must make an annual income of around \$110,000.<sup>20</sup> The national average salary is only \$59,428.<sup>21</sup>

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<sup>20</sup> Alex Gailey, *Study: Americans need a six-figure salary to afford a typical home in nearly half of U.S. states*, BANKRATE (April 1, 2024), available at <https://www.bankrate.com/real-estate/home-affordability-in-current-housing-market-study/>.

<sup>21</sup> Belle Wong, *Average Salary By State In 2024*, FORBES (May 1, 2024), available at <https://www.forbes.com/advisor/business/average-salary-by-state/>.

## **Border Crisis**

At the southwest border, there have been over eight million encounters of illegal aliens since the beginning of the Biden-Harris Administration,<sup>22</sup> of which over seven million encounters were made in between ports of entry by illegal aliens who did not present for inspection at a port of entry.<sup>23</sup> The Biden-Harris Administration has released over 5.6 million illegal aliens into the United States according to data reviewed by the Committee on the Judiciary.<sup>24</sup>

In addition to those illegal aliens intentionally released into the United States by the Biden-Harris Administration, there have been over 1.9 million known gotaways,<sup>25</sup> meaning individuals who illegally crossed the border in between ports of entry and who successfully evaded apprehension entirely by law enforcement.

According to Department of Homeland Security (DHS) data, the number of aliens illegally entering in between ports of entry at the southwest border with derogatory information in the Terrorist Screening Database (TSDS)—which includes individuals with ties to terrorist activities as well as Known or Suspected Terrorists (KST)—has risen dramatically in recent years from a handful each year to 15 in FY2021, 98 in FY2022, 169 in FY2023, and 96 so far in FY2024.<sup>26</sup> Given the high level of known gotaways, the Committee fears that terrorists and other bad actors are attempting to exploit weaknesses in border security to infiltrate the United States.<sup>27</sup>

This chaos resulted not from the “root causes” of migration that Vice President and “Border Czar” Kamala Harris chose to highlight, but from deliberate policy choices of the Biden-Harris Administration—many on their first day in office—including the following:

1. The Biden-Harris Administration **ended enrollments in the Migrant Protection Protocols (MPP) also known as the Remain in Mexico Program** on January 20,

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<sup>22</sup> See Newsroom, Southwest Land Border Encounters, U.S. CUSTOMS AND BORDER PROTECTION (accessed Sept. 11, 2024), available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>. (Encounters from February FY2021 to July FY2024).

<sup>23</sup> *Id.* (sort by Component=U.S. Border Patrol, Encounters from February FY2021 to July FY2024).

<sup>24</sup> See H. Comm. on the Judiciary, *Interim Staff Report: The Consequences of the Biden-Harris Administration’s Open-Borders Policies: The Case of the Illegal Alien Who Brutally Assaulted a Teenage Louisiana Girl*, 118th Cong. at 1-2 (Sept. 3, 2024), available at <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/09-03-2024%20The%20Case%20of%20the%20Illegal%20Alien%20Who%20Brutally%20Assaulted%20a%20Teenage%20Louisiana%20Girl.pdf>.

<sup>25</sup> *Id.*

<sup>26</sup> Newsroom, *CBP Enforcement Statistics: Terrorist Screening Data Set Encounters*, U.S. CUSTOMS AND BORDER PROTECTION, (accessed Sept. 11, 2024), available at <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

<sup>27</sup> See Letter from James Comer, Chairman, Committee on Oversight & Accountability, et. al. to Alejandro Mayorkas, Secretary, Dep’t. of Homeland Security (May 19, 2023).

2021,<sup>28</sup> which permitted inadmissible aliens to be returned to and remain in Mexico until their hearings before an Immigration Judge.<sup>29</sup> The MPP program reduced the incentive for an alien to illegally cross with the expectation of being released into the interior to wait out court proceedings on a non-detained docket for years before an Immigration Judge finalized their case.

2. The Biden-Harris Administration issued a proclamation on January 20, 2021<sup>30</sup> **stopping construction of the border wall system**, even though Congress appropriated \$1.375 billion for wall construction in December 2020.<sup>31</sup> President Biden’s position is a reversal of his prior support for the Secure Fence Act of 2006, when he stated a border fence would prevent “tons” of drugs from entering the country.<sup>32</sup> Border barriers are an essential part of securing the border, as they have “proved to be a critical component in gaining operational control of the border” by diverting or slowing illegal crossings of people or contraband.<sup>33</sup> Border barriers also result in a significant and measurable decrease in illegal entry in the areas they are erected and require less manpower to patrol, saving taxpayer money.<sup>34</sup>
3. On January 20, 2021, **DHS gutted interior enforcement against illegal aliens** by limiting discretion of DHS law enforcement personnel to enforce the law against illegal aliens, and issued a 100-day moratorium on deportations for anyone present in the U.S. prior to November 1, 2020 absent limited exceptions.<sup>35</sup> Although that

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<sup>28</sup> DHS Statement on the Suspension of New Enrollments in the Migrant Protection Protocols Program (Jan. 20, 2021), available at <https://www.dhs.gov/news/2021/01/20/dhs-statement-suspension-new-enrollments-migrant-protection-protocols-program>.

<sup>29</sup> See INA § 235(b)(2)(C) (“In the case of an alien described in subparagraph (A) who is arriving on land (whether or not at a designated port of arrival) from a foreign territory contiguous to the United States, the Attorney General may return the alien to that territory pending a proceeding under section 240.”).

