



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

January 17, 2024

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

Dear Secretary Mayorkas:

As Chairman of the Committee on Homeland Security (Committee), I sent you, the Department of Homeland Security (Department), and its components over 51 letters requesting important documents, memos, information, or communications to assist our work in the legislative process.<sup>1</sup> To date, requests in 41 of those letters remain either partially or entirely unsatisfied, totaling 173 outstanding request items. The Department's lack of transparency is disconcerting and unacceptable.

Despite the Committee's repeated follow ups on its letters and efforts to engage the Department to prioritize outstanding requests, the Department continues to obstruct our investigations. The Department has failed to confirm receipt of letters;<sup>2</sup> failed to provide substantive responses to letters;<sup>3</sup> provided wholly redacted or illegible documents;<sup>4</sup> ignored requests for prioritization discussions; refused to provide reasonable production timelines; and even allegedly failed to forward a Committee letter to the appropriate component.<sup>5</sup> The Department's consistent failures necessitated two subpoenas for outstanding information.<sup>6</sup> To date, the Department still has not fully satisfied either subpoena.

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<sup>1</sup> Congress has the power to obtain information from the executive necessary for legislation. *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020). The "power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes." *Watkins v. United States*, 354 U.S. 178, 187, 77 S. Ct. 1173, 1179 (1957).

<sup>2</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 21, 2023).

<sup>3</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Feb. 9, 2023).

<sup>4</sup> See e.g., E-mail from Off. of Legis. Aff., Dep't of Homeland Sec., to Staff, H. Comm. on Homeland Sec. (Oct. 20, 2023, 17:35 EDT) (attached production files).

<sup>5</sup> See E-mail from Office of Cong. Relations, U.S. Immigr. & Customs Enf't., to Staff, H. Comm. on Homeland Sec. (Sept. 19, 2023, 18:55 EDT) (confirming that the Department's Office of Legislative Affairs did not send a Committee letter to the ICE Office of Congressional Relations).

<sup>6</sup> Subpoena from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 22, 2023); Subpoena from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 31, 2023).

The Committee requires the critical requested information to inform its development of potential legislation relating to the Department's management, operations, and programs. Therefore, the Committee cannot continue to wait for the Department to protract its production of the requested information. Please provide the following outstanding documents and information as soon as possible but no later than 5:00 p.m. on January 24, 2024:

1. Request items 1(c) and 2(c) related to the border wall in the Committee's January 30, 2023 letter,<sup>7</sup> which are now 323 days delinquent;
2. Request items 2 and 9 related to migrant housing contracts in the Committee's January 31, 2023 letter,<sup>8</sup> which are now 323 days delinquent;
3. All 25 itemized requests related to the Parole Plus Alternatives to Detention (ATD) program in the Committee's February 9, 2023 letter,<sup>9</sup> which are now 323 days delinquent;
4. Request items 2, 5, 6, and 7 related to the Intelligence & Analysis' Overt Human Intelligence Collection Program in the Committee's March 13, 2023 letter,<sup>10</sup> which are now 296 days delinquent;
5. Request items 1, 4, 5, 6, 7, 8, and 9 related to security vulnerabilities of Chinese-manufactured cranes in U.S. ports in the Committee's May 10, 2023 letter,<sup>11</sup> which was a follow up to the Committee's April 3, 2023 letter,<sup>12</sup> which are now 238 and 275 days delinquent, respectively;
6. Request items 1, 2, 3, and 5 related to an attack on law enforcement officers at the site of the future Atlanta Public Safety Training Center in Atlanta, Georgia in the Committee's April 20, 2023 letter,<sup>13</sup> which are now 258 days delinquent;
7. Request items 1, 2, 3, and 4 related to the arrest of Chinese nationals for operating police stations on behalf of the China Communist Party's (CCP) Ministry of Public Security in

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<sup>7</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Jan. 30, 2023).

<sup>8</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Tae D. Johnson, Acting Dir., U.S. Immigr. and Customs Enf't (Jan. 31, 2023)..

<sup>9</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Feb. 9, 2023).

<sup>10</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Mar. 13, 2023).

<sup>11</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (May 10, 2023).

<sup>12</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Apr. 3, 2023).

<sup>13</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. & Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Apr. 20, 2023).

New York City in the Committee's April 24, 2023 letter,<sup>14</sup> which are now 254 days delinquent;

8. Request items 1, 5, 6, and 8 related to the Department's Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) parole program, outlined in the Committee's August 21, 2023 subpoena<sup>15</sup> and subsequent September 26 letter<sup>16</sup> reminding the Department of its obligation to fulfill the compelled requests, which were follow ups to the Committee's April 27, 2023<sup>17</sup> and August 3, 2023 letters,<sup>18</sup> which are now 251 and 155 days delinquent, respectively;
9. Request items 1(a), 1(b), 1(e), 1(f), 1(g), 1(i), 1(k), 1(l), 1(m), 1(n), and 2 related to the Department's screening and vetting of migrants from Afghanistan in the aftermath of the United States' August 2021 withdrawal from Afghanistan, outlined in the Committee's October 31 subpoena,<sup>19</sup> which were follow ups to the Committee's May 1, 2023<sup>20</sup> and June 9, 2023 letters,<sup>21</sup> which are now 247 and 208 days delinquent, respectively;
10. Request items 2, 3, 4, 5, and 9 related to the Cybersecurity and Infrastructure Security Agency's (CISA) counter Mis-, Dis-, and Mal-information efforts in the Committee's September 18, 2023 letter,<sup>22</sup> which was a follow up to the Committee's May 10, 2023 letter,<sup>23</sup> which are now 107 and 238 days overdue, respectively;
11. Request items 1, 2, 3, 4, 5, 6, 7, and 8 related to encounters of foreign nationals on the Terrorist Screening Database at the Southwest Border in the Committee's May 19,

