

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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July 1, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, DC 20528

Dear Secretary Mayorkas:

The Biden border crisis continues to rage out of control. Despite your assertion that the Biden-Harris Administration has sent a clear message to migrants not to come to the U.S.,¹ over 180,000 illegal aliens were apprehended at the southern border in May—a number that will likely be even higher this month.² Because Democrats refuse to address the Biden border crisis, we write to you directly to request that you make yourself available to testify at the Committee about the ongoing humanitarian and security crisis at the border.

For months, Republicans have urged Committee Democrats to address the Biden border crisis. In April, we asked Chairman Nadler to invite you for a full committee hearing.³ Chairman Nadler did not respond to our request. Also in April, Republicans asked Vice President Harris, who President Biden tapped to lead the Administration's border crisis response, for a meeting.⁴ Vice President Harris did not respond. We also wrote to you with questions about the Biden-Harris Administration's awareness that reversing the Trump Administration's successful immigration policies would lead to a surge at the border.⁵ You have not responded.

The crisis at the border is the direct result of the Biden-Harris Administration's radical immigration policies. The Biden-Harris Administration repealed Trump Administration

¹ Daina Beth Solomon, *Homeland Security chief says U.S.-Mexico border not open*, REUTERS (June 15, 2021), <https://www.reuters.com/article/usa-immigration-mexico-mayorkas/update-6-homeland-security-chief-says-us-mexico-border-not-open-idUSL2N2NX13N>.

² U.S. Customs and Border Protection, *Southwest Land Border Encounters, FY Southwest Land Border Encounters by Month*, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

³ Letter from Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Jerrold Nadler, Chairman, H. Comm. on the Judiciary (Apr. 15, 2021).

⁴ Letter from Jim Jordan, Ranking Member, H. Comm. on the Judiciary, John Katko, Ranking Member, H. Comm. on Homeland Sec., James Comer, H. Comm. on Oversight and Reform, to Kamala Harris, Vice President of the United States (Apr. 19, 2021).

⁵ Letter from Jim Jordan, Ranking Member, H. Comm on the Judiciary, Tom McClintock, Ranking Member, Subcomm. on Immigration & Citizenship of the H. Comm on the Judiciary, to Alejandro Mayorkas, Dep't of Homeland Security (Mar. 30, 2021).

programs and policies that helped to stem the rising tide of illegal immigration. Instead, the Biden-Harris Administration instituted open-border policies and rhetoric that incentivized aliens to illegally enter the U.S. As one migrant told the *Wall Street Journal* in March, “[m]y friends have told me that with the new president, it will be easier to enter the U.S.”⁶ The President of Guatemala similarly blamed the border crisis on the Biden-Harris Administration’s immigration policies and rhetoric.⁷

The Biden-Harris Administration refuses to take responsibility for the crisis at the border. It took Vice President Harris more than 90 days to travel to the border area after being tapped to lead the Administration’s border efforts. She only decided to visit the border after intense pressure from Republicans and the announcement that President Trump would also be making a trip.⁸ When asked during her recent trip to Central America and Mexico about why she had not yet visited the border, Vice President Harris laughed and responded that she also had not been to Europe.⁹ Such a flippant answer to a serious question shows a grave lack of understanding of the severity of the crisis at the southern border. Equally as telling, the Vice President chose to only visit a facility in El Paso and not travel to south Texas where the Biden border crisis is most critical.

The Biden-Harris Administration’s border insecurity is threatening the safety and security of American communities. Earlier this year, border patrol agents apprehended two Yemeni men whose names appeared on the FBI’s terrorist watchlist.¹⁰ Even FBI Director Christopher Wray said at a recent Committee hearing that the flow of migrants at the border poses a “significant security concern.”¹¹ Transnational criminal organizations (TCOs) exploit the crisis to engage in human smuggling and drug trafficking.¹² According to the Drug Enforcement Administration, Mexican TCOs “continue to control lucrative smuggling corridors,” mainly across the U.S. southern border to traffic large quantities of illicit drugs.¹³

As the Secretary of Homeland Security, you are the cabinet official primarily responsible for implementing the Biden-Harris Administration’s immigration policies. Because Democrats have refused to request your testimony before the Judiciary Committee, we write to make that

⁶ Juan Montes & Juan Carlos Rivera, *Young Central American migrants see Biden era as chance to enter U.S.*, Wall St. J. (Mar. 9, 2021).

⁷ Emily Jacobs, *Guatemalan president blames Biden immigration policy for border crisis*, N.Y. Post (June 10, 2021).

⁸ Caroline Vakil, *House Republicans to join Trump for visit to border*, The Hill (June 23, 2021), <https://thehill.com/policy/national-security/559831-house-republicans-to-join-trump-for-visit-to-border>

⁹ Dominick Mastrangelo, *Harris defends not going to border: ‘And I haven’t been to Europe’*, THE HILL (June 8, 2021), <https://thehill.com/homenews/administration/557282-vp-harris-not-discounting-concerns-about-events-at-us-border-during>.

¹⁰ Leila Miller, *U.S. Border Patrol agents arrest Yemeni men on FBI terrorism watch list*, LA Times (Apr. 5, 2021).

¹¹ *Oversight of the FBI: Hearing Before the H. Comm on the Judiciary*, 117th Cong. 23 (June 14, 2021) (statement of Christopher Wray, Director, Federal Bureau of Investigation).

¹² U.S. Immigration and Customs Enforcement, *Human smuggling equals grave danger, big money*, <https://www.ice.gov/features/human-smuggling-danger> (last visited Mar. 10, 2021); U.S. Drug Enforcement Administration, *National Drug Threat Assessment*, at 4 (Mar. 2021).

¹³ U.S. Drug Enforcement Administration, *National Drug Threat Assessment*, at 65 (Mar. 2021).

The Honorable Alejandro Mayorkas

July 1, 2021

Page 3

request. Please respond promptly that you are willing to testify before the Committee and we will work with our Democratic colleagues to find a suitable time for your testimony.

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Tom McClintock
Ranking Member
Subcommittee on Immigration and
Citizenship

cc: The Honorable Jerrold Nadler, Chairman

The Honorable Zoe Lofgren, Chair, Subcommittee on Immigration and Citizenship