<sup>30</sup> Proclamation by the President, *Emergency With Respect to the Southern Border of the United States And Redirection of Funds Diverted to Border Wall Construction*, Jan. 20, 2021, available at [www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/proclamation-termination-of-emergency-with-respect-to-southern-border-of-united-states-and-redirection-of-funds-diverted-to-border-wall-construction/](http://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/proclamation-termination-of-emergency-with-respect-to-southern-border-of-united-states-and-redirection-of-funds-diverted-to-border-wall-construction/).

<sup>31</sup> See Consolidated Appropriations Act, 2021, Public Law No. 116-260, p. 275-76, Dec. 27, 2020, available at <https://www.congress.gov/116/bills/hr133/BILLS-116hr133enr.pdf> (“... An amount equal to the amount made available in section 209(a)(1) of division D of the Consolidated Appropriations Act, 2020...); see also Consolidated Appropriations Act, 2020, Public Law No. 116-93, Div. D, Sec. 209(a)(1), Dec. 16, 2019, available at <https://www.congress.gov/116/plaws/publ93/PLAW-116publ93.pdf>. (“\$1,375,000,000 for the construction of barrier system along the southwest border...”).

<sup>32</sup> See Andrew Kaczynski, *Joe Biden Once Said a Fence was Needed to Stop ‘Tons’ of drugs from Mexico*, CNN, May 10, 2019, available at <https://www.cnn.com/2019/05/10/politics/kfile-biden-drugs-fence-2006/index.html>.

<sup>33</sup> Press Release, DHS, *The Border Wall System is Deployed, Effective, and Disrupting Criminals and Smugglers*, Oct. 29, 2020, available at <https://www.dhs.gov/news/2020/10/29/border-wall-system-deployed-effective-and-disrupting-criminals-and-smugglers#:~:text=CBP%20has%20seen%2079%25%20decrease,wall%20system%20in%20this%20area.>

<sup>34</sup> *Id.*

<sup>35</sup> 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](https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf).

deportation moratorium was subsequently enjoined by a federal court, the message to the world that illegal immigration would be met with few consequences was received.<sup>36</sup> After implementation of the interim priorities guidance, arrests and removals of illegal aliens in the interior of the U.S. by Immigration and Customs Enforcement (ICE) plummeted by more than 60 percent.<sup>37</sup> Removals during the first five months after issuance of that memorandum are estimated to have fallen by 90 percent compared to the same period in 2019.<sup>38</sup>

4. The Biden-Harris Administration's **first legislative proposal to Congress was to provide amnesty** to millions of illegal immigrants without addressing incentives to illegally cross the border.<sup>39</sup>
5. DHS Secretary Alejandro Mayorkas issued a memorandum restricting priorities for enforcement on September 30, 2021 which went into effect on November 29, 2021.<sup>40</sup> Under that memorandum, criminal activity on its own is not enough to make an illegal alien a priority: only "current" threats are considered an enforcement priority, and only then generally because of "serious" criminal conduct.<sup>41</sup> This memorandum also made no mention of prioritizing aliens who originally enter lawfully and overstay their visas.<sup>42</sup>
6. DHS established unlawful categorical parole programs for inadmissible aliens in violation of the Immigration and Nationality Act (INA), which permits the temporary parole of inadmissible aliens into the United States "only on a case-by-case basis for urgent humanitarian reasons or significant public benefit..."<sup>43</sup> Instead of a "case-by-case" basis, the Biden Administration now paroles in tens of thousands of inadmissible aliens every month.<sup>44</sup> DHS even rolled out additional capabilities to

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<sup>36</sup> Aguilar, Julian, *Federal judge temporarily blocks Biden's 100-day deportation moratorium after Texas sues administration*, TEXAS TRIBUNE (Jan. 26, 2021).

<sup>37</sup> See Nick Miroff & Maria Sacchetti, *Immigration arrests have fallen sharply under Biden, ICE data show*, WASH. POST (Mar. 9, 2021).

<sup>38</sup> See Jessica M. Vaughan, *Deportations Plummet Under Biden Enforcement Policies*, CENTER FOR IMMIGRATION STUDIES, available at <https://cis.org/sites/default/files/2021-12/vaughan-deportations-12-21.pdf>.

<sup>39</sup> Fact Sheet: *President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System*, The White House (Jan. 20, 2021), available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>.

<sup>40</sup> 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>.

<sup>41</sup> *Id.*

<sup>42</sup> *See id.*

<sup>43</sup> INA § 212(d)(5) [8 U.S.C. § 1182(d)(5)].

<sup>44</sup> See E-mail from DHS Office of Legislative Affairs to Committee Staff (Oct. 12, 2022 6:04pm); *see also* Fact Sheet: Biden-Harris Administration Announces New Border Enforcement Actions, THE WHITE HOUSE (Jan. 5, 2023), available at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/01/05/fact-sheet-biden-harris-administration-announces-new-border-enforcement-actions/>.



CBP One, a smart phone app, to facilitate these unlawful parole programs.<sup>45</sup> In total, over 2 million illegal aliens have been paroled into the United States through a variety of unlawful Biden-Harris parole programs, including the CHNV program.<sup>46</sup> The CHNV program, as well as other parole programs, is not only unlawful but rife with fraud.<sup>47</sup> An internal review at U.S. Citizenship and Immigration Services found significant fraud in the application process in CHNV, including instances where “parolees used fake Social Security Numbers” and “fake phone numbers,” “[m]any applications listed the same physical address,” “[t]he same exact answers to Form I-134A questions were provided on hundreds of applications,” and “[m]any applications were submitted by the same computer IP address.”<sup>48</sup>

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<sup>45</sup> Press Releases, DHS continues to Prepare for End of Title 42; Announces New Border Enforcement Measures and Additional Safe and Orderly Processes, DHS (Jan. 5, 2023), *available at* <https://www.dhs.gov/news/2023/01/05/dhs-continues-prepare-end-title-42-announces-new-border-enforcement-measures-and>.

