

“CRISIS BY DESIGN”

A Comprehensive Look at
the Biden-Harris Administration’s
Unprecedented Border Crisis

*HOUSE COMMITTEE ON HOMELAND SECURITY
MAJORITY REPORT*

SEPTEMBER 18, 2024



TABLE OF CONTENTS

Executive Summary.....pg. 3

Part 1: A Crisis by Design.....pg. 8

Part 2: “A Willful and Systemic Refusal to Comply with the Law”.....pg. 14

Part 3: The Scheme to Flood Ports of Entry with Inadmissible Aliens.....pg. 25

Part 4: The World Has Taken Advantage of Biden and Harris’ Open Borders.....pg. 28

Part 5: Partners in Chaos: The Biden-Harris Administration’s Vast NGO Network.....pg. 31

Part 6: Criminal Cartels and Gangs Have Taken Control of the Border.....pg. 33

Part 7: The Specter of Gotaways, National Security Threats, and CCP Exploitation.....pg. 38

Part 8: The Human Costs of the Crisis—Fentanyl, Crime, Public Health, and Everything in Between.....pg. 46

Part 9: Migrants Suffering Abuse, Exploitation, and Death at Record Levels.....pg. 65

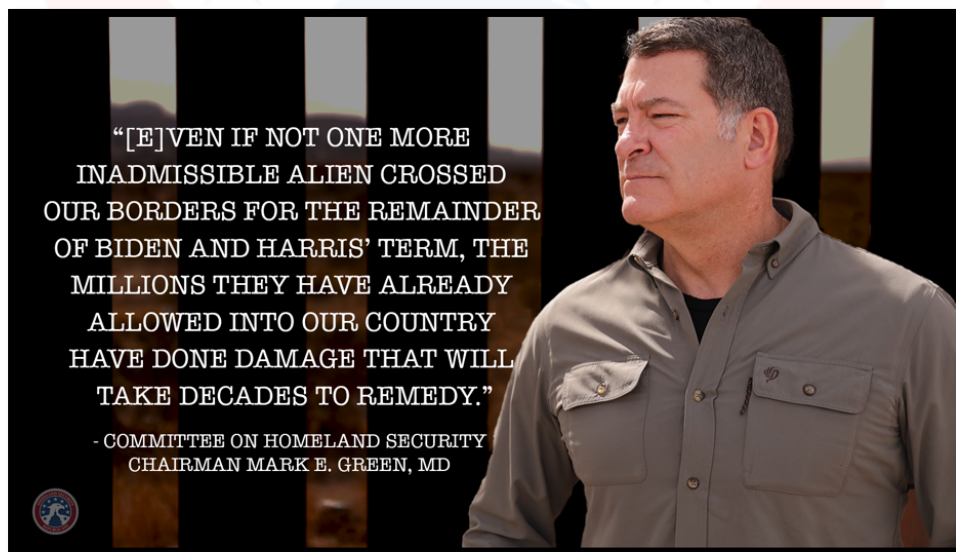
Part 10: The Biden-Harris Administration Has Put Taxpayers on the Hook.....pg. 71

Part 11: Top Border Crisis Lies by the Biden-Harris Administration.....pg. 76

Part 12: House Republicans Try to End the Crisis, While Democrats Obstruct.....pg. 80

Part 13: Examining the Record of “Border Czar” Kamala Harris.....pg. 84

Part 14: Conclusion.....pg. 86



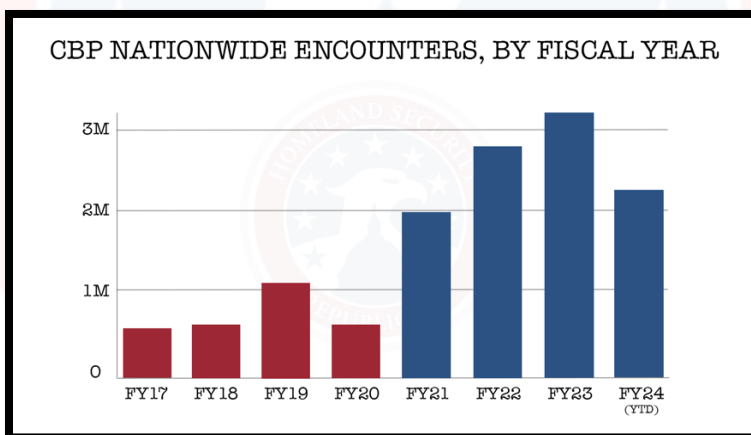


EXECUTIVE SUMMARY

President Joe Biden, “border czar” and Vice President Kamala Harris, and Department of Homeland Security (DHS) Secretary Alejandro Mayorkas have sparked the worst border crisis in American history. For nearly four years, Americans have witnessed a national security, public safety, and humanitarian disaster at America’s borders.

The flood of inadmissible aliens¹ across America’s sovereign borders has been objectively unprecedented. Since February 2021, U.S. Customs and Border Protection (CBP) has reported more than 8.2 million encounters of inadmissible aliens at the Southwest border,² a number that grows to more than 10.1 million when factoring in America’s borders and ports of entry nationwide.³

In Biden, Harris, and Mayorkas’ first full month in office, CBP recorded 101,099 encounters at the Southwest border.⁴ Every month since, CBP has recorded at least 100,000 such encounters, and more than 200,000 encounters in 19 different months.⁵ CBP is on pace to record more than 11.6 million encounters nationwide by the end of the Biden-Harris administration, a 274-percent increase from the 3.1 million encounters recorded between Fiscal Years (FY)17-20⁶—and that’s not counting the roughly two million known gotaways that have entered on Biden and Harris’ watch.⁷



These numbers clearly demonstrate one thing, as recently highlighted by House Committee on Homeland Security (Committee) Chairman Mark Green: “[E]ven if not one more inadmissible alien crossed our borders for the remainder of Biden and Harris’ term, the millions they have already allowed into our country have done damage that will take decades to remedy.”⁸

¹ For more information on the definition of “inadmissible aliens,” see 8 U.S.C. § 1182.

² U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>. Monthly encounter numbers throughout this report are indexed to CBP data through July 2024, or as otherwise noted.

³ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

⁴ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

⁵ *Ibid.*

⁶ U.S. Department of Homeland Security, Office of Immigration Statistics, *2021 Yearbook of Immigration Statistics*, November 2022, 101, https://www.dhs.gov/sites/default/files/2023-03/2022_1114_pley_yearbook_immigration_statistics_fy2021_v2_1.pdf.

⁷ Gotaway numbers are documented later in this report.

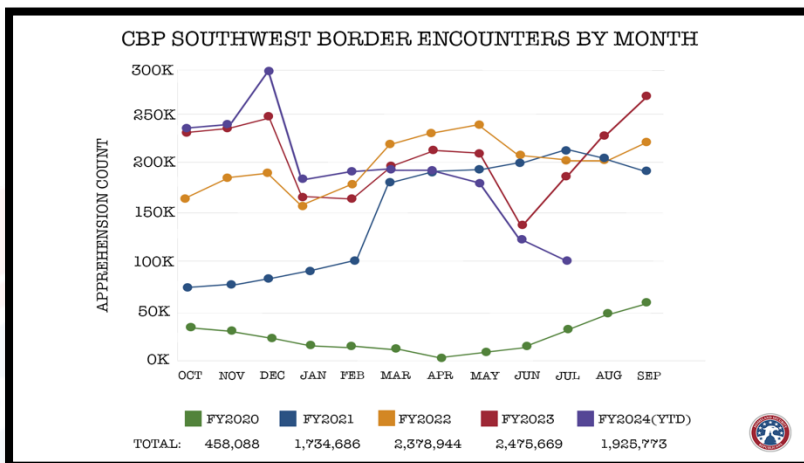
⁸ Mark Green, “No, Biden and Harris’ Border Crisis Is Not Over,” *RealClearPolitics*, August 20, 2024, https://www.realclearpolitics.com/articles/2024/08/20/no_biden_harris_border_crisis_is_not_over_151475.html.



EXECUTIVE SUMMARY

The Biden-Harris administration has ended numerous, effective border-security policies and replaced them with an agenda of open borders. These radical new policies have pulled Border Patrol agents away from their frontline mission of securing the border and enforcing U.S. immigration laws, to instead process and release into the country record numbers of inadmissible aliens that are surging across.

Simultaneously, transnational criminal organizations like the Mexican criminal cartels and violent gangs have been enriched and empowered by record profits from drug trafficking and human smuggling. They funnel those blood-bought dollars into their ever-expanding operations in American cities and throughout the hemisphere.



The human cost, to American citizens and migrants alike, has been incalculable. Fentanyl continues to be mass-smuggled across the increasingly porous border and into American communities, ruining lives and shattering families at an unprecedented rate. Illegal aliens are committing crimes in American communities large and small, and their shocking acts of violence and recklessness have been documented in every state. Furthermore, it is completely unknown how many gang members, violent criminals, and other potential public safety threats have either been released by overwhelmed Border Patrol agents, or slipped into the country as gotaways. In many cases, we simply will not know until it is too late.

Untold numbers of vulnerable men, women, and children have become victims of degradation and abuse along the journey to the Southwest border. A record number of border crossers have also been found dead on U.S. soil since Biden, Harris, and Mayorkas implemented their disastrous open-borders agenda. Border Patrol and Air & Marine Operations (AMO) agents have been forced to put their lives on the line at an exponentially higher rate than in years past,⁹ conducting a historic number of rescue operations to save lives.

In addition to the human tragedies, Americans are increasingly feeling the financial costs imposed by the mass illegal immigration willfully facilitated by the Biden-Harris administration. Cities and states are being forced to shoulder unprecedented costs. The crisis has had a devastating effect on the schools, health care providers, law enforcement agencies, and other public service providers who have limited resources to deal with the massive influx of illegal aliens. States like Texas have even issued proclamations of

⁹ CBP rescues data cited later in this report.



EXECUTIVE SUMMARY

disaster, as citizens have struggled to confront the existential challenges posed by unchecked illegal crossings and cartel expansion.¹⁰

These open-borders policies have turned every state into a border state, and every town into a border town. Federal Bureau of Investigation (FBI) Director Christopher Wray testified to the Committee last year that the “threats that come from the other side of the border are affecting every state.”¹¹ The consequences have impacted Americans of all races, political affiliations, and socioeconomic statuses, as this report from the Committee will show.

Joseph Borelli, minority leader of the New York City Council, encapsulated the Biden-Harris administration’s culpability for the crisis when he testified to the Committee in September 2023. He said the Biden team “...ran on changing border policy. They came in...and they made changes, and now almost two years later, we can unequivocally say things have gotten absolutely worse, not just for New York, but it sounds like for a lot of the rest of the country.”¹² The American people clearly agree, with almost two-thirds of Americans disapproving of the Biden-Harris administration’s record on immigration, according to the latest RealClearPolitics average.¹³



[WATCH: Massive Surge of Illegal Aliens Overwhelms Border Patrol in Arizona](#)

Perhaps the most egregious aspect of this crisis is that it has been intentional from the start. Biden ran a campaign on providing amnesty to millions of illegal aliens,¹⁴ promising to end policies that had brought illegal immigration to record lows.¹⁵ On Sept. 12, 2019, during a Democratic presidential debate, Biden even encouraged individuals from around the world to “surge” to the border and file asylum claims,¹⁶ despite

¹⁰ State of Texas, Office of the Texas Governor, *Proclamation Renewing the Disaster Proclamation Concerning Border Security*, May 22, 2022, https://gov.texas.gov/uploads/files/press/DISASTER_border_security_renewal_IMAGE_05-22-2022.pdf.

¹¹ “Worldwide Threats to the Homeland,” *Homeland Security Committee Events*, YouTube video, 55:07, November 15, 2023, https://www.youtube.com/watch?v=yVjgdrpk_OE&t=3307s.

¹² “The Financial Costs of Mayorkas’ Open Border,” *Homeland Security Committee Events*, YouTube video, 2:17:44, September 20, 2023, <https://www.youtube.com/live/49LVY4FL2xk?si=13UI8AHVO0dS33KD&t=8264>.

¹³ “President Biden Job Approval – Immigration,” *RealClearPolling*, last accessed September 16, 2024, <https://www.realclearpolling.com/polls/approval/joe-biden/immigration>.

¹⁴ “The Biden Plan For Securing Our Values As A Nation Of Immigrants,” *Biden for President*, last accessed September 17, 2024, <https://web.archive.org/web/20201102053904/https://joebiden.com/immigration/>.

¹⁵ Lora Ries, “President Trump and Joe Biden: Comparing Immigration Policies,” *The Heritage Foundation*, October 21, 2020, <https://www.heritage.org/immigration/report/president-trump-and-joe-biden-comparing-immigration-policies>.

¹⁶ “Candidate Biden Calls on Illegal Immigrants to Surge the Border,” *Speaker Kevin McCarthy*, YouTube video, March 19, 2021, <https://www.youtube.com/watch?v=rYwLYMPLYbo>.



EXECUTIVE SUMMARY

Department of Justice data clearly showing that the vast majority do not qualify for this protection.¹⁷

Mark Morgan, former CBP acting commissioner during the Trump administration and Border Patrol chief under President Barack Obama, told the Committee in an official interview on Jan. 22, 2024, that Biden “was hellbent on making sure that anything that we had implemented under President Trump that he was going to destroy and dismantle, and he made it very clear during the campaign.”¹⁸ As a result, months before the 2020 election, many would-be border crossers headed to the Southwest border “to wait for the day a Democrat won and Trump lost”¹⁹—individuals who “started moving just on [Biden’s] campaign promises.”²⁰ Biden—and Harris, whom he put “in charge of addressing the migrant surge at the U.S.-Mexico border”²¹—have followed through on these radical promises.²²



WATCH: Candidate Biden Urges Illegal Aliens to “Surge” to the Border

Despite repeated warnings from experienced border security professionals of the crisis that would ensue,²³ Biden, Harris, Mayorkas, and the open-borders advocates in the new administration ended effective policies like the Migrant Protection Protocols (MPP, or “Remain in Mexico”) and gutted enforcement of U.S. immigration laws.

The Biden-Harris administration also quickly implemented a host of unlawful policies and issued directives to signal that America’s borders were open, and that those who crossed illegally would be released into the interior.²⁴

The resulting crisis in early 2021 was predictable, swift, and catastrophic. Encounters skyrocketed and Border Patrol facilities were overwhelmed. Americans were deluged

¹⁷ “Credible Fear and Asylum Process: Fiscal Year (FY) 2008 – FY 2019,” *Department of Justice Executive Office for Immigration Review*, <https://www.justice.gov/eoir/file/1216991/download>.

¹⁸ Mark Morgan, Transcribed Interview with the House Committee on Homeland Security, 19, January 22, 2024.

¹⁹ “The Real Cost of an Open Border: How Americans are Paying the Price,” *Homeland Security Committee Events*, YouTube video, 2:32:26, July 26, 2023, <https://www.youtube.com/live/q2n1h6l1bMg?feature=share&t=9146>.

²⁰ *Ibid.*

²¹ Stef Kight, “Biden puts Harris in charge of border crisis,” *Axios*, March 24, 2021, <https://www.axios.com/2021/03/24/biden-harris-border-crisis>.

²² Lora Ries and Michael Sutherland, “Biden-Harris administration’s Border Catastrophe – A Policy Tracker,” *The Heritage Foundation*, June 25, 2021, <https://datavisualizations.heritage.org/immigration/biden-administrations-border-catastrophe-a-policy-tracker/>.

²³ Elissa Salamy, “Biden-Harris administration was warned on potential of border crisis, says Mark Morgan,” *The National Desk*, March 23, 2021, <https://wpde.com/news/nation-world/biden-administration-was-warned-on-potential-of-border-crisis-says-mark-morgan>.

²⁴ U.S. Congress, Speaker of the House of Representatives, “64 Times the Biden-Harris administration Intentionally Undermined Border Security,” Press Release, 118th Cong., 2nd sess., January 9, 2024, <https://www.speaker.gov/64-times-the-biden-administration-intentionally-undermined-border-security/>.



EXECUTIVE SUMMARY

with shocking images of migrants, including unaccompanied children, being crammed into detention centers awaiting release into the interior rather than removal. One facility in Donna, Texas, meant for 250 people, held nearly 4,000 at one point.²⁵ The chaos and destruction have only spiraled further since then.

In the words of John Modlin, chief patrol agent for the Border Patrol's Tucson Sector, his agents “went from what I would describe as unprecedented [apprehensions in 2021] to a point where I don't have the correct adjective to describe what's going on” by early 2023.²⁶

Veteran DHS officials and seasoned border security experts agree that this chaos could have been avoided. On June 14, 2023, former DHS Acting Secretary Chad Wolf testified to the Committee, “In all candor, this is the first administration of either political party to deliberately take steps to diminish the security along our southern border. ... [I]t is clear to me and to millions of Americans that this is a crisis by design, and one that was avoidable.”²⁷

As we near the close of the Biden-Harris administration, Americans should have all the facts. This report will serve as the final investigative exposé from the Committee during the 118th Congress, detailing the full story of the extreme, devastating, and unlawful agenda of the Biden-Harris administration, why it sparked the worst border crisis in U.S. history, and how Americans are still suffering from it to this present day.



Camilo Montoya-Galvez, CBS News

²⁵ Benjamin Siegel, “New photos show migrants in overcrowded Border Patrol facility in Texas,” *ABC News*, March 22, 2021, <https://abcnews.go.com/Politics/photos-show-overcrowded-border-patrol-facility-texas/story?id=76604072>.

²⁶ “Full Committee Hearing On The Front Lines of the Border Crisis: A Hearing with Chief Patrol Agents,” *GOP Oversight*, YouTube video, 1:12:24, February 7, 2023, <https://www.youtube.com/live/f2ut2KyLfiE?feature=share&t=4344>.

²⁷ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 28:30, June 14, 2023, <https://www.youtube.com/live/0gjm6jzYHqw?feature=share&t=1710>.



PART 1: A CRISIS BY DESIGN

Introduction: A close examination of the evidence makes clear that even before taking office, the incoming Biden-Harris administration had its sights set on dismantling a secure border and flooding the country with inadmissible aliens. This evidence is readily apparent in the actions of the Biden transition team, the Biden-Harris administration's rapid elimination of effective border-security policies with no alternatives in place, and its utter refusal to enforce longstanding U.S. immigration laws.

The Transition

In the winter of 2020, as the Biden-Harris team prepared to assume power, the warning signs were evident. In testimony to the Committee, former Border Patrol Chief Rodney Scott, who served as chief from February 2020 to August 2021, said, “[M]y staff and I engaged and advised the Biden transition teams well before inauguration. The administration’s laser focus on expediting processing and increasing opportunities for migrants to enter the U.S. never wavered.” Scott continued, “[a]dvice from career professionals was ignored. Policies were implemented that resulted in thousands of aliens being released into the U.S. Illegal immigration intensified, overwhelmed the Border Patrol, and effectively transferred control of our Southwest border directly to the Mexican drug cartels.”²⁸

Morgan reported a similar experience: “We told them that if...you end policies like the Migrant Protection Protocol[s], that you will cause a degree of chaos at the border that will pale in comparison of anything that we’ve seen in history. And that’s exactly what’s happened.”²⁹ In its 2021 decision in *Texas v. Biden*, in which several states challenged the Biden-Harris

administration’s ending of MPP, the U.S. District Court for the Northern District of Texas validated Morgan and Scott’s accounts.³⁰ Perhaps their sound advice was ignored because, as Scott would say publicly several years later, at least one senior DHS official told him directly, “[w]e do not like the Border Patrol. We do not trust the Border Patrol.”³¹



The Elimination of Effective Border-Security Policies

The rejection of warnings and advice from experienced border-security professionals continued through the inauguration. Biden, Harris, and Mayorkas wasted no time

²⁸ Ibid, 42:02, <https://www.youtube.com/watch?v=0gjm6jzYHqw&t=2522s>.

²⁹ Mark Morgan, Transcribed Interview with the House Committee on Homeland Security, 25-26, January 22, 2024.

³⁰ See Memorandum Opinion and Order, *State of Texas v. Biden*, No. 2:21-cv-00067, 14-15, (N.D. Tex. 2021).

³¹ Anna Giaritelli, “Top Border Patrol officials say Biden appointees silenced them for years,” *The Washington Examiner*, May 10, 2024, <https://www.washingtonexaminer.com/news/white-house/2990090/top-border-patrol-officials-say-biden-appointees-silenced-them-years/>.



PART 1: A CRISIS BY DESIGN

actively doing away with effective policies of the previous administration, and in doing so, they directly encouraged mass illegal immigration and abuse of America's asylum system. This section documents some of those policies.

Migrant Protection Protocols: The Trump administration implemented MPP to help deter individuals from filing illegitimate or fraudulent asylum claims at the Southwest border.³² Illegal aliens who crossed or sought admission into the United States through Mexico, including those who intended to seek asylum, were required to wait in Mexico until their claim was adjudicated.³³

Morgan told the Committee that MPP deterred hundreds of thousands of individuals from making the journey,³⁴ because they knew they would have to wait in Mexico while their claim was processed. Wolf called it “one of the most effective policies in...reducing the unprecedented flood of fraudulent asylum claims being made at the southern border.”³⁵ Gregory Bovino, chief patrol agent for the Border Patrol's El Centro Sector, told the Committee it worked because it served as a consequence to illegal entry.³⁶ Despite this, the Biden-Harris administration suspended MPP on day one,³⁷ and roughly six months later, Mayorkas issued a memo stating it should be terminated.³⁸ Months later, federal judge Matthew Kacsmaryk wrote in his decision in *Texas v. Biden* that the termination of MPP “has contributed to the current border surge.”³⁹

Border Wall Construction: The border wall system has long been a critical component in maintaining order and security at the Southwest border,⁴⁰ helping agents better direct and manage the flow of illegal aliens. Multiple chief patrol agents affirmed this to the Committee during transcribed interviews in 2023.⁴¹ Ron Vitiello, former Border Patrol chief, has testified to the Committee that the border wall system “provides an anchor for those agents to patrol and control area much more efficiently, much more effectively, and safer.”⁴² According to one agent, more wall “was always something we wanted. It was always something we wanted more of. Every administration gave it to us. It always was proven effective.”⁴³ Per a 2018 survey by the National Border Patrol Council (NBPC), 89 percent of agents said a “wall system in strategic locations is necessary to securing the border.”⁴⁴

³² U.S. Department of Homeland Security, News, *Migrant Protection Protocols*, January 24, 2019, <https://www.dhs.gov/news/2019/01/24/migrant-protection-protocols>.

³³ *Ibid.*

³⁴ Mark Morgan, Transcribed Interview with the House Committee on Homeland Security, 28-29, January 22, 2024.

³⁵ “Chad Wolf: Reinstatement of ‘Remain in Mexico’ Policy a ‘Win’ for Border Security,” *The Heritage Foundation*, August 25, 2021, <https://www.heritage.org/press/chad-wolf-reinstatement-remain-mexico-policy-win-border-security>.

³⁶ Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 106 & 112, July 12, 2023.

³⁷ U.S. Department of Homeland Security, News, *DHS Statement on the Suspension of New Enrollments in the Migrant Protection Protocols Program*, January 20, 2021, <https://www.dhs.gov/news/2021/01/20/dhs-statement-suspension-new-enrollments-migrant-protection-protocols-program>.

³⁸ U.S. Department of Homeland Security, *Memorandum: Termination of the Migrant Protection Protocols Program*, June 1, 2021, https://www.dhs.gov/sites/default/files/publications/21_0601_termination_of_mpp_program.pdf.

³⁹ See Memorandum Opinion and Order, *State of Texas v. Biden*, No. 2:21-cv-00067, 17, (N.D. Tex. 2021).

⁴⁰ U.S. Department of Homeland Security, News, *The Border Wall System is Deployed, Effective, and Disrupting Criminals and Smugglers*, October 29, 2020,

<https://www.dhs.gov/news/2020/10/29/border-wall-system-deployed-effective-and-disrupting-criminals-and-smugglers>.

⁴¹ See Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 87-88, May 5, 2023; Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 42-43, May 9, 2023; and Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 87-88, July 12, 2023. Other chief patrol agents also went on record stating how border wall system is useful. See also Julio Rosas, “Biden Said Walls Do Not Work. Here’s What Border Patrol Leadership Had to Say,” *Townhall*, October 6, 2023, <https://townhall.com/tipsheet/juliorosas/2023/10/06/biden-said-border-walls-do-not-work-heres-what-border-patrol-sector-chiefs-had-to-say-n2629468>.

⁴² “Opening the Flood Gates: Biden’s Broken Border Barrier,” *Homeland Security Committee Events*, YouTube video, 2:49:59, July 18, 2023,

<https://www.youtube.com/live/1OGcX0LdFXM?feature=share&t=10199>.

⁴³ Todd Bensman, “Border Patrol Agents, the Only True Experts, Lament Wall Construction Halt,” *The Center for Immigration Studies*, February 3, 2021,

<https://cis.org/Bensman/Border-Patrol-Agents-Only-True-Experts-Lament-Wall-Construction-Halt>.

⁴⁴ Stephen Dinan, “Border Patrol agents back Trump wall, survey finds,” *The Washington Times*, April 2, 2018, <https://www.washingtontimes.com/news/2018/apr/2/border-patrol-agents-back-trump-wall-survey-finds/>.



PART 1: A CRISIS BY DESIGN

On his first day in office, Biden declared, “[i]t shall be the policy of my Administration that no more American taxpayer dollars be diverted to construct a border wall”⁴⁵—another campaign promise.⁴⁶ Then-Border Patrol Chief Raul Ortiz testified to the Committee in March 2023 that he disagreed with Biden’s order.⁴⁷ Mayorkas later contradicted his Border Patrol chief, saying, “I stand by the decision of this administration to cease construction of the wall.”⁴⁸

This decision was not only foolish from a security perspective, but also a financial one. Terminating construction of already paid-for border wall has cost taxpayers at least \$1.837 billion.⁴⁹ Jim De Sotle, chief executive officer of LoneStar Pipeline Contractors, testified to the Committee in 2023 that his firm, which was contracted to assist in new construction, suffered millions of dollars in real losses and lost future revenue.⁵⁰ He informed the Committee in December that his firm had been forced to file for bankruptcy as a result of Biden and Harris’ actions.⁵¹

The border wall was not the only barrier system in Biden and Harris’ crosshairs, however. In July 2023, Texas announced the deployment of floating marine barriers in the Rio Grande River to deter illegal aliens from crossing.⁵² Morgan said in August 2023 that during the Trump administration, research and development on a similar barrier system “was extensive” and testing showed it to be effective—but the Biden-Harris administration ended the project.⁵³ Not content to stop there, the administration also sued Texas for using its buoy system,⁵⁴ and went to the Supreme Court to seek authorization to destroy wire barriers put in place by Texas officials.⁵⁵

Asylum Cooperative Agreements: As noted by one former senior DHS official, a key principle of asylum is that “if someone is truly fleeing for their safety, they request protection in the first safe place in which they arrive.”⁵⁶ To that end, the Trump administration negotiated asylum cooperative agreements (ACAs) with El Salvador, Guatemala, and Honduras.⁵⁷ These agreements served a number of important functions, including recognizing these nations as “safe third countries” to which the United States could return individuals who had arrived at the Southwest border without applying for

⁴⁵ U.S. President, Proclamation, “Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction,” *Federal Register* 86, no. 16 (January 27, 2021): 7225-7227, <https://www.federalregister.gov/documents/2021/01/27/2021-01922/termination-of-emergency-with-respect-to-the-southern-border-of-the-united-states-and-redirection-of-funds>.

⁴⁶ Andrew O’Reilly, “Biden says border wall construction will stop if he’s elected president,” *Fox News*, August 5, 2020, <https://www.foxnews.com/politics/biden-border-wall-construction-stop-elected>.

⁴⁷ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,” *Homeland Security Committee Events*, YouTube video, 1:50:12, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?feature=share&t=6612>.

⁴⁸ “Congressman Brecheen Questions Secretary Mayorkas During Homeland Security Committee Hearing 4/19/23,” *Congressman Josh Brecheen*, YouTube video, 4:54, April 19, 2023, <https://www.youtube.com/watch?v=YCa4Y0DFOBY>.

⁴⁹ U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, Subcommittee on Government Operations and Border Management, Minority, *President Biden is Wasting Billions by Not Building the Border Wall*, 117th Cong., 1st sess., July 21, 2021, 6, https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/GOBM%20Interim%20Report%20on%20Wall_Final.pdf.

⁵⁰ “Opening the Flood Gates: Biden’s Broken Border Barrier,” *Homeland Security Committee Events*, YouTube video, 2:25:56, July 18, 2023, <https://www.youtube.com/live/IOGeX0LdFXM?feature=share&t=8756>.

⁵¹ Email correspondence with the House Committee on Homeland Security, December 27, 2023.

⁵² State of Texas, Office of the Texas Governor, Greg Abbott, *Operation Lone Star Boosts Border Response With New Marine Barriers*, July 14, 2023, <https://gov.texas.gov/news/post/operation-lone-star-boosts-border-response-with-new-marine-barriers>.

⁵³ Todd Bensman, “Dems hate Texas’ Rio Grande border barrier because it WORKS,” *The New York Post*, August 9, 2023, <https://nypost.com/2023/08/09/dems-hate-texas-rio-grande-border-barrier-because-it-works/>.

⁵⁴ Eric Beech and Kanishka Singh, “US sues Texas over floating border barriers,” *Reuters*, July 25, 2023, <https://www.reuters.com/world/us/us-doj-sues-texas-over-floating-border-barriers-2023-07-24/>.

⁵⁵ John Kruzel and Andrew Chung, “White House turns to US Supreme Court in Texas razor-wire border dispute,” *Reuters*, January 2, 2024, <https://www.reuters.com/world/us/biden-administration-asks-us-supreme-court-intervene-texas-border-row-2024-01-02/>.

⁵⁶ Lora Ries, “Biden’s Misleading New Asylum Rule Is a Gimmick Atop a Shell Game,” *The Daily Signal*, February 24, 2023, <https://www.dailysignal.com/2023/02/24/bidens-misleading-new-asylum-rule-is-a-gimmick-atop-a-shell-game/>, (emphasis added).

⁵⁷ U.S. Department of Homeland Security, *Fact Sheet: DHS Agreements with Guatemala, Honduras, and El Salvador*, May 31, 2019, https://www.dhs.gov/sites/default/files/publications/19_1028_opa_factsheet-northern-central-america-agreements_v2.pdf.



PART 1: A CRISIS BY DESIGN

asylum when passing through those countries. The agreements also made it clear that these individuals should claim asylum in those countries, not the United States.

