

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
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April 15, 2021

The Honorable Jerrold L. Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler:

The Biden border crisis continues to worsen every day. Last week several Republican Committee Members traveled to the southern border to observe firsthand the dire consequences of President Biden's radical immigration policies. Democrats on the Committee can no longer ignore the chaos at the border. We therefore write to request that you invite Homeland Security Secretary Alejandro Mayorkas to testify about the Biden border crisis at a full committee hearing as soon as possible.

U.S. Customs and Border Protection (CBP) monthly data shows the unprecedented surge of illegal aliens into our country. CBP reported 172,331 encounters with illegal aliens on the southern border during March 2021—a 71 percent increase over February.¹ Of these encounters, 18,890 were unaccompanied alien children (UACs), a 100 percent increase over February.² The total number of southern border encounters during this fiscal year is already over half a million, before we have even entered the months in which crossing numbers are historically the highest.³ Due to overwhelming numbers, CBP is forced to hold UACs for an average of 107 hours⁴—well beyond the 72-hours standard for a maximum holding time.⁵

The data from CBP do not convey the true extent of the Biden border crisis. On our trip, we heard directly from CBP officials who have had to divert scarce resources away from their national security mission and law enforcement duties to instead process illegal aliens. We

¹ U.S. Customs and Border Protection, *FY Southwest Land Border Encounters by Month*, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>; U.S. Customs and Border Protection, *CBP Announces March 2021 Operational Update*, <https://www.cbp.gov/newsroom/national-media-release/cbp-announces-march-2021-operational-update>.

² *Id.*

³ *Id.*

⁴ Priscilla Alvarez, *Unaccompanied Migrant Children Staying in Border Patrol Facilities and Average of 107 Hours, Internal Records Show*, CNN, (Mar. 10, 2021), <https://www.cnn.com/2021/03/10/politics/migrant-children-border-patrol/index.html>.

⁵ 8. U.S.C. § 1232(b)(3).

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observed pods in CBP facilities that were built to accommodate 33 individuals during the pandemic but were now holding over 500. We observed young people who had been victims of horrific abuse on the journey to the U.S. We saw children who had been in CBP custody for at least 11 days. We talked to Border Patrol agents, state and local law enforcement officials, landowners, and others who begged for help to stop the surge of aliens. The officials who briefed us expressed concern about the absence of guidance, engagement and interest of the Biden-Harris Administration.

The Biden-Harris Administration refuses to take responsibility for the crisis on the southern border. Neither President Biden nor Vice President Harris has yet to travel to the border. Vice President Harris, who President Biden appointed as the point person to address the crisis, even laughed when asked if she planned to visit the border. Although Secretary Mayorkas has traveled to the border, he has refused to allow the media access to border facilities to observe and report on the crisis.

It has been 102 days since the 117th Congress began and you still have yet to convene a full committee hearing. Republicans have urged Democrats to hold hearings on the Biden border crisis. Democrats have ignored our requests. We invited you and other Democrats to join our trip to the southern border to see the crisis for yourselves. You declined. The Committee can not ignore this crisis any longer. We hope you will change your posture and agree to invite Secretary Mayorkas for a full committee hearing to examine the Biden border crisis immediately.

Sincerely,



Jim Jordan
Ranking Member