<sup>46</sup> Andrew R. Arthur, *Biden Has Paroled In Two Million-Plus Inadmissible Aliens*, CENTER FOR IMMIGRATION STUDIES (June 21, 2024), *available at* <https://cis.org/Arthur/Biden-Has-Paroled-Two-MillionPlus-Inadmissible-Aliens>.

<sup>47</sup> Immigration Report, *Biden-Harris Parole Program Halted as FAIR Exposes Massive Fraud*, FEDERATION FOR AMERICAN IMMIGRATION REFORM (Sept. 2024), *available at* <https://www.fairus.org/sites/default/files/2024-09/NL-08-September-2024-web.pdf>.

<sup>48</sup> *Id.*

## *Waste and Mismanagement of Taxpayer Dollars*

The Administration’s Infrastructure Investment and Jobs Act (IIJA) signed into law on November 15, 2021,<sup>49</sup> has been heralded as a cornerstone of the Biden-Harris Administration’s policy accomplishments and promised to deliver transformational upgrades to our nation’s infrastructure. Among these commitments was \$7.5 billion in funding for half a million electric vehicle (EV) charging stations. Of this funding, \$5 billion in “formula funding” was allocated for states to increase the network of fast chargers near major highways through the National Electric Vehicle Infrastructure (NEVI) program. The NEVI program has since faced a myriad of delays with states and the charging industry blaming “the labyrinth of new contracting and performance requirements” associated with funding approvals.<sup>50</sup> Additionally, the increase in EV grant funding heightens concerns about fraud, waste, and abuse. Multinational, foreign automakers are reportedly receiving federal subsidies for EV production; however, reports indicate that companies are concurrently closing manufacturing sites and laying off American workers—while keeping federal funds.<sup>51</sup>

If EV uptake has been slow, the national rollout of federally funded EV charging stations has been glacial. Reports from earlier this year indicate that despite this massive funding allocation, **only eight** EV charging stations were operational across four states.<sup>52</sup> Many of the practical challenges of new electric vehicle chargers were showcased by Department of Energy Secretary Jennifer Granholm’s disastrous “EV road trip” during the summer of 2023.<sup>53</sup> Although the Administration has recently announced grant awards for deploying additional charging stations,<sup>54</sup> Democrats have been openly critical of the minimal rollout numbers thus far, with one Democratic Senator stating, “[t]hat is pathetic. We’re now three years into this ... That is a vast administrative failure.”<sup>55</sup> Other critics have cited the “unrealistic” nature of these aspirations, especially in states like California: “This is a wakeup call that we address potential institutional and policy obstacles more seriously before we commit blindly.”<sup>56</sup> Despite

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<sup>49</sup> Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429 (2021).

<sup>50</sup> James Bikales, *Congress provided \$7.5B for electric vehicle chargers. Built so far: Zero.*, POLITICO, (Dec. 13, 2023), available at <https://www.politico.com/news/2023/12/05/congress-ev-chargers-billions-00129996>.

<sup>51</sup> James Lynch, *Foreign Automaker Lays Off Thousands of Michigan Workers after Pocketing Hundreds of Millions in Biden EV Subsidies*, NATIONAL REVIEW (Sept. 5, 2024), available at <https://www.nationalreview.com/news/foreign-automaker-lays-off-thousands-of-michigan-workers-after-pocketing-hundreds-of-millions-in-biden-ev-subsidies/>

<sup>52</sup> Shannon Osaka, *Biden’s \$7.5 billion investment in EV charging has only produced 7 stations in two years*, WASH. POST, (Mar. 4, 2024), available at <https://www.washingtonpost.com/climate-solutions/2024/03/28/ev-charging-stations-slow-rollout/>.

<sup>53</sup> Camila Domonoske, *Electric cars have a road trip problem, even for the secretary of energy*, NPR, (Sept. 10, 2023), available at <https://www.npr.org/2023/09/10/1187224861/electric-vehicles-evs-cars-chargers-charging-energy-secretary-jennifer-granholm>.

<sup>54</sup> David Shepardson, *US awards \$521 million in grants to boost EV charging network*, REUTERS, (Aug. 27, 2024), available at <https://www.reuters.com/business/autos-transportation/us-energy-department-awards-521-mln-grants-scale-ev-charging-network-2024-08-27/>.

<sup>55</sup> David Shepardson, *Democrat calls only 7 EV-charging stations deployed under US program ‘pathetic’*, REUTERS, (Jun. 5, 2024), available at <https://www.reuters.com/world/us/democrat-calls-only-7-ev-charging-stations-deployed-under-us-program-pathetic-2024-06-05/>.