In May 2023, then-Del Rio Sector Chief Patrol Agent Jason Owens, who would later succeed Ortiz as Border Patrol chief, told the Committee that such policies “would lessen the flow that the Border Patrol is facing.”⁵⁸ The Biden-Harris administration suspended these agreements on Feb. 6, 2021, and later terminated them.⁵⁹

Crackdown on Sanctuary Cities: In 2017, the Trump administration issued Executive Order 13768, which prohibited federal grant money from being awarded to jurisdictions that refuse to cooperate with ICE with respect to removing criminal aliens.⁶⁰ These jurisdictions are commonly referred to as “sanctuary cities.” However, the Biden-Harris administration issued an executive order on day one revoking that executive order.⁶¹

DNA Testing for Family Units: In 2019, the Trump administration implemented a policy of DNA testing of family units apprehended at the Southwest border.⁶² The policy was implemented to determine whether groups presenting themselves to CBP as “family units” were actually related, or simply grouped together by the cartels to ensure their swift release.⁶³ At the time, as many as 30 percent of adults arriving with minors were not biologically or legally related.⁶⁴

However, according to a leaked CBP memo dated May 19, 2023, CBP would end the practice on May 31 after its current testing contract expired.⁶⁵ Following a June 2023 inquiry by Committee staff, CBP officials stated that testing was being conducted only on an “ad hoc basis” until “a vendor is selected... .”⁶⁶ In September 2023, Committee staff were further informed that no new vendor had been selected.⁶⁷ In June 2024, CBP announced that testing would only be conducted “with the consent of the adult,” meaning that even if agents or officers suspect a child is being smuggled, Biden, Harris, and Mayorkas have given the final say on testing to the smugglers—not CBP.⁶⁸

Title 42: In 2020, the Trump administration responded to the COVID-19 pandemic by invoking the Centers for Disease Control and Prevention’s (CDC) Title 42 public health authority.⁶⁹ Under Title 42, CBP could immediately expel illegal aliens through the closest port of entry.⁷⁰ According to one former chief patrol agent, illegal aliens could be

⁵⁸ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 173, May 5, 2023.

⁵⁹ U.S. Department of State, Office of the Spokesperson, *Suspending and Terminating the Asylum Cooperative Agreements with the Governments El Salvador, Guatemala, and Honduras*, February 6, 2021, <https://www.state.gov/suspending-and-terminating-the-asylum-cooperative-agreements-with-the-governments-el-salvador-guatemala-and-honduras/>.

⁶⁰ U.S. President, Executive Order, “Enhancing Public Safety in the Interior of the United States, 2017, Executive Order 13768 of January 25, 2017,” *Federal Register* 82, no. 18 (June 30, 2017): 8799, <https://www.govinfo.gov/content/pkg/FR-2017-01-30/pdf/2017-02102.pdf>.

⁶¹ U.S. President, Executive Order, “Revision of Civil Immigration Enforcement Policies and Priorities,” *Federal Register* 86, no. 14 (January 25, 2021): 38926-38927, <https://www.federalregister.gov/documents/2021/01/25/2021-01768/revision-of-civil-immigration-enforcement-policies-and-priorities>.

⁶² U.S. Department of Homeland Security, Office of Inspector General, *CBP Officials Implemented Rapid DNA Testing to Verify Claimed Parent-Child Relationships*, OIG-22-27, February 8, 2022, <https://www.oig.dhs.gov/sites/default/files/assets/2022-02/OIG-22-27-Feb22.pdf>.

⁶³ Luciana Magalhaes, Samantha Pearson, and Michelle Hackman, “Desperate to Cross into the U.S., Some Brazilians Create Phony Families,” *The Wall Street Journal*, May 8, 2022, <https://www.wsj.com/articles/desperate-to-cross-into-the-u-s-some-brazilians-create-phony-families-11652025729>.

⁶⁴ Anna Giaritelli, “DNA tests reveal 30% of suspected fraudulent migrant families were unrelated,” *The Washington Examiner*, May 18, 2019,

<https://www.washingtonexaminer.com/policy/defense-national-security/dna-tests-reveal-30-of-suspected-fraudulent-migrant-families-were-unrelated>.

⁶⁵ John Solomon and Addison Smith, “Biden to end familial DNA testing at border, key deterrent to fraud and child trafficking,” *Just the News*, May 24, 2023, <https://justthenews.com/government/security/exclusive-biden-end-familial-dna-testing-border-key-deterrent-fraud-entry>.

⁶⁶ Correspondence between CBP and the House Committee on Homeland Security, June 12, 2023.

⁶⁷ Correspondence between CBP and the House Committee on Homeland Security, September 22, 2023.

⁶⁸ Ali Bradley [@AliBradleyTV], “According to CBP, the DNA testing option is only available if the parent/adult gives consent,” Tweet, *Twitter*, June 9, 2024, <https://x.com/AliBradleyTV/status/1799818326379811166>.

⁶⁹ 42 U.S.C. § 265.

⁷⁰ *Ibid.*



PART 1: A CRISIS BY DESIGN

returned to Mexico in as little as 15 minutes.⁷¹ During the Trump administration, Border Patrol agents made significant use of this authority,⁷² but under Biden, Harris, and Mayorkas, Title 42 expulsions as a percentage of total Border Patrol apprehensions dropped substantially.⁷³

The Biden-Harris administration ended Title 42 on May 11, 2023.⁷⁴ In April, Border Patrol agents were recording more than 6,000 apprehensions per day, more than six times the number that former DHS Secretary Jeh Johnson had previously said “overwhelms the system.”⁷⁵ Leading up to May 11, daily apprehensions exceeded 10,000.⁷⁶ At a Committee briefing on May 24, Ortiz told members that while apprehensions had decreased from these historic highs, he “fully expect[ed]” those numbers to return to the pre-expiration daily totals CBP had been recording for months.⁷⁷

He was right.

Numbers dropped slightly in June 2023, as the cartels re-strategized, and then shot back up, exceeding 7,000 per day by August⁷⁸ and 11,000 in September.⁷⁹ Prominent correspondent Bill Melugin tweeted on Sept. 20, “[i]t’s a total free for all in Eagle Pass [Texas] right now.”⁸⁰ Bill Wells, the mayor of El Cajon, California, tweeted on Sept. 17, 2023, “[t]his is a disaster. ... The Biden-Harris administration allowed this to happen.”⁸¹

“RIGHT NOW **OUR BORDER**,
NO MATTER HOW YOU
WRITE IT DOWN ON PAPER, **IT**
IS OPEN. WE SEE IT EVERY DAY.
I LIVE IN THE RIO GRANDE VALLEY.
I SEE IT EVERY DAY.”

- MAYRA CANTU, BORDER PATROL SPOUSE, SEPTEMBER 2023
HOUSE COMMITTEE ON HOMELAND SECURITY HEARING



⁷¹ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 96, May 9, 2023.

⁷² See U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2021*, last modified June 17, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics-fy2021>; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2020*, last modified June 17, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics-fy2020>.

⁷³ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions*, last modified June 17, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics>; U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2022*, last modified June 17, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics-fy22>; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2021*, last modified June 17, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics-fy2021>.

⁷⁴ 88 F.R. 31314.

⁷⁵ Anna Giaritelli, “Obama’s DHS Secretary Jeh Johnson: ‘We are truly in a crisis’ at southern border,” *The Washington Examiner*, March 29, 2019, <https://www.washingtonexaminer.com/news/obamas-dhs-secretary-jeh-johnson-we-are-truly-in-a-crisis-at-southern-border>.

⁷⁶ Adam Shaw and Bill Melugin, “Border Patrol Encounters 10,000 Migrants for Third Day in a Row as Numbers Swell before Title 42 Drops,” *Fox News*, May 11, 2023, <https://www.foxnews.com/politics/border-patrol-encounters-10000-migrants-third-day-numbers-swell-before-title-42-drops>.

⁷⁷ Raul Ortiz, Briefing to the House Committee on Homeland Security, May 24, 2023.

⁷⁸ Bill Melugin [@BillMelugin_], “A reminder, DHS took a victory lap in early June when daily illegal crossings averaged 3,400 in the weeks after Title 42 ended, attributing the drop to the Biden admin’s “comprehensive plan”. We saw 7,000+ yesterday, more than double that prior average.” Tweet, *Twitter*, August 30, 2023, https://twitter.com/BillMelugin_/status/1696929088668139650.

⁷⁹ See Griff Jenkins [@GriffJenkins], “BREAKING: CBP sources tell FOX News..There were approximately 11,000 migrant encounters at the SW border in the last 24 hours marking the “single highest day in recent memory.” In Eagle Pass alone, there were more than 4000 from Fri-Sun/weekend @FoxNews.” Tweet, *Twitter*, September 25, 2023, <https://twitter.com/GriffJenkins/status/1706319520753701112>; and Griff Jenkins [@GriffJenkins], “BREAKING: CBP sources confirm to FOX News there were more than 11,000 total migrant encounters (BP & OFO) at the SW border marking a second time in a week to hit the unprecedented threshold again @FoxNews.” Tweet, *Twitter*, September 27, 2023, <https://twitter.com/GriffJenkins/status/1707017232683807172>.

⁸⁰ Bill Melugin, [@BillMelugin_], “It’s a total free for all in Eagle Pass right now. Mass illegal crossing taking place for over an hour and a half. Almost 2 years to the day we saw 15,000+ Haitians under the bridge in Del Rio, we now have thousands of predominantly Venezuelans gathering under Eagle Pass bridge.” Tweet, *Twitter*, September 20, 2023, https://twitter.com/BillMelugin_/status/1704535232970457439.

⁸¹ Bill Wells [@MayorBillWells], “San Diego County has seen 2,000 migrants dropped off in the region in the past four days, and talking to Border Patrol officials, this is just the beginning. This is a disaster. Every emergency room is at capacity in SD County. Our homeless shelters are full. Resources are stretched thin. The Biden Administration allowed this to happen. People must pay attention and vote to fix this problem!” Tweet, *Twitter*, September 17, 2023, <https://twitter.com/MayorBillWells/status/1703411851680530790>.



PART 1: A CRISIS BY DESIGN

Chief Owens said that same month, “[t]his isn’t sustainable. Up and down the system, everybody is overwhelmed.”⁸²

These surges led to major impacts on border security operations. On Sept. 15, 2023, CBP announced it was suspending cargo processing at the Bridge of the Americas port of entry in El Paso, in order to send Office of Field Operations (OFO) personnel, who manage official U.S. ports of entry, “to assist the U.S. Border Patrol in processing noncitizens who have arrived between the ports of entry... .”⁸³ All Border Patrol agents in Eagle Pass were pulled from patrolling the border to instead conduct administrative functions like processing and transport of illegal aliens.⁸⁴ In December, the Biden-Harris administration set the all-time record for the *most-ever* apprehensions by the Border Patrol (249,740) and total encounters by CBP (301,981) at the Southwest border in a single month.⁸⁵

Standing at the White House podium on May 11, Mayorkas promised to ramp up the use of CBP’s “expedited removal” authority once Title 42 was gone, but since June 2023, only in five months has the number of illegal aliens apprehended at the Southwest border and processed under this authority, as a percentage of monthly apprehensions, ever exceeded 20 percent—and never more than 50 percent.⁸⁶

Ending Title 42 with no rational border security strategy to replace it resulted in disaster. The Biden-Harris administration did not stop at just ending these effective policies, however.



Hundreds of thousands of illegal aliens poured across the Southwest border into Texas and Arizona in December 2023, setting an all-time monthly record. (Source: John Moore/Getty Images)

⁸² World News Tonight [ABCWorldNews], “The new Border Patrol chief says “Everybody is overwhelmed” after a surge of migrants at the U.S.-Mexico border. He says human smugglers have sent thousands of migrants to the U.S. @MattRiversABC reports. <https://trib.al/ch9saHe>,” Tweet, *Twitter*, September 24, 2023, <https://twitter.com/abcworldnews/status/1706089762312913403?s=42&t=aJ1-2F725W5QDExEUIh0QQ>.

⁸³ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP to temporarily suspend operations at Bridge of the Americas cargo lot*, September 15, 2023, <https://www.cbp.gov/newsroom/local-media-release/cbp-temporarily-suspend-operations-bridge-americas-cargo-lot>.

⁸⁴ Anna Giaritelli [Anna_Giaritelli], “Situation in Eagle Pass, Texas has not improved. Tonight, all Border Patrol agents have pulled to other duties (mainly processing migrants) so not a single agent will be in the field. Document shared with me by an agent, who for what it’s worth, is pretty pissed off about this,” Tweet, *Twitter*, September 27, 2023, https://twitter.com/Anna_Giaritelli/status/1707185036888268914.

⁸⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

⁸⁶ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics*, last modified August 16, 2024, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics Fiscal Year 2023*, last modified December 19, 2023, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2023>.



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

Introduction: The historic articles of impeachment approved by the House of Representatives included a very specific charge against Mayorkas—that he willfully and systemically refused to comply with the laws of the United States. That pattern of abuse was enabled by Biden and Harris.

Refusing to Detain Inadmissible Aliens

A dramatic shift has taken place under the Biden-Harris administration regarding the detention of illegal aliens, not just from the Trump administration, but from administrations of both parties—a shift from enforcing the law to simply refusing to do so.

It is important to note that the Immigration and Nationality Act (INA) mandates any inadmissible alien who enters the United States be detained—from the moment they are encountered until they are removed or found to have a lawful basis to remain in the country.⁸⁷ Instead of taking steps to meaningfully comply with this mandate, as previous administrations have, Biden, Harris, and Mayorkas devised and implemented a comprehensive and unlawful agenda of mass “catch and release,” which has led to the release of millions of inadmissible aliens into American communities.

This is unprecedented. Even under Obama, detention was the norm. In FY13, 91 percent of single adults and family units were detained for at least some time period while their cases were adjudicated, and 82 percent were detained for the entirety of their case.⁸⁸ This 91-percent figure plummeted to a mere 36 percent in FY21—the first year of the Biden-Harris administration.⁸⁹ Just 10 percent were detained for the duration of their case, 26 percent were released from detention at some point, and *nearly two-thirds were never detained*.⁹⁰

By 2022, the Biden-Harris administration had “quietly ended the practice of detaining immigrant families” altogether.⁹¹ Dustin Caudle, deputy chief patrol agent for the Border Patrol’s Yuma Sector, told the Committee during an official transcribed interview in September 2023 that 65-70 percent of encounters in his sector had ended

“THE EVIDENCE ESTABLISHES THAT IN LATE JANUARY OR EARLY FEBRUARY OF 2021, DHS MADE A DISCRETE CHANGE IN DETENTION POLICY FROM ‘**RELEASE ONLY IF THERE IS A COMPELLING REASON TO**’ TO ‘**RELEASE UNLESS THERE IS A COMPELLING REASON NOT TO.**’”

- JUDGE KENT WETHERELL'S OPINION IN
STATE OF FLORIDA V. UNITED STATES,
MARCH 2023



⁸⁷ See 8 U.S.C. § 1225; and Andria Strano and Lauren Alder Reid, “Re: Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protections by Asylum Officers,” *The Center for Immigration Studies*, October 18, 2021, https://cis.org/sites/default/files/2021-10/JNPRM_Asylum_Procedures_FINAL_submitted_10-18-2021.pdf

⁸⁸ U.S. Department of Justice, Office of the Solicitor General, *Re: Joseph R. Biden, Jr., President of the United States, et al. v. Texas, et al.*, No. 21-954, June 6, 2022, 3, https://www.supremecourt.gov/DocketPDF/21/21-954/227228/20220606154050875_Letter%2021-954%20%206-6-2022.pdf.

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ Eileen Sullivan, “Biden to Ask Congress for 9,000 Fewer Immigration Detention Beds,” *The New York Times*, March 25, 2022, <https://www.nytimes.com/2022/03/25/us/politics/biden-immigration-detention-beds.html>.



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

in release since January 2021.⁹² In January 2024, Mayorkas admitted that release rates exceeded 85 percent.⁹³

This radical shift was clear from the start. Federal judge Kent Wetherell wrote in his March 2023 decision striking down one of Mayorkas’ unlawful release policies, “[t]he evidence establishes that in late January or early February of 2021, DHS made a discrete change in detention policy from ‘*release only if there is a compelling reason to*’ to ‘*release unless there is a compelling reason not to*.’”⁹⁴ He further held that the Biden-Harris administration has turned the border “into a meaningless line in the sand and little more than a speedbump for aliens flooding into the country...”⁹⁵ According to Scott, administration officials “made it very clear: Expedite processing and find new ways to let migrants into the U.S. That was the only agenda.”⁹⁶

Detention Is Critical to Immigration Enforcement: It should be unconscionable that Biden-Harris administration officials would subvert the law on detention, knowing how important detention is to enforcement. Undermining the law ensures that illegal aliens will *almost never* be removed. DHS’ own reporting has shown that 82 percent of illegal aliens “neither expelled or repatriated directly by CBP nor continuously detained by ICE” remain in the United States years later, and that illegal aliens not removed after 12 months “are rarely repatriated after that.”⁹⁷ Additionally, when illegal aliens are detained for the entirety of their case, they are ultimately removed 97 percent of the time, but when they are only temporarily detained or not detained at all, removal rates drop into the single digits.⁹⁸ Unaccompanied alien children (UACs) and family units who are released are rarely removed—ever.⁹⁹

That’s why Sean McGoffin, chief patrol agent for the Border Patrol’s Big Bend Sector, told the Committee in April 2023 that continuous detention is “absolutely” vital.¹⁰⁰ In Modlin’s view, “other than the rare occasion where you have someone with a crazy medical condition, everyone should be detained.”¹⁰¹

Biden-Harris administration officials know this—detention is just not part of their plan. The administration has released historic numbers of inadmissible aliens through some of the following means:

- ***Notices to Appear:*** The Biden-Harris administration has accomplished its mass catch-and-release agenda through various means. One of the most common ways CBP has been directed to conduct mass releases is through the use of documents

⁹² Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 113, September 28, 2023.

⁹³ Adam Shaw, Bill Melugin, and Griff Jenkins, “Mayorkas tells Border Patrol agents that ‘above 85%’ of illegal immigrants released into US: sources,” *Fox News*, January 8, 2024, <https://www.foxnews.com/politics/mayorkas-tells-border-patrol-agents-illegal-immigrants-released-into-us-sources>.

⁹⁴ See Opinion and Order, *State of Florida v. United States*, No. 3:21-cv-01066-TKW-ZCB, 71, (N.D. Fla. 2023), (emphasis added).

⁹⁵ *Ibid.*, 5-6.

⁹⁶ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 1:35:11, June 14, 2023, <https://www.youtube.com/watch?v=0gjm6jzYHq&t=5685s>.

⁹⁷ U.S. Department of Homeland Security, Office of Immigration Statistics, *Fiscal Year 2021 Enforcement Lifecycle Report*, by Nadwa Mossad, et. al., November 2022, 5, https://www.dhs.gov/sites/default/files/2022-12/2022_1114_plcy_enforcement_lifecycle_report_fy2021.pdf.

⁹⁸ *Ibid.*, 16.

⁹⁹ U.S. Department of Homeland Security, Office of Immigration Statistics, *Fiscal Year 2020 Enforcement Lifecycle Report*, by Marc R. Rosenblum and Hongwei Zhang, December 2020, 14-15, https://www.dhs.gov/sites/default/files/publications/immigration-statistics/Special_Reports/Enforcement_Lifecycle/2020_enforcement_lifecycle_report.pdf.

¹⁰⁰ Sean McGoffin, Transcribed Interview with the House Committee on Homeland Security, 128, April 25, 2023.

¹⁰¹ John Modlin, Transcribed Interview with the House Committee on Homeland Security, 116, July 26, 2023.



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

called “Notices to Appear” (NTAs)—through which individuals are issued a court date, ordered to appear before an immigration judge, and released into the interior on the condition they show up for their hearing.¹⁰² The use of NTAs has exploded under the Biden-Harris administration. OFO personnel have recorded at least 921,000 NTAs between February 2021-July 2024, with many of them also being paroled with the NTA.¹⁰³ More than two million illegal aliens have been released on their own recognizance by the Border Patrol with an NTA in this same timeframe.¹⁰⁴ Owens has told the Committee “[t]here are more people probably that are being released on their own recognizance to await their immigration hearing than I have seen in my career.”¹⁰⁵

- ***Notices to Report:*** Between Mar. 21 and Aug. 31, 2021, the Border Patrol released more than 100,000 individuals with Notices to Report (NTRs), which required the illegal alien to report to an ICE office for further processing, though many never showed up.¹⁰⁶
- ***Massive Abuse of Parole:*** The Biden-Harris administration has also used unlawful mass parole to release millions of inadmissible aliens into the United States. Per the INA, parole may only be granted on a case-by-case and temporary basis, for an urgent humanitarian reason or significant public benefit,¹⁰⁷ such as receiving urgent medical treatment or participating in court proceedings.¹⁰⁸ However, the administration has wantonly flouted this law by granting parole to millions of illegal aliens and creating parole programs for various nationality groups,¹⁰⁹ neither of which are consistent with the law.

This has exacerbated the crisis to an unprecedented degree. In the early years of the crisis, the Border Patrol was mass-paroling illegal aliens apprehended at the Southwest border, including through programs like “Parole Plus Alternatives to Detention” (Parole + ATD).¹¹⁰ Owens told the Committee, “[l]ast year, for us, I would say the vast majority of the migrants that we encountered were processed under

¹⁰² 8 U.S.C. § 1225(b)(1)(B).

¹⁰³ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics*, last modified August 16, 2024, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>; U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics FY2023*, last modified December 19, 2023, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics>; U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics FY2022*, last modified December 19, 2023, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy22>; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics FY2021*, last modified June 5, 2024, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2021>.

¹⁰⁴ *Ibid.*

¹⁰⁵ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 36, May 5, 2023.

¹⁰⁶ Anna Giaritelli, “47,705 Migrants Released with Instructions to Report to ICE Have Gone Missing under Biden,” *The Washington Examiner*, January 11, 2022, <https://www.washingtonexaminer.com/news/47-705-migrants-released-with-instructions-to-report-to-ice-have-gone-missing-under-biden>.

¹⁰⁷ 8 U.S.C. § 1182.

¹⁰⁸ 8 C.F.R. § 212.5(b).

¹⁰⁹ See U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Processes for Cubans, Haitians, Nicaraguans, and Venezuelans*, June 13, 2023, <https://www.uscis.gov/CHNV>; U.S. Department of Homeland Security, News, *Fact Sheet: U.S. Government Announces Sweeping New Actions to Manage Regional Migration*, April 27, 2023, <https://www.dhs.gov/news/2023/04/27/fact-sheet-us-government-announces-sweeping-new-actions-manage-regional-migration>; and U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, Newsroom, *DHS Announces Family Reunification Parole Process for Ecuador*, October 18, 2023, <https://www.uscis.gov/newsroom/news-releases/dhs-announces-family-reunification-parole-process-for-ecuador>.

¹¹⁰ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Memorandum: Parole Plus Alternative to Detention*, November 2, 2021, <https://www.cbp.gov/sites/default/files/assets/documents/2023-May/Parole%20Plus%20Alternative%20to%20Detention.pdf>; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Memorandum: Policy on the Use of Parole Plus Alternatives to Detention to Decompress Border Locations*, July 18, 2022, https://litigationtracker.justiceactioncenter.org/sites/default/files/2023-03/flnd%20-%20203-2021-cv-01066%20-%20July%2018,%202022%20Parole%20and%20ATD%20memo_0.pdf.



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

[Parole + ATD].”¹¹¹ The abuse of parole in between ports of entry has been condemned by multiple federal judges.¹¹²

The abuse of parole is also a historical anomaly.¹¹³ Doris Meissner, former commissioner of the Immigration and Naturalization Service under President Bill Clinton, said last year of the use of parole, “[a]t this scale, in this time period, it is unprecedented.”¹¹⁴ Joseph Edlow, former acting director of U.S. Citizenship and Immigration Services (USCIS), has testified that parole “has become a favorite tool of the Biden administration.”¹¹⁵ One chief patrol agent told the Committee, “parole, *before we used it recently*, was used only in extreme humanitarian... instances, right? ... But that was very rare. It wasn’t, like, an everyday thing.”¹¹⁶ Under Biden and Harris, it is now an “everyday thing.”

Through July 2024, DHS had recorded at least 2.6 million paroles under the Biden-Harris administration,¹¹⁷ including:

- Approximately **765,000 appointments** via the CBP One mass-parole scheme since January 2023
- More than **520,000 paroles** via the parole program for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV) since the program’s inception
- More than **37,000 ICE paroles** in FY24
- Approximately **304,000 paroles** by the Border Patrol in FY23
- More than **378,000 releases** by the Border Patrol via Parole + ATD in FY22
- More than **85,000 paroles** by ICE in FY23
- More than **330,000 paroles** by OFO in FY22 (excluding Operation Allies Welcome (OAW) and Uniting for Ukraine (U4U) paroles)
- More than **79,000 paroles** by ICE in FY22
- Approximately **80,000 CBP paroles** between Jan. 20, 2021-September 2021
- Nearly **32,000 paroles** by ICE between January-September 2021

¹¹¹ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 25-26, May 5, 2023.

¹¹² See *State of Florida v. United States*, No. 3:21-cv-01066, 108, (N.D. Fla. 2023); *Texas v. Biden*, No. 21-10806, 4 and 105-106, (5th Cir. 2021); *State of Texas v. Biden*, No. 2:21-cv-00067, 43, (N.D. Tex. 2021); and *State of Florida v. Mayorkas*, No. 3:23-cv-09962-TKW-ZCB, 8, (N.D. Fla. 2023).

¹¹³ See “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 3:12:40, June 14, 2023, <https://www.youtube.com/watch?v=0gim6jzYHq&t=11560s>; and “Leaked Border Patrol docs show Biden admin ‘lying’ about immigration: Tom Homan,” *Fox Business*, YouTube video, 1:08, October 14, 2021, <https://www.youtube.com/watch?v=c4W41b82sl>.

¹¹⁴ Camilo Montoya-Galvez, “U.S. has welcomed more than 500,000 migrants as part of historic expansion of legal immigration under Biden,” *CBS News*, July 18, 2023, <https://www.cbsnews.com/news/immigration-parole-migrants-us-expansion-biden/>.

¹¹⁵ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Joseph B. Edlow for Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis*, 118th Cong., 1st sess., June 14, 2023, 22, <https://homeland.house.gov/wp-content/uploads/2023/08/2023-06-14-HRG-PressPacket.pdf>.

¹¹⁶ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 125, June 1, 2023 (emphasis added).

¹¹⁷ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Releases July 2024 Monthly Update*, August 16, 2024, <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-july-2024-monthly-update>; U.S. Department of Homeland Security Statistics, *Immigration Enforcement and Legal Processes Monthly Tables - April 2024*, August 9, 2024, https://ohss.dhs.gov/sites/default/files/2024-08/24-0809_ohss_immigration-enforcement-and-legal-processes-tables-april-2024.xlsx; U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics FY2023*, last modified December 19, 2023, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2023>; U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Custody and Transfer Statistics FY2022*, last modified December 19, 2023, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy22>; U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Fiscal Year 2022 Report to Congress: Parole Requests, Fiscal Year 2022*, July 12, 2023, 8, https://www.dhs.gov/sites/default/files/2023-08/23_0712_cbp_fy22_parole_requests.pdf. Including paroles through OAW and U4U, the number for FY22 exceeds 417,000. Per a DHS OIG report cited later in this report, roughly 77,000 Afghans total were paroled into the United States through OAW between July 2021-September 2022. For FY23, the number of U4U paroles exceeds at least 77,000.; U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Fiscal Year 2023 Report to Congress: Parole Requests, Fiscal Year 2023*, December 4, 2023, 10, https://www.dhs.gov/sites/default/files/2024-01/2023_1204_dmo_plcy_parole_requests_q2_and_q3.pdf; Status Report, Defendants’ Monthly Report Pursuant to Injunction, *State of Texas v. Biden*, No. 2:21-cv-00067, Document 119-1, 11, (N.D. Tex. 2021); and Status Report, Defendants’ Monthly Report Pursuant to Injunction, *State of Texas v. Biden*, No. 2:21-cv-00067, Document 119-2, 20, (N.D. Tex. 2021).



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

- **Release of Unaccompanied Alien Children:** On Biden, Harris, and Mayorkas’ watch, CBP has recorded more than 512,000 encounters of UACs at the Southwest border,¹¹⁸ “a milestone no other administration has come close to hitting.”¹¹⁹ This increase has been driven, in large part, by the Biden-Harris administration’s refusal to return UACs to their home countries, despite having the ability to do so.¹²⁰ Shortly after being apprehended, these minors are transferred from DHS custody to the Department of Health and Human Services (HHS), who then place them with “sponsors” in the interior. Between October 2020-July 2024, these releases exceeded 437,000.¹²¹

Releasing Illegal Aliens Outside Proper Procedure: On top of these historic numbers, an untold number of illegal aliens have been released in such a way that DHS cannot effectively track, monitor, or remove them. In September 2022, the DHS Office of Inspector General (OIG) issued a report showing that the Border Patrol was frequently releasing illegal aliens without “alien registration numbers,”¹²² which help DHS maintain accountability on these individuals. These numbers were not being assigned due to an emphasis on rapid processing and release.¹²³

In an even more shocking OIG report in September 2023, the Biden-Harris administration was found to be releasing hundreds of thousands of illegal aliens with no way to track their whereabouts “accurately and effectively.”¹²⁴ Addresses provided by illegal aliens to CBP, showing where they were going and could be reached, “were either missing, invalid for delivery, or not legitimate residential locations,” with Border Patrol agents not able to record valid addresses, in part, “due to the large number of migrants apprehended.”¹²⁵ Addresses given to agents included a Maryland restaurant, an Illinois bus station, and a New Jersey car dealership.¹²⁶

That same month, Deputy Chief Patrol Agent Caudle told the Committee he believed that if agents had fewer illegal aliens to process and release, they would be able to conduct more thorough investigations into the information they provide, including addresses.¹²⁷ This data is essential in helping CBP and ICE track and remove illegal aliens once their court proceedings conclude—without it, there is no way to ensure illegal aliens are truly held accountable.

The Biden-Harris Administration Has Repeatedly Undermined Detention: Ultimately, as Wetherell wrote in his March 2023 opinion, “the more persuasive evidence establishes that [the Biden-Harris administration] effectively incentivized what

¹¹⁸ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

¹¹⁹ Anna Giaritelli, “Biden’s border sees nearly half a million immigrant children arrive without a parent,” *The Washington Examiner*, April 13, 2024,

<https://www.washingtonexaminer.com/policy/immigration/2903688/bidens-border-half-million-unaccompanied-immigrant-children/>.

¹²⁰ Anna Giaritelli, “Biden-Harris administration stops border officials from expelling unaccompanied children despite court allowing it,” *The Washington Examiner*, February 11, 2021, <https://www.washingtonexaminer.com/news/2613091/biden-administration-stops-border-officials-from-expelling-unaccompanied-children-despite-court-allowing-it/>.

¹²¹ U.S. Department of Health and Human Services, Office of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, last updated August 22, 2024,

<https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>.

