



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

October 13, 2023

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Mayorkas:

The Committee on Homeland Security (Committee) is continuing its oversight of the Department of Homeland Security's (Department) expanded use of the CBP One application (CBP One). Since June 1, 2023, the Committee requested from the Department important documents and information related to CBP One.<sup>1</sup> Despite the Committee's follow up communications, the Department failed to satisfy the Committee's requests. The Department's continued lack of transparency is unacceptable.

The Committee's June 1, 2023 letter requested eight categories of documents and information related to CBP One with a production deadline of June 15, 2023.<sup>2</sup> To date, the Committee received no document responsive to any of the requests. The only response received was on June 2, 2023 from Assistant Secretary for Legislative Affairs Zephra Buetow, and was merely an acknowledgment of receipt of the June 1, 2023 letter.<sup>3</sup> The requested documents and information are now 120 days delinquent.

On June 5, 2023, the Department briefed the Committee on the expansion of CBP One, however, the Department failed to provide answers or documents responsive to the June 1, 2023 request.<sup>4</sup> On September 14, 2023, the Committee sent a follow up letter<sup>5</sup> after an August 4, 2023 press report suggested that cartels exploited a CBP One geofencing feature by using a virtual

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<sup>1</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. Clay Higgins, Chairman, Subcomm. on Border Sec. and Enforcement of the H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (June 1, 2023) (on file with Comm.).

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

<sup>3</sup> Letter from Zephra Buetow, Assistant Sec'y for Legis. Aff., U.S. Dep't of Homeland Sec. to Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. (June 2, 2023) (on file with Comm.).

<sup>4</sup> In the 118th Congress, there were two briefings that addressed CBP One. The Department held a briefing on CHNV and CBP One on February 21, 2023, and the White House held an immigration-related briefing on May 25, 2023. Neither of those briefings were specifically responsive to the Committee's requests.

<sup>5</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. Clay Higgins, Chairman, Subcomm. on Border Sec. and Enforcement of the H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Sept. 14, 2023) (on file with Comm.).

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private network to secure appointments for migrants.<sup>6</sup> The reporting raised additional concerns regarding CBP One and the Committee made 11 additional categories of requests for documents and information with a production deadline of September 28, 2023.<sup>7</sup> As with its original requests, all that the Committee received in response is an interim letter from Assistant Secretary Buetow merely acknowledging receipt of the September 14, 2023 letter.<sup>8</sup> The Department has not produced any documents responsive to the requests.

To date, the Department has neither produced nor provided a timeline to produce the documents or information requested in the Committee's June 1, 2023 and September 14, 2023 letters, all of which will assist the Committee's oversight of the Department's CBP One application. The Committee requires the requested documents, communications, and other information to fully evaluate potential legislation to reform the Department's authority to use CBP One to issue an illegal alien advanced travel authorization and grant parole into the United States. The Committee is concerned that the Department's use of CBP One to facilitate parole for large classes of illegal aliens extends beyond the Department's statutory parole authority that allows release of detainable illegal aliens applying for admission "on a case-by-case basis for urgent humanitarian reasons or significant public benefit . . . ."<sup>9</sup> The Committee seeks legislative solutions to further clarify limits on the Department's parole authority. If the outstanding requests related to CBP One remain unsatisfied by 5:00 p.m. on October 20, 2023, I will consider utilizing compulsory process. I expect prompt and complete compliance with all the Committee's outstanding requests for documents and other information.

Per Rule X of the U.S House of Representatives, 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."

Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Sincerely,



MARK E. GREEN, M.D.  
Chairman

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<sup>6</sup> Anna Giaritelli, *Mexican Cartels Exploit US government's CBP One App*, WASH. EXAM'R, Aug. 4, 2023, <https://www.washingtonexaminer.com/policy/immigration/mexican-cartels-exploit-cbp-one-app>.

<sup>7</sup> *Supra* note 5.

<sup>8</sup> Letter from Zephrañie Buetow, Assistant Sec'y for Legis. Aff., U.S. Dep't of Homeland Sec. to Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. (Sept. 18, 2023) (on file with Comm.).

<sup>9</sup> Immigr. and Nationality Act § 212(d)(5)(A), 8 U.S.C. § 1182(d)(5)(A).

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Encl.

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