<sup>56</sup> Alejandro Lazo, *California needs a million EV charging stations — but that’s ‘unlikely’ and ‘unrealistic,’* CAL MATTERS, (Jul. 16, 2024), available at <https://calmatters.org/environment/climate-change/2024/07/california-electric-car-chargers-unrealistic-goals/>.

pushback, the Biden-Harris Administration continues forward on these goals, with Department of Transportation Secretary Pete Buttigieg stating, “the EV revolution will happen with or without us.”<sup>57</sup>

While the Administration’s buildout of electric vehicle charging has inched forward, funding for climate activist organizations continues to flow. Reports indicate that progressive nonprofit groups have managed to secure funding through the Inflation Reduction Act’s Environmental and Climate Justice block grants, which were designed to support local nonprofits.<sup>58</sup> Many of these far-left groups include language related to “climate justice” in their mission statements<sup>59</sup> yet some of their actions appear to have very little to do with this mission. For example, the Wall Street Journal revealed that “EPA tapped Fordham University as a grantmaker to distribute \$50 million, in collaboration with the New York Immigration Coalition (NYIC) and the New Jersey Alliance for Immigrant Justice (NJAIJ).”<sup>60</sup> Both organizations have taken radical stances on issues related to immigration and criminal justice yet were both eligible to receive funding.

In the telecommunications sector, the Biden-Harris Administration authorized the Broadband Equity Access and Deployment (BEAD) program to issue over \$42 billion in grants to “connect everyone in America to reliable, affordable high-speed internet access.”<sup>61</sup> Although IJA appropriated billions of dollars to address connectivity, especially in unserved and underserved areas, **not a single American household** can access broadband internet as part of the BEAD program.<sup>62</sup> In fact, Federal Communications Commission (FCC) Commissioner Brendan Carr notes that the first construction in connection with the BEAD projects will not commence until 2025 at the earliest.<sup>63</sup> The National Telecommunications and Information Administration (NTIA) shares Commissioner Carr’s view on the BEAD timeline. An agency within the Department of Commerce, NTIA is responsible for administering BEAD<sup>64</sup> and Administrator Alan Davidson noted the broadband program “is really a 2025, 2026, shovels in the ground project.”<sup>65</sup>

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<sup>57</sup> Stephen Sorace, *Buttigieg defends Biden’s EV strategy after question on how only 8 federal charging stations have been built*, FOX BUSINESS, (May 26, 2024), available at <https://www.foxbusiness.com/markets/buttigieg-defends-bidens-ev-strategy-after-question-how-only-8-federal-charging-stations-have-been-built>.

<sup>58</sup> James B. Meigs, *A Slush Fund for Radical Protesters?*, CITY JOURNAL, (May 29, 2024), available at <https://www.city-journal.org/article/a-slush-fund-for-radical-protesters>.

<sup>59</sup> *Id.*

<sup>60</sup> The Editorial Board, *Look Who the EPA Is Funding Now*, WALL ST. JOURNAL, (Jun. 14, 2024), available at <https://www.wsj.com/articles/epa-funding-new-york-immigration-coalition-njaij-immigration-and-customs-enforcement-995d818a>.

<sup>61</sup> White House, Fact Sheet: Biden-Harris Administration Announces Over \$40 Billion to Connect Everyone in America to Affordable, Reliable, High-Speed Internet, available at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/26/fact-sheet-biden-harris-administration-announces-over-40-billion-to-connect-everyone-in-america-to-affordable-reliable-high-speed-internet/>.

<sup>62</sup> Brendan Carr (@BrendanCarrFCC), X (June 14, 2024, 10:07 AM), <https://x.com/BrendanCarrFCC/status/1801617454369485236> (thread).

<sup>63</sup> *Id.*

<sup>64</sup> U.S. Dep’t of Commerce, National Telecommunications and Information Administration, <https://www.commerce.gov/bureaus-and-offices/ntia> (last visited Aug. 29, 2024).

<sup>65</sup> Joe Lancaster, *Why Has Joe Biden’s \$42 Billion Broadband Program Not Connected One Single Household*, REASON (June 27, 2024).

Despite being signed into law over 1000 days ago, BEAD continues to bury industries, states, and the federal government in immense regulatory “red tape”—a staple of the Biden-Harris Administration.<sup>66</sup> President Biden tapped Vice President Harris to lead the BEAD initiative saying “I am asking the Vice President to lead this effort, if she would...because I know it will get done.”<sup>67</sup> The Administration, through Vice President Harris, provided that BEAD must encompass a “climate change agenda, DEI requirements, technology biases, price controls, and government-run network preferences.”<sup>68</sup> In fact, industries are not hiding that the regulatory burden is a major concern. The president and CEO of the Minnesota Telecom Alliance noted “zero” of his members would participate in the BEAD grant program.<sup>69</sup> The CEO also stated that the lack of bidding is expressly linked to “the regulations that would come with it,” such as “the requirement to provide low cost service to low-income households” because those requirements impede rural providers and the smaller members cannot afford to offer a low-cost service option.<sup>70</sup>

The Biden-Harris Administration continues exorbitant regulations and wasteful spending on projects that lead to nowhere. The BEAD program is yet another Biden-Harris blunder, especially considering the FCC cancelled a \$885 million infrastructure award to Starlink, won at auction, which would have provided high-speed service to over 600,000 homes and businesses in 35 states.<sup>71</sup>

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<sup>66</sup> *The Fiscal Year 2025 Federal Communications Commission Agency Budget, Hearing Before the H. Comm. on Energy & Commerce*, 118<sup>th</sup> Cong. 2 (statement of Brendan Carr, Comm’r, Federal Communications Commission).

<sup>67</sup> Briefing Room: *Remarks by President Biden in Address to a Joint Session of Congress*, THE WHITE HOUSE (Apr. 28, 2021), available at <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/04/29/remarks-by-president-biden-in-address-to-a-joint-session-of-congress/>.