¹²² U.S. Department of Homeland Security, Office of Inspector General, *U.S. Border Patrol Screened Migrants at the Southwest Border but Could Strengthen Process*, OIG-22-71, September 19, 2022, <https://www.oig.dhs.gov/sites/default/files/assets/2022-09/OIG-22-71-Sep22.pdf>.

¹²³ *Ibid.*, 7.

¹²⁴ U.S. Department of Homeland Security, Office of Inspector General, *DHS Does Not Have Assurance That All Migrants Can be Located Once Released into the United States (REDACTED)*, OIG-23-47, September 6, 2023, 4, <https://www.oig.dhs.gov/sites/default/files/assets/2023-09/OIG-23-47-Sep23-Redacted.pdf>.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, 13.

¹²⁷ Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 119-120, September 28, 2023.

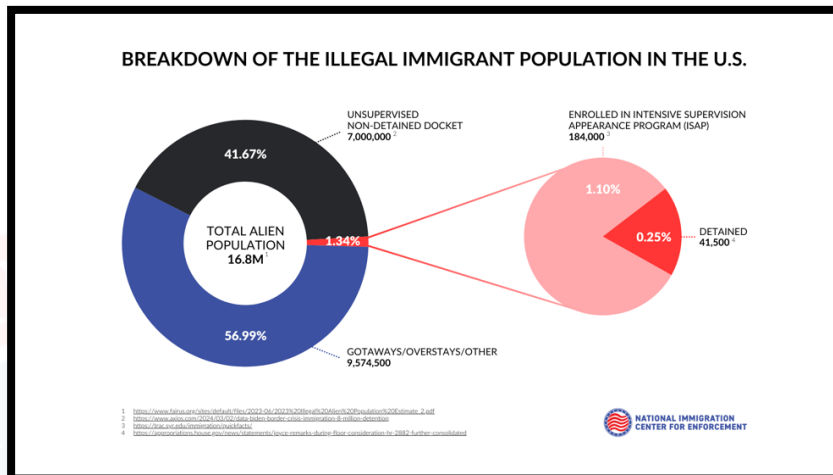


PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

they call ‘irregular migration’...by establishing policies and practices that all-but-guaranteed that the vast majority of aliens arriving at the Southwest Border who were not excluded under the Title 42 Order would not be detained and would instead be quickly released into the country...”¹²⁸

These mass releases have been directed and encouraged by senior DHS officials. Then-San Diego Sector Chief Patrol Agent Aaron

Heitke told the Committee in May 2023 that leadership instructed sectors to “do our best to keep [the number of illegal aliens in detention] down,” and that agents did so primarily by “putting as many resources that we can into processing to get the people moved quickly.”¹²⁹ He further clarified that “moved” meant “released from detention.”¹³⁰



One would expect that amidst skyrocketing illegal crossings that the administration would request more ICE detention beds to increase enforcement capacity. However, the Biden-Harris administration has consistently asked for *fewer* ICE beds than the prior administration,¹³¹ while also failing to use all the beds made available by Congress.¹³² At the same time, it has awarded hundreds of millions of dollars in non-competitive contracts to politically connected groups—many of whom have no experience in detention—to house illegal aliens, instead of filling already-paid-for ICE beds.¹³³ After requesting fewer beds and refusing to fill them, the Biden-Harris administration was even preparing to roll out a plan in July 2024 “to eliminate in-person check-ins for migrants and replace them with an app,” further reducing ICE’s ability to enforce immigration law.¹³⁴

By June 2024, DHS data showed that, based on an independent think tank’s estimate of 16.8 million illegal aliens present in the United States, less than two percent were under any sort of ICE supervision, with only .25 percent being detained.¹³⁵ Such nonsensical, anti-enforcement policies likely explain why Wetherell wrote in his opinion that the Biden-Harris administration is effectively “like a child who kills his parents and then seeks pity for being an orphan.”¹³⁶

¹²⁸ Ibid, 21-22.

¹²⁹ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 148, May 9, 2023.

¹³⁰ Ibid.

¹³¹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2025 Congressional Justification*, March 8, 2024, 25, https://www.dhs.gov/sites/default/files/2024-04/2024_0308_us_immigration_and_customs_enforcement.pdf.

¹³² See Ibid; Diana Glebova, “ICE facility holding just six migrants due to ‘outdated’ COVID-19 order,” *The New York Post*, November 23, 2023,

<https://nypost.com/2023/11/23/news/ice-facility-operating-at-4-capacity-due-to-outdated-covid-19-order-rep/>; and U.S. Congress, House of Representatives, Office of Rep. Jay Obernolte, *Letter to Immigration and Customs Enforcement*, 118th Cong., 1st sess., October 3, 2023, https://obernolte.house.gov/sites/evo-subsites/obernolte.house.gov/files/evo-media-document/23-10-03-obernolte-adelanto-ice-letter-final_sent.pdf.

¹³³ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Massive Waste and Abuse Enabled by DHS Secretary Alejandro Mayorkas, Phase 5 Interim Report*, 118th Cong., 1st sess., December 21, 2023, 2-6, <https://homeland.house.gov/wp-content/uploads/2023/12/Phase-5.pdf>.

¹³⁴ Jennie Taer, “Biden admin set to launch app so migrants can bypass in-person ICE check-ins: ‘Sh-t show,’” *The New York Post*, July 12, 2024,

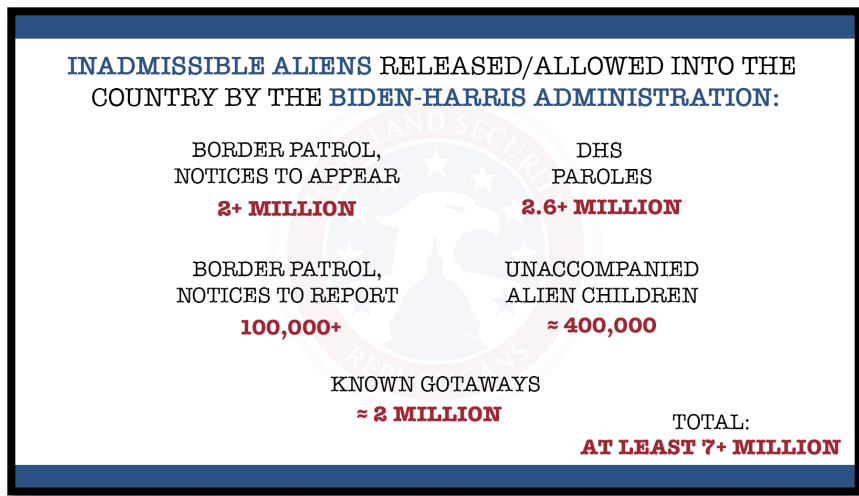
<https://nypost.com/2024/07/12/us-news/biden-admin-set-to-launch-app-so-migrants-can-bypass-in-person-ice-check-ins/>.

¹³⁵ Adam Shaw, “Overwhelming majority of illegal immigrants aren’t under federal supervision: analysis,” *Fox News*, July 3, 2024, <https://www.foxnews.com/politics/over-98-illegal-immigrants-not-under-federal-supervision-analysis>.

¹³⁶ *State of Florida v. United States*, No. 3:21-cv-01066, 40, (N.D. Fla. 2023).



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”



Refusing to Remove Inadmissible Aliens

If detention is one side of the immigration-enforcement coin, removal is the other. The Biden-Harris administration has largely refused to meet its statutory obligation to remove illegal aliens.

The warning signs were clear before they took office. In a June 2019 debate, Biden declared, “[w]e should fundamentally change”¹³⁷ the way ICE enforces the law, signaling that illegal aliens who do not have criminal offenses on their record (aside from entering illegally, which is also a federal crime) should not be targets for removal. Biden and Harris both affirmed during this debate that they supported decriminalizing illegal border crossings.¹³⁸ In March 2020, when asked if suspected criminal illegal aliens arrested by local law enforcement should be handed over to ICE, Biden said no.¹³⁹

He further stated that after the first 100 days of his administration, “the only deportations that will take place are commissions of felonies in the United States of America,” and confirmed when asked whether “only felons get deported and everyone else gets to stay”¹⁴⁰—a radical statement of defiance of U.S. immigration law. On his first day in office, Biden declared a 100-day halt to deportations,¹⁴¹ a move that one chief patrol agent later affirmed could have incentivized illegal crossings.¹⁴²

“It’s put so much friction in the system that we go weeks without arresting somebody. It seems like a coordinated effort to come up with excuse after excuse for us not to do our job.”

– ICE Officer to Stephen Dinan
The Washington Times
July 31, 2023

¹³⁷ “WATCH: Biden says migrants shouldn’t be detained just for crossing border | 2019 Democratic Debates,” *PBS NewsHour*, YouTube video, June 27, 2019, <https://www.youtube.com/watch?v=1-Yh4OyQ2xw>.

¹³⁸ “Democratic Presidential Debate – June 27 (Full) | NBC News,” *NBC News*, YouTube video, 41:32, June 27, 2019, <https://www.youtube.com/live/cX7Hni-zGD8?si=MyVvlcQtKhEXomKf&t=2491>.

¹³⁹ “Democratic Candidates Debate in Washington, DC,” The American Presidency Project, Transcript, March 15, 2020, <https://www.presidency.ucsb.edu/documents/democratic-candidates-debate-washington-dc>.

¹⁴⁰ “CNN Democracy [sic] Presidential Primary Debate.,” *CNN*, March 15, 2020, <https://transcripts.cnn.com/show/se/date/2020-03-15/segment/03>.

¹⁴¹ U.S. Department of Homeland Security, *Memorandum: Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities*, January 20, 2021, https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf.

¹⁴² Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 151, June 1, 2023. The move was fortunately blocked by a federal judge.

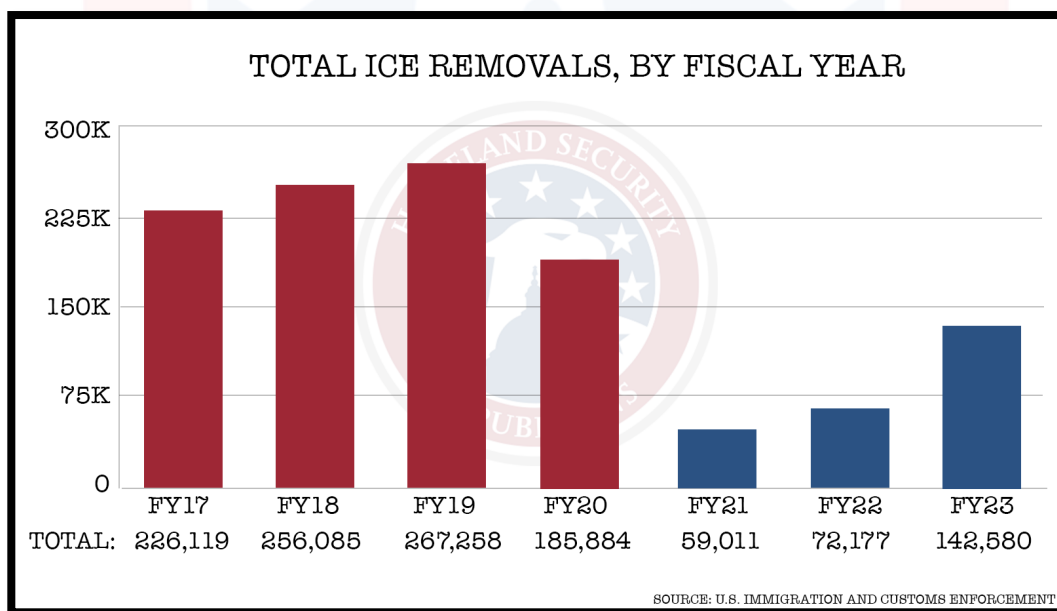


PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

The Biden-Harris administration also severely restricted ICE officials’ ability to detain and remove illegal aliens.¹⁴³ In a September 2021 memo, Mayorkas declared, “[t]he fact an individual is a removable [alien] therefore should not alone be the basis of an enforcement action against them,” and that conviction for a criminal offense was not sufficient to warrant investigation and removal¹⁴⁴—another clear contradiction of federal immigration law.

As a result of this refusal to detain and remove inadmissible aliens, ICE’s Non-Detained Docket (NDD) has continued to grow, “primarily due to the historic levels” of encounters at the Southwest border.¹⁴⁵ In FY20, there were approximately 3.26 million inadmissible aliens on the NDD, which had more than doubled to more than 7.4 million by June 2024, per ICE figures.¹⁴⁶

ICE is not coming close to removing all those it could be, either. In FY19, removals exceeded 267,000.¹⁴⁷ In FY20, in the midst of the COVID-19 pandemic, ICE removed 185,884 illegal aliens.¹⁴⁸ In FY21, the number was just 59,011,¹⁴⁹ 72,177 in FY22,¹⁵⁰ and 142,580 in FY23¹⁵¹—still more than 40,000 fewer than the lowest number during the Trump administration.



¹⁴³ U.S. Department of Homeland Security, *Memorandum: Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities*, January 20, 2021, https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf.

¹⁴⁴ U.S. Department of Homeland Security, *Memorandum: Guidelines for the Enforcement of Civil Immigration Law*, September 30, 2021, <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf>.

¹⁴⁵ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2024 Congressional Justification*, March 1, 2023, 65, https://www.dhs.gov/sites/default/files/2023-03/U.S.%20IMMIGRATION%20AND%20CUSTOMS%20ENFORCEMENT_Remediated.pdf.

¹⁴⁶ Michael Lee, “ICE non-detained docket explodes to 7.4M cases,” *Fox News*, June 17, 2024, <https://www.foxnews.com/politics/fox-exclusive-migrants-freed-under-ice-program-exploded-over-7-4-million>.

¹⁴⁷ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report*, 19, <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>.

¹⁴⁸ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2020*, December 23, 2020, 4, <https://www.ice.gov/doclib/news/library/reports/annual-report/iceReportFY2020.pdf>.

¹⁴⁹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2021*, March 11, 2022, 9, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2021.pdf>.

¹⁵⁰ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2022*, December 30, 2022, 23, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf>.

¹⁵¹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Fiscal Year 2023 ICE Annual Report*, December 29, 2023, 26, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2023.pdf>.



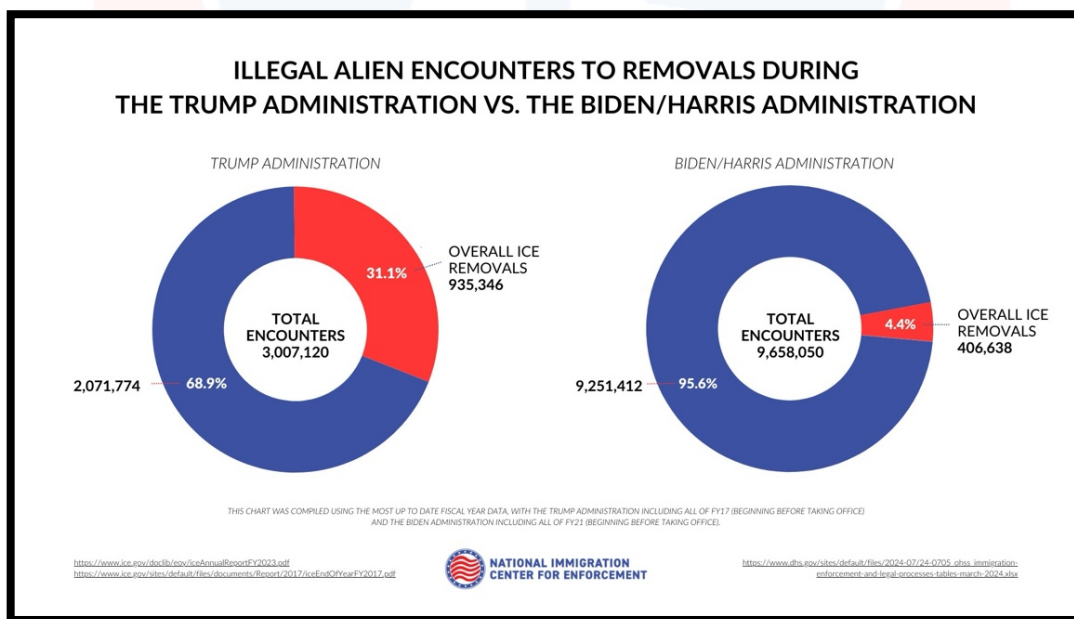
PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

Meanwhile, the number of individuals on the NDD who have *not* been ordered removed by an immigration judge increased from 3.5 million in FY22 to 4.9 million in FY23, while those *with* a final order of removal only increased around 76,000.¹⁵² In other words, the Biden-Harris administration is releasing illegal aliens into the interior at a far greater rate than they are being ordered removed—let alone *actually* removed.

For a specific example of the administration’s unserious efforts to remove illegal aliens, consider the Family Expedited Removal Management (FERM) program, announced in May 2023, which would ostensibly help remove family units. However, more than a year after its inception, despite the apprehension of more than 842,000 illegal aliens at the Southwest border in family units in that timeframe, only around 2,500 of these individuals had been removed via FERM.¹⁵³ In fact, more illegal aliens had absconded from the program than been removed.¹⁵⁴

ICE is effectively trying to bail out the Titanic using a thimble.

It is little wonder then, that when asked whether the consequence of removal was being applied “at a rate significant enough to deter [migrants] from illegally entering into the United States,” Heitke twice said, “Not right now.”¹⁵⁵ Perhaps that is why 62 percent of Americans recently expressed support a “new national program to deport all” illegal aliens.¹⁵⁶



¹⁵² See U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2022*, December 2022, 21, <https://www.ice.gov/doclib/ceoy/iceAnnualReportFY2022.pdf>; and U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Fiscal Year 2023 ICE Annual Report*, December 29, 2023, 23, <https://www.ice.gov/doclib/ceoy/iceAnnualReportFY2023.pdf>.

¹⁵³ See U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>; and Jennie Taer, “Biden program meant to remove illegal migrant families has instead allowed 90% to stay in US,” *The New York Post*, August 13, 2024, <https://nypost.com/2024/08/13/us-news/biden-admin-touted-program-to-remove-migrant-families-but-let-most-stay/>.

¹⁵⁴ *Ibid.*

¹⁵⁵ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 26, May 9, 2023.

¹⁵⁶ Anthony Salvanto, et. al., “Trump and Biden neck and neck nationally and in battlegrounds — CBS News poll,” *CBS News*, June 9, 2024, <https://www.cbsnews.com/news/poll-trump-biden-neck-and-neck-06-09-2024/>. See also Margaret Talev and Russell Contreras, “Exclusive poll: America warms to mass deportations,” *Axios*, April 25, 2024, <https://www.axios.com/2024/04/25/trump-biden-americans-illegal-immigration-poll>.

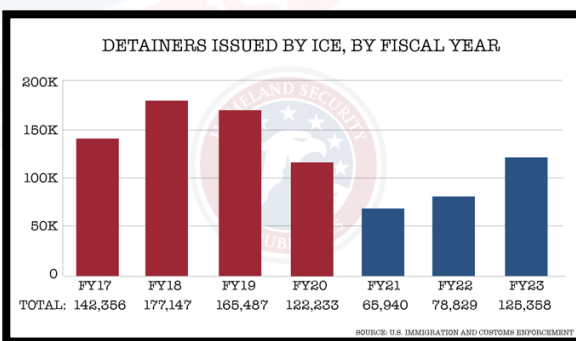
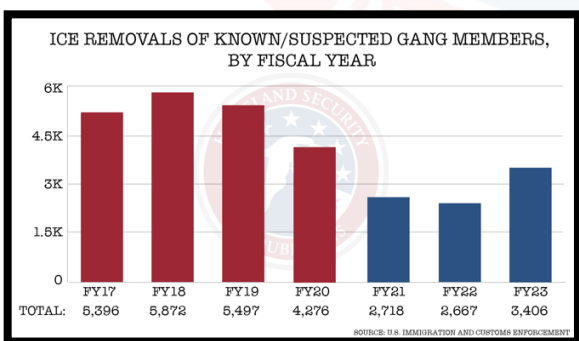
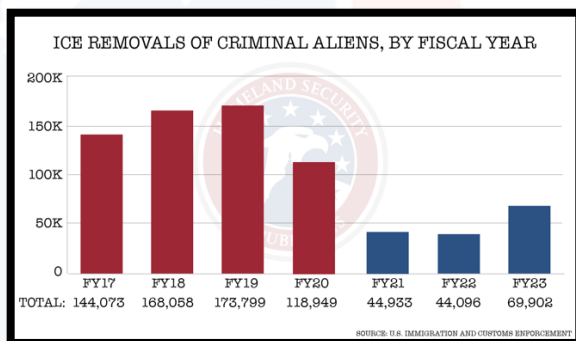
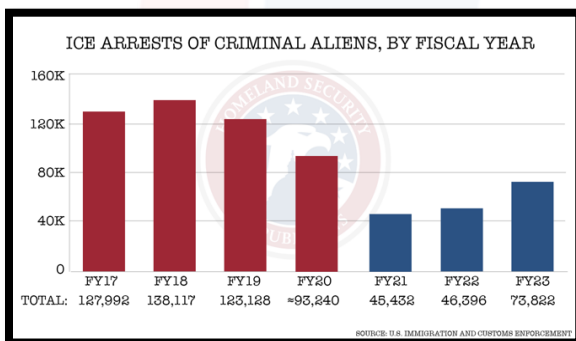


PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

Refusing to Detain and Remove Criminal Illegal Aliens

The INA also requires the federal government to “take into custody” a wide variety of criminal aliens. As noted by one federal judge, the law demands “the mandatory detention of certain criminal aliens who are convicted of certain crimes,” yet under Biden and Harris, ICE agents “can no longer follow the statute’s categorical command,” flipping “the presumption of detention on its head by starting from the premise that an official should not enforce the law.”¹⁵⁷ Per one former senior DHS official, the guidance protects most criminal illegal aliens from enforcement action.¹⁵⁸

Arrests, Removals, and Detainers All Plummet: Under the Biden-Harris administration, ICE is simply not arresting or removing as many criminal illegal aliens as under prior administrations, and they are issuing fewer detainers for them, as well.¹⁵⁹ Detainers are used by ICE to request local jurisdictions take custody of criminal aliens so ICE can subsequently detain and remove them. Despite this, DHS’ targets for removals of convicted criminals *and* those with pending charges in FY24 and FY25 were just 60,000 and 65,000, respectively.¹⁶⁰



¹⁵⁷ See Memorandum Opinion and Order, *State of Texas v. United States*, No. 6:21-cv-00016, 68, (S.D. Tex. 2022).
¹⁵⁸ Lora Ries, “Ries: Biden-Harris administration’s New ICE Guidance ‘Turns America Into a Sanctuary Country,’” *The Heritage Foundation*, February 19, 2021, <https://www.heritage.org/press/ries-biden-harris-administrations-new-ice-guidance-turns-america-sanctuary-country>.
¹⁵⁹ The information in the following graphs is found in ICE’s annual reports. See U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Fiscal Year 2023 ICE Annual Report*, December 29, 2023, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2023.pdf>; U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2022*, December 30, 2022, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf>; U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2021*, March 11, 2022, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2021.pdf>; U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *U.S. Immigration and Customs Enforcement Fiscal Year 2020 Enforcement and Removal Operations Report*, <https://www.ice.gov/doclib/news/library/reports/annual-report/eroReportFY2020.pdf>; and U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report*, December 11, 2019, <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>. ICE did not report arrest or removal numbers for convicted criminals and those with criminal histories combined in its FY21 report, but they have been reported in the press. See Camilo Montoya-Galvez, “ICE immigration arrests and deportations in the U.S. interior increased in fiscal year 2022,” *CBS News*, December 30, 2022, <https://www.cbsnews.com/news/ice-immigration-arrests-and-deportations-us-interior-increased-fiscal-year-2022/>.
¹⁶⁰ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2025 Congressional Justification*, March 8, 2024, 23-24, https://www.dhs.gov/sites/default/files/2024-04/2024_0308_us_immigration_and_customs_enforcement.pdf.



PART 2: “A WILLFUL AND SYSTEMIC REFUSAL TO COMPLY WITH THE LAW”

Release of Criminal Aliens: Beyond refusing to detain and remove a broad swath of criminal illegal aliens, the Biden-Harris administration has knowingly released them into the United States.¹⁶¹ As of the first quarter of FY23, there were 407,983 convicted criminal aliens on the NDD,¹⁶² a number that had grown to more than 617,000 by January 2024.¹⁶³ One July 2023 press report noted that “supervisors were so worried about running afoul of leaders that they were erring deeply on the side of releasing criminals,” with one official telling reporters that “officers were discouraged from deporting even illegal immigrants who had final deportation orders and were linked to gangs.”¹⁶⁴ Even dozens of illegal aliens who stormed a crossing site in El Paso, Texas, assaulting Texas National Guardsmen protecting the border, were released into the country.¹⁶⁵



WATCH: Illegal Aliens Overwhelm and Assault National Guard Troops Near El Paso

Responding to the release of Colombian national Efrain Vidales Vargas, even after his record had been flagged by an ICE agent, retired Yuma Sector Chief Patrol Agent Chris Clem said, “[i]f there is not a greater betrayal to the American people, I don’t know what is.”¹⁶⁶ One former ICE field director said in October 2023, “[o]ne of the reasons I retired early was because I was being forced to release people that should not have been allowed on the street. They continue to release people from custody like it’s a revolving door.”¹⁶⁷

¹⁶¹ See Callie Patterson, Carl Campanile, and Bruce Golding, “Migrants with Criminal Records Among Those Being Released in the US: ICE Agent,” *The New York Post*, January 27, 2022, <https://nypost.com/2022/01/27/migrants-with-criminal-records-among-those-being-released-in-the-us-ice-agent/>; “Budget Hearing – Fiscal Year 2024 Request for the U.S. Immigration and Customs Enforcement Agency,” *House Appropriations Committee*, YouTube video, 1:35:26, April 18, 2023, <https://www.youtube.com/watch?v=EZLOtp8DH6w&t=5725s>; and Stephen Dinan, “ICE Released Hundreds of Criminals to Clear Space for Border Surge,” *The Washington Times*, May 9, 2023, <https://www.washingtontimes.com/news/2023/may/9/ice-released-hundreds-criminals-clear-space-border/>.

¹⁶² U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2024 Congressional Justification*, March 1, 2023, 65, https://www.dhs.gov/sites/default/files/2023-03/U.S.%20IMMIGRATION%20AND%20CUSTOMS%20ENFORCEMENT_Remediated.pdf.

¹⁶³ U.S. Congress, House of Representatives, Committee on the Judiciary, Majority, *New Data Reveal Worsening Magnitude of the Biden Border Crisis and Lack of Interior Immigration Enforcement*, 118th Cong., 2nd sess., January 18, 2024, 10, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-01-18-new-data-reveal-worsening-magnitude-of-the-biden-border-crisis-and-lack-of-interior-immigration-enforcement.pdf>.

¹⁶⁴ Stephen Dinan, “ICE arrests, deportations must clear high hurdles; officers see ‘excuse for us not to do our job,’” *The Washington Times*, July 31, 2023, <https://www.washingtontimes.com/news/2023/jul/31/ice-revives-policy-limiting-arrests-and-deportatio/>.

¹⁶⁵ Jennie Taer, “Dozens of migrants who violently stormed El Paso border crossing were released into the US: ICE,” *The New York Post*, June 30, 2024, <https://nypost.com/2024/06/30/us-news/dozens-of-migrants-who-violently-stormed-border-released-into-us/>.

¹⁶⁶ Ali Bradley, “Colombian convicted of murder released in US due to lack of space,” *NewsNation*, May 14, 2024, <https://www.newsnationnow.com/us-news/immigration/colombian-convicted-murder-released-ice/>.

¹⁶⁷ John Fabbriatore [@JohnE_Fabb], “ICE alone has been releasing detained aliens to the street at an alarming rate. The numbers that were released during COVID in 2021 including criminals was staggering. One of the reasons I retired early was because I was being forced to release people that should not have been allowed on the street. They continue to release people from custody like it’s a revolving door. All on the orders of Sec. Mayorkas and the Biden-Harris administration.,” Tweet, *Twitter*, October 28, 2023, https://twitter.com/JohnE_Fabb/status/1718126322680054062.

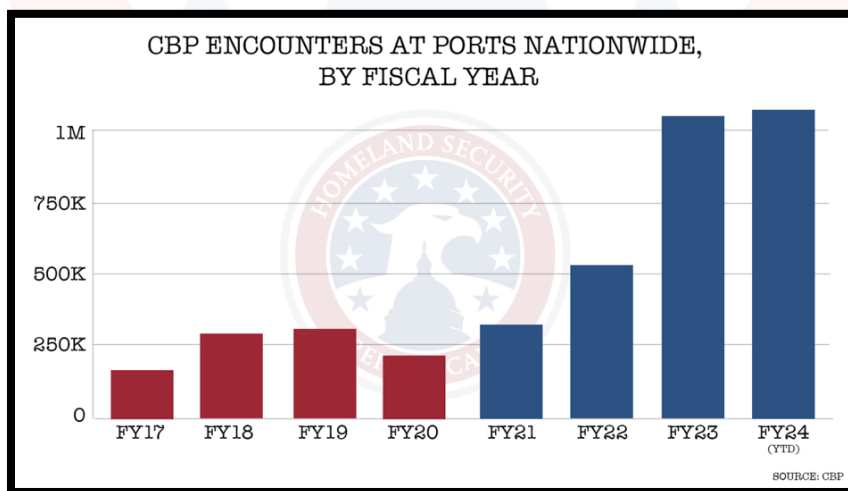


PART 3: THE SCHEME TO FLOOD PORTS OF ENTRY WITH INADMISSIBLE ALIENS

Introduction: In addition to mass catch-and-release between ports of entry, Biden officials have devised never-before-seen policies to effectuate mass releases *at* official U.S. ports of entry. The numbers clearly show this. In FY19, nationwide encounters of inadmissible aliens at ports of entry averaged around 24,000 per month.¹⁶⁸ By FY24, total encounters at the ports were averaging more than 115,000 per month, and since May 2023, have exceeded 100,000 each month.¹⁶⁹

The trend is obvious at the Southwest border, as well. For example, in April 2021, Southwest border port encounters totaled just over 5,000, but had increased ten-fold by April 2024 to more than 50,000; the split between December 2021 and December 2023 was 2,853 to 52,244.¹⁷⁰ Overall, inadmissible encounters at America’s ports from February 2021-July of FY24 have totaled more than three million.¹⁷¹ From FY17-20, they totaled just 1.02 million.¹⁷²

The CBP One Mass-Parole Scheme: These numbers have been supercharged by the mass-parole programs schemed up by the Biden-Harris administration, most infamously the CBP One program by which tens of thousands of otherwise-inadmissible aliens use the CBP One app—originally created for commercial purposes—to schedule appointments for release into the country.¹⁷³ In October 2023, the Committee obtained documents from DHS, under threat of legal action, showing that from Jan. 12-Sept. 30, 2023, nearly 96 percent of the inadmissible aliens who made appointments were paroled.¹⁷⁴ The global pipeline to exploit this program is bursting at the seams, as well, as the app had been used more than 64 million times as of February 2024.¹⁷⁵



¹⁶⁸ U.S. Department of Homeland Security, Office of Homeland Security Statistics, *2022 Yearbook of Immigration Statistics*, November 2023, 105, https://www.dhs.gov/sites/default/files/2024-02/2023_0818_plcy_yearbook_immigration_statistics_fy2022.pdf.

