



One Hundred Seventeenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

February 10, 2021

The Honorable Joseph R. Biden  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Biden:

We are writing to express our deep concern that your recent sweeping border security and immigration enforcement policy rollbacks are causing a new crisis at our southwest border, undercutting the rule of law, and damaging the integrity of our territorial borders. **Simply put: Republican Members of the Committee believe these actions are putting politics ahead of national security at a time when the American people are demanding better.** We implore you to reconsider the policy rollbacks and focus on interagency coordination at the border, honor and build upon international agreements for irregular migration management, and expand temporary holding capacity for migrants that cannot be expelled quickly under Title 42 authority, to immediately address the developing situation.

Following your decision to back down from our previous security posture, we are seeing worrying trends similar to those that led to the 2019 Border Crisis. This time, the situation is made worse by the ongoing global pandemic, increasing humanitarian and public health risks. There is a resurgence of large groups of migrants arriving at the border including increasing numbers of families with young children from Central America. On average, CBP is currently encountering more than 3,000 individuals per day along the southwest border, rapidly approaching 2019 Border Crisis levels. In fact, since October, total monthly encounters are at higher levels than they were leading up to the 2019 Border Crisis, which is alarming considering U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) facilities are operating at less than 30 percent capacity due to the need for social distancing. This, combined with recent changes in policy from Mexico and Northern Triangle countries related to Title 42 expulsions, has only worsened the situation, putting our frontline law enforcement's health and safety at risk as they manage an increasingly unsustainable situation.

We were troubled to learn that since your Administration entered office, more than 1,500 migrants have been released into border communities without knowledge of whether any had COVID-19. After confusion surrounding this new "catch and release" policy, some individuals were released without being enrolled in "Alternatives to Detention" programs to track their immigration cases.

We are also concerned about the Administration’s plans to set up “triage” centers with the United Nations and other international organizations to facilitate the re-entry of migrants subject to the Migrant Protection Protocols back into the United States and release them into American communities during a pandemic. This sends the signal that our borders are open.

Even mainstream media outlets are questioning whether the unprecedented policy rollbacks were ill-advised, as they have reinvigorated irregular migration amid a pandemic.<sup>12</sup>

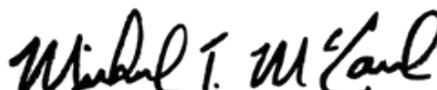
The Department of Homeland Security learned valuable lessons from the 2019 Border Crisis and important security enhancements were made to prevent such a surge from happening in the future. These efforts included engaging with Mexico and Northern Triangle countries to manage the irregular migration flow bound for the United States and allowing individuals seeking asylum to access relief closer to home. They included the construction of a border wall system to impede and deny—as well as identify and classify—illicit activity. They also included delivering consequences to individuals who break our laws and cross our borders illegally. Your Administration’s efforts to undue these measures resulted in the mounting crisis at the southwest border.

If you are, indeed, serious about finding common ground on homeland security issues important to the lives of Americans, let us return to a time—not too long ago—when Democrats joined Republicans in supporting increased funding to secure our border, including physical barriers and other commonsense security and enforcement measures. We would stand ready to work with you in support of strong border security and immigration policies that protect the health, safety, and security of the United States.

Sincerely,



JOHN KATKO  
Ranking Member



MICHAEL T. MCCAUL  
Member of Congress



CLAY HIGGINS  
Member of Congress



MICHAEL GUEST  
Member of Congress

---

<sup>1</sup> Biden faces border challenge as migrant families arrive in greater numbers and large groups, accessed on February 8, 2021 at [https://www.washingtonpost.com/national/migrant-families-us-border-biden/2021/02/07/1bf05212-6970-11eb-9ed1-73d434b5147f\\_story.html](https://www.washingtonpost.com/national/migrant-families-us-border-biden/2021/02/07/1bf05212-6970-11eb-9ed1-73d434b5147f_story.html)

<sup>2</sup> Migrant Families Force Biden to Confront New Border Crisis, accessed on February 8, 2021 at <https://www.nytimes.com/2021/02/06/us/migrants-border-coronavirus-san-diego.html>

DAN BISHOP  
Member of Congress

JEFF VAN DREW  
Member of Congress

RALPH NORMAN  
Member of Congress

MARIANNETTE MILLER-MEEKS  
Member of Congress

DIANA HARSHBARGER  
Member of Congress

ANDREW CLYDE  
Member of Congress

CARLOS A. GIMENEZ  
Member of Congress

JAKE LATURNER  
Member of Congress

PETER MEIJER  
Member of Congress

KAT CAMMACK  
Member of Congress

AUGUST PFLUGER  
Member of Congress

ANDREW GARBARINO  
Member of Congress

cc:

The Honorable Bennie G. Thompson  
Chairman, Committee on Homeland Security