<sup>68</sup> *Id.*

<sup>69</sup> Ana Radelat, *‘Internet for All’ Plans in Minnesota in Trouble As Broadband Providers Balk at ‘Onerous’ Regulations*, MINNPOST (June 24, 2024).

<sup>70</sup> *Id.*

<sup>71</sup> Press Release, Federal Communications Commission, Carr Criticizes Agency’s Abrupt Reversal of \$885 Million Infrastructure Award to Elon Musk’s Starlink (Aug. 24, 2022), available at <https://docs.fcc.gov/public/attachments/DOC-386525A1.pdf>.

## Foreign Policy & National Security

The botched Afghanistan withdrawal, which cost the lives of 13 servicemembers and handed billions of dollars in military equipment to terrorists, combined with a refusal to hold responsible officials accountable for the failure, exposed the Administration's strategic incompetence. A posture of appeasement toward the Iranian regime since the early days of the Administration has emboldened the regime and its proxies and escalated tensions across the globe. And although the United States has provided over \$174 billion for Ukraine in the form of security, humanitarian, economic, and governance assistance since Russia invaded Ukraine on February 24, 2022, the conflict drags on with limited oversight into defense articles transferred into Ukraine, and failure by the Administration to articulate a coherent strategy for ending the conflict. Meanwhile, the Administration has failed to adequately recognize and address the threat presented by the Chinese Communist Party, continuing to view China as a mere "competitor" nation.

1. **Afghanistan Withdrawal:** Despite the U.S. investing over \$2 trillion and nearly two decades in Afghanistan, the Biden-Harris Administration's withdrawal was marked by disorder and chaos, leading to the tragic deaths of 13 servicemembers and scores of Afghan civilians in a terrorist attack at Abbey Gate at Hamid Karzai International Airport in Kabul,<sup>72</sup> leaving hundreds of Americans stranded,<sup>73</sup> and abandoning billions of dollars in U.S. military equipment.<sup>74</sup>

The failure to plan and a lack of adequate preparation for the evacuation and resettlement process left many Americans and Afghans vulnerable during the withdrawal from Afghanistan. Tens of thousands of Afghan allies potentially remain at risk, hiding from retribution.<sup>75</sup> The Biden-Harris Administration's naive reliance on "over the horizon" capabilities have left the United States with little intelligence on terrorist activities in the region.

2. **Russia invades Ukraine:** Since Russia further invaded Ukraine on February 24 2022, Congress made available \$174.2 billion for Ukraine in the form of security, humanitarian, economic, and governance assistance.<sup>76</sup> By June 1, 2024, the Department of Defense (DoD) had committed roughly \$18.2 billion out of its \$32.7

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<sup>72</sup> *What We Know About the 13 U.S. Service Members Killed in the Kabul Attack*, NPR (Aug. 29, 2021), available at <https://www.npr.org/2021/08/29/1032044382/what-we-know-about-the-13-u-s-service-members-killed-in-the-kabul-attack>.

<sup>73</sup> Andrew Desiderio, *Afghanistan Evacuation Effort Rescues 800 Americans Under Taliban Rule*, POLITICO (Aug. 14, 2022), available at <https://www.politico.com/news/2022/08/14/afghanistan-800-evacuated-taliban-00051525>.

<sup>74</sup> Press Release, U.S. Dep't of Def., Lead Inspector General for Operation Enduring Sentinel and Operation Freedom's Sentinel Report to Congress (Aug. 9, 2022), <https://www.dodig.mil/In-the-Spotlight/Article/3129145/lead-inspector-general-for-operation-enduring-sentinel-and-operation-freedoms-s/>.

<sup>75</sup> Lynne O'Donnell, *Afghan Allies Are Still Trapped Under Taliban Rule*, FOREIGN POLICY (Sept. 18, 2023), available at <https://foreignpolicy.com/2023/09/18/afghan-allies-taliban-immigration-visa-asylum-withdrawal/>.

<sup>76</sup> Funding: Special Inspector General for Operation Atlantic Resolve, *FY 2022-2024 Supplemental Appropriation*, <https://www.ukraineoversight.gov/funding/>.

billion in supplemental and FY 2022-2024 base Ukraine Security Assistance Initiative (USAI) appropriations.<sup>77</sup> Additionally, The Presidential Drawdown Authority (PDA) allows the President to provide military aid from existing DoD stockpiles, within set funding limits. In response to Russia's 2022 invasion of Ukraine, Congress raised the PDA caps to \$11 billion for FY 2022, \$14.5 billion for FY 2023, and \$7.8 billion for FY 2024, totaling \$33.3 billion by June 30, 2024. This supplemental funding lets DoD request reimbursement for items sent to Ukraine. By that date, the DoD had authorized over \$24.75 billion in drawdowns, with \$21.84 billion delivered to Ukraine.<sup>78</sup>

The Department of Defense has implemented an End-Use Monitoring (EUM) plan in accordance with the Arms Export Control Act to monitor defense articles going to Ukraine.<sup>79</sup> Defense articles that require added physical security and additional inventory requirements are designated by DOD as needing Enhanced End-Use Monitoring (EEUM).<sup>80</sup> However, a lot of the responsibility of EUM falls on the Ukrainian Armed Forces. One of the biggest threats to U.S. taxpayer assistance to Ukraine is rampant corruption. While it has been reported that Ukraine has made significant improvements in its efforts to address corruption, it still faces several challenges to address internal controls.<sup>81</sup>