¹⁶⁹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

¹⁷² U.S. Department of Homeland Security, Office of Homeland Security Statistics, *2022 Yearbook of Immigration Statistics*, November 2023, 105, https://www.dhs.gov/sites/default/files/2024-02/2023_0818_plcy_yearbook_immigration_statistics_fy2022.pdf.

¹⁷³ U.S. Department of Homeland Security, News, *Secretary Mayorkas Delivers Remarks on DHS’s Continued Preparation for the End of Title 42 and Announcement of New Border Enforcement Measures and Additional Safe and Orderly Processes*, January 5, 2023, <https://www.dhs.gov/news/2023/01/05/secretary-mayorkas-delivers-remarks-dhss-continued-preparation-end-title-42-and>.

¹⁷⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “New Documents Obtained by Homeland Majority Detail Shocking Abuse of CBP One App,” Press Release, 118th Cong., 1st sess., October 23, 2023, <https://homeland.house.gov/2023/10/23/new-documents-obtained-by-homeland-majority-detail-shocking-abuse-of-cbp-one-app/>.

¹⁷⁵ Camilo Montoya-Galvez, “Migrants in Mexico have used CBP One app 64 million times to request entry into U.S.,” *CBS News*, February 12, 2024, <https://www.cbsnews.com/news/immigration-cbp-one-app-migrants-mexico-64-million/>.



PART 3: THE SCHEME TO FLOOD PORTS OF ENTRY WITH INADMISSIBLE ALIENS

Soon after its implementation, one report found that parolees were not even being interviewed, but simply being released upon arrival.¹⁷⁶ A report in August 2023 documented how the cartels at one point had even hijacked the app and were offering to make appointments for users for an extra fee.¹⁷⁷ Just days prior to this report, Mayorkas had told the House Judiciary Committee that the app “cuts out” the cartels and smuggling networks from the smuggling process.¹⁷⁸

The CHNV Mass-Parole Program: The administration has also devised the CHNV parole program,¹⁷⁹ allowing approximately 30,000 individuals every month from Cuba, Haiti, Nicaragua, and Venezuela to fly to the United States and be admitted.¹⁸⁰ Former Acting Secretary Wolf noted that the program “violates the letter of the law. It’s very clear.”¹⁸¹ As one reporter has noted, this program has made airports “the latest front line on border crossings.”¹⁸² One report in 2023 demonstrated how some individuals have even used the program as an end-run around U.S. immigration laws.¹⁸³



Otherwise-inadmissible aliens are being released into the United States at ports of entry by the thousands every day, including those making appointments through the CBP One app. (Source: Jay Calderon/USA Today)

¹⁷⁶ Jack Herrera, “Fleeing or Your Life? There’s An App for That,” *Texas Monthly*, March 2, 2023, <https://www.texasmonthly.com/news-politics/cbp-app-asylum-biden-administration/>.

¹⁷⁷ Anna Giaritelli, “Mexican cartels exploit US government’s CBP One app,” *The Washington Examiner*, August 4, 2023, <https://www.washingtonexaminer.com/policy/immigration/mexican-cartels-exploit-cbp-one-app>.

¹⁷⁸ “Oversight of the U.S. Department of Homeland Security,” *House Judiciary GOP*, YouTube video, 1:58:02, July 26, 2023, <https://www.youtube.com/live/cAhJdIQy1IA?feature=share&t=7082>.

¹⁷⁹ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Processes for Cubans, Haitians, Nicaraguans, and Venezuelans*, June 13, 2023, <https://www.uscis.gov/CHNV>.

¹⁸⁰ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Frequently Asked Questions About the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans*, June 14, 2023, <https://www.uscis.gov/humanitarian/frequently-asked-questions-about-the-processes-for-cubans-haitians-nicaraguans-and-venezuelans>.

¹⁸¹ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 1:27:52, June 14, 2023, <https://www.youtube.com/watch?v=0gjm6jzYHqg>.

¹⁸² Stephen Dinan, “Illegal immigrants stream into airports as Biden plans kick in,” *The Washington Times*, June 11, 2023, <https://www.washingtontimes.com/news/2023/jun/11/illegal-immigrants-stream-airports-biden-plans-kic/>.

¹⁸³ Rebecca Santana and Gisela Salomon, “A Republican lawsuit threatens a Biden immigration policy thousands have used to come to the US,” *The Associated Press*, August 21, 2023, <https://apnews.com/article/immigration-biden-haiti-cuba-nicaragua-venezuela-e8a59f78e4b674d45a7dc0b546158336>.



PART 3: THE SCHEME TO FLOOD PORTS OF ENTRY WITH INADMISSIBLE ALIENS

Documents the Committee obtained following a separate legal action against DHS showed that the Biden-Harris administration has been flying these inadmissible aliens into dozens of cities across the country, from San Francisco to Miami to Washington, D.C.¹⁸⁴ In those documents, DHS even admitted the people it was allowing into the country would otherwise have no valid claim to enter, stating, “[a]ll individuals paroled into the United States are, by definition, inadmissible, including those paroled under the CHNV Processes.”¹⁸⁵ Numbers later obtained by the Center for Immigration Studies additionally showed that parolees are coming not just from the four countries implied by the program’s name, but from more than 70 others worldwide, including Australia, Brazil, Great Britain, Hong Kong, St. Lucia, and Sweden.¹⁸⁶ These shocking numbers demonstrate that many who are making use of the CHNV program have settled comfortably in other nations and almost certainly have no legitimate case for parole.

By August 2024, DHS announced it was pausing the issuance of travel authorizations through the program due to massive fraud uncovered in the troubled sponsorship process.¹⁸⁷

Per former ICE Acting Director Tom Homan, these parolees are “overwhelming the system [which] more than likely will result in these people staying here forever.”¹⁸⁸ This reality was confirmed by a May 2024 DHS OIG report about the approximately 77,000 Afghans paroled into the country following the Biden-Harris administration’s disastrous Afghanistan withdrawal.¹⁸⁹ Like CBP One and CHNV parolees, these individuals received multi-year parole grants, but the OIG found that DHS “does not monitor parole expiration for individual [Operation Allies Welcome] parolees,” and that the department “has not designated a component to monitor their parole expiration.”¹⁹⁰ If DHS has no plan in place to handle 77,000 Afghans, it is unlikely in the extreme the department is prepared to ensure prompt removal of more than one million individuals who have come via the CBP One or CHNV mass-parole schemes.

¹⁸⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “New: Documents Reveal Airports Used by Secretary Mayorkas to Fly Hundreds of Thousands of Inadmissible Aliens Into U.S. Via CHNV Mass-Parole Scheme,” Press Release, 118th Cong., 2nd sess., April 30, 2024, <https://homeland.house.gov/2024/04/30/new-documents-reveal-airports-used-by-secretary-mayorkas-to-fly-hundreds-of-thousands-of-inadmissible-aliens-into-u-s-via-chnv-mass-parole-scheme/> (emphasis added).

¹⁸⁵ *Ibid.*

¹⁸⁶ Todd Bensman, “New Data: Many Migrants in Biden’s ‘Humanitarian’ Flights Scheme Coming in from Safe Countries and Vacation Wonderlands,” *The Center for Immigration Studies*, June 17, 2024, <https://cis.org/Bensman/New-Data-Many-Migrants-Bidens-Humanitarian-Flights-Scheme-Coming-Safe-Countries-and->

¹⁸⁷ Adam Shaw, “Biden admin freezes controversial migrant flight program after fraud revelations,” *Fox News*, August 2, 2024, <https://www.foxnews.com/politics/biden-admin-freezes-controversial-migrant-flight-program-after-fraud-revelations>.

¹⁸⁸ Jennie Taer, “400,000 migrants flown to US under Biden parole program ‘likely staying here forever’: experts,” *The New York Post*, May 1, 2024, <https://nypost.com/2024/05/01/us-news/400k-migrants-under-parole-program-likely-staying-forever-experts/>.

¹⁸⁹ U.S. Department of Homeland Security, Office of Inspector General, *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees*, OIG-24-24, May 6, 2024, <https://www.oig.dhs.gov/sites/default/files/assets/2024-05/OIG-24-24-May24.pdf>.

¹⁹⁰ *Ibid.*, 24.



PART 4: THE WORLD HAS TAKEN ADVANTAGE OF BIDEN AND HARRIS' OPEN BORDERS

Introduction: The consequences of these radical policies of open borders and non-enforcement were utterly predictable. The world knew, as soon as Biden and Harris won, that it would be open season at America's borders. According to one staffer at a church in Mission, Texas, that provides aid to illegal aliens, "[o]ne group from Honduras told us last week, they had a celebration party the night Biden was elected."¹⁹¹ One Guatemalan woman said in March 2021, "[w]hen Trump was president this was not possible."¹⁹² This spring, one illegal alien at a camp in northern Mexico told a reporter, "I want Biden to win."¹⁹³

The Biden-Harris Administration Has Created Perverse Incentives to Enter Illegally: These mass waves of people are coming because they rightly believe they will be released into the United States under this administration. Chief Patrol Agent Anthony "Scott" Good of the El Paso Sector has told the Committee, "I would say that the more people that are released, the more there is a draw."¹⁹⁴ According to Modlin, large groups of illegal aliens—as many as 300 per group—are turning themselves in to agents instead of evading apprehension "because they believe they're going to stay in the United States."¹⁹⁵ Senior Border Patrol leaders have also told the Committee that illegal aliens, once released, immediately tell family and friends back home of their experiences, ultimately encouraging more to come.¹⁹⁶



Ariana Drehsler/The Wall Street Journal

Some even use social media to document and share their experiences—including posting "selfies" for others to see¹⁹⁷—and so the cycle continues. As Chairman Green said in an April 2024 hearing, "people from all over the world tested the system, they came and were released, they phoned home, and the mass waves began."¹⁹⁸

Conversely, these individuals are not coming because of "longstanding factors" like "food insecurity, violence, corruption, lack of opportunities, and systemic poverty."¹⁹⁹ As

¹⁹¹ Andrew Buncombe, "'When Trump was president this was not possible': Migrants tell of dramatic journeys to reach US as thousands arrive at border," *The Independent*, March 25, 2021, <https://www.independent.co.uk/news/world/americas/texas-border-mexico-migrants-biden-trump-b1822349.html>.

¹⁹² *Ibid.*

¹⁹³ Peter Savodnik, "A Report from the Southern Border: 'We Want Biden to Win,'" *The Free Press*, April 3, 2024, <https://www.thefp.com/p/the-migrants-who-want-biden-to-win-election>.

¹⁹⁴ Anthony "Scott" Good, Transcribed Interview with the House Committee on Homeland Security, 22 & 82, June 29, 2023.

¹⁹⁵ John Modlin, Transcribed Interview with the House Committee on Homeland Security, 126, July 26, 2023.

¹⁹⁶ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *Appendix: First-Hand Accounts of the Crisis from Border Patrol Sector Chiefs*, 118th Cong., 1st sess., December 21, 2023, 26-30, <https://homeland.house.gov/wp-content/uploads/2023/12/TI-Appendix.pdf#page=26>.

¹⁹⁷ Todd Bensman, "How Selfies Fuel Rise In Illegal Migrants," *The New York Post*, August 18, 2022, <https://nypost.com/2022/08/18/how-selfies-fuel-rise-in-illegal-migrants/>.

¹⁹⁸ "Review of FY25 DHS Budget," *Homeland Security Committee Events*, YouTube video, 7:20, April 16, 2024, <https://www.youtube.com/live/smvirqfUQ1g?si=9ognUSEoz8hA5QN9&t=440>.

¹⁹⁹ U.S. Department of Homeland Security, News, 2023 *Quadrennial Homeland Security Review (QHRS)*, April 20, 2023, 19, <https://www.dhs.gov/publication/2023-quadrennial-homeland-security-review-qhrs>.



PART 4: THE WORLD HAS TAKEN ADVANTAGE OF BIDEN AND HARRIS' OPEN BORDERS

the New York Times pointed out a few months ago, in past decades, “[g]lobal poverty was far higher...and much of Latin America was convulsed by political violence. Yet the number of people who tried to cross the U.S. border was far lower than in recent years.”²⁰⁰

One news anchor put it best in July 2023 when he said of the Biden-Harris administration’s approach, “[w]e can all agree that the border policies have certainly led to a lot more people coming across during the Biden administration. That’s just obvious and factual.”²⁰¹



Border Patrol agents have been overwhelmed by unprecedented numbers of illegal aliens crossing the border and filing illegitimate asylum claims. (Source: Guillermo Arias/Getty Images)

Some Democrats understand this basic reality. In September 2023, one Texas Democrat told MSNBC, “[y]ou’ve got to have a policy where you actually return people back. ... Otherwise, people are going to keep coming. If you don’t detain people, if you don’t send people back, then the border becomes a speedbump.”²⁰²

Even the Biden-Harris administration was eventually forced to admit this basic reality of law enforcement. In June 2024, buried in a rule implementing an executive order, was a note from administration officials that mass release of illegal aliens has “incentiviz[ed] potential migrants to travel to the United States with the belief that, even if initially detained, they will ultimately be released to live and work in the United States for long periods of time.”²⁰³

²⁰⁰ David Leonhardt, “Biden Tries to Close a Loophole,” *The New York Times*, June 5, 2024, <https://www.nytimes.com/2024/06/05/briefing/biden-immigration-executive-order.html>.

²⁰¹ Liz Jassin, “Lawmaker: Life is ‘hell’ in my district,” *NewsNation*, July 27, 2023, <https://www.newsnationnow.com/us-news/immigration/mayorkas-americans-safer-today-border/>.

²⁰² “‘We need to turn migrants back’: Top Dem calls for action on border crisis,” *MSNBC*, September 22, 2023, <https://www.msnbc.com/jose-diaz-balart/watch/-we-need-to-turn-migrants-back-rep-henry-cuellar-calls-for-action-on-border-crisis-193564741707>.

²⁰³ U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, and Executive Office for Immigration Review, U.S. Department of Justice, Rule, “Securing the Border,” *Federal Register* 89, no. 111 (June 7, 2024): 48710-48772, 20, <https://www.govinfo.gov/content/pkg/FR-2024-06-07/pdf/2024-12435.pdf>.



PART 4: THE WORLD HAS TAKEN ADVANTAGE OF BIDEN AND HARRIS' OPEN BORDERS

Abuse of the Asylum System Central to the Crisis: The abuse of America's generous asylum system has gone hand-in-hand with Biden and Harris' open borders. Per the New York Times, asylum "has expanded far beyond its original intent. Today, many migrants claim asylum even though they are not at risk of being persecuted."²⁰⁴ Indeed, most of those who make asylum claims never ultimately receive it. Since FY13, the grant rate has never exceeded 16 percent.²⁰⁵ Despite this fact, many illegal aliens are coached by the cartels and non-governmental organizations (NGOs) on how to claim credible fear of persecution in order to ensure their prompt release.²⁰⁶

Even many on the left understand this. One scholar at the left-leaning Migration Policy Institute said earlier this year, "people have come to realize that if they reach the United States border and they seek asylum, then they'll be let in...and they won't be deported"²⁰⁷ for years—at least. Another Times reporter noted in January 2024 that turning themselves in to Border

Patrol agents and claiming asylum is "now the surest way for migrants to stay in the United States, even if few will ultimately win their cases. ... They are also certain that once they make it to the United States they will be able to stay. Forever."²⁰⁸ Mayorkas himself has admitted that many illegal aliens "try to game" the asylum system,²⁰⁹ yet recent reports indicate that the Biden-Harris administration has even been caught secretly flying previously deported individuals, whose claims were found to be invalid, back into the United States.²¹⁰

[C]laiming asylum is "now the surest way for migrants to stay in the United States, even if few will ultimately win their cases. ... They are also certain that once they make it to the United States they will be able to stay. Forever."

— Miriam Jordan
The New York Times
Jan. 31, 2024

²⁰⁴ David Leonhardt, "Biden Tries to Close a Loophole," *The New York Times*, June 5, 2024, <https://www.nytimes.com/2024/06/05/briefing/biden-immigration-executive-order.html>.

²⁰⁵ See U.S. Department of Justice, Executive Office for Immigration Review, *Adjudication Statistics: Asylum Decision and Filing Rates in Cases Originating with a Credible Fear Claim*, April 21, 2023, <https://www.justice.gov/eoir/page/file/1062976/download>; and U.S. Department of Justice, Executive Office for Immigration Review, *Adjudication Statistics: Credible Fear and Asylum Process*, October 23, 2019, <https://www.justice.gov/eoir/file/1216991/download>.

²⁰⁶ Rodney Scott, Transcribed Interview with the House Committee on Homeland Security, 54, January 22, 2024.

²⁰⁷ "Will The Immigration Crisis Bankrupt U.S. Cities?," *CNBC*, YouTube video, February 24, 2024, <https://www.youtube.com/watch?v=O5w9rTvlgTM&t=374s>.

²⁰⁸ Miriam Jordan, "One Big Reason Migrants Are Coming in Drove: They Believe They Can Stay," *The New York Times*, January 31, 2024, <https://www.nytimes.com/2024/01/31/us-immigration-asylum-border.html>.

²⁰⁹ Camilo Montoya-Galvez, "Mayorkas says some migrants 'try to game' the U.S. asylum system," *CBS News*, May 28, 2024, <https://www.cbsnews.com/sacramento/news/mayorkas-interview-migrants-immigration/>.

²¹⁰ Joseph Simonson, "Biden Admin Flying Migrants Deported by Trump Back Into the US," *The Washington Free Beacon*, July 1, 2024, <https://freebeacon.com/biden-administration/biden-admin-flying-migrants-trump-deported-back-into-the-us/>.



PART 5: PARTNERS IN CHAOS: THE BIDEN-HARRIS ADMINISTRATION'S VAST NGO NETWORK

Introduction: Americans must understand that Biden, Harris, and Mayorkas could not have accomplished their mass catch-and-release scheme without the help of a sprawling network of NGOs, particularly at the Southwest border. As one reporter puts it, “[i]n a way, the federal government is able to hide the true cost of the border crisis from the public through NGOs.”²¹¹ While they were in operation before the crisis, “what is new under Biden is the amount of taxpayer money being awarded, the lack of accountability for performance, and the lack of interest in solving the problem.”²¹²

DHS has worked extensively with the NGO network²¹³ to ensure illegal aliens are aided in getting from the border to their ultimate destination inside the United States. In June 2022, one DHS official said the department “will continue to closely coordinate with and support cities and NGOs to facilitate the movement of any individual encountered at the Southwest border... .”²¹⁴ ICE has acknowledged that it “coordinates with non-governmental organizations to provide migrants with shelter, food, clothing, and transport,”²¹⁵ turning the enforcement agency into an “unofficial travel coordination agency.”²¹⁶

One groundbreaking study in 2022 used mobile-device data to show that NGOs are serving as a launching pad for illegal aliens to disperse throughout the country,²¹⁷ a fact the NGOs have corroborated. John Martin, deputy director for the Opportunity Center for the Homeless in El Paso, has said “the general term that we use is we go through a ‘processing.’ *That processing is to facilitate travel to the destination of their choice.*”²¹⁸

The NGOs have also turned the border crisis into a perpetual source of taxpayer-funded profit. They have received billions of taxpayer dollars²¹⁹ to provide all manner of services to illegal aliens released from CBP and ICE custody,²²⁰ making “circumstances easier for those that are released,” according to one senior Border Patrol official.²²¹ One analysis of three prominent NGOs involved in the crisis—Global Refuge, Southwest Key Programs, and Endeavors, Inc.—“have seen their combined revenue grow from \$597 million in 2019 to an astonishing \$2 billion by 2022,” with the salaries of top executives

²¹¹ Jorge Ventura and Devan Markham, “NGOs Use American Tax Dollars to Relocate Migrants,” *NewsNation*, June 7, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/ngos-american-tax-dollars-migrants/>.

²¹² Madeleine Rowley, “Nonprofits Are Making Billions off the Border Crisis,” *The Free Press*, May 12, 2024, <https://www.thefp.com/p/nonprofits-make-billions-off-migrant-children>.

²¹³ U.S. Government Accountability Office, *Southwest Border: DHS Coordinates with and Funds Nonprofits Serving Noncitizens*, GAO-23-106147, April 19, 2023, 1, <https://www.gao.gov/assets/gao-23-106147.pdf>.

²¹⁴ Julia Ainsley, “Amid border surge, Biden admin plans to send migrants to cities deeper inside U.S., starting with L.A., say internal documents,” *NBC News*, June 8, 2022, <https://www.nbcnews.com/politics/immigration/border-surge-biden-admin-plans-send-migrants-cities-deeper-us-starting-rcna32530>.

²¹⁵ Bill Melugin and Adam Shaw, “Fox News footage shows mass release of single adult migrants into US,” *Fox News*, January 25, 2022, <https://www.foxnews.com/politics/texas-footage-single-adult-migrants-released-us>.

²¹⁶ Bill Melugin and Adam Shaw, “ICE agents forced to coordinate travel for illegal immigrants, some with criminal records: source,” *Fox News*, January 27, 2022, <https://www.foxnews.com/politics/ice-removal-operations-turned-into-unofficial-travel-coordination-agency-source-says>.

²¹⁷ Yael Halon, “NGOs are helping transport migrants to nearly every US congressional district, new analysis found,” *Fox News*, December 21, 2022, <https://www.foxnews.com/media/ngos-helping-transport-migrants-us-congressional-district-analysis-found>.

²¹⁸ Jorge Ventura and Devan Markham, “NGOs use American tax dollars to relocate migrants,” *NewsNation*, June 7, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/ngos-american-tax-dollars-migrants/>, (emphasis added).

²¹⁹ See U.S. Library of Congress, Congressional Research Service, *FEMA’s Emergency Food and Shelter Program (EFSP)*, by Elizabeth M. Webster, May 15, 2023, 2, <https://crsreports.congress.gov/product/pdf/IF/IF12026>; U.S. Department of Homeland Security, U.S. Federal Emergency Management Agency, *The Department of Homeland Security (DHS) Notice of Funding Opportunity (NOFO) Fiscal Year 2023 Shelter and Services Program*, June 12, 2023, <https://www.fema.gov/grants/preparedness/shelter-services-program/fy-23-nofo>; U.S. Department of Homeland Security, U.S. Federal Emergency Management Agency, *Shelter and Services Program Awards*, last updated August 21, 2023, <https://www.fema.gov/grants/preparedness/shelter-services-program/awards>; U.S. Department of Homeland Security, U.S. Federal Emergency Management Agency, *The Department of Homeland Security (DHS) Notice of Funding Opportunity (NOFO) Fiscal Year 2023 Shelter and Services Program*, June 12, 2023, <https://www.fema.gov/grants/preparedness/shelter-services-program/fy-23-nofo>; and U.S. Department of Homeland Security, News, *FACT SHEET: Biden-Harris Administration Supplemental Funding Request*, October 20, 2023, <https://www.dhs.gov/news/2023/10/20/fact-sheet-biden-harris-administration-supplemental-funding-request>.

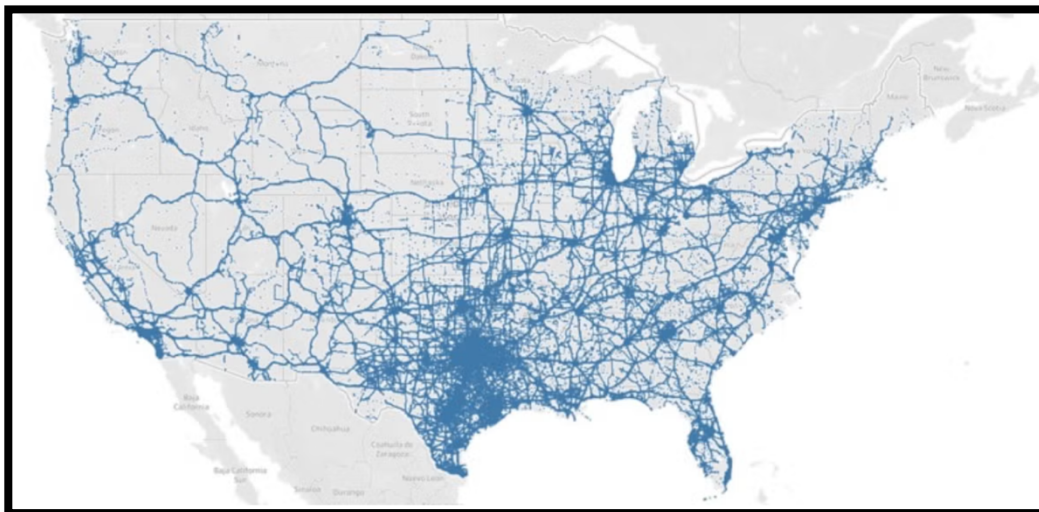
²²⁰ Andrew R. Arthur, “Massive spending bill includes \$785 million to feed, house, and transport migrants,” *The Center for Immigration Studies*, December 30, 2022, <https://cis.org/Arthur/Massive-Spending-Bill-Includes-785-Million-Feed-House-and-Transport-Migrants>.

²²¹ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 95-96, May 9, 2023.



PART 5: PARTNERS IN CHAOS: THE BIDEN-HARRIS ADMINISTRATION'S VAST NGO NETWORK

skyrocketing during that time.²²² A 2023 DHS OIG report found that millions of dollars sent to NGOs were likely abused, even being used to provide benefits to gotaways.²²³



An analysis of the movement patterns of mobile devices gathered in January 2022 from approximately 22,000 devices showed that these devices passed through 20 border-state NGOs before later pinging in 431 of 435 congressional districts. (Source: Heritage Foundation Oversight Project NGO report)

These NGOs do not have American interests at heart. According to an investigation by a Florida grand jury into the unprecedented border chaos, “several NGOs actively obstructed” efforts to ascertain how these groups were using federal funds to help facilitate illegal immigration,²²⁴ with the grand jury recommending a separate investigation into how NGOs might be helping would-be illegal aliens break the law, and finding, “These NGOs do not truly or exclusively operate as humanitarians. ... Rather, they magnify the magnetic illusion of economic prosperity at the end of a migratory trek.”²²⁵

²²² Madeleine Rowley, “Nonprofits Are Making Billions off the Border Crisis,” *The Free Press*, May 12, 2024, <https://www.thefp.com/p/nonprofits-make-billions-off-migrant-children>.

²²³ U.S. Department of Homeland Security, Office of Inspector General, *FEMA Should Increase Oversight to Prevent Misuse of Humanitarian Relief Funds*, OIG-23-20, March 28, 2023, 8, <https://www.oig.dhs.gov/sites/default/files/assets/2023-03/OIG-23-20-Mar23.pdf>.

²²⁴ State of Florida Supreme Court, Twenty-First Statewide Grand Jury, *Fifth Presentment*, No. SC22-796, November 27, 2023, 7, <https://acis-api.flcourts.gov/courts/68f021c4-6a44-4735-9a76-5360b2e8af13/cms/case/651d8f68-f322-4cd0-831f-74dc9b0d77a8/docketentrydocuments/57d791ab-196f-41df-8e1b-47c04a3468e1> (emphasis in original).

²²⁵ *Ibid.*, 8.



PART 6: THE CRIMINAL CARTELS AND GANGS TAKE CONTROL OF THE BORDER

Introduction: As a result of this unprecedented crisis, the criminal cartels now exert unprecedented control over the Southwest border. These groups are “ruthless and violent global criminal enterprises, with members, associates, facilitators and brokers in all 50 states,” using “treachery and deceit to drive addiction and deaths in our country.”²²⁶ They control smuggling routes throughout Mexico and exert near-complete control over the movement of individuals through the country, particularly at and near the Southwest border.²²⁷ It is now nearly impossible to cross without paying them.²²⁸ Per Owens, the cartels “keep a death grip on anything that comes across the border illicitly, because they want their cut.”²²⁹

The cartels have also expanded their operations beyond drugs.²³⁰ According to former HSI agent Victor Avila, “[j]ust a few years ago, the cartels never dealt with humans, not human trafficking or human smuggling. ... But that’s what has completely changed. The cartels saw the amount of potential money to be made with the human [smuggling] and they’ve now taken over.”²³¹ According to one Mexican official, “[n]ow 60-70% of their focus is migrant smuggling.”²³²

And that business is booming under Biden and Harris.²³³ The Committee has documented how border crossers pay anywhere from a few thousand dollars to upwards of \$60,000 to enter the United States.²³⁴ Some are now even paying as much as \$100,000, with one reporter noting, “[i]n the past, migrants from far-flung places such as China or Vietnam paid those kinds of rates. Now, they are the costs of smuggling from America’s backyard.”²³⁵ Jaeson Jones, a former captain in the Texas Department of Public Safety’s (DPS) Intelligence and Counterterrorism Division, has said, “I can without any doubt tell you that the profits they are making today are like nothing we have seen prior.”²³⁶ For them, more crossings equal more profits.



²²⁶ “Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border,” *Homeland Security Committee Events*, YouTube video, 50:06, July 12, 2023, <https://www.youtube.com/live/L0EurNtLz0M?feature=share&t=3006>.

²²⁷ See Josh Jones, “Cartels and Their Cruelty Are the Crisis at the Border,” *Texas Public Policy Foundation*, March 15, 2021, <https://www.texaspolicy.com/cartels-and-their-cruelty-are-the-crisis-at-the-border/>; and “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 37:22, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=2242>.

²²⁸ Virginia Allen, “Former Border Patrol Chief Opens Up About the Horrifying Power Cartels Wield Around the Rio Grande,” *The Daily Signal*, February 10, 2023, <https://www.dailysignal.com/2023/02/10/no-one-crosses-unlawfully-from-mexico-without-working-with-cartels-former-border-patrol-chief-says/>.

²²⁹ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 53-54, May 5, 2023.

²³⁰ Miriam Jordan, “Smuggling Migrants at the Border Now a Billion-Dollar Business,” *The New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

²³¹ Jennie Taer, “Eight dead bodies dumped near El Paso border as rival cartels battle over migrant smuggling routes,” *The New York Post*, April 24, 2024, <https://nypost.com/2024/04/24/us-news/eight-dead-bodies-dumped-near-el-paso-border/>.

²³² Emily Crane, “Mexican cartels offering \$15K VIP ‘travel agency’ packages to help illegal immigrants sneak into US,” *The New York Post*, June 20, 2024, <https://nypost.com/2024/06/20/us-news/mexican-cartels-offering-15k-vip-packages-to-help-illegal-immigrants-sneak-into-us/>.