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<sup>14</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. & Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Intelligence, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Apr. 24, 2023).

<sup>15</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 21, 2023).

<sup>16</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Sep. 26, 2023).

<sup>17</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Apr. 27, 2023).

<sup>18</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 3, 2023).

<sup>19</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 31, 2023).

<sup>20</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (May 1, 2023).

<sup>21</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (June 9, 2023).

<sup>22</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. Dan Bishop, Chairman, Subcomm. On Oversight, Investigations, and Accountability, H. Comm. On Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y U.S. Dep't of Homeland Sec. (Sep. 18, 2023).

<sup>23</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. Dan Bishop, Chairman, Subcomm. On Oversight, Investigations, and Accountability, H. Comm. On Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y U.S. Dep't of Homeland Sec. (May 10, 2023).

2023<sup>24</sup> and September 29, 2023 letters,<sup>25</sup> which are now 229 and 96 days delinquent, respectively;

12. Request items 1 and 2 related to the eligibility of individuals in the Department's Central American Minors (CAM) Program in the Committee's June 1, 2023 letter,<sup>26</sup> which are now 216 days delinquent;
13. Request items 1, 2, 3, 4, 5, 6, 7, and 8 related to grants awarded under the Targeted Violence and Terrorism Prevention (TVTP) program in the Committee's June 5, 2023 letter,<sup>27</sup> which are now 212 days delinquent;
14. Request items 1, 2, 3, 4, 5, and 6 related to the Department's awareness of and response to a CCP electronic espionage facility in Cuba in the Committee's June 13, 2023 letter,<sup>28</sup> which are 204 days delinquent;
15. Request items 1, 2, 3, and 4 related to U.S. Customs and Border Protections rationale for adjusting border encounter data several months after their official publication, in the Committee's June 28, 2023 letter,<sup>29</sup> which are now 189 days delinquent;
16. Request item 1 related to The Department's Office of Intelligence and Analysis supplying an insufficient number of security clearances to State, Local, Tribal, and Territorial law enforcement partners in the Committee's August 3, 2023 letter,<sup>30</sup> which is now 153 days delinquent;
17. Request items 1, 2, 3, and 4 related to Secretary Mayorkas' testimony that he did not know about cartel smugglers' use of colored wristbands in the Committee's on August 21, 2023 letter,<sup>31</sup> which are now 135 days delinquent;

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<sup>24</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (May 19, 2023).

<sup>25</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Sep. 29, 2023).

<sup>26</sup> Letter from Hon. Clay Higgins, Chairman, Subcomm. on Border Sec. and Enf't, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (June 1, 2023).

<sup>27</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (June 5, 2023).

<sup>28</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (June 13, 2023).

<sup>29</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. and Hon. Clay Higgins, Chairman, Subcomm. on Border Sec. and Enf't, H. Comm. on Homeland Sec., to Troy A. Miller, Acting Comm'r, U.S. Customs and Border Protection (June 28, 2023).

<sup>30</sup> Letter from Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Intelligence, H. Comm. on Homeland Sec. and Hon. Anthony D'Esposito, Chairman, Subcomm. on Emergency Management and Tech., H. Comm on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 3, 2023).

<sup>31</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Aug. 21, 2023).

18. Request item 1 for a staff-level briefing on threats posed by the Iranian Targeting Operations in the U.S. homeland in the Committee's August 31, 2023 letter,<sup>32</sup> which is now 125 days delinquent;
19. Request items 1, 2, 3, 4, 5, 6, and 7 related to a smuggler with ties to ISIS who was encountered at the Southwest Border, as well as other incidents of smugglers connected to terrorist groups, in the Committee's on September 6, 2023 letter,<sup>33</sup> which are now 119 days delinquent;
20. Request items 1, 3, 4, 5, 6, 7, 9, 9(a), and 11 related to the Department's expansion of the use of the CBP One mobile application, requested in the Committee's September 14, 2023,<sup>34</sup> and reiterated in the Committee's October 13, 2023 letter,<sup>35</sup> which are now 111 and 89 days delinquent, respectively;
21. Request items 1, 2, 3, 4, and 5 related to multiple attempts by Chinese nationals to access US military bases and other sensitive sites, requested in the Committee's September 19, 2023 letter,<sup>36</sup> which are now 106 days delinquent;
22. Request items 1 and 2 related to the appointment of individuals with potential partisan bias to the Homeland Intelligence Expert Group, requested in the Committee's September 21, 2023 letter,<sup>37</sup> which are now 104 days delinquent;
23. Request items 3, 4, 5, 6, 7, 8, 9, 10, and 13 related to U.S. Immigration and Customs Enforcement's (ICE) Office of Immigration Program Evaluation (OIPE), requested in the Committee's September 26, 2023 letter,<sup>38</sup> and the additional request items 1, 2, and 3 set

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<sup>32</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. & Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Intelligence, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. et al. (Aug. 31, 2023).