Despite multiple assurances from DoD that every mechanism is in place to prevent waste, fraud and abuse of U.S. taxpayer funds going to Ukraine, the DoD Inspector General (DoD IG) has alerted Congress of extreme failures by DoD to track enhanced weapons and other defense articles going to Ukraine. On January 10, 2024, DoD IG released a report titled: "Evaluation of DoD's Enhanced End-Use Monitoring of Defense Articles Provided to Ukraine."<sup>82</sup> The DoD IG found that despite updated guidance and procedures, the Ukrainian Armed Forces did not provide timely expenditure or loss reports—sometimes being hundreds of days behind schedule.<sup>83</sup> As the DoD IG points out, "High rates of delinquency may correlate with an inability to maintain complete accountability of the EEUM- designated defense articles, which, in turn, may increase the risk of theft or diversion."<sup>84</sup> In response to DoD IG's report, the Office of Defense Cooperation—Ukraine points out, "...the unprecedented

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<sup>77</sup> *Id.*

<sup>78</sup> *Id.*

<sup>79</sup> U.S. DEP'T OF DEF. INSPECTOR GEN., DODIG-2023-074, DoD REVIEW AND UPDATE OF DEFENSE ARTICLES REQUIRING ENHANCED END-USE MONITORING, (May 19, 2023), *available at* <https://media.defense.gov/2023/May/23/2003227988/-1/-1/1/DODIG-2023-074.PDF>.

<sup>80</sup> *Id.*

<sup>81</sup> U.S. INT'L DEV. FIN. CORP. OFFICE OF INSPECTOR GEN., DFC-23-001-MA, KEY CONSIDERATIONS TO INFORM THE DFC'S RESPONSE IN UKRAINE, 3 (June 6, 2023), *available at* <https://www.oversight.gov/sites/default/files/oig-reports/DFCOIG/Key-Considerations-DFC-Response-UkraineDFC-23-001-MAJune-6-2023FINAL.pdf>.

<sup>82</sup> U.S. DEP'T OF DEF. INSPECTOR GEN., DODIG-2024-043, EVALUATION OF THE DoD'S ENHANCED END-USE MONITORING OF DEFENSE ARTICLES PROVIDED TO UKRAINE, 2, (Jan. 10, 2024), *available at* [https://media.defense.gov/2024/Jan/11/2003374323/-1/-1/1/DODIG-2024-043-EEMU\\_REDACTED%20SECURE.PDF](https://media.defense.gov/2024/Jan/11/2003374323/-1/-1/1/DODIG-2024-043-EEMU_REDACTED%20SECURE.PDF).

<sup>83</sup> *Id.* at 30.

<sup>84</sup> *Id.* at 31.

volume of EEUM-designated articles within Ukraine, currently exceeding 50,000 items and growing, is beyond the capacity of the limited DoD personnel in country to physically inventory even if access were unrestricted.”<sup>85</sup>

3. During the October 7, 2023, attack on Israel, Hamas, a designated Foreign Terrorist Organization (FTO), killed some 1,200 people and dragged 252 hostages into Gaza, including eight American citizens.<sup>86</sup>

In an ongoing effort to appease progressive Democrats,<sup>87</sup> the Biden-Harris Administration’s policy on the Israel-Hamas war has been inconsistent. The President and his Administration have publicly stated support for Israel, while at the same time criticizing Israel’s defensive efforts in Gaza and the region as “over the top” and “indiscriminate.”<sup>88</sup>

In fact, on May 8, 2024, President Biden **threatened the withholding of weapons to Israel** if they continued their efforts to eradicate Hamas in the city of Rafah in Gaza.<sup>89</sup>

4. In April of 2021, the Administration **renewed U.S. funding to the United Nations Relief and Works Agency (UNRWA)**, a reversal of President Trump’s decision to cease all U.S. aid to UNRWA because of the organization’s consistent incitement against Israel.<sup>90</sup> In February of 2024, Israeli intelligence discovered a Hamas tunnel directly under UNRWA’s Gaza headquarters, including a “sophisticated data center that shared the UNRWA building’s electricity.”<sup>91</sup> Further, on August 5, 2024, the UN fired nine UNRWA staff after evidence indicated they may have been directly involved in the October 7<sup>th</sup> Hamas-led attacks on Israel.<sup>92</sup>
5. The Biden-Harris Administration **spent over \$230 million to build a temporary pier** to deliver humanitarian aid into Gaza that was operational for only a total of 20

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<sup>85</sup> *Id.* at 68.

<sup>86</sup> Peter Saidel, Summer Said & Anat Peled, *Hamas Took More than 200 Hostages From Israel. Here’s What We Know*, WALL ST. JOURNAL (Updated Sept. 1, 2024), available at <https://www.wsj.com/world/middle-east/hamas-hostages-israel-gaza-41432124>.

<sup>87</sup> Bill Hutchinson, *The history of US support for Israel runs deep, but with a growing chorus of critics*, ABC NEWS (November 24, 2023), available at <https://abcnews.go.com/International/history-us-support-israel-runs-deep-growing-chorus/story?id=104957109>.

<sup>88</sup> Isaac Chotiner, *Biden’s Increasingly Contradictory Israel Policy*, THE NEW YORKER (April 2, 2024), available at <https://www.newyorker.com/news/q-and-a/bidens-increasingly-contradictory-israel-policy>.