²³³ Miriam Jordan, “Smuggling Migrants at the Border Now a Billion-Dollar Business,” *The New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

²³⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America’s Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, 11-12, <https://homeland.house.gov/wp-content/uploads/2023/09/09-07-Phase-2-Final.pdf>.

²³⁵ Stephen Dinan, “Migrants paying record-high \$50,000 to \$100,000 to be smuggled into U.S.,” *The Washington Times*, June 25, 2024, <https://www.washingtontimes.com/news/2024/jun/25/migrants-paying-record-high-50000-to-100000-to-be-/>.

²³⁶ Karol Suárez, “Cartels reap growing profits in the smuggling of migrants across the US-Mexico border,” *Louisville Courier Journal*, July 1, 2021, <https://www.courier-journal.com/story/news/investigations/2021/07/01/mexican-cartels-fuel-immigration-crisis-at-us-border/5290082001/>.



PART 6: THE CRIMINAL CARTELS AND GANGS TAKE CONTROL OF THE BORDER

Cartels Now Control the Southwest Border: Numerous law enforcement veterans, local officials, and national security experts agree that the cartels have now seized a historic level of control at the Southwest border.²³⁷ During a July 2023 Committee hearing, both Jones and Derek Maltz, former special agent in charge of the Drug Enforcement Administration’s (DEA) Special Operations Division, confirmed that cartel control has drastically increased since 2021,²³⁸ with Maltz testifying the cartels “have total control.”²³⁹ Scott said in February 2023 they “control the border today. And they control the border today under the Biden administration because of this mass migration to a level that they’ve never had.”²⁴⁰ Independent Arizona Sen. Kyrsten Sinema said in May 2023 that the cartels are “controlling what’s happening on the southern border, not the United States government”²⁴¹—an opinion shared by the majority of the American people.²⁴²

“NOBODY CROSSES WITHOUT PAYING THE CARTELS. SO THE CARTELS, YOU KNOW, DETERMINE WHEN PEOPLE CROSS, YOU KNOW, HOW MANY PEOPLE CROSS AT A TIME, ALL OF THAT. IT’S ALL—IT’S ALL CONTROLLED BY THEM.”

— CHIEF PATROL AGENT JOHN MODLIN,
TUCSON SECTOR

How the Cartels Seized Control of the Southwest Border: Multiple factors have enabled the cartels’ unprecedented seizure of control at the Southwest border—and they can all be traced back to the Biden-Harris administration’s open-borders policies. First, Mayorkas and Biden’s reversal of the effective border-security policies of the Trump administration, as well as the host of policies they have subsequently implemented, have encouraged millions of individuals to make the journey to the Southwest border in hopes of being released into the United States, representing a historic business opportunity for the cartels.

Second, the unmitigated tide of individuals flooding across the Southwest border has forced Border Patrol agents to focus their efforts on processing, transporting, and releasing unprecedented numbers of illegal aliens, rather than patrolling the border.²⁴³ This has left broad stretches of the border open to cartel exploitation.²⁴⁴ While agents respond to crossings in some areas, the cartels will then push drugs or other groups of aliens across in another location.²⁴⁵ This process has been repeated day in and day out

²³⁷ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America’s Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, 5-8 <https://homeland.house.gov/wp-content/uploads/2023/09/09-07-Phase-2-Final.pdf>.

²³⁸ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 1:21:01, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=4861>.

²³⁹ *Ibid.*, 1:34:18, <https://www.youtube.com/live/kva0HOblTUg?si=WvSF9Owg1W9dn01&t=5658>.

²⁴⁰ Virginia Allen, “Former Border Patrol Chief Opens Up About the Horrifying Power Cartels Wield Around the Rio Grande,” *The Daily Signal*, February 10, 2023, <https://www.dailysignal.com/2023/02/10/no-one-crosses-unlawfully-from-mexico-without-working-with-cartels-former-border-patrol-chief-says/>.

²⁴¹ Kevin Stone, “Sen. Kyrsten Sinema blasts Biden-Harris administration over handling of Title 42 end,” *KTAR News*, May 11, 2023, <https://ktar.com/story/5494615/sen-kyrsten-sinema-blasts-biden-administration-over-handling-of-title-42-end/>.

²⁴² Diana Glebova, “Majority of Americans Think Cartels Control Border More than U.S. Government: Poll,” *National Review*, September 22, 2022, <https://www.nationalreview.com/news/majority-of-americans-think-cartels-control-border-more-than-u-s-government-poll/>.

²⁴³ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,’” *Homeland Security Committee Events*, YouTube video, 2:46:10 March 15, 2023, <https://www.youtube.com/watch?v=7Z1ETzh3AUA&t=9960s>.

²⁴⁴ See “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 2:52:57, June 14, 2023, <https://www.youtube.com/watch?v=0gim6jzYHqg&t=10377s>; and Anna Giaritelli, “Mexican cartels use immigrants to divert agents from drug smuggling: Border Patrol chief,” *The Washington Examiner*, September 25, 2023, <https://www.washingtonexaminer.com/policy/immigration/mexican-cartels-use-immigrants-divert-agents-drug-smuggling>.

²⁴⁵ See “On The Front Lines of the Border Crisis: A Hearing with Chief Patrol Agents,” *House Oversight and Accountability Committee*, YouTube video, 29:30, February 7, 2023, <https://oversight.house.gov/hearing/on-the-front-lines-of-the-border-crisis-a-hearing-with-chief-patrol-agents/>; Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 51-52, May 5, 2023; Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 40-41, May 9, 2023; and Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 174, July 12, 2023.



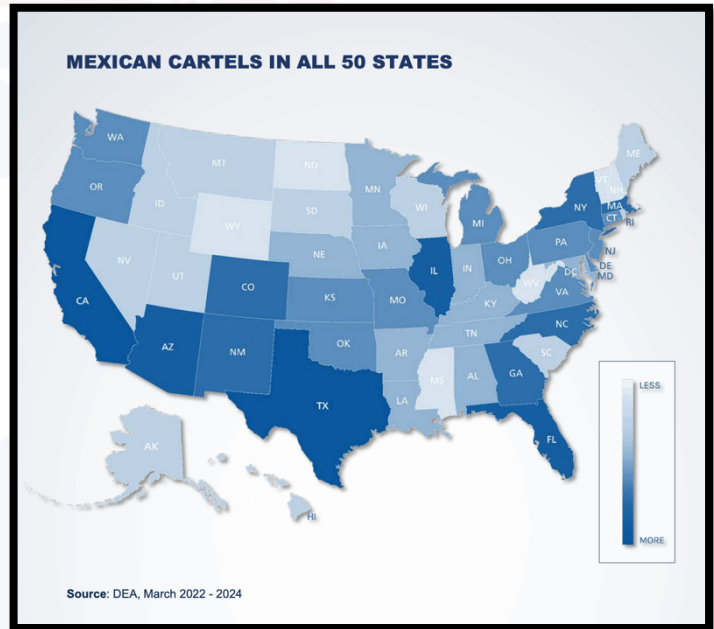
PART 6: THE CRIMINAL CARTELS AND GANGS TAKE CONTROL OF THE BORDER

ever since early 2021, a fact known to CBP officials,²⁴⁶ senior Border Patrol officials,²⁴⁷ and local law enforcement.²⁴⁸ They have even orchestrated mass crossings at ports of entry to distract and undermine law enforcement.²⁴⁹

The Devastating Impact of Increased Cartel Activity in the United States:

According to the DEA’s 2024 National Drug Threat Assessment, “[t]housands of Sinaloa and Jalisco cartel-linked drug dealers in the United States bring illicit fentanyl, methamphetamine, and other drugs into American communities every day,” and that from there, “a web of illicit drug wholesalers,” “smaller branches of the cartels,” and “local independent drug trafficking groups, street crews, and gangs”²⁵⁰ ensure these destructive substances find their way into the hands of Americans.

This network has been leveraged to terrible effect. According to Sheriff Bill Waybourn of Tarrant County, Texas, the county recorded “a 1000% increase in the amount of drugs seized in a two-year span.”²⁵¹ Per Montana Attorney General Austin Knudsen, “100 percent” of the fentanyl and methamphetamines seized in the state through the first three quarters of FY23 were trafficked by the cartels across the Southwest border.²⁵² In California, “Honduran migrants have taken over San Francisco’s drug market with the aid and blessing of Mexican cartels,” and “squeezed competition out... .”²⁵³



The cartels have also expanded their operations into other criminal activity. This includes mass-retail theft, meaning that the organizations “that have facilitated the greatest-ever human smuggling operation across the U.S.-Mexico border over the past

²⁴⁶ U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Overview of the Southwest Border*, Accessed on July 6, 2023, 2, 3, 5, <https://www.myfloridalegal.com/files/pdf/page/7C077C65BEDE74C685258841005FF57C/Mayorkas+Doc.pdf>, (obtained through a FOIA request and released by the Florida Attorney General).

²⁴⁷ See Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 51-52, May 5, 2023; and Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 40-41, May 9, 2023.

²⁴⁸ America’s Newsroom [@AmericaNewsroom], “CARTEL CRISIS: How Mexican Cartels Are Exploiting Biden’s Open Border Policy @BillHemmer – Reporting Live from Yuma, AZ – Is Joined by Two County Officials Who Claim the Border Is Under Control of the Cartels, Not the US. ‘We Have Never Seen It This Bad.’” Tweet, *Twitter*, February 14, 2023, <https://twitter.com/AmericaNewsroom/status/1625511036227842048>.

²⁴⁹ See Elizabeth Heckman, “Mexican cartels’ social media misinformation blamed for rush of migrants to Texas border bridge,” *Fox News*, March 14, 2023, <https://www.foxnews.com/media/mexican-cartels-social-media-misinformation-blamed-rush-migrants-texas-border-bridge>. Full quote in the second embedded video in the article.; and “Agents stop crowd at Texas border crossing amid asylum woes,” *The Associated Press*, March 13, 2023, <https://apnews.com/article/migrants-bridge-el-paso-mexico-customs-d414138040bb78229d3c3fb6fc1793b05>.

²⁵⁰ U.S. Department of Justice, Drug Enforcement Administration, *National Drug Threat Assessment 2024*, DEA-DCT-DIR-010-24, May 2024, 19, https://www.dea.gov/sites/default/files/2024-05/NDTA_2024.pdf.

²⁵¹ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Sheriff Bill Waybourn for Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America*, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Written-testimony-SIGNED3.pdf>.

²⁵² U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Austin Knudsen for Havoc in the Heartland: How Secretary Mayorkas’ Failed Leadership Has Impacted the States*, 118th Cong., 2nd sess., January 10, 2024, 2, <https://homeland.house.gov/wp-content/uploads/2024/01/2024-01-10-HRG-Testimony.pdf>.

²⁵³ Stephanie Pagonas, “Honduran migrants working for Mexican cartels brazenly took over San Francisco’s drug market thanks to lax policies,” *The New York Post*, July 10, 2023, <https://nypost.com/2023/07/10/honduran-migrants-mexican-cartels-overtaking-san-francisco/>.



PART 6: THE CRIMINAL CARTELS AND GANGS TAKE CONTROL OF THE BORDER

two years and simultaneously caused the fentanyl epidemic in America now have a hand in organized retail crime.”²⁵⁴ In recent months, Texas officials have even “begun to see illegal immigrants aiding criminal networks in the stealing of truckloads of valuable oil and materials from the nation’s largest oilfields in the Permian Basin,” leading a prominent oil industry executive to note, “[w]e believe Joe Biden’s open borders policies are helping drug cartels take over America’s most prolific oil-producing region now.”²⁵⁵

Not Just the Cartels, but the Gangs, Too: Equally quick to take advantage of the Biden-Harris administration’s open borders have been transnational gangs like the vicious MS-13, and Tren de Aragua, the largest criminal organization in Venezuela that has rapidly expanded its presence and operations in the United States. One May 2021 headline warned Americans, “MS-13, other gang members exploit migrant wave to cross into U.S.”²⁵⁶ Around the same time, then-Border Patrol deputy chief Matthew Hudak tweeted that gang members “attempt to evade arrest by exploiting the influx of migrants attempting to enter our country.”²⁵⁷ The Committee documented last year how the historic number of UACs coming across the border have almost certainly fueled the recruitment pipeline for MS-13.²⁵⁸



WATCH: Human Smuggler Mockingly Salutes While Pushing Illegal Aliens Across the Border

²⁵⁴ Anna Giaritelli, “Mexican drug cartels are behind the surge in retail thefts,” *The Washington Examiner*, July 24, 2023, <https://www.washingtonexaminer.com/news/business/mexican-drug-cartels-behind-surge-in-retail-thefts>.

²⁵⁵ Anna Giaritelli, “Illegal immigrants stealing oil from Permian basin near Texas border,” *The Washington Examiner*, May 10, 2024, <https://www.washingtonexaminer.com/policy/energy/3000004/illegal-immigrants-stealing-oil-permian-basin-texas/>.

²⁵⁶ Isabel Vincent, “MS-13, other gang members exploit migrant wave to cross into US,” *The New York Post*, May 1, 2021, <https://nypost.com/2021/05/01/ms-13-other-gang-members-exploit-migrant-wave-to-cross-into-us/>.

²⁵⁷ Laredo Sector Border Patrol [@USBPChiefLRT], “5 Gang Members in 7 Days! #Laredo Sector #USBP Agents Arrested a Total of 5 Gang Members in the Last Week, Including an #ms13 & Two 18th Street Gang Members. They Attempt to Evade Arrest by Exploiting the Influx of Migrants Attempting to Enter Our Country. #bordersecurity,” Tweet, *Twitter*, April 30, 2021, <https://twitter.com/USBPChiefLRT/status/1388123097568403468>.

²⁵⁸ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America’s Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, 41-42, <https://homeland.house.gov/wp-content/uploads/2023/09/09.07-Phase-2-Final.pdf>.



PART 6: THE CRIMINAL CARTELS AND GANGS TAKE CONTROL OF THE BORDER

EXCLUSIVE

IMMIGRATION

'Ghost criminals': How Venezuelan gang members are slipping into the U.S.

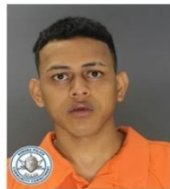
Cases linked to Tren de Aragua, including sex trafficking and a shooting, show how hard it is for border agents to vet migrants from nations that won't provide criminal background info.

According to one report, Tren de Aragua, called “MS-13 on steroids” by one federal official,²⁵⁹ has taken “advantage of the ongoing border crisis and has been able to push members into the United States and beef up its presence in cities nationwide where law enforcement and elected officials are gravely concerned about the type of violence they are seeing... .”²⁶⁰ Further, members “conceal themselves amongst the general population of Venezuelan immigrants” seeking to enter the United States illegally.²⁶¹ Nationwide, law enforcement agencies “have launched more than 100 investigations of crimes tied to suspected members” of the gang.²⁶² In a recent internal Border Patrol bulletin, agents were warned that more 1,000 members of the gang had infiltrated the United States, and had even been given the “green light” to target members of law enforcement.²⁶³

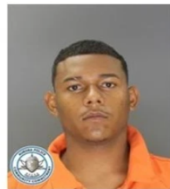
Documented Tren de Aragua Members Known to the Aurora Police Department



Larry Medina



Jhonardy Pacheco-Chirinos



Jhonnarty Pacheco-Chirinos



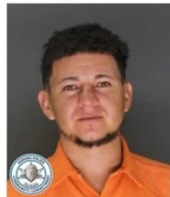
Luis Miguel Calzadilla-Rojas



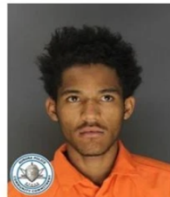
Yorman Camilo Sangronis-Garcia



Yoendry Vilchez Medina-Jose



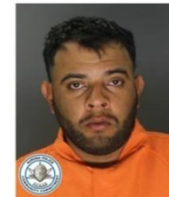
Juan Carlos Mejia-Espana



Carlos Aranguren-Mayora



Roiberth Daniel Mora-Marquez



Jose Miguel Reyes-Perez

Tren de Aragua has been openly operating in Aurora, Colorado in recent months, with numerous gang members implicated in violent activity. (Source: Aurora Police Department)

²⁵⁹ Juan Forero, “A Venezuelan Gang Is Expanding Its Deadly Reach to the U.S.,” *The Wall Street Journal*, September 12, 2024, <https://www.wsj.com/world/americas/venezuela-gang-tren-de-aragua-us-0b40e380>.

²⁶⁰ Anna Giaritelli, “Venezuelan gang Tren de Aragua used border chaos to infiltrate US,” *The Washington Examiner*, June 15, 2024, <https://www.washingtonexaminer.com/news/crime/3041174/violent-venezuelan-gang-tren-de-aragua/>.

²⁶¹ Ibid.

²⁶² Laura Strickler, et al., “‘Ghost criminals’: How Venezuelan gang members are slipping into the U.S.,” *NBC News*, June 12, 2024, <https://www.nbcnews.com/politics/immigration/tren-de-aragua-venezuelan-gang-members-slip-into-us-rcna156290>.

²⁶³ Ali Bradley, “Over 1,000 Venezuelan crime organization members in US,” *NewsNation*, July 30, 2024, <https://www.newsnationnow.com/crime/venezuelan-crime-organization-members-green-light-attack-law-enforcement/>.



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

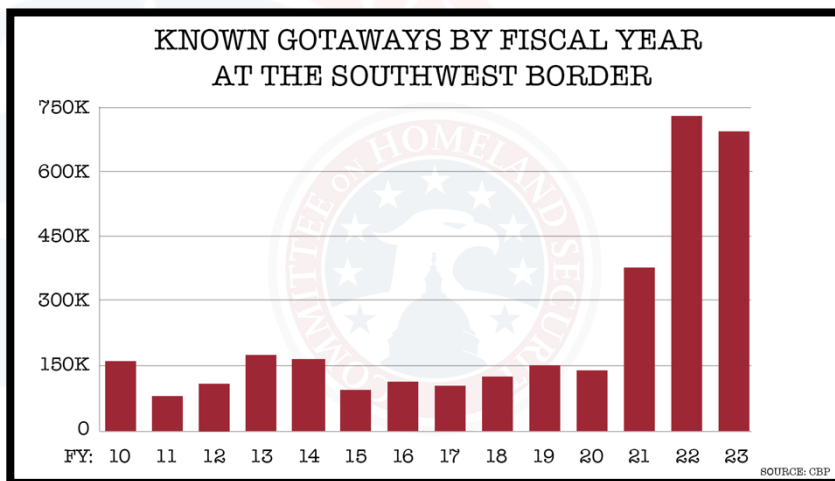
Introduction: The criminal cartels and violent gangs are not the only enemies exploiting America’s borders on the Biden-Harris administration’s watch. Deadly threats, including gotaways, potential terrorists, and unvetted Chinese nationals and China-linked drug operations, are rising, as well.

Gotaways: In addition to those apprehended or encountered by CBP personnel, DHS also tracks individuals whom federal law enforcement record illegally crossing, but whom agents are unable to apprehend. These are known as “gotaways,” and they have exploded under Biden and Harris.

Fewer agents on the line means less likelihood of being caught. NBPC Vice President Chris Cabrera told the Committee in March 2023, “[m]aybe 30-40 percent of our agents actually get out to the field on any given day, and then a lot of times they get called back in to process or transport somebody.”²⁶⁴

Morgan said in August 2023, “In many areas, there are 80% or more fewer Border Patrol agents on the line because

they’re relegated to doing administrative work processing and releasing the millions of illegal aliens they’ve apprehended.”²⁶⁵ The numbers are staggering. Through June of FY24, CBP had recorded 194,000 gotaways.²⁶⁶ In FY23, CBP recorded 694,685 gotaways,²⁶⁷ 737,244 in FY22,²⁶⁸ and 389,155 in FY21.²⁶⁹ The approximately two million known gotaways since FY21 far exceeds the 1.29 million recorded from FY10-20 combined.²⁷⁰ Then-Border Patrol Chief Ortiz told the Committee in March 2023 that the true number of gotaways—detected and undetected—could be as much as 20 percent higher than reported.²⁷¹ DHS knows nothing about these individuals, and they are at large in communities across the country—often after paying the cartels extra to avoid



²⁶⁴ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis”, *Homeland Security Committee Events*, YouTube video, 2:46:00, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?feature=share&t=9960>.

²⁶⁵ Bethany Blankley, “Arrests of noncitizens with criminal convictions at border at record highs,” *The Center Square*, August 2, 2023, https://www.thecentersquare.com/national/article_4134184e-315d-11ee-ae3d-f0620827260.html.

²⁶⁶ Bill Melugin (@BillMelugin), “NEW: Per CBP sources & internal CBP data I’ve reviewed, there have been at least 194,000 known gotaways recorded at our southern border since fiscal year 2024 began on October 1st, w/ an average of 500+ per day over the last week. . . .”, Tweet, Twitter, June 20, 2024, <https://x.com/BillMelugin/status/1803795576749957337>.

²⁶⁷ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2025 Congressional Justification*, April 2024, 52, https://www.dhs.gov/sites/default/files/2024-04/2024_0314_us_customs_and_border_protection.pdf.

²⁶⁸ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Budget Overview: Fiscal Year 2024 Congressional Justification*, March 1, 2023, 37, https://www.dhs.gov/sites/default/files/2023-03/U.S.%20CUSTOMS%20AND%20BORDER%20PROTECTION_Remediated.pdf.

²⁶⁹ U.S. Department of Homeland Security, *Department of Homeland Security Border Security Metrics Report: 2022*, July 3, 2023, 18, https://www.dhs.gov/sites/default/files/2023-07/2023_0703_pley_fiscal_year_2022_border_security_metrics_report_2021_data.pdf.

²⁷⁰ U.S. Department of Homeland Security, *Department of Homeland Security Border Security Metrics Report: 2021*, April 27, 2022, 16, https://www.dhs.gov/sites/default/files/2022-06/2022_0427_pley_border_security_metrics_report_FY2021_%282020_data%29.pdf.

²⁷¹ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis”, *Homeland Security Committee Events*, YouTube video, 1:08:17, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?feature=share&t=4089>.



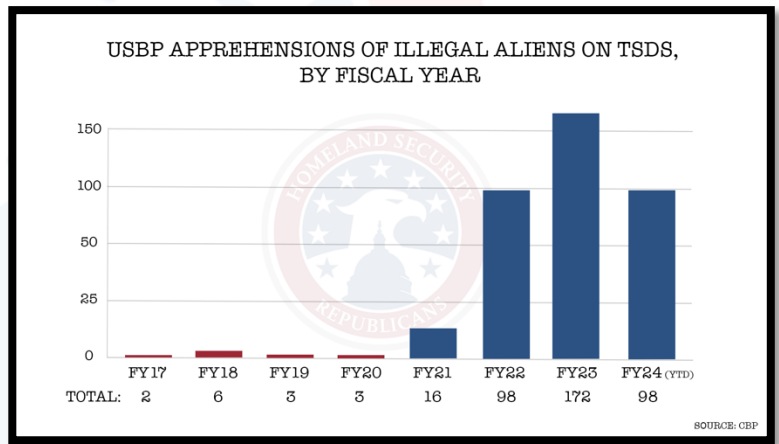
PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

apprehension.²⁷² According to Chief Owens, these massive numbers of gotaways are “what’s keeping me up at night.”²⁷³

Individuals on the Terrorist Watchlist and Special Interest Aliens: Border Patrol agents have also encountered individuals from more than 160 countries since January 2021,²⁷⁴ including from countries that sponsor terrorism or are major U.S. adversaries. Caudle told the Committee in September 2023 that this demographic shift was unprecedented:

“[T]hroughout most of our career, those of us that have been in 20-plus years, particularly, you would encounter people from Mexico making illegal entry. That demographic shifted dramatically, especially in my time there in El Centro when we were starting to see a lot of migrants arrive from western Africa, India, Bangladesh, you know, very far away countries that were not common for that area...”²⁷⁵

Troublingly, an increasing number of those illegally crossing the Southwest border represent potential national security threats. DHS’ own 2024 Homeland Threat Assessment makes the threat plain—“[t]errorists and criminal actors may exploit the elevated flow and increasingly complex security environment to enter the United States.”²⁷⁶ Since FY21, the Border Patrol has recorded a historic number of apprehensions of individuals who appear on the Terrorist Screening Data Set (TSDS),²⁷⁷ also known as the “terrorist watchlist.”



From FY17–FY20, between ports of entry along the Southwest and northern borders, the Border Patrol apprehended just 14 individuals whose names were on the TSDS.²⁷⁸ Since FY21, that number has jumped to 384.²⁷⁹ It is unknown how many additional national security threats have entered among the roughly two million gotaways.

When asked on Nov. 15, 2023, if these increased crossings were cause for concern, FBI Director Wray answered, “[w]e’ve all seen how much damage just a small number a

²⁷² See Nick Miroff, “Border Officials Say More People Are Sneaking Past Them as Crossings Soar and Agents Are Overwhelmed,” *The Washington Post*, April 2, 2021, https://www.washingtonpost.com/national/got-aways-border/2021/04/01/14258a1e-9302-11eb-9af7-fd0822ae4398_story.html; and Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 41, May 9, 2023.

²⁷³ Camilo Montoya-Galvez, “U.S. Border Patrol chief calls southern border a “national security threat,” citing 140,000 migrants who evaded capture,” *CBS News*, March 24, 2024, <https://www.cbsnews.com/news/jason-owens-border-patrol-southern-border-national-security-threat/>.

²⁷⁴ Robert Sherman, “Migrants from more than 160 countries encountered at border,” *NewsNation*, October 6, 2022, <https://www.newsnationnow.com/us-news/immigration/migrants-from-more-than-160-countries-encountered-at-border/>.

²⁷⁵ Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 14, September 28, 2023.

²⁷⁶ U.S. Department of Homeland Security, Office of Intelligence and Analysis, *Homeland Threat Assessment 2024*, September 2023, 20, https://www.dhs.gov/sites/default/files/2023-09/23_0913_ia_23-333-ia_u_homeland-threat-assessment-2024_508C_V6_13Sep23.pdf.

²⁷⁷ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics*, last modified August 16, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

²⁷⁸ *Ibid.*

²⁷⁹ *Ibid.*



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

foreign terrorists could cause. I mean, sometimes people, as crazy as it sounds, tend to forget that it was 19 people who killed 3,000 people on 9/11.”²⁸⁰ Wray further noted, “I can tell you the threats that come from the other side of the border are very much consuming FBI field offices, not just in the border states.”²⁸¹

On numerous occasions, individuals on the TSDS or with other potential terrorism connections have been released. Perhaps the most shocking case came in June 2024, when Americans learned that eight individuals with suspected ties to ISIS had been arrested in New York, Los Angeles, and Philadelphia,²⁸² and that all of them had entered through the Southwest border, including one who reported entered using the CBP One app.²⁸³ Authorities believe they may have been plotting an attack on U.S. soil.²⁸⁴ Just days later, NBC News published an even more shocking report that an ISIS-affiliated smuggling network had helped more than 400 individuals illegally enter the country, and around 50 were still at large in the United States.²⁸⁵ Other instances include:

- In May 2024, two Jordanian nationals attempted to force their way onto Marine Corps Base Quantico. Both were in the country unlawfully, and one was on the watchlist.²⁸⁶
- In March 2023, Afghan national Mohammad Kharwin was apprehended by the Border Patrol and released into the interior—though he was dropped from surveillance about two weeks later.²⁸⁷ Almost a year later, ICE arrested him “after the FBI passed information to them indicating that Kharwin had potential terrorist ties”²⁸⁸ ICE lawyers also reportedly withheld information on his terrorist ties from an immigration judge.²⁸⁹
- Also in March 2023, a Somali national who was a “confirmed member” of the terrorist group al Shabaab was released into the interior and roamed free until January 2024.²⁹⁰
- In April 2022, CBP officials released an illegal alien whose name was on the terrorist watchlist.²⁹¹ According to Border Patrol agents, over-capacity holding facilities “created pressure to quickly process migrants and decreased the time available” to vet them.²⁹²

²⁸⁰ “Worldwide Threats to the Homeland,” *Homeland Security Committee Events*, YouTube video, 1:02:54, November 15, 2023,

https://www.youtube.com/live/yVjgdrpk_OE?si=gDMH7yXdQWbf-Sd&t=3774.

²⁸¹ *Ibid.*, 54:33, https://www.youtube.com/live/yVjgdrpk_OE?si=BFLHh70EGxJw2fqy&t=3273.

²⁸² Jennie Taer, “Six suspected terrorists with ISIS ties arrested in sting operation in New York, Los Angeles and Philadelphia: sources,” *The New York Post*, June 11, 2024, <https://nypost.com/2024/06/11/us-news/six-suspected-terrorists-with-isis-ties-arrested-in-sting-operation/>.

²⁸³ Julia Ainsley, et. al., “8 suspected terrorists with possible ISIS ties arrested in New York, L.A. and Philadelphia, sources say,” *NBC News*, June 11, 2024, <https://www.nbcnews.com/news/us-news/8-suspected-terrorists-possible-isis-ties-arrested-new-york-l-philadel-rcna156635>.

²⁸⁴ Pat Milton, et. al., “8 arrested men with ties to ISIS feared to have been plotting potential terrorist attack in U.S., sources said,” *CBS News*, June 26, 2024, <https://www.cbsnews.com/news/more-information-emerges-about-8-tajikistani-men-arrested-for-suspected-isis-ties/>.

²⁸⁵ Julia Ainsley and Tom Winter, “DHS identifies over 400 migrants brought to the U.S. by an ISIS-affiliated human smuggling network,” *NBC News*, June 25, 2024, <https://www.nbcnews.com/investigations/dhs-identifies-400-migrants-brought-us-isis-linked-human-smuggling-rcna158777>.

²⁸⁶ Stephen Dinan, “Jordanian who tried to enter Quantico Marine base was on terror watchlist: incident report,” *The Washington Times*, August 7, 2024, <https://www.washingtontimes.com/news/2024/aug/7/jordanian-who-tried-to-enter-quantico-marine-base-/>.

²⁸⁷ Julia Ainsley, “Man on terrorist watchlist was dropped from program that monitors migrants,” *NBC News*, April 17, 2024, <https://www.nbcnews.com/news/investigations/man-terrorist-watchlist-was-dropped-program-monitors-migrants-rcna148205>.

²⁸⁸ *Ibid.*

²⁸⁹ *Ibid.*

²⁹⁰ Jennie Taer, “Known terrorist spent year in US after being wrongly released by feds — and GOP lawmakers demand answers,” *The New York Post*, April 2, 2024, <https://nypost.com/2024/04/02/us-news/lawmakers-demand-to-know-if-taxpayers-funded-al-shabaab-terrorist/>.

²⁹¹ U.S. Department of Homeland Security, Office of Inspector General, *CBP Released a Migrant on a Terrorist Watchlist, and ICE Faced Information Sharing Challenges Planning and Conducting the Arrest (REDACTED)*, OIG-23-31, June 28, 2023, 3, <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>.