<sup>33</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. & Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Sep. 6, 2023).

<sup>34</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. and Hon. Clay Higgins, Chairman, Subcomm. on Border Sec. and Enf't, to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Sep. 14, 2023).

<sup>35</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 13, 2023).

<sup>36</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. & Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Intelligence, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. et al. (Sept. 19, 2023).

<sup>37</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Intelligence, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec., (Sep. 21, 2023).

<sup>38</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Patrick Lechleitner, Acting Dir., U.S. Immigr. and Customs Enf't (Sep. 26, 2023). The Committee received a production on January 11, 2024 from ICE Office of Congressional Relations (OCR) which was identical, except for one fewer document, to a January 4, 2024 production from DHS Office of Legislative Affairs (OLA). See e-mail from Off. of Congr. Relations, U.S. Immigr. and Customs Enf't. to Staff, H. Comm. on Homeland Sec. (Jan. 11, 2024, 3:31 EDT). These productions were responsive to request items 1, 2, 11, and 12 in the Committee's September 26, 2023 letter.

out in the Committee's letter sent October 27, 2023,<sup>39</sup> which are now 99 and 65 days delinquent, respectively;

24. Request items 1, 2, 3, 4, 5, and 6 related to the Forced Labor Enforcement Task Force's (FLETf) monitoring of the Uyghur Forced Labor Protection Act (UFLPA), requested in the Committee's September 27, 2023,<sup>40</sup> which are now 86 days delinquent;
25. Request items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 related to Nejwa Ali, a U.S. Citizenship and Immigration Services officer who posted content supporting Hamas' October 7th attack on Israel, requested in the Committee's October 20, 2023 letter,<sup>41</sup> which are now 75 days delinquent;
26. Request items 1, 2, 3, 4, 5, 6, and 7 related to the adherence of Claire Trickler-McNulty, an ICE official, to the Department's ethics pledge, requested in the Committee's October 24, 2023 letter,<sup>42</sup> which are now 71 days delinquent;
27. Request items 1 and 2 related to a memo from the San Diego Field Office Intelligence Unit entitled "Foreign Fighters of Israel-Hamas Conflict May Potentially Be Encountered at Southwest Border", requested in the Committee's October 24, 2023 letter,<sup>43</sup> which are now 77 days delinquent;
28. Request item 1 related to delinquent, insufficient, and miscommunicated responses from the Department to prior Committee letters, requested in the Committee's November 1, 2023 letter,<sup>44</sup> which is now 70 days delinquent;
29. Request items 1, 2, and 3 outstanding requests related to foreign governments' carrying out assassination attempts and other forms of transnational repression within the United States, requested in the Committee's December 11, 2023 letter,<sup>45</sup> which are now 26 days delinquent;

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<sup>39</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Patrick Lechleitner, Acting Dir., U.S. Immigr. and Customs Enf't (Oct. 27, 2023).

<sup>40</sup> Letter from Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Sep. 27, 2023).

<sup>41</sup> Letter from Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 20, 2023).

<sup>42</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Joseph B. Maher, Principal Deputy General Counsel, U.S. Dep't of Homeland Sec., Patrick Lechleitner, Acting Dir., U.S. Immigr. and Customs Enf't, and Claire Trickler-McNulty, Assistant Dir., Office of Immigr. Program Evaluation, U.S. Immigr. and Customs Enf't (Oct. 24, 2023).

<sup>43</sup> Letter from Mark Green, Chairman, H. Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 24, 2023).

<sup>44</sup> Letter from Mark Green, Chairman, H. Comm. on Homeland Sec., to Off. of Legis. Affairs, Dep't of Homeland Sec. & Off. of Congr. Relations, U.S. Immigr. and Customs Enf't (Nov. 1, 2023).

<sup>45</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec. & Hon. August Pfluger, Chairman, Subcomm. on Counterterrorism, Law Enf't, and Investigations, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. & Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Dec. 11, 2023).

30. Request items 1, 2, and 3 related to the Department's justification for the use of parole for migrants, requested in the Committee's January 4, 2024 letter,<sup>46</sup> which are now 5 days delinquent; and
31. Request items 1 and 2 related to reports submitted by the Department to Congress to demonstrate its migrant detention capacity, in the Committee's January 4, 2024 letter,<sup>47</sup> which are now 5 days delinquent;

An attachment contains instructions for responding to this request. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

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."

Thank you for your prompt attention to this important matter.

Sincerely,



MARK E. GREEN, M.D.  
Chairman

Encl.

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

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<sup>46</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Jan. 4, 2023).

<sup>47</sup> Letter from Hon. Mark E. Green, Chairman, Comm. on Homeland Sec. et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Jan. 4, 2023).