<sup>89</sup> NPR Washington Desk, *Biden says he would halt additional weapons shipments if Israel invades Rafah*, NPR (May 8, 2024), available at <https://www.npr.org/2024/05/08/1250094064/biden-israel-gaza-weapons-rafah>.

<sup>90</sup> Barak Ravid, *Biden Reverses Trump’s aid cuts to Palestinians, including to UNRWA*, AXIOS (April 7, 2021), available at <https://www.axios.com/2021/04/07/biden-reverses-trumps-aid-cuts-palestinians-unrwa>.

<sup>91</sup> Hadeel Al-Shalchi, *Israel says it discovered tunnels under U.N. agency’s Gaza headquarters*, NPR (February 10, 2024), available at <https://www.npr.org/2024/02/10/1230632741/israel-gaza-tunnels-unrwa-united-nations>.

<sup>92</sup> *UN completes investigation on UNRWA staff*, United Nations (August 5, 2024), available at <https://news.un.org/en/story/2024/08/1152841>.

days.<sup>93</sup> According to a USAID IG report, this Biden-Harris boondoggle came at an enormous price, fell well short of its goals, and was pursued by the Administration after the President issued the directive to construct it, despite career staff expressing that land crossings would be “more efficient and proven methods of transporting aid into Gaza.”<sup>94</sup>

- 6. The Iranian Regime and its Proxies:** The Biden-Harris Administration has engaged in an appeasement policy toward Iran since the outset of its Administration. The Iranian regime has continued to escalate tensions to gauge the response of the Biden-Harris Administration.<sup>95</sup> The Administration, however, continues to accommodate the regime, taking a dangerous position of U.S. weakness.<sup>96</sup>

Under the Obama administration, in July 2015, the United States, Iran, and several world powers (China, France, Russia, UK, and Germany), formally signed the Joint Comprehensive Plan of Action (JCPOA) which was supposed to restrict and dismantle much of Iran’s nuclear program.<sup>97</sup> The Trump administration withdrew from the JCPOA and returned sanctions on Iran, because the agreement did not address Iran’s ballistic missile program or its proxy warfare operations in the Middle East region.<sup>98</sup> However, beginning during their candidacy for office, Joe Biden and Kamala Harris expressed an interest in returning the U.S. to the JCPOA agreement with Iran and their Administration has been working toward that goal.<sup>99</sup>

The Biden-Harris Administration appointed Robert Malley as Special Envoy for Iran. Malley was a key player in the administration’s efforts to return to the JCPOA and has a history of close ties with Iran. He is currently on leave from his position while he is under a federal criminal investigation for possibly moving classified information to his personal email, where it may have fallen into the hands of a “foreign actor.”<sup>100</sup> In addition, one of Malley’s top advisors at the State Department, Ariane Tabatabai, who assisted with his nuclear dialogue with Iran, and who continues to hold a security clearance, was found to be part of a network of individuals directly working with the

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<sup>93</sup> Rafi Schwartz, *US military declares end to Gaza pier aid mission*, THE WEEK (July 18, 2024), available at <https://theweek.com/politics/gaza-pier-us-military-israel-hamas-war>.

<sup>94</sup> U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, E-000-24-004-M, USAID’S GAZA RESPONSE: EXTERNAL FACTORS IMPAIRED DISTRIBUTION OF HUMANITARIAN ASSISTANCE THROUGH THE JLOTS MARITIME CORRIDOR, 1 (August 27, 2024), available at <https://oig.usaid.gov/sites/default/files/2024-08/OIG%20Final%20Report%20-%20JLOTS%20Maritime%20Corridor%20Evaluation.pdf>.

<sup>95</sup> Richard Goldberg, *The path that led to Iran’s attack on Israel was one of US appeasement*, THE JEWISH CHRONICLE (April 16, 2024), available at <https://www.thejc.com/lets-talk/iran-israel-attack-us-joe-biden-administration-appeasement-kot4wqal>.

<sup>96</sup> *Id.*

<sup>97</sup> Kali Robinson, *Backgrounder: What Is the Iran Nuclear Deal*, COUNCIL ON FOREIGN RELATIONS (Jun. 21, 2023), available at <https://www.cfr.org/backgrounder/what-iran-nuclear-deal>.

<sup>98</sup> *Id.*

<sup>99</sup> *Id.*

<sup>100</sup> Nahal Toosi and Joe Gould, *FBI probes whether Iran envoy Malley committed crimes in handling of classified info*, POLITICO (May 10, 2024), available at <https://www.politico.com/news/2024/05/10/fbi-probes-iran-envoy-malley-classified-info-00157321>.



Iranian Foreign Ministry.<sup>101</sup> Despite her close relationship with the Iranian regime, Ms. Tabatabai continues to hold a sensitive security clearance and now serves as Chief of Staff to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.<sup>102</sup>

In 2023, the Biden-Harris Administration met, via third-party representatives, with Iranian officials in Oman to discuss an “informal” agreement relating to uranium enrichment and the use of proxy forces against U.S. and coalition forces in the region.<sup>103</sup> In return, Iran was seeking a relaxation of sanctions and the unfreezing of Iranian monetary assets abroad.<sup>104</sup> The U.S. continued negotiations with Iran, even while the regime was increasing their uranium enrichment closer to weapons grade levels.<sup>105</sup> Further, it “installed more advanced centrifuges, got caught producing uranium metal, a core component of nuclear weapons, and started limiting the International Atomic Energy Agency inspections at different facilities.”<sup>106</sup> In response, the Administration not only did not impose sanctions on the regime, but it ceased those sanctions that were already in place.<sup>107</sup>