²⁹² *Ibid.*, 12.



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

- In February 2022, Uzbek national Jovokhir Attoev was caught and released into the interior by agents because at the time, “neither Customs and Border Protection nor ICE could find any derogatory information” on him.²⁹³ In May 2023, Uzbekistan announced Attoev was wanted for alleged connections to ISIS, and it was not until March 2024 that U.S. officials noticed the terrorism connection, and moved to arrest him in April 2024.²⁹⁴

Incredibly, the Biden-Harris administration has released at least 99 illegal aliens on the terrorist watchlist into the United States.²⁹⁵ On top of all this, the Biden-Harris administration has refused to publicly release important information about these individuals, including their countries of origin, going so far as to tell one reporter in May 2024 that the “privacy interests” of these potential terror threats “outweigh any minimal public interest in disclosure of the information.”²⁹⁶

This is happening because Border Patrol agents are simply unable to adequately vet inadmissible aliens entering the country. Not only do the historic numbers make it impossible to devote the necessary time to such screening, but most of those crossing the border either come from countries with inadequate law enforcement databases, or from countries who would not share this information with federal officials even if they had it, such as China, Cuba, and Venezuela.



Federal law enforcement officials, including senior Biden officials, have confirmed this. According to one Border Patrol agent, “[m]ost countries are decades behind us with technology and policing practices, so when we detain these guys, mostly there’s nothing on them except [if they have] terrorism or previous US charges.”²⁹⁷ Another frustrated agent has said, “I wanted to get into Border Patrol and protect from terrorists.

And it’s like, well, I probably let terrorists in the country.”²⁹⁸ According to Scott, vetting has become a “check-the-box exercise.”²⁹⁹ Even ICE Acting Director Patrick Lechleitner admitted in June 2024, “[s]ometimes there is just no information on individuals. It is quite common where there is just nothing.”³⁰⁰ And Wray testified to a Senate subcommittee on June 4, 2024, that he was concerned about individuals being released

²⁹³ Julia Ainsley, “Migrant with alleged ISIS ties was living in the U.S. for more than two years, officials say,” *NBC News*, May 1, 2024, <https://www.nbcnews.com/politics/immigration/migrant-alleged-isis-ties-living-us-two-years-officials-say-rcna150281>.

²⁹⁴ *Ibid.*

²⁹⁵ Adam Shaw, “Scathing report reveals Biden-Harris admin has released dozens of migrants on terror watchlist into US,” *Fox News*, August 5, 2024, <https://www.foxnews.com/politics/scathing-report-reveals-biden-harris-admin-released-dozens-migrants-terror-watchlist-us>.

²⁹⁶ Adam Shaw and Bill Melugin, “Biden admin refuses to reveal terror watchlist nationalities as illegal immigration explodes on his watch,” *Fox News*, May 16, 2024, <https://www.foxnews.com/politics/biden-admin-refuses-reveal-terror-watchlist-nationalities-illegal-immigration-explodes>.

²⁹⁷ Jennie Taer, “Border Patrol agents reveal how easily terrorists and killers get into US despite being screened,” *The New York Post*, May 19, 2024, <https://nypost.com/2024/05/19/us-news/border-patrol-agents-reveal-how-easily-terrorists-and-killers-get-into-us-despite-being-screened/>.

²⁹⁸ Jennie Taer, “3 Palestinian terror suspects caught after crossing border illegally as overwhelmed agents warn: ‘I probably let terrorists in,’” *The New York Post*, July 28, 2024, <https://nypost.com/2024/07/28/us-news/palestinian-terror-suspects-caught-after-crossing-illegally/>.

²⁹⁹ Rodney Scott, Transcribed Interview with the House Committee on Homeland Security, 50-53, January 22, 2024.

³⁰⁰ Brian Entin [@BrianEntin], “How is it possible 8 suspected terrorists with ISIS ties were able to cross the Southern border and have clean background checks? “Sometimes there is just no information on individuals. It is quite common where there is just nothing,” ICE Acting Director Patrick Lechleitner says.,” Tweet, *Twitter*, June 12, 2024, <https://x.com/BrianEntin/status/1800957331267571873>.



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

“for whom there’s not enough derogatory information in the intelligence community to watch list them yet.”³⁰¹

EXCLUSIVE

IMMIGRATION

DHS identifies over 400 migrants brought to the U.S. by an ISIS-affiliated human smuggling network

Over 150 have been arrested, but the whereabouts of over 50 remain unknown, officials said. ICE is looking to arrest them on immigration charges when they are found.

These limitations affect not just Border Patrol operations between the ports, but those at official ports of entry, as well. The same month that Lechleitner and Wray expressed their concerns, the DHS OIG reported that DHS’ processes and procedures for vetting inadmissible aliens “were not fully effective to screen and vet noncitizens applying for admission into the United States or asylum seekers whose asylum applications were pending for an extended period.”³⁰² Further, the OIG found, “USCIS may not promptly identify asylum seekers with derogatory information who remain in the country for extended periods of time while awaiting an asylum decision.”³⁰³

The Biden-Harris administration’s abuse of the CBP One app also presents a grave national security threat. Among the more-than 266,000 parolees just between January-September 2023, thousands were from adversarial nations or countries of concern, including approximately 20,000 Russians, 1,800 Uzbeks, and more than 200 Afghans.³⁰⁴ Former immigration judge Andrew Arthur has said there is “no way” for CBP to vet these individuals “for criminal histories or terrorist intent in any meaningful way before releasing them into the United States. ... [T]he toll this scheme will impose on border security is patent and significant.”³⁰⁵

“Special interest aliens” are another concern. Between October 2022-late May 2024 alone, CBP recorded at least 125,000 encounters of inadmissible aliens who represented potential threats to national security.³⁰⁶ These “special interest aliens” are individuals who, “based on an analysis of travel patterns, potentially [pose] a national security risk to the United States or its interests.”³⁰⁷ One specific and troubling example is the surge in Tajik nationals illegally entering the country. Between October 2020-May 2024, more than 1,500 individuals from Tajikistan, “a country known as a hotbed of ISIS

³⁰¹ U.S. Congress, Senate, Committee on Appropriations, *A Review of the President’s Fiscal Year 2025 Budget Request for the Federal Bureau of Investigation*, 118th Cong., 2nd sess., 1:01:19, June 4, 2024, <https://www.appropriations.senate.gov/hearings/a-review-of-the-presidents-fiscal-year-2025-budget-request-for-the-federal-bureau-of-investigation>.

³⁰² U.S. Department of Homeland Security, Office of Inspector General, *DHS Needs to Improve Its Screening and Vetting of Asylum Seekers and Noncitizens Applying for Admission into the United States (REDACTED)*, OIG-24-27, June 7, 2024, 3, <https://www.oig.dhs.gov/sites/default/files/assets/2024-06/OIG-24-27-Jun24-Redacted.pdf>.

³⁰³ *Ibid.*, 10.

³⁰⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “New Documents Obtained By Homeland Majority Detail Shocking Abuse of CBP One App,” Press Release, 118th Cong., 1st sess., October 23, 2023, <https://homeland.house.gov/2023/10/23/new-documents-obtained-by-homeland-majority-detail-shocking-abuse-of-cbp-one-app/>.

³⁰⁵ U.S. Congress, House of Representatives, Committee on the Judiciary, *Prepared Testimony of Andrew Arthur for Biden’s Border Crisis and Its Effect on American Communities*, 118th Cong., 1st sess., August 8, 2023, 50, <https://cis.org/sites/default/files/2023-08/BordercrisistestimonyHCOAA08082023rev4b.pdf>.

³⁰⁶ See Jennie Taer, “EXCLUSIVE: Feds Flagged Nearly 75,000 Illegal Migrants As Potential National Security Risks,” *The Daily Caller*, September 1, 2023, <https://dailycaller.com/2023/09/01/illegal-migrants-national-security-risk/>; and Chief Jason Owens [USBPChief], “5/25: USBP agents in Santa Teresa, NM apprehended 6 special interest migrants (SIMs) from Morocco. So far this FY, USBP has apprehended +52K SIMs. San Diego Sector alone accounts for nearly 88% of those.” Tweet, *Twitter*, May 29, 2024, <https://x.com/USBPChief/status/1795923337748549988>.

³⁰⁷ U.S. Department of Homeland Security, Newsroom, *MYTH/FACT: Known and Suspected Terrorists/Special Interest Aliens*, January 7, 2019, <https://www.dhs.gov/news/2019/01/07/mythfact-known-and-suspected-terrorists/special-interest-aliens>.

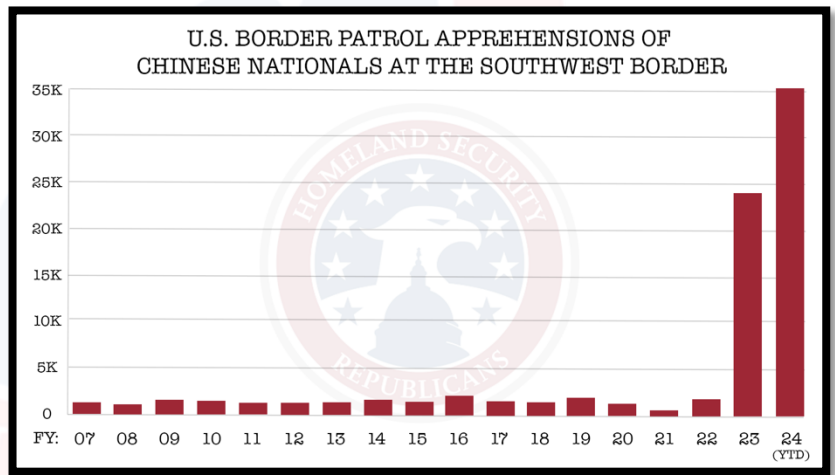


PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

recruitment,” have crossed the border. This surge “could include ISIS ‘seeding people into the United States.’”³⁰⁸

Following the devastating attacks on the United States on Sept. 11, 2001, that forever changed the world, the 9/11 Commission’s historic report noted, “[i]t is elemental to border security to know who is coming into the country.”³⁰⁹ Wray confirmed this remains true today, testifying last November, “I think greater fidelity about who is coming into this country and how they are getting in is essential.”³¹⁰ However, under Biden, Harris, and Mayorkas, a historic number of people are entering this country about whom law enforcement knows nothing. The national security threat this represents is monumental, unprecedented—and unacceptable.

The Rising Threat Posed by the Chinese Communist Party (CCP): In FY24, Border Patrol apprehensions of Chinese nationals at the Southwest border have surpassed 35,000—the overwhelming majority of them single adults.³¹¹ In FY23 alone, this number was 24,048.³¹² In FY19, by contrast, the number was 2,060.³¹³ To put this surge in perspective, the number of Chinese nationals apprehended just in FY24 has been greater than the total number apprehended from FY07-20 combined.³¹⁴



They are coming now because the border is wide open. Per former Border Patrol Chief Scott, it is because “there’s no real response from the federal government of the United States to slow it down. There hasn’t been since 2021.”³¹⁵

In fact, one Biden-Harris administration response has been to “drastically simplif[y] the vetting process for Chinese illegal immigrants.”³¹⁶ According to a leaked CBP email from April 2023, officials were instructed “to radically reduce the number of interview questions for Chinese migrants apprehended after illegally crossing into the country from roughly 40 to just five.”³¹⁷ One chief patrol agent told the Committee that interviewing just one Chinese national could take up to seven

³⁰⁸ Jennie Taer, “Hundreds of migrants from ISIS hotbed country have crossed US border under Biden,” *The New York Post*, June 20, 2024, <https://nypost.com/2024/06/20/us-news/migrants-from-isis-hotbed-tajikistan-have-surged-under-biden/>.

³⁰⁹ The National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, July 22, 2004, 407, <https://govinfo.library.unt.edu/911/report/911Report.pdf>.

³¹⁰ “Worldwide Threats to the Homeland,” *Homeland Security Committee Events*, YouTube video, 52:54, November 15, 2023, https://www.youtube.com/live/yVjgdrpk_OE?si=pH6Xbad0ug4rFDwc&t=3174.

³¹¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

³¹² *Ibid*.

³¹³ U.S. Department of Homeland Security, U.S. Border Patrol, *U.S. Border Patrol Nationwide Encounters by Citizenship & Sector (FY07-19)*, 40, <https://www.cbp.gov/sites/default/files/assets/documents/2021-Aug/USBORD-3.PDF>.

³¹⁴ See *Ibid*; and U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

³¹⁵ Virginia Allen, “6 Reasons Chinese Nationals Are Illegally Crossing California’s Southern Border,” *The Daily Signal*, April 28, 2024, <https://www.dailysignal.com/2024/04/28/6-reasons-chinese-nationals-illegally-crossing-californias-southern-border/>.

³¹⁶ Philip Lenczycki, “EXCLUSIVE: Biden Admin Watered Down Vetting Process For Chinese Illegal Immigrants, Email Shows,” *The Daily Caller*, January 2, 2024, <https://dailycaller.com/2024/01/02/biden-admin-cbp-chinese-illegal-migrants/>.

³¹⁷ *Ibid*.



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

hours, due to having to use a translation service.³¹⁸ Only “some” of them are even being interviewed at all before being released, per one press report earlier this year.³¹⁹ Per Chief Patrol Agent Good, “we try our best” to figure out why individuals from nations like China are coming, but “that information can be hidden. Their agendas, their ideologies, the reason for them coming could be missed.”³²⁰ Some have even been found to have connections to the Chinese Communist Party (CCP) and the People’s Liberation Army (PLA).³²¹

According to one chief patrol agent, the majority are claiming to come for economic reasons.³²² Even if some are coming to flee the oppressive CCP, they are transiting numerous other safe countries to do so. One Chinese national told CBS News earlier this year that he traveled through “Thailand, Morocco, Ecuador, Colombia, Panama, Costa Rica and Nicaragua on his way to the U.S border.”³²³ Despite the fact that many of these individuals likely do not qualify for asylum under the law, many Chinese nationals are simply “being released into the U.S. on their own recognizance and with a notice to appear for a court date for their immigration hearings.”³²⁴

In fact, some in China are actively helping Chinese nationals exploit the open border, almost certainly with the tacit endorsement of the CCP, which exercises tight controls over communications within the country. For example, one Chinese account on the social media platform Telegram helps “identify U.S. border wall gaps, instruct Chinese nationals on how to answer questions from Border Patrol agents and provide scripts for requesting asylum,” prompting North Carolina Rep. Dan Bishop, chairman of the Committee’s Oversight, Investigations, and Accountability subcommittee to state, “[w]e’re allowing an element that is completely beyond our law to be established firmly as a beachhead in the United States of America, and the people of America are going to pay a severe price... .”³²⁵



³¹⁸ Gloria Chavez, Transcribed Interview with the House Committee on Homeland Security, 137, September 26, 2023.

³¹⁹ Sharyn Alfonsi, et. al., “Chinese migrants, some with the help of TikTok, have become fastest-growing group trying to cross U.S. southern border,” *CBS News*, February 4, 2024, <https://www.cbsnews.com/news/us-border-mexico-chinese-migrants-60-minutes/>.

³²⁰ Anthony “Scott” Good, Transcribed Interview with the House Committee on Homeland Security, 35-36, June 29, 2023.

³²¹ U.S. Congress, House of Representatives, Committee on Homeland Security, *Chairman Green: “Alejandro Mayorkas Has Been Derelict in His Duty as the United States Secretary of Homeland Security.”* 118th Cong., 1st sess., June 14, 2023, <https://homeland.house.gov/2023/06/14/chairman-green-alejandro-mayorkas-has-been-derelict-in-his-duty-as-the-united-states-secretary-of-homeland-security/>.

³²² Anthony “Scott” Good, Transcribed Interview with the House Committee on Homeland Security, 133, June 29, 2023.

³²³ Sharyn Alfonsi, et. al., “Chinese migrants, some with the help of TikTok, have become fastest-growing group trying to cross U.S. southern border,” *CBS News*, February 4, 2024, <https://www.cbsnews.com/news/us-border-mexico-chinese-migrants-60-minutes/>.

³²⁴ Adam Shaw and Bill Melugin, “Border Patrol Apprehensions of Chinese Nationals at Southern Border up 800%: Source,” *Fox News*, February 9, 2023, <https://www.foxnews.com/politics/border-patrol-apprehensions-chinese-nationals-southern-border-800-source>.

³²⁵ Philip Lenczycki, “EXCLUSIVE: Chinese ‘Cyber Police’ Agent Runs Online Network Helping Illegal Immigrants Flood Into US,” *The Daily Caller*, June 17, 2024, <https://dailycaller.com/2024/06/17/chinese-police-network-illegal-immigrants/>.



PART 7: THE SPECTER OF GOTAWAYS, NATIONAL SECURITY THREATS, AND CCP EXPLOITATION

The Chinese threat is not limited to record numbers of Chinese nationals illegally crossing, however. The criminal cartels—who already purchase from China the chemical precursors required to manufacture illicit fentanyl—are increasingly turning to Chinese money laundering organizations “to move their funds around the world,” according to Kemp Chester of the Office of National Drug Control Policy.³²⁶ This use of Chinese organized crime “has made the money laundering process less expensive and drug trafficking more profitable for the cartels.”³²⁷

Chinese organized crime is also operating openly in this hemisphere and in the United States. Oklahoma Attorney General Gentner Drummond testified to the Committee in January 2024, “we are seeing unprecedented levels of partnership between Chinese nationals and the Mexican cartels operating along the southwest border. Chinese and Mexican nationals work alongside the cartels to produce the opioid in labs in Mexico before transporting it across the border.”³²⁸ Illicit marijuana farming operations connected to China have exploded in recent years, with DHS identifying hundreds in Maine alone last year, worth billions of dollars in revenue.³²⁹ More than 2,000 such operations in Oklahoma have also been linked to China.³³⁰ According to one former senior DEA official, there are also strong connections between Chinese operations responsible for fentanyl being sold here and these illicit marijuana grows.³³¹ Across the board, the CCP is taking advantage of the lawlessness sparked by the border crisis.

³²⁶ U.S. Congress, Senate, Caucus on International Narcotics Control, Statement of Kemp L. Chester, Senior Advisor, Office of National Drug Control Policy, 118th Cong., 2nd sess., April 30, 2024, 5-6, <https://www.drugcaucus.senate.gov/media-center/files/2024-04-30-kemp-testimony/>.

³²⁷ U.S. Congress, Senate, Caucus on International Narcotics Control, *Statement of the U.S. Department Of Justice, William F. Kimbell, Chief Of Operations, Drug Enforcement Administration, Before The Senate Caucus On International Narcotics Control, For A Hearing Entitled, “Chinese Money Laundering Organizations: Cleaning Cartel Cash,”* 118th Cong., 2nd sess., April 30, 2024, 5, <https://www.drugcaucus.senate.gov/media-center/files/2024-04-30-kimbell-testimony/>.

³²⁸ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Gentner Drummond for Havoc in the Heartland: How Secretary Mayorkas’ Failed Leadership Has Impacted the States*, 118th Cong., 2nd sess., January 10, 2024, 11, <https://homeland.house.gov/wp-content/uploads/2024/01/2024-01-10-HRG-Testimony.pdf>.

³²⁹ Jennie Taer, “EXCLUSIVE: Illegal Chinese Pot Grows Are Taking Over Rural Blue State And Law Enforcement Isn’t Stopping Them,” *The Daily Caller*, November 23, 2023, <https://dailycaller.com/2023/11/22/china-marijuana-grows-immigrants-maine/>.

³³⁰ Alex Caprariello, “Lawmakers fear illegal Chinese marijuana grows in heartland,” *NewsNation*, April 19, 2024, <https://www.newsnationnow.com/world/china/lawmakers-fear-chinese-marijuana/>.

³³¹ Nicole Sganga, Chrissy Hollowell, and Pat Milton, “Black market marijuana tied to Chinese criminal networks infiltrates Maine,” *CBS News*, April 16, 2024, <https://www.cbsnews.com/news/black-market-marijuana-tied-to-chinese-criminal-networks-infiltrates-maine/>.



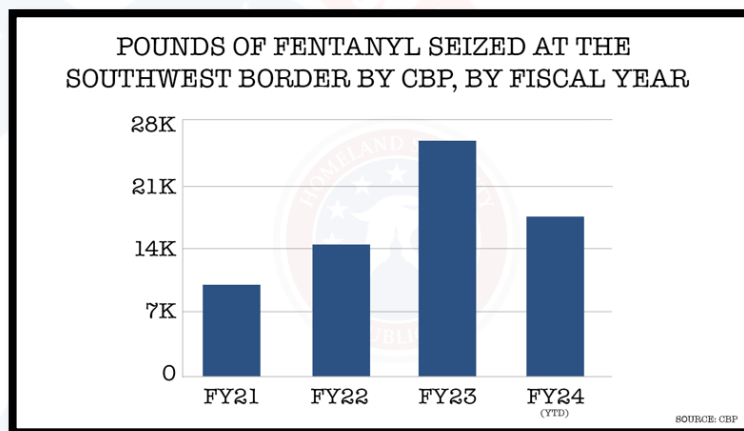
PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

Introduction: The historic border crisis caused by the Biden-Harris administration has proven to be a major national security crisis. However, the human costs of the crisis have been tragic, and unfortunately, experienced by Americans all across this country. Whether it is the families shattered by fentanyl poisoning or illegal alien crime, law enforcement officers overwhelmed by the crisis, or ranchers and farmers dealing with unprecedented challenges, no one has been safe.

A Drug Epidemic Like None Other—How Open Borders Unleashed the Fentanyl Crisis

The United States is being consumed by an opioid crisis, and it is being driven by the fentanyl flowing across the wide-open Southwest border.³³² This fentanyl does not stay in border communities, but has spread throughout the country to destroy lives, families, and communities everywhere.³³³ Fentanyl poisoning is now the leading cause of death for Americans between the ages of 18-45,³³⁴ killing roughly 200,000 Americans between 2021-2023 alone.³³⁵

The cartels’ increasingly regular practice of lacing other drugs and even fake prescription pills with fentanyl is poisoning many who never know they are ingesting it,³³⁶ particularly young Americans.³³⁷ Per a recent report in the *New England Journal of Medicine*, “[e]very week in 2022, the equivalent of a high-school classroom’s worth of students — an average of 22 adolescents,” died of drug overdoses, with this increase in mortality being driven by the “widespread availability of counterfeit pills containing illicit fentanyl.”³³⁸



The DEA “continues to seize record amounts of illicit fentanyl every year, from 6,875 kilograms of powder fentanyl in 2021 to nearly twice that amount – 13,176 kilograms in 2023; and close to 79 million pills containing fentanyl in 2023, more than triple the 23.6

³³² U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Devastating Human Costs of DHS Secretary Alejandro Mayorkas’ Open-Borders Policies, Phase 3 Interim Report*, 118th Cong., 1st sess., October 10, 2023, 4-19, <https://homeland.house.gov/wp-content/uploads/2023/10/Phase-3-Report.pdf>.

³³³ See Jackie DeFusco, “Virginia Attorney General Says Ending Title 42 Immigration Restrictions Would Cause Irreparable Harm,” *WRIC ABC 8News*, December 20, 2022, <https://www.wric.com/news/politics/capitol-connection/virginia-attorney-general-says-ending-title-42-immigration-restrictions-would-cause-irreparable-harm/>; “Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border,” *Homeland Security Committee Events*, YouTube video, 1:09:33, July 12, 2023, <https://www.youtube.com/live/L0EurNtLz0M?feature=share&t=4173>; and “An Unbearable Price: The Devastating Human Costs of the Biden-Mayorkas Border Crisis,” *Homeland Security Committee Events*, YouTube video, 2:15:34, September 13, 2023, <https://www.youtube.com/live/rPhbaOTSzHc?si=BtCIMXrKpZo1xAw7&t=8134>.

³³⁴ U.S. Department of Justice, Drug Enforcement Administration, *DEA Administrator on Record Fentanyl Overdose Deaths*, last accessed September 25, 2023, <https://www.getsmartaboutdrugs.gov/media/dea-administrator-record-fentanyl-overdose-deaths>. See Washington Post analysis of CDC data finding the same result for Americans between the ages of 18-49: Julie Vitkovskaya and Courtney Kan, “Why Is Fentanyl so Dangerous?,” *The Washington Post*, November 3, 2022, <https://www.washingtonpost.com/nation/2022/11/03/fentanyl-opioid-epidemic/>.

³³⁵ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics, *Provisional Drug Overdose Death Counts*, last modified May 5, 2024, <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>.

³³⁶ See U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, *Fentanyl Facts*, last updated April 2, 2024, <https://www.cdc.gov/stop-overdose/caring/fentanyl-facts.html>; and State of Texas, Department of Health and Human Services, *Fentanyl: One Pill Kills*, last accessed September 25, 2023, <https://www.hhs.texas.gov/services/mental-health-substance-use/mental-health-substance-use-resources/fentanyl-one-pill-kills>.

³³⁷ Steven Reinberg, “U.S. Child Deaths From Fentanyl Jumped 30-Fold in Just 8 Years,” *HealthDay in US News & World Report*, May 8, 2023, <https://www.usnews.com/news/health-news/articles/2023-05-08/u-s-child-deaths-from-fentanyl-jumped-30-fold-in-just-8-years>.

³³⁸ Joseph Friedman and Scott Hadland, “The Overdose Crisis among U.S. Adolescents,” *NEJM* 390, no. 2 (January 6, 2024): 97-100, <https://www.nejm.org/doi/full/10.1056/NEJMp2312084>.

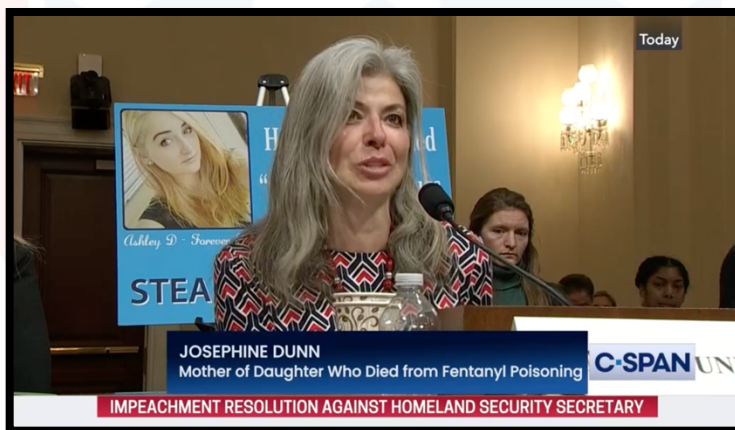


PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

million pills seized in 2021.”³³⁹ Agency officials estimate that seven out of every 10 counterfeit pills being smuggled into the country contain a lethal fentanyl dose.³⁴⁰ Data from CBP also shows the cartels are smuggling more fentanyl across the border than ever before. In FY23, CBP seized nearly 27,000 pounds of fentanyl at the Southwest border— including a record 3,187 pounds in April 2023—far surpassing FY22’s total seizure of 14,100 pounds.³⁴¹ In FY23, Border Patrol agents seized roughly 2,800 pounds of fentanyl between Southwest border ports of entry, surpassing FY22 total seizures, and nearly tripling those from FY21.³⁴² CBP seizures so far in FY24 total more than 17,000 pounds, including roughly 2,200 pounds between Southwest border ports of entry by Border Patrol agents.³⁴³

Soberingly, federal officials believe they only apprehend, at most, 10 percent of all the fentanyl coming across the Southwest border.³⁴⁴ Mark Dannels, sheriff of Cochise County, Arizona, said in August 2023 that law enforcement in his county was only scratching the surface on intercepting illicit drugs pouring across the border.³⁴⁵

Tragic Cases of Fentanyl Poisoning: While Biden has laughingly shrugged off the human tragedies of the crisis,³⁴⁶ those most intimately affected by it are suffering every day. On May 26, 2021, Arizona mother Josephine Dunn lost her 26-year-old daughter Ashley to fentanyl poisoning. In testimony to the Committee in January 2024, she stated, “[i]n my humble opinion, Mr. Mayorkas’ border policy is partially responsible for my daughter’s death. His wide-open border policy allows massive quantities of poisonous fentanyl into our country.”³⁴⁷



Josephine Dunn: My Daughter Ashley “Will Forever Be 26.”

³³⁹ U.S. Department of Justice, Drug Enforcement Administration, *National Drug Threat Assessment 2024*, DEA-DCT-DIR-010-24, May 2024, 24, https://www.dea.gov/sites/default/files/2024-05/NDTA_2024.pdf.

³⁴⁰ *Ibid.*, 23.

³⁴¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Drug Seizure Statistics*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

³⁴² *Ibid.*

³⁴³ *Ibid.*

³⁴⁴ Nick Miroff, “DEA Seized Enough Fentanyl to Kill Every Person in the U.S. in 2022,” *The Washington Post*, December 21, 2022, <https://www.washingtonpost.com/national-security/2022/12/20/fentanyl-seizures-2022-dea/>.

³⁴⁵ Ali Bradley, “Over 50% of fentanyl entering US coming through Arizona: DEA,” *NewsNation*, August 2, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/fentanyl-entering-us-through-arizona/>.

³⁴⁶ The White House, “Remarks by President Biden at the House Democratic Caucus Issues Conference,” March 1, 2023, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/03/01/remarks-by-president-biden-at-the-house-democratic-caucus-issues-conference-2/>.

³⁴⁷ “Voices for the Victims: The Heartbreaking Reality of the Mayorkas Border Crisis,” *Homeland Security Committee Events*, YouTube video, 51:49, January 18, 2024, https://www.youtube.com/live/gso6sbSHSA?si=cB_hlGPNDizAZA7A&t=3109.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

Just a few months later, on Oct. 26, 2021, Sandy Snodgrass lost her son, Bruce. She told the Committee in September 2023, “I am not ever going to be okay again. Never will I be okay again from the loss of my child.”³⁴⁸ In 2022, Anne Fundner lost her 15-year-old son Weston, later saying, “I hold Joe Biden, Kamala Harris, the border czar — what a joke — and Gavin Newsom and every Democrat who supports open borders responsible for the death of my son.”³⁴⁹ That same year, Mariah Ball lost her one-year-old son Lucca to the drug, after he was exposed. She later told the New York Post, “President Biden is not taking it seriously...Something has to be done about it.”³⁵⁰ In September 2023, 1-year-old Nicholas Feliz Dominici died after being exposed to fentanyl during his naptime at a Bronx daycare facility.³⁵¹ His grieving mother told the New York Times, “[h]e shouldn’t have died like that.”³⁵² These are just a handful of the stories of horror and loss experienced by families across this country.



The Open-Borders Connection to the Fentanyl Crisis: The Biden-Harris administration’s open-borders policies are directly linked to the rising fentanyl crisis ravaging the country. Smuggling between the ports of entry is a particularly critical problem, because there simply is no way to know how much fentanyl the cartels are flooding across through these increasingly unguarded areas,³⁵³ and less infrastructure in place to stop the cartels from doing so.

