



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

March 17, 2023

Mr. Troy A. Miller  
Acting Commissioner  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20229

Dear Acting Commissioner Miller:

On March 15, 2023, the Committee on Homeland Security (Committee) held a field hearing in Pharr, Texas to examine how the crisis at the southwest border is the direct result of Department of Homeland Security (Department) Secretary Alejandro Mayorkas' refusal to enforce the laws of our country.<sup>1</sup> Committee members heard firsthand testimony from representatives of the U.S. Border Patrol, Homeland Security Investigations, Texas Department of Public Safety, the Kinney County Sheriff, and the National Border Patrol Council.<sup>2</sup>

At the hearing, in response to my direct question asking if the Department has “operational control of our entire border,” Mr. Raul Ortiz, the Chief of the U.S. Border Patrol, candidly responded, “No, sir.” On the contrary, Secretary Mayorkas testified less than a year ago that “Yes, we do,” when asked an essentially identical question.<sup>3</sup> Secretary Mayorkas' either willful ignorance of the ground truth or purposeful employment of disinformation is beyond disconcerting, and places American lives in danger. Americans deserve an honest assessment of the security of our borders. The Committee will ensure that the Department is held accountable in its responsibilities to protect our homeland.

In further testimony, Chief Ortiz stated that five of the nine southwest Border Patrol sectors are facing acute problems.<sup>4</sup> According to Chief Ortiz, those sectors are experiencing “an increase in flow, and that has caused a considerable strain on [Border Patrol's] resources.”<sup>5</sup> Other witnesses described the devastating impacts of the Biden Administration's failed border policy on communities and law enforcement personnel.<sup>6</sup> The candid testimonies to the

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<sup>1</sup> *Failure By Design: Examining Secretary Mayorkas' Border Crisis: Hearing Before the H. Comm. on Homeland Sec.*, 118th Cong. (Mar. 15, 2023).

<sup>2</sup> *Id.*

<sup>3</sup> *Oversight of the Department of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 117th Cong. (Apr. 28, 2022).

<sup>4</sup> *Supra* note 1 (statement of Raul Ortiz, Chief, U.S. Border Patrol).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* (statements of Brad Coe, Sheriff, Kinney County, Tex., Chris Cabrera, Nat'l Border Patrol Council, and Colonel Steven C. McCraw, Dir. of the Tex. Dep't of Public Safety).

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Committee, however, represent only a partial picture of the scope and scale of the challenges at the southwest border. Additionally, while Chief Ortiz described the overall situation of the southwest border, each sector has “a unique climate, terrain, and operational environment,”<sup>7</sup> which are best understood by the Border Patrol agents assigned to the respective sectors.

The immediate crisis at the border, Secretary Mayorkas’ troubling approach, and the uniqueness of each Border Patrol sector demand the Committee’s need to interview each southwest border sector Chief Patrol Agent on record. Therefore, I request that the following Chief Patrol Agents be made available for transcribed interviews, and for your agency to confirm with Committee Majority staff the scheduling of those interviews, as soon as possible, but no later than 5:00 p.m. on March 24, 2023:

1. Aaron M. Heitke  
Chief Patrol Agent for San Diego Sector
2. Gregory K. Bovino  
Chief Patrol Agent for El Centro Sector
3. Patricia McGurk-Daniel  
Acting Chief Patrol Agent for Yuma Sector
4. John R. Modlin  
Chief Patrol Agent for Tucson Sector
5. Peter Jaquez  
Chief Patrol Agent for El Paso Sector
6. Sean L. McGoffin  
Chief Patrol Agent for Big Bend Sector
7. Jason D. Owens  
Chief Patrol Agent for Del Rio Sector
8. Carl E. Landrum  
Chief Patrol Agent for Laredo Sector
9. Gloria I. Chavez  
Chief Patrol Agent for Rio Grande Valley Sector

To accommodate the Chief Patrol Agents’ schedules and minimize impact to agency operations, the Committee will conduct the requested transcribed interviews in each Chief Patrol Agent’s respective sector at a convenient location. Please contact Sang Yi of the Committee on

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<sup>7</sup> Department of Homeland Security, *U.S. Customs and Border Protection, Fiscal Year 2024 Congressional Justification* (Mar. 13, 2023).

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Homeland Security Majority staff at (202) 226-8417 to schedule the transcribed interviews or with any questions about this request.

Per House Rule X, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy and has special oversight functions of “all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security.”

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Green". The signature is written in a cursive, slightly slanted style.

MARK E. GREEN  
Chairman

cc: The Honorable Bennie G. Thompson, Ranking Member  
Committee on Homeland Security