In further efforts to appease the regime, during his first weeks in office, the Biden-Harris Administration made the decision to remove the Houthi militia in Yemen from the Foreign Terrorist Organization (FTO) list.<sup>108</sup> After the October 7, 2023 Hamas attack on Israel, the Biden-Harris Administration “downplayed Iran’s connection to Hamas and insisted the Islamic regime was not behind the attack.”<sup>109</sup> Since then, with support and backing by an Iran emboldened more than ever, three Americans have been killed in Jordan by Iran-backed militias, the Houthi’s are firing missiles on the Red Sea, and Israel is being attacked from Lebanon.<sup>110</sup>

7. **Chinese Communist Party:** The Chinese Communist Party (CCP) is the most comprehensive threat to U.S. national security since the fall of the Soviet Union.<sup>111</sup> Along with America’s other adversaries, the Biden-Harris administration’s policy

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<sup>101</sup> Jay Solomon, *Inside Iran’s influence operation*, SEMAFOR (Updated September 29, 2023), available at <https://www.semafor.com/article/09/25/2023/inside-irans-influence-operation>.

<sup>102</sup> Bret Stephens, *Iran’s Captive Minds*, N.Y. TIMES OPINION (October 3, 2023), available at <https://www.nytimes.com/2023/10/03/opinion/iran-malley-influence.html>.

<sup>103</sup> Michael Crowley, Farnaz Fassihi, and Ronen Bergman, *Hoping to Avert Nuclear Crisis, U.S. Seeks Informal Agreement With Iran*, N.Y. TIMES (June 14, 2023), available at <https://www.nytimes.com/2023/06/14/us/politics/biden-iran-nuclear-program.html>.

<sup>104</sup> *Id.*

<sup>105</sup> *Supra*, n.95.

<sup>106</sup> *Id.*

<sup>107</sup> *Id.*

<sup>108</sup> Nick Schiffrin, Ali Rogin, *In foreign policy shift, Biden lifts terrorist designation for Houthis in Yemen*, PBS NEWS (February 16, 2021), available at <https://www.pbs.org/newshour/show/in-foreign-policy-shift-biden-lifts-terrorist-designation-for-houthis-in-yemen>.

<sup>109</sup> *Supra*, n.95.

<sup>110</sup> *Id.*

<sup>111</sup> *America First China Policy Principles in Practice – Center Overview – China Policy Initiative*, AMERICA FIRST POLICY INSTITUTE (December 7, 2022), available at <https://americafirstpolicy.com/issues/20221207-america-first-china-policy-principles-in-practice-center-overview-china-policy-initiative>.

weaknesses, both at home and abroad, have emboldened the CCP. The Administration continues to view China as a “competitor” instead of a ruthless adversary.<sup>112</sup>

The Administration has issued confusing and incoherent statements on global security issues, including several statements it rapidly walked back regarding how the U.S. would defend Taiwan, undermining U.S. credibility and global leadership.<sup>113</sup> After the embarrassment of the CCP flying a spy balloon flying directly over the entire continental U.S., including our most sensitive military bases,<sup>114</sup> the Administration sent several rounds of senior officials to Beijing,<sup>115</sup> presenting an appearance of U.S. weakness. The CCP has been purchasing properties near critical infrastructure facilities, such as power, natural gas, petroleum, and water treatment centers, exposing those sensitive locations to physical attack.<sup>116</sup> China, through the CCP, is also directly subsidizing production of illicit fentanyl precursors for sale abroad and fueling the U.S. opioid crisis.<sup>117</sup> Though China and the U.S. launched a joint counter narcotics working group to curb fentanyl production and export, experts claim that the CCP has not changed its support for the supply that reaches the Western hemisphere.<sup>118</sup>

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<sup>112</sup> Fred Fleitz, Adam Savit, *Special Analysis: Countering Xi Jinping’s China: An Existential Threat That America First Leadership Can Stop*, AMERICA FIRST POLICY INSTITUTE (July 24, 2023), available at <https://americafirstpolicy.com/issues/special-analysis-countering-xi-jinpings-china-an-existential-threat-that-america-first-leadership-can-stop>.

<sup>113</sup> *Id.*

<sup>114</sup> Courtney Kube and Carol E. Lee, *Chinese spy balloon gathered intelligence from sensitive U.S. military sites, despite U.S. efforts to block it*, NBC NEWS (April 3, 2023), available at <https://www.nbcnews.com/politics/national-security/china-spy-balloon-collected-intelligence-us-military-bases-rcna77155>.

<sup>115</sup> Kelly Garrity, Tom Cotton: *U.S. needs to stop chasing Chinese officials ‘like lovestruck teenagers’*, POLITICO (June 4, 2023), available at <https://www.politico.com/news/2023/06/04/tom-cotton-china-lovestruck-teenagers-00100118>.

<sup>116</sup> Adam Savit, *Chinese Communist Party Land Ownership is a Threat to West Virginia’s Critical Infrastructure*, AMERICA FIRST POLICY INSTITUTE (July 2, 2024), available at <https://americafirstpolicy.com/issues/chinese-communist-party-land-ownership-is-a-threat-to-west-virginias-critical-infrastructure>.

<sup>117</sup> Michael Martina, *US committee finds China is subsidizing American fentanyl crisis*, REUTERS (April 16, 2024), available at <https://www.reuters.com/world/us/us-committee-finds-china-is-subsidizing-american-fentanyl-crisis-2024-04-16/>.

<sup>118</sup> *Id.*