One agent said in February 2023, “[i]llegal aliens are carrying narcotics in their back packs or duffel bags. The cartel is going to choose the easiest and least secure route depending on the size of the load. Do you think that’s going to be at a port of entry or in-between?”³⁵⁴ NBPC Vice President Art Del Cueto has said “it’s obvious that a lot of these drugs are coming in between the ports.”³⁵⁵ Early in the days of the crisis, now-Rio

³⁴⁸ “An Unbearable Price: The Devastating Human Costs of the Biden-Mayorkas Border Crisis,” *Homeland Security Committee Events*, YouTube video, 3:27:04, September 13, 2023, <https://www.youtube.com/live/rPhbaOTSzHc?si=mb6WAf8a3brrm8xo&rt=12424>.

³⁴⁹ Neil Vigdor, “Mother Whose Son Died of Fentanyl Poisoning Brings Some Delegates to Tears,” *The New York Times*, July 16, 2024, <https://www.nytimes.com/2024/07/16/us/politics/anne-fundner-rnc-fentanyl-poisoning.html>.

³⁵⁰ Jennie Taer, “Mother of one-year-old fatally poisoned by fentanyl calls out Biden for inaction on drug crisis, border: ‘Take it seriously,’” *The New York Post*, July 16, 2024, <https://nypost.com/2024/07/16/us-news/mother-of-one-year-old-fatally-poisoned-by-fentanyl-calls-out-biden-for-inaction-on-drug-crisis-border/>.

³⁵¹ Maria Cramer, “2 Charged With Murder in Day Care Death of 1-Year-Old,” *The New York Times*, September 17, 2023, <https://www.nytimes.com/2023/09/17/nyregion/opioid-bronx-daycare-fentanyl-murder-charge.html>.

³⁵² *Ibid.*

³⁵³ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America’s Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, 8-9, <https://homeland.house.gov/wp-content/uploads/2023/09/09-07-Phase-2-Final.pdf>.

³⁵⁴ Bethany Blankley, “Border officers refute claim that fentanyl isn’t smuggled into U.S. between ports of entry,” *The Center Square*, February 7, 2023, https://www.thecentersquare.com/texas/article_28a8aad6-a721-11ed-8fea-9b0f5af42669.html.

³⁵⁵ Ali Bradley and Robert Sherman, “Border agent describes how cartels are using drones,” *NewsNation*, February 9, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/border-agent-cartels-using-drones/>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

Grande Valley Sector Chief Patrol Agent Gloria Chavez said, “[f]or the first time, we’re starting to see these tactics where fentanyl is being smuggled between ports of entry.”³⁵⁶

Further still, in transcribed interviews with the Committee throughout 2023, multiple Border Patrol chief patrol agents confirmed that the historic number of illegal aliens crossing the border and diverting Border Patrol agents and resources had forced them to close internal checkpoints in certain sectors, with other senior agents concluding that an untold amount of drugs were smuggled through as a consequence.³⁵⁷

“It’s quite frankly a tsunami of death that is crashing into the United States over our southern border. It’s killing Americans wholesale and it’s just an epic slaughter manufactured by the cartels. If you don’t secure the border it’s going to continue,” according to Jim Skinner, sheriff of Collin County, Texas.³⁵⁸ He is right.

Illegal Alien Impacts on Crime and Public Safety

The impacts of the Biden-Harris administration’s open-borders policies on crime and public safety in American communities cannot be understated. The number of criminal illegal aliens apprehended by the Border Patrol has skyrocketed on Biden, Harris, and Mayorkas’ watch, including those guilty of violent offenses like homicide, sexual assault, and domestic violence.³⁵⁹ Law enforcement is “completely overrun on the Southwest border.”³⁶⁰ Americans are becoming victims of illegal alien crime on a regular basis as mass releases continue.³⁶¹

These crimes are entirely preventable. As one law enforcement veteran testified to members of the Committee in July 2023, “[o]ne hundred percent of all crimes committed by illegal immigrants are avoidable and unnecessary because they should have been deported... .”³⁶²

More Criminal Aliens Crossing Under the Biden-Harris Administration:

The number of criminal aliens crossing illegally under Biden and Harris’ leadership is astounding. From FY21 through FY24 year-to-date, the Border Patrol recorded 52,755 arrests of illegal aliens with criminal backgrounds, approximately 30,000 more such arrests than FY17-20.³⁶³ By October 2023, the Border Patrol was apprehending more than 47 illegal aliens per day with “serious criminal histories.”³⁶⁴ According to one

³⁵⁶ Gabe Gutierrez and Al Henkel, “Fentanyl Seizures at U.S. Southern Border Rise Dramatically,” *NBC News*, June 29, 2021, <https://www.nbcnews.com/politics/immigration/fentanyl-seizures-u-s-southern-border-rise-dramatically-n1272676>.

³⁵⁷ See Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 121-122, May 9, 2023; Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 92-93, July 12, 2023; and Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 47-49, September 28, 2023.

³⁵⁸ Jon Levine, “Texas sheriffs take aim at Biden border policies causing ‘tsunami of death’ from drug smuggling,” *The New York Post*, August 27, 2022, <https://nypost.com/2022/08/27/texas-sheriffs-say-open-border-causing-a-tsunami-of-death/>.

³⁵⁹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Criminal Noncitizen Statistics Fiscal Year 2023*, July 18, 2023, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-noncitizen-statistics>.

³⁶⁰ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 2:25:50, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=8750>.

³⁶¹ “Examples of Serious Crimes By Illegal Aliens,” *Federation for American Immigration Reform*, last accessed August 29, 2024, <https://www.fairus.org/issue/border-security/examples-serious-crimes-illegal-aliens>.

³⁶² “The Real Cost of an Open Border: How Americans are Paying the Price,” *Homeland Security Committee Events*, YouTube video, 1:50:34, July 26, 2023, <https://www.youtube.com/live/q2n1h6llbMg?feature=share&t=6634>.

³⁶³ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Criminal Noncitizen Statistics Fiscal Year 2023*, last modified August 16, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-noncitizen-statistics>.

³⁶⁴ Adam Shaw, “Illegal immigrants with ‘serious criminal histories’ are trying to cross border daily: Border Patrol chief,” *Fox News*, October 26, 2023, <https://www.foxnews.com/politics/illegal-immigrants-serious-criminal-histories-trying-cross-border-daily>.



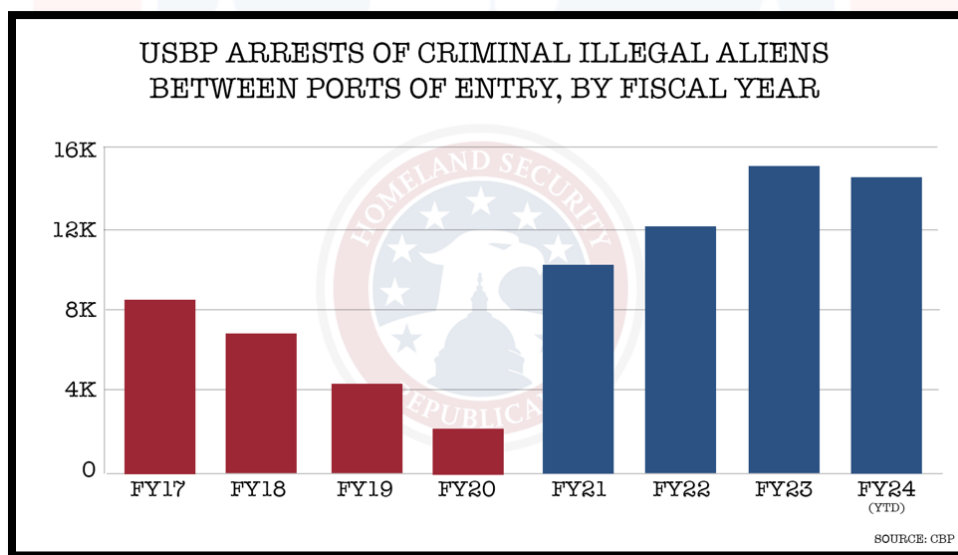
PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

veteran agent, “[t]here’s really nothing stopping them from coming here at this point.”³⁶⁵ Deputy Chief Patrol Agent Caudle told the Committee that “any crime that can be committed, we do encounter people who have committed them.”³⁶⁶

These are just the criminals being caught and identified. Law enforcement officials have noted that, “[h]ardened criminals often hide in smuggled migrant groups,”³⁶⁷ seeking to take advantage of overwhelmed Border Patrol officials who may not be able to verify their identities or backgrounds.³⁶⁸ Naturally, given the challenges in adequately vetting these illegal border crossers, criminal illegal aliens are also being released into the country, with ICE only arresting them weeks, months, or even years later, including:

- A Peruvian national suspected in 23 murders in his home country and released into the interior in May 2024 with an NTA—only for officials to learn of his record in July 2024, and arrest him in August 2024.³⁶⁹
- A Brazilian national wanted for aggravated homicide of a minor, who entered in May 2021, was released, and not arrested by ICE until October 2023;³⁷⁰ and
- An Ecuadorian national released in June 2021 after entering in Arizona. In May 2023, Ecuadorian officials issued a warrant for his arrest on charges of raping a minor. He was not arrested by ICE until June 2024.³⁷¹

How many other violent criminals are now at large within the homeland on Biden and Harris’ watch?



³⁶⁵ Joe Nocera and Michele DeMarco, “Why Some U.S. Border Agents Are Contemplating Suicide,” *The Free Press*, May 19, 2024, <https://www.thefp.com/p/why-border-agents-contemplating-suicide>.

³⁶⁶ Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 37, September 28, 2023.

³⁶⁷ Chief Jason Owens [@USBPCchief], “Within the past 48 hours, agents arrested 1 felon, 1 gang member, and 4 sex offenders. Hardened criminals often hide in smuggled migrant groups. Each week, on average, 10+ criminals are confirmed.,” Tweet, *Twitter*, July 19, 2023, <https://twitter.com/USBPCchief/status/1681756299602587653>.

³⁶⁸ Anthony “Scott” Good, Transcribed Interview with the House Committee on Homeland Security, 128, June 29, 2023.

³⁶⁹ Michael R. Sisak and Franklin Briceno, “US arrests reputed Peruvian gang leader wanted for 23 killings in his home country,” *The Associated Press*, August 16, 2024, <https://apnews.com/article/peru-gianfranco-23-killings-immigration-murder-9ba446c26cde81e48396a30a7a687bba>.

³⁷⁰ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Newsroom, *ERO Boston arrests fugitive wanted for aggravated homicide of a minor in Brazil*, October 20, 2023, <https://www.ice.gov/news/releases/ero-boston-arrests-fugitive-wanted-aggravated-homicide-minor-brazil>.

³⁷¹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Newsroom, *ERO Boston arrests fugitive wanted for in Ecuador for raping child*, July 2, 2024, <https://www.ice.gov/news/releases/ero-boston-arrests-fugitive-wanted-ecuador-rape-child>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

Illegal Alien Crime in American Communities: This crime wave is crashing on the biggest cities and the smallest towns. In January 2024, in a now-infamous display of cowardice, a group of Venezuelan illegal aliens attacked two New York City police officers—they all later received plea deals with minimal jail time, and two of those involved in the incident were members of Tren de Aragua.³⁷² In April 2024, “[m]jobs of rowdy migrants got into an all-out brawl outside a Midtown hotel, swinging sticks, belts and even traffic cones during the violent, broad-daylight melee.”³⁷³ In May 2024, a 49-year-old international jewel thief from South Korea was arrested for stealing hundreds of thousands of dollars in jewelry from Tiffany’s and Cartier stores in Manhattan.³⁷⁴ He had been released by the Border Patrol in December 2023 after claiming asylum, despite Interpol having issued a “Red Notice” for him.³⁷⁵ In June 2024, a Venezuelan described as a “serial shoplifter” with 18 arrests on his record since arriving in December 2023, bit three police officers involved in his latest arrest.³⁷⁶ According to one police officer, “[t]hese migrants are getting arrested quite often here, and...some of them are committing some of the most violent crimes here.”³⁷⁷

The madness reached a crescendo in June 2024, when a Venezuelan illegal alien, also connected to Tren de Aragua and released into the country in 2023, shot two NYPD officers following a traffic stop.³⁷⁸ The man was a suspect in other criminal activity and had been living in a city shelter until May.³⁷⁹

In Chicago, one alderman who represents a district currently housing a large shelter for illegal aliens has said, “[t]here are a lot of guns on the two blocks around this site, suddenly. ... I’m also hearing about teenagers allegedly being sex-trafficked in the curb cut. It’s unconscionable.”³⁸⁰ According to Chicago Police Department figures, arrests of Venezuelan-born individuals in 2023 increased 11,000 percent from 2021.³⁸¹ From January-March 2024 alone, police recorded more than 1,000 arrests of native Venezuelans.³⁸² Per one press report in May 2024, one illegal alien had been arrested 10 times in the 10 months since arriving in the city.³⁸³

³⁷² Desheania Andrews and Patrick Reilly, “Migrants charged in attack on NYPD cops in Times Square offered plea deals, including one who was rearrested,” *The New York Post*, May 14, 2024, <https://nypost.com/2024/05/14/us-news/migrants-charged-in-attack-on-nypd-cops-in-times-square-offered-plea-deals/>.

³⁷³ Amanda Woods and Jorge Fitz-Gibbon, “Migrants swing bats, belts and even traffic cones at each other in wild brawl outside NYC hotel,” *The New York Post*, April 24, 2024, <https://nypost.com/2024/04/24/us-news/weapon-wielding-migrants-brawl-in-broad-daylight-outside-nyc-hotel-in-wild-video/>.

³⁷⁴ Maureen Mullarkey, “Yaorong Wan, accused international jewel thief, accused of Manhasset, NYC thefts,” *Newsday*, May 6, 2024, <https://www.newsday.com/long-island/crime/jewelry-theft-heist-international-interpol-umeath1f>.

³⁷⁵ “Nassau police arrest accused jewelry thief wanted across the world,” *News 12 Long Island*, May 6, 2024, <https://longisland.news12.com/nassau-police-arrest-accused-jewelry-thief-wanted-across-the-world>.

³⁷⁶ Steven Hirsch, Joe Marino, and Kyle Schnitzer, “Munchy migrant bites three NYPD cops in three separate incidents after shoplifting at Target: prosecutors,” *The New York Post*, June 11, 2024, <https://nypost.com/2024/06/11/us-news/munchy-migrant-bites-three-nypd-cops-in-three-separate-incidents-after-shoplifting-at-target-prosecutors/>.

³⁷⁷ Tina Moore, “Migrant arrested 6 times for 14 crimes in first two months in NYC,” *The New York Post*, September 2, 2023, <https://nypost.com/2023/09/02/newly-arrived-immigrant-arrested-7-times-court-records-show/>.

³⁷⁸ See Sheetal Banchariya and Thomas Tracy, “Migrant who shot NYPD cops says that’s ‘common practice’ back in Venezuela: prosecutors,” *The New York Daily News*, June 26, 2024, <https://www.nydailynews.com/2024/06/26/migrant-who-shot-nypd-cops-says-thats-common-practice-back-in-venezuelan-prosecutors/>; and Larry Celona, Joe Marino, and Emily Crane, “Gunman who shot 2 NYPD cops revealed to be migrant who recently crossed into US via Eagle Pass: sources,” *The New York Post*, June 3, 2024, <https://nypost.com/2024/06/03/us-news/two-nypd-cops-shot-in-queens-by-19-year-old/>.

³⁷⁹ *Ibid.*

³⁸⁰ Fran Spielman, “‘No rule of law’: City Council members decry criminal activity outside migrant shelters,” *Chicago Sun-Times*, July 26, 2023,

<https://chicago.suntimes.com/city-hall/2023/7/26/23808849/migrant-crisis-shelters-crime-drug-use-guns-trafficking-chicago-city-council-committee-hearing>.

³⁸¹ “Arrests of Venezuelans has surged 2,538% since Chicago’s migrant crisis began,” *CWBChicago*, November 22, 2023, <https://cwbchicago.com/2023/11/chicago-arrests-of-venezuelan-origin-surges-2538-percent.html>.

³⁸² Joe Mahr, Laura Rodriguez Presa, and Nell Salzman, “Migrant arrests are up, but they’re rarely accused of violent felonies,” *The Chicago Tribune*, April 27, 2024, <https://www.chicagotribune.com/2024/04/27/migrant-arrests-are-up-but-theyre-rarely-accused-of-violent-felonies/>.

³⁸³ “Migrant gets arrested for the 10th time in 10 months,” *CWBChicago*, May 27, 2024, <https://cwbchicago.com/2024/05/migrant-gets-arrested-for-the-10th-time-in-10-months.html>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

In Washington, D.C., reporters have noted the rising phenomenon of illegal aliens defying city ordinances and operating motorbikes throughout the city to conduct food deliveries without proper documentation or licensing for their vehicles.³⁸⁴

ILLEGAL IMMIGRANTS

Illegal migrant allegedly commits 22 crimes in 6 months: 'It will get worse,' expert says

Bruce Blakeman, executive for Nassau County, New York, testified to the Committee in December 2023, “[w]e have seen an increase in crime, basically because you have these organized gangs that are part of the drug cartels from Mexico and other countries who have come to the metropolitan area,” and that many illegal aliens are committing crimes to pay back their debts to the cartels.³⁸⁵ In Oakland County, Michigan, Sheriff Michael Bouchard has said transnational gangs are targeting expensive homes and stealing “hundreds and hundreds of thousands of dollars” in personal property.³⁸⁶ In West Whiteland Township, Pennsylvania, police “have identified an emerging crime trend involving people who have illegally crossed the border into the United States and are committing retail thefts among other crimes.”³⁸⁷

Border towns have also had to deal with the specter of increased crime in their communities. As thousands of illegal aliens streamed into Eagle Pass in September 2023, Maverick County Sheriff Tom Schmerber said that his town was seeing break-ins, burglaries, and drug seizures.³⁸⁸ Sheriff Dannels testified to the House Judiciary Committee in February 2023 that “border-related crime” was “at an all-time high” in his Arizona county.³⁸⁹

³⁸⁴ Virginia Allen, Tim Kennedy, and Christian Lasval, “EXCLUSIVE: What’s the Deal With Illegal Aliens on Motorized Bikes Without License Plates in DC?,” *The Daily Signal*, April 8, 2024, <https://www.dailysignal.com/2024/04/08/dc-not-enforcing-license-plate-laws-illegal-immigrants-driving-motorized-bikes/>.

³⁸⁵ See U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “Public Safety Crisis”: New York First Responders, Official Testify To Strain On Emergency Management Resources Caused By Border Crisis,” Press Release, 118th Cong., 1st sess., December 5, 2023, <https://homeland.house.gov/2023/12/06/public-safety-crisis-new-york-first-responders-official-testify-to-strain-on-emergency-management-resources-caused-by-border-crisis/>; “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 2:05:02, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=7502>; and U.S. Department of Homeland Security, *Department of Homeland Security Border Security Metrics Report: 2022*, July 3, 2023, 68, https://www.dhs.gov/sites/default/files/2023-07/2023_0703_pley_fiscal_year_2022_border_security_metrics_report_2021_data.pdf.

³⁸⁶ Jakkar Aimery, “Transnational gangs’ conduct ‘high-end burglaries’ in Oakland County, sheriff says,” *The Detroit News*, September 29, 2023, <https://www.detroitnews.com/story/news/local/oakland-county/2023/09/29/transnational-gangs-conducting-high-end-burglaries-in-oakland-county-sheriff-bouchard/71006220007/>.

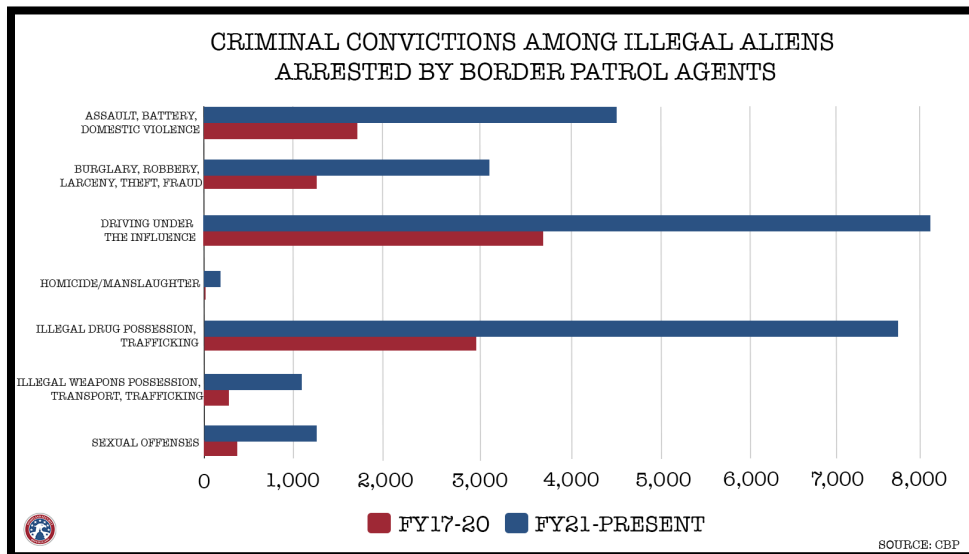
³⁸⁷ John Paul, “Police in Chester County say thieves from South America are targeting local stores,” *WPVI-TV ABC 6*, February 14, 2024, <https://6abc.com/south-american-theft-groups-west-whiteland-township-police-retail-thefts-investigation/14424809/>.

³⁸⁸ Anna Giaritelli, “Immigration border upheaval stokes fear among Eagle Pass residents: ‘Send extra help,’” *The Washington Examiner*, September 22, 2023, <https://www.washingtonexaminer.com/policy/immigration/immigration-border-upheaval-stokes-fear-eagle-pass-residents>.

³⁸⁹ U.S. Congress, House of Representatives, Committee on the Judiciary, *Prepared Testimony of Sheriff Mark Dannels for The Biden Border Crisis: Part I*, 118th Cong., 1st sess., February 1, 2023, 2, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/the-honorable-mark-dannels-testimony.pdf>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN



The victims of these crimes have been ordinary Americans:

- In July 2024, a San Antonio police officer was shot in the line of duty by Venezuelan national Jorge Chacon-Gutierrez, who had illegally crossed in November 2023, and was released with a 2026 court date.³⁹⁰
- In June 2024, 12-year-old Jocelyn Nungaray was murdered by two Venezuelans who had arrived this year, one of whom entered barely three weeks prior to committing the crime.³⁹¹ Both men had been released on ATD,³⁹² despite thousands of ICE beds being available.³⁹³ Said Jocelyn’s mother Alexis, “[s]he was 12, you took my baby away, you took her away. Now, I get to let her little brother know his older sister is never coming home.”³⁹⁴
- Just days prior, Christian Inga, an illegal alien from Ecuador who had entered the country in 2021, had sexually assaulted a 13-year-old girl at knifepoint in a New York City park—in broad daylight.³⁹⁵ He even later told a judge, “I was nervous at first, then got comfortable and recorded it.”³⁹⁶ Inga had been ordered removed from the country by an immigration judge in early 2022—but was never deported.³⁹⁷

³⁹⁰ Bill Melugin and Andrea Vacchiano, “Illegal migrant shoots Texas police officer with rifle after domestic violence call, sources say,” *Fox News*, July 28, 2024, <https://www.foxnews.com/us/illegal-migrant-shoots-texas-police-officer-rifle-after-domestic-violence-call-sources-say>.

³⁹¹ Jennie Taer, “Migrant charged with murder of 12-year-old Jocelyn Nungaray was released into US just weeks ago,” *The New York Post*, June 20, 2024, <https://nypost.com/2024/06/20/us-news/2-migrants-charged-with-abducting-strangling-texas-girl-12-and-dumping-her-body-in-bayou/>.

³⁹² Jennie Taer [@JennieSTaer], “Update: DHS sources confirm the second suspect crossed the border at El Paso on March 14 and was released with a court date in August. He also had a tracking monitor, but was removed from the program in May.” Tweet, *Twitter*, June 20, 2024, <https://x.com/JennieSTaer/status/1803984080813384124>.

³⁹³ Jason Hopkins, “Authorities Had Detention Space To Hold Alleged Illegal Immigrant Killers — But They Released Them Anyway,” *The Daily Caller*, June 26, 2024, <https://dailycaller.com/2024/06/26/illegal-immigrants-released-despite-ice-bed-space/>.

³⁹⁴ *Ibid.*

³⁹⁵ Joe Marino and David Propper, “Migrant suspect in sex assault of 13-year-old girl in NYC park now in NYPD custody,” *The New York Post*, June 18, 2024, <https://nypost.com/2024/06/18/us-news/migrant-arrested-for-allegedly-sexually-assaulting-13-year-old-girl-in-nyc-park/>.

³⁹⁶ Georgett Roberts, Zoe Hussain and Matt Troutman, “Ecuadorian migrant who allegedly raped 13-year-old NYC girl said he recorded the attack in sickening confession: DA,” *The New York Post*, June 19, 2024, <https://nypost.com/2024/06/19/us-news/ecuadorian-migrant-who-allegedly-raped-13-year-old-nyc-girl-said-he-recorded-the-attack-in-sickening-confession-da/>.

³⁹⁷ Jennie Taer, “Migrant accused of sexually assaulting 13-year-old girl in NYC park was ordered removed by an immigration judge two years ago,” *The New York Post*, June 18, 2024, <https://nypost.com/2024/06/18/us-news/migrant-accused-of-sexually-assaulting-13-year-old-girl-in-nyc-park-was-ordered-removed-by-an-immigration-judge-two-years-ago/>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

- Also in June, a Turkish national in upstate New York raped a 15-year-old girl in the back of his car after threatening her with a metal pole. He entered the country in November 2023.³⁹⁸
- In the spring of 2024, 20-year-old Marvin Dionel Perez Lopez, a Guatemalan illegal alien who crossed the border just a few months prior and was released with a 2027 court date, kidnapped and raped an 11-year-old girl in Lake Worth, Florida.³⁹⁹ Said Sheriff Ric Bradshaw, “[t]he federal government is victimizing the people who live in this country by letting these people in here.”⁴⁰⁰
- In February 2024, 22-year-old Georgia nursing student Laken Riley was savagely murdered by Venezuelan national Jose Ibarra on the University of Georgia campus while out for a jog. Ibarra had been paroled into the country in the fall of 2022.⁴⁰¹
- In August 2023, Rachel Morin, a 37-year-old Maryland mother of five, was attacked, raped, and murdered while jogging on a trail outside Baltimore by Salvadoran illegal alien Victor Antonio Martinez-Hernandez,⁴⁰² who illegally entered the country as a getaway sometime after February 2023.⁴⁰³ Her mother Patty would later say, “[i]t’s like they’re pretending these immigration problems don’t exist and people aren’t being harmed and killed by their policies. ... It’s like [Biden’s] sitting in an ivory tower, and we’re just down here. He’s not connected with the everyday person.”⁴⁰⁴
- In July 2022, 20-year-old Kayla Hamilton from Maryland, was raped and murdered by a teenage illegal alien and MS-13 gang member.⁴⁰⁵ He was released into the interior during the Biden-Harris administration.⁴⁰⁶ Kayla’s mother, Tammy Nobles, testified to the Committee in January 2024, “[Secretary Mayorkas] is responsible for my daughter’s death.”⁴⁰⁷

Every one of these crimes could have been prevented if this administration just enforced the law.

³⁹⁸ Jennie Taer and Emily Crane, “Illegal migrant arrested for allegedly raping 15-year-old girl in his car in upstate New York,” *The New York Post*, June 27, 2024, <https://nypost.com/2024/06/27/us-news/illegal-migrant-arrested-for-allegedly-raping-15-year-old-girl-in-his-car/>.

³⁹⁹ Amber Raub, “Undocumented immigrant arrested for kidnapping and assaulting 11-year-old in Lake Worth,” *WPEC CBS12*, May 7, 2024, <https://cbs12.com/news/local/lake-worth-man-arrested-for-kidnapping-sexually-assaulting-minor-marvin-dionel-perez-lopez-white-van-k-9-unit-saturday-captive-florida-may-6-2024>.

⁴⁰⁰ Emily Crane, “Undocumented migrant arrested in Florida for allegedly sexually assaulting 11-year-old girl,” *The New York Post*, May 7, 2024, <https://nypost.com/2024/05/07/us-news/undocumented-migrant-charged-with-sexual-assault-of-girl-11/>.

⁴⁰¹ Adam Shaw, “ICE confirms Georgia student murder suspect entered US illegally, was previously arrested in NYC,” *Fox News*, February 25, 2024, <https://www.foxnews.com/us/ice-confirms-georgia-student-murder-suspect-was-us-illegally-previously-arrested-nyc>.

⁴⁰² Maxine Streicher, “Illegal immigrant charged in killing of Harford County mother Rachel Morin,” *WBFF Fox 45 News*, June 15, 2024, <https://foxbaltimore.com/news/local/arrest-made-in-killing-of-rachel-morin>.

⁴⁰³ Jennie Taer, “Alleged El Salvador gang member charged in rape, killing of Maryland mom Rachel Morin crossed the border illegally at least three times in two months,” *The New York Post*, June 17, 2024, <https://nypost.com/2024/06/17/us-news/rachel-morins-accused-killer-crossed-the-border-illegally-at-least-three-times-in-two-months/>.

⁴⁰⁴ Rachel Morin, “Rachel Morin’s mom rips Biden’s ‘devastating’ border policies after her alleged murder by illegal migrant,” *The New York Post*, June 25, 2024, <https://nypost.com/2024/06/25/us-news/rachel-morins-mom-rips-bidens-devastating-border-policies-after-alleged-murdered-by-illegal-migrant/>.

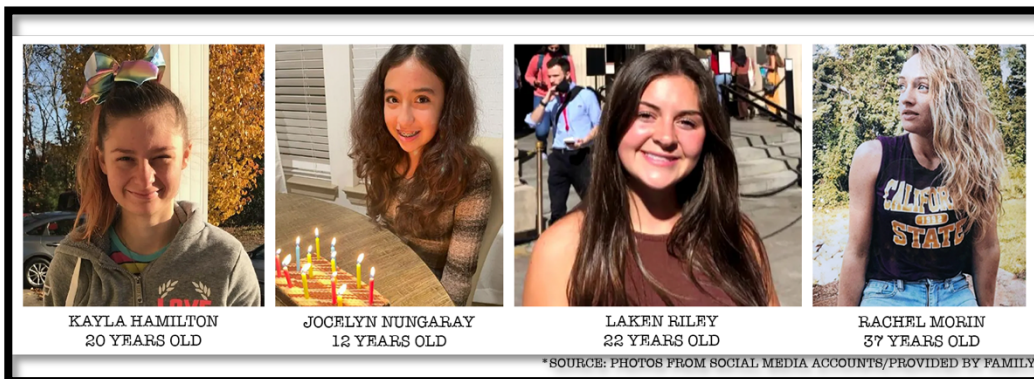
⁴⁰⁵ “Teen MS-13 Gang Member Arrested for Murder of Maryland Autistic Woman, 20,” *FOX 5 NY for FOX6 News Milwaukee*, January 22, 2023, <https://www.fox6now.com/news/kayla-hamilton-maryland-ms-13-murder-autistic-woman>.

⁴⁰⁶ Stephen Dinan, “Suspect in Killing of 20-Year-Old Autistic Woman Was Newly Released Illegal Immigrant Teen,” *The Washington Times*, January 23, 2023, <https://www.washingtontimes.com/news/2023/jan/23/suspect-killing-20-year-old-autistic-woman-was-new/>.

⁴⁰⁷ “Voices for the Victims: The Heartbreaking Reality of the Mayorkas Border Crisis,” *Homeland Security Committee Events*, YouTube video, 3:44:54, January 18, 2024, <https://www.youtube.com/live/gsod6sbSHSA?si=bvZUV-1DEcoFrqyW&t=13494>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN



Illegal Aliens Making American Streets Less Safe: These crimes against society are not limited just to intentional acts of violence, however. Illegal aliens often bring harm and death to innocent Americans while fleeing law enforcement, engaging in human and drug smuggling, or simply disregarding the law by driving recklessly or under the influence. Report after report from border cities and towns document the daily challenge of responding to human smuggling runs taking place on local highways, and the carnage that often results.⁴⁰⁸ For example, Sheriff Benny Martinez of Brooks County, Texas, said in August 2022 that his county deals with three or four chases every day, often involving groups of more than 20 people.⁴⁰⁹ These American lives were just a handful of those devastated by illegal aliens flouting traffic laws.

- In May 2024, 23-year-old illegal alien Oguzhan Cildir was “driving erratically, weaving in between cars” on a Maine highway when he struck and killed 53-year-old Gloria Cascio. He had entered the country illegally in January.⁴¹⁰
- In November 2023, Jose and Isabel Lerma were struck and killed near San Antonio, Texas, when a human smuggler transporting several illegal aliens and fleeing police at high speeds, collided with their car head-on. The occupants of both vehicles all perished.⁴¹¹
- On Aug. 22, 2023, 35-year-old Haitian Hermanio Joseph crashed into a school bus in Clark County, Ohio, killing 11-year-old Aiden Clark, and injuring 26 other children.⁴¹² It was Clark’s first day of school.⁴¹³ ICE later confirmed that Joseph entered the country in August 2022.⁴¹⁴

⁴⁰⁸ See Anna Giaritelli, “Uvalde rocked by horrific fatal crash involving immigrant smuggler,” *The Washington Examiner*, September 29, 2022, <https://www.washingtonexaminer.com/news/uvalde-fatal-crash-migrant-smuggler>; Anna Giaritelli [@Anna_Giaritelli], “The Cartel Lured in a 17-YEAR-OLD GIRL from Austin to Drive Nine Mexican Citizens from the Border This Week. She Died in a Horrific Crash. She Hadn’t Even Finished High School, and She Was Recruited for Thousands of Dollars to Smuggle Migrants. #Uvalde,” Tweet, *Twitter*, September 30, 2022, https://twitter.com/Anna_Giaritelli/status/1575985705700200448; and Paul Best, “Texas human trafficking crash leaves two migrants dead, a dozen others injured,” *Fox News*, October 16, 2022, <https://www.foxnews.com/us/texas-human-trafficking-crash-leaves-two-migrants-dead-dozen-others-injured>.

⁴⁰⁹ Sandra Sanchez, “‘Got-aways,’ migrant smugglers frequently damage property far from border, Texas ranchers lament,” *WFXR TV*, August 4, 2022, <https://www.wfxrtv.com/news/got-aways-migrant-smugglers-frequently-damage-property-far-from-border-texas-ranchers-lament/>.

⁴¹⁰ Edward Tomic, “Man Involved in Four-Car Crash That Left Maine Woman Dead Entered U.S. Illegally in January: Oguzhan Cildir,” *The Maine Wire*, May 7, 2024, <https://www.themainewire.com/2024/05/man-involved-in-four-car-crash-that-left-maine-woman-dead-entered-u-s-illegally-in-january-oguzhan-cildir/>.

⁴¹¹ “Alleged human smuggler was avoiding capture when he crashed into north Georgia couple, killing 8,” *WSB-TV 2*, November 9, 2023, <https://www.wsbtv.com/news/local/alleged-human-smuggler-was-avoiding-capture-when-he-crashed-into-north-georgia-couple-killing-8/ECDR6DGIWSAJZGBR5VRDGELMIQ/>.

⁴¹² “Driver accused in deadly Clark Co. school bus crash appears in court for bond hearing,” *WHIO TV 7*, August 28, 2023, <https://www.whio.com/news/crime-and-law/driver-accused-deadly-clark-co-school-bus-crash-make-next-court-appearance-today/FDGS5FROWJBLDHGSJZKYHC5IFA/>.

⁴¹³ John Binder, “Illegal Alien, Freed into U.S. from Southern Border, Charged with Killing 11-Year-Old Aiden Clark,” *Breitbart*, August 28, 2023, <https://www.breitbart.com/politics/2023/08/28/illegal-alien-freed-southern-border-charged-killing-11-year-old-aiden-clark/>.

⁴¹⁴ *Ibid.*

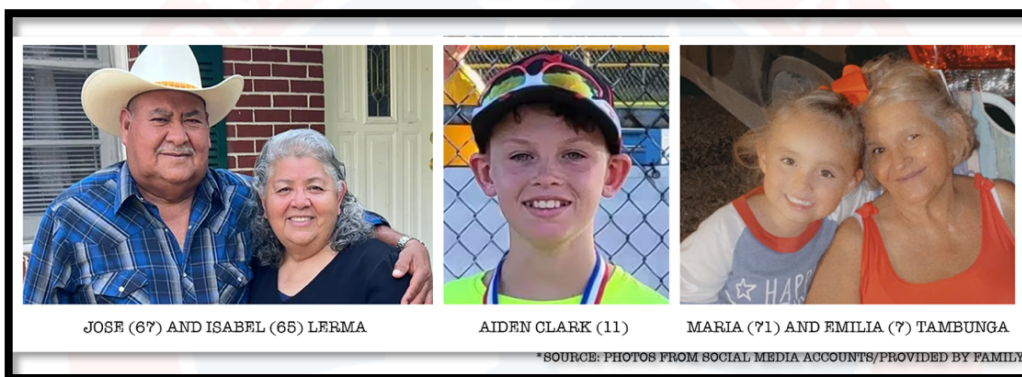


PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

- On June 14, 2023, Chief Patrol Agent Bovino tweeted a photo of a fatal car crash caused by a drunk driver in the United States illegally.⁴¹⁵ Bovino later told Committee staff that he was ordered to delete the tweet “because it was too political, and there were some folks at the higher levels that had a...problem with that.”⁴¹⁶

In powerful testimony before two Homeland subcommittees in July 2023, Elisa Tambunga—whose mother Maria and young daughter Emilia were killed in a car crash by a human smuggler in March 2023⁴¹⁷—described the agony inflicted on her family:

“I come to you as a young woman who no longer has a mother. I come to you as a mother who no longer has a child. I’m a United States citizen who has been horrifically failed by my own government. ... Incidents as tragic as ours that are caused due to the lack of secured borders are not a matter of ‘if’ this will happen again. It is a matter of ‘when’ this will happen again.”⁴¹⁸



In July 2023, Mayorkas testified that “Americans are safer today on the border” thanks to the administration’s policies.⁴¹⁹ The trail of bodies and broken lives in its wake testifies otherwise.

Illegal Aliens Introducing Serious Transmissible Diseases into the United States

It has been well documented that the Biden-Harris administration’s nonsensical border policies resulted in the release of untold numbers of COVID-19 carriers into the country.⁴²⁰ However, COVID-19 is not the only serious transmissible disease that Biden, Harris, and Mayorkas have imported. The influx of illegal aliens, many from countries

⁴¹⁵ The tweet has since been deleted. The original URL was <https://twitter.com/USBPChiefELC/status/1669028964860563457>.

⁴¹⁶ Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 168-169, July 12, 2023.

⁴¹⁷ Priscilla Borrego, “Woman who lost mother & daughter in Ozona wreck addresses how immigration played a part in their deaths,” *KSLA News 12*, March 29, 2023, <https://www.ksla.com/2023/03/29/woman-who-lost-mother-daughter-ozona-wreck-addresses-how-immigration-played-part-their-deaths/>.

⁴¹⁸ “The Real Cost of an Open Border: How Americans are Paying the Price,” *Homeland Security Committee Events*, YouTube video, 1:15:26 & 1:17:43, July 26, 2023, <https://www.youtube.com/live/q2n1h6llbMg?feature=share&t=4526>.

⁴¹⁹ “Oversight of the U.S. Department of Homeland Security,” *House Judiciary GOP*, YouTube video, 33:02, July 26, 2023, <https://www.youtube.com/live/cAhJdI0y1IA?feature=share&t=1982>.

⁴²⁰ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Devastating Human Costs of DHS Secretary Alejandro Mayorkas’ Open-Borders Policies, Phase 3 Interim Report*, 118th Cong., 1st sess., October 10, 2023, 77-80, <https://homeland.house.gov/wp-content/uploads/2023/10/Phase-3-Report.pdf>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

lacking adequate public health infrastructure,⁴²¹ has risked the spread of other transmissible diseases in American communities.

In July 2023, one shocking report showed that HHS had released approximately 2,500 UACs with latent tuberculosis (TB) infections into the United States because they were processing them far too quickly to be able to conduct necessary treatment, tossing the responsibility on state and local jurisdictions.⁴²² Per the report, the Biden-Harris administration also had to “create protocols to handle chlamydia and gonorrhea.”⁴²³

By October 2023, TB cases in New York City had increased roughly 20 percent from the same time last year,⁴²⁴ with one press report noting “the problem has been exacerbated by the challenge of finding housing for newly arrived migrants. Migrants are at increased risk of developing a TB infection because they are often located in crowded, poorly-ventilated settings in which the disease spreads easily.”⁴²⁵

In May 2024, the CDC reported a major outbreak of measles in Chicago, with the vast majority of cases “linked to Venezuelan immigrants,” most of whom were not vaccinated against the disease.⁴²⁶ Another CDC report that same month showed that imported malaria cases in parts of Arizona, California, and Texas more than doubled from 2022 to 2023, with most of the cases attributed to “newly arrived migrants.”⁴²⁷

The Border Crisis Has Overwhelmed Federal Law Enforcement

Federal law enforcement has been devastated by Biden, Harris, and Mayorkas’ border crisis, on a myriad of levels. From being pulled off their jobs to help facilitate illegal immigration, to the emotional and mental burdens placed on them in responding to the crisis, the men and women of DHS law enforcement deserve to have their story told.

Misuse of Federal Law Enforcement: Thousands of federal law enforcement personnel around the country have been diverted from their vital responsibilities to instead conduct simple administrative work at the overwhelmed Southwest border. Thousands of Border Patrol agents, up to several hundred at a time, have been deployed from the northern border to the Southwest border,⁴²⁸ creating not only operational challenges at the northern border,⁴²⁹ but driving down morale among agents stationed there.⁴³⁰ Meanwhile, as agents were being deployed south, the number of Border Patrol

⁴²¹ City of New York, Department of Health and Mental Hygiene, Office of the Commissioner, *Dear Colleague Letter*, April 11, 2023, 2-3, <https://www.nyc.gov/assets/doh/downloads/pdf/immigrant-health/asylum-seeker-dear-colleague.pdf>.

⁴²² Stephen Dinan, “Illegal immigrant kids with tuberculosis infections released into 44 states,” *The Washington Times*, July 18, 2023, <https://www.washingtontimes.com/news/2023/jul/18/health-department-released-thousands-of-illegal-im/>.

⁴²³ *Ibid.*

⁴²⁴ Maya Kaufman, “New York City struggling to contain rising tuberculosis cases,” *Politico*, October 4, 2023, <https://www.politico.com/news/2023/10/04/tuberculosis-cases-rising-new-york-00119878>.

⁴²⁵ Marc Lallanilla, “NYC struggling to contain ‘dramatic’ increase in tuberculosis cases amid COVID, migrant concerns,” *The New York Post*, October 6, 2023, <https://nypost.com/2023/10/06/dramatic-spike-in-tb-cases-overwhelms-nyc-health-dept/>.

⁴²⁶ “Staggering 84 percent of measles cases in major Chicago outbreak linked to Venezuelan migrants, CDC report shows,” *The Daily Mail*, May 16, 2024, <https://www.dailymail.co.uk/health/article-13426663/chicago-measles-outbreak-venezuela-immigrants-cdc-report.html>.

⁴²⁷ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, *Notes from the Field: Increases in Imported Malaria Cases — Three Southern U.S. Border Jurisdictions*, 2023, by Dr. Cedar Mitchell, et. al., May 9, 2024, <https://www.cdc.gov/mmwr/volumes/73/wr/mm7318a2.htm>.

⁴²⁸ Internal data provided by CBP to the Committee on April 19, 2023, confirmed this. See also Virginia Allen, “Illegal Immigrants Are Now Using the Northern Border, Too,” *The Daily Signal*, February 20, 2023, <https://www.dailysignal.com/2023/02/20/its-not-just-southern-border-anymore-northern-border-also-faces-explosion-of-illegal-immigration/>.

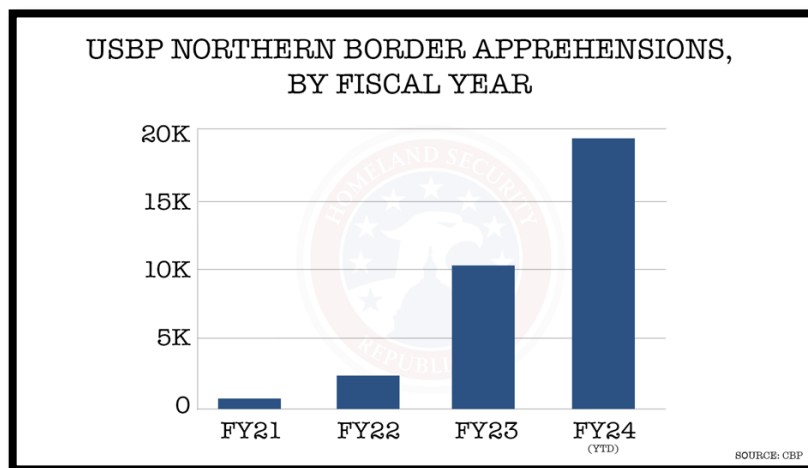
⁴²⁹ Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 34, June 29, 2023.

⁴³⁰ U.S. Department of Homeland Security, Office of Inspector General, *CBP Facilities in Vermont and New York Generally Met TEDS Standards, but Details to the Southwest Border Affected Morale, Recruitment, and Operations*, OIG-23-27, May 23, 2023, <https://www.oig.dhs.gov/sites/default/files/assets/2023-05/OIG-23-27-May23.pdf>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

apprehensions along the northern border in FY23 (10,021) increased roughly ten-fold from FY21 (916). So far in FY24, apprehensions exceed 19,000.⁴³¹



Federal air marshals have been pulled away from their roles ensuring security on flights to instead perform duties at the Southwest border unrelated to law enforcement.⁴³² Dozens of Homeland Security Investigations (HSI) agents have been diverted to the border, as well, many of them being pulled away from their jobs doing casework on crimes like child trafficking.⁴³³ According to one source, “[t]hese special agents are trained to investigate complex criminal cases...We’ve got them driving vans.”⁴³⁴ One whistleblower said that around 600 HSI agents “are being told to shut down investigations to go hand out sandwiches and escort migrants to the shower and sit with them while they’re in the hospital and those types of tasks.”⁴³⁵ One agent told the Committee, “[w]hile I am not physically making sandwiches, that would be a better use of my skill set.”⁴³⁶ Another agent informed the Committee:

“It was incredibly apparent to me and everyone else that we were not needed there and we were not allowed to take on any investigative-type position. ...[T]hese details are demoralizing, and are not at all in line with any job description of a special agent. Further, my cases containing actual criminal investigations were all put on hold while I was detailed. ... I have never seen the morale of HSI this low.”⁴³⁷

Plummeting Morale Among DHS Law Enforcement Personnel: DHS law enforcement personnel have also borne the brunt of the trauma caused by this historic border crisis, driving morale to all-time lows.

⁴³¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, last modified August 28, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

⁴³² U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America’s Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, 55, <https://homeland.house.gov/wp-content/uploads/2023/09/09-07-Phase-2-Final.pdf>.

⁴³³ Internal correspondence provided to House Committee on Homeland Security.

⁴³⁴ Randy Clark, “Exclusive: Biden’s DHS Leaves Miles of Border Wide Open as Migrant Crossings Spike,” *Breitbart*, September 12, 2023, <https://www.breitbart.com/border/2023/09/12/exclusive-bidens-dhs-leaves-miles-of-border-wide-open-as-migrant-crossings-spike/>.

⁴³⁵ Stephen Dinan, “Special agents yanked off child trafficking cases to make sandwiches for migrants at border,” *The Washington Times*, October 31, 2023, <https://www.washingtontimes.com/news/2023/oct/31/special-agents-yanked-child-trafficking-cases-make/>.

⁴³⁶ Correspondence provided to the House Committee on Homeland Security in fall 2023.

⁴³⁷ Correspondence provided to the House Committee on Homeland Security in fall 2023.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

The “accumulation of the frustrations” agents experience “has led to a mental health crisis in their ranks,” per one recent report.⁴³⁸ “We regularly see things that people should never see, like rotting human remains, abuse of every kind, babies and kids dying or dead,” one Border Patrol agent said earlier this year. He further stated, “[d]o you know what that does to you over time? You have to shut down a part of yourself to keep going.”⁴³⁹

Multiple agents told *The Free Press* earlier this year “they believed the administration is not interested in protecting the border. Several said the Biden administration had forced them to make impossible choices, calling its treatment of them a betrayal.”⁴⁴⁰



In May 2023, the DHS OIG officially documented these realities,⁴⁴¹ finding that CBP and ICE personnel also “feel overworked and unable to perform their primary law enforcement duties.”⁴⁴²

“Our interviews and survey comments showed staff frustration and lower morale related to changing policies, especially when the respondents felt the changes were inconsistent with their law enforcement duties. In the view of some law enforcement personnel these policies have made it difficult for them to enforce the laws and carry out their mission; one said they felt as if they were doing their job ‘with one hand tied behind [their] back.’”⁴⁴³

Multiple chief patrol agents interviewed by the Committee confirmed hearing similar complaints from their agents.⁴⁴⁴ The resulting stress on the men and women of CBP and ICE has spiraled out of control. One agent told the press in October 2023, “[n]one of us signed up to be Uber drivers or babysitters. This isn’t what we joined for. We signed up for enforcement not administration.”⁴⁴⁵ One agent told CNN this year, “[i]f I don’t allow them to cross, they call and complain, now I’m in trouble. Now I’m going to lose my job.”⁴⁴⁶ Other chief patrol agents have confirmed to the Committee the detrimental impact on morale caused by increased processing and release of illegal aliens.⁴⁴⁷

⁴³⁸ Joe Nocera and Michele DeMarco, “Why Some U.S. Border Agents Are Contemplating Suicide,” *The Free Press*, May 19, 2024, <https://www.thefp.com/p/why-border-agents-contemplating-suicide>.

⁴³⁹ *Ibid.*

⁴⁴⁰ *Ibid.*

⁴⁴¹ U.S. Department of Homeland Security, Office of Inspector General, *Intensifying Conditions at the Southwest Border Are Negatively Impacting CBP and ICE Employees’ Health and Morale*, OIG-23-24, May 3, 2023, <https://www.oig.dhs.gov/sites/default/files/assets/2023-05/OIG-23-24-May23.pdf>.

⁴⁴² *Ibid.*, 4.

⁴⁴³ *Ibid.*, 27.

⁴⁴⁴ See Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 109, May 5, 2023; Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 112-113, June 1, 2023; and Anthony “Scott” Good, Transcribed Interview with the House Committee on Homeland Security, 129-130, June 29, 2023.

⁴⁴⁵ Rob Crilly, “EXCLUSIVE: It’s business as usual at the border while Biden deals with the Middle East: Daily Mail catches hundreds of migrants squeezing through the wall,” *Daily Mail*, October 27, 2023, <https://www.dailymail.co.uk/news/article-12680671/us-mexico-border-chaos-democrats-migrants-immigrants.html>.

⁴⁴⁶ Jeffrey Clark, “Border patrol agent tells CNN he has to allow illegal border crossings or lose his job,” *Fox News*, June 13, 2024, <https://www.foxnews.com/media/border-patrol-agent-tells-cnn-allow-illegal-border-crossings-lose-job>.

⁴⁴⁷ See John Modlin, Transcribed Interview with the House Committee on Homeland Security, 102, July 26, 2023; Gloria Chavez, Transcribed Interview with the House Committee on Homeland Security, 33, September 26, 2023; and Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 83-84, September 28, 2023.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

Border Patrol agents are subsequently leaving the force in droves. More than 4,000 agents have left the force since FY21, with more than twice as many choosing early retirement than during the Obama and Trump administrations.⁴⁴⁸ According to one agent, “[t]he administration is so bad for morale. I’m not trying to be political. I’m just speaking facts. It’s become so political. Catch and release is demoralizing for agents.”⁴⁴⁹

Being silenced by the Biden-Harris administration has put a further strain on morale. According to former Deputy Chief Hudak, the Trump administration allowed senior agents “pretty seamless” engagement with the press, but the Biden-Harris administration made it far more difficult to communicate and be transparent with the public.⁴⁵⁰

US NEWS EXCLUSIVE

Border Patrol hasn’t forgotten that Kamala Harris jumped on fake story about agents whipping migrants: ‘It sickens me’

A final factor undermining morale was the effort in September 2021 by top officials in the Biden-Harris administration to slander the mounted Border Patrol agents falsely accused of “whipping” illegal aliens from Haiti entering illegally near Del Rio, Texas.⁴⁵¹ Amidst the growing catastrophe at the Southwest border in September 2021, the Biden-Harris administration clearly saw an opportunity to distract from the crisis it had created by embracing this hoax. Harris claimed their actions were reminiscent of those used against slaves in the South.⁴⁵² Mayorkas falsely accused the agents of “weaponiz[ing] a horse to aggressively attack a child.”⁴⁵³ He was also warned that no whipping had occurred,⁴⁵⁴ but then later slandered the agents from the White House podium anyway.⁴⁵⁵ Biden even declared, “I promise you, those people will pay. ... There will be consequences. It’s an embarrassment.”⁴⁵⁶

⁴⁴⁸ Anna Giaritelli, “The Biden effect? Border Patrol has lost a quarter of workforce since 2020 election,” *The Washington Examiner*, May 23, 2024, <https://www.washingtonexaminer.com/policy/immigration/3011397/the-biden-effect-border-patrol-has-lost-a-quarter-of-workforce-since-2020-election/>.

⁴⁴⁹ Ibid.

⁴⁵⁰ Anna Giaritelli, “Top Border Patrol officials say Biden appointees silenced them for years,” *The Washington Examiner*, May 10, 2024, <https://www.washingtonexaminer.com/news/white-house/2990090/top-border-patrol-officials-say-biden-appointees-silenced-them-years/>.

⁴⁵¹ Adam Shaw, et. al., “Border Patrol stunned as Biden goes to war with his own agents over false ‘whipping’ allegations,” *Fox News*, September 24, 2021, <https://www.foxnews.com/politics/border-patrol-agents-biden-backs-claims-whipping-promises-agents-pay>.

⁴⁵² Erin B. Logan, “Kamala Harris says footage of Border Patrol evokes images of slavery,” *The Los Angeles Times*, September 24, 2021, <https://www.latimes.com/politics/story/2021-09-24/kamala-harris-says-footage-of-border-patrol-on-horseback-evokes-images-of-american-slavery>.

⁴⁵³ “‘Horrified’: Mayorkas Reacts to Disturbing US Border Patrol Video,” *CNN*, September 21, 2021, <https://www.cnn.com/videos/politics/2021/09/21/mayorkas-reacts-to-border-patrol-del-rio-texas-horse-video-sot-keilar-new-day-vpx.cnn>.

⁴⁵⁴ Bill Melugin and Adam Shaw, “Mayorkas Alerted That No Haitian Migrants Were ‘Whipped’ Hours Before WH Press Conference,” *Fox News*, October 12, 2022, <https://www.foxnews.com/politics/mayorkas-alerted-haitian-migrants-whipped-hours-wh-press-conference>.

⁴⁵⁵ The White House, “Press Briefing by Press Secretary Jen Psaki and Secretary of Homeland Security Alejandro Mayorkas,” September 24, 2021, <https://www.whitehouse.gov/briefing-room/press-briefings/2021/09/24/press-briefing-by-press-secretary-jen-psaki-and-secretary-of-homeland-security-alejandro-mayorkas-september-24-2021/>.

⁴⁵⁶ The White House, “Remarks by President Biden on the COVID-19 Response and the Vaccination Program,” September 24, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/09/24/remarks-by-president-biden-on-the-covid-19-response-and-the-vaccination-program-8/>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

The agents were later cleared of the false charges in a report that was quietly released almost a year later,⁴⁵⁷ but the damage was done. Said Morgan, “[j]ust when I think morale couldn’t go lower, it did because of that incident.”⁴⁵⁸



[WATCH: Border Patrol Agents Confront Mayorkas, Ortiz on Open-Borders Policies](#)

Declining Mental Health and Increasing Suicides: Far too often, the stresses and frustrations experienced by many of the men and women in DHS law enforcement have led to horrific outcomes. Then-Chief Ortiz and NBPC Vice President Cabrera⁴⁵⁹ told the Committee in March 2023 that 17 CBP personnel committed suicide in 2022—the highest total in 13 years.⁴⁶⁰ CBP reported another eight suicides in 2020 and 11 in 2021.⁴⁶¹

Cabrera told the Committee last year, “[w]e see a lot of stuff out there that the average person doesn’t see. What hits folks the hardest is what happens with the children. ... It’s a difficult job.”⁴⁶² Former Border Patrol Chief Scott has also testified to the devastating effects of the administration’s open-borders directives, saying, “[t]his administration makes Border Patrol agents and many CBP officers feel like smugglers. ... I believe that has cascading effects in many areas and can potentially be a factor in the suicide.”⁴⁶³ In September 2023, Mayra Cantu, the wife of a Border Patrol agent with more than 15 years on the force, gave the Committee perhaps the most sobering account to date:

“I can tell you that our community within the Border Patrol has been so affected that now we actually get phone calls of agents on that last straw, trying to speak to my husband that they’re on the verge, that they’re on the verge of taking their

⁴⁵⁷ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Office of Professional Responsibility, *Report of Investigation*, July 8, 2022, 5, <https://www.cbp.gov/sites/default/files/assets/documents/2022-Jul/202112280-cbp-closing-report-public-redacted-final.pdf>.

⁴⁵⁸ Mark Morgan, Transcribed Interview with the House Committee on Homeland Security, 44, January 22, 2024.

⁴⁵⁹ See “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,” *Homeland Security Committee Events*, YouTube video, 35:46, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?si=0vJNFigNVFNebxL-&t=2146>; and Bethany Blankley, “Border Patrol Union: ‘Failing’ Biden Policies, Hardships Result in 17 Suicides in ‘22,” *The Center Square*, March 16, 2023, https://www.thecentersquare.com/national/article_7c41f1ba-c428-11ed-b7dd-434d37b140a1.html.

⁴⁶⁰ Mireya Villarreal and Luke Barr, “US Border Officer Suicides at 13-Year High: How Agency Is Focusing on ‘Culture Change,’” *ABC News*, December 22, 2022, <https://abcnews.go.com/US/us-border-officer-suicides-13-year-high-agency/story?id=95671395>.

⁴⁶¹ Benjamin Siegel and Lauren Peller, “After Suicides, Lawmakers Push for Mental Health Resources for Border Agents,” *ABC News*, December 7, 2022, <https://abcnews.go.com/Politics/after-suicides-lawmakers-push-mental-health-resources-border/story?id=94702806>.

⁴⁶² Bethany Blankley, “Border Patrol Union: ‘Failing’ Biden Policies, Hardships Result in 17 Suicides in ‘22,” *The Center Square*, March 16, 2023, https://www.thecentersquare.com/national/article_7c41f1ba-c428-11ed-b7dd-434d37b140a1.html, (emphasis added).

⁴⁶³ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 2:28:46, June 14, 2023, <https://www.youtube.com/watch?v=0gjm6jzYHqW&t=8925s>.



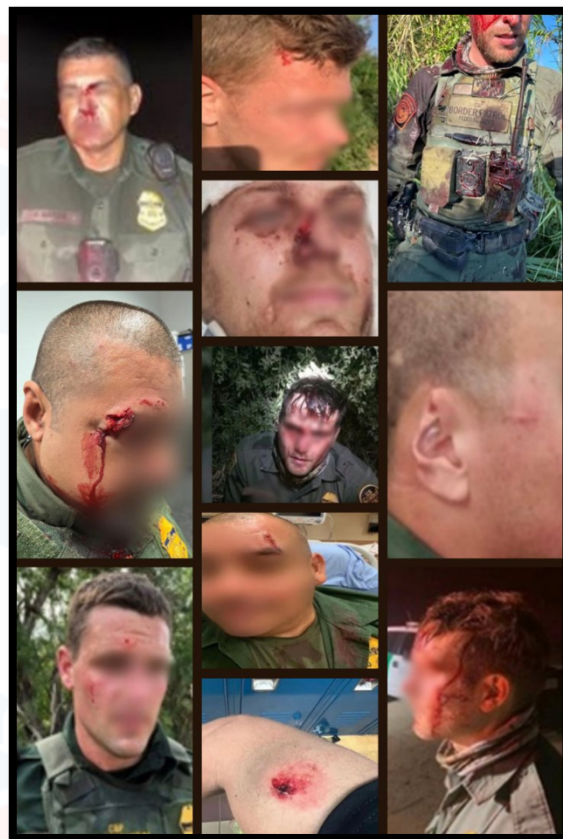
PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

life. That was unheard of. This is recent. We have to check up on everybody now. We call agents that we haven't spoken to in a while just to make sure how they're doing. This is real.”⁴⁶⁴

Increased Personal Risk and Threats on the Job for Law Enforcement: One of the stressors caused by the increasingly open border has been the need for a massive number of search-and-rescue operations, as well as the record level of interactions between Border Patrol agents and illegal aliens. Often, these operations place the agents themselves in peril. In FY23, CBP conducted 37,511 rescue operations nationwide, 22,522 in FY22, and 13,280 in FY21.⁴⁶⁵ By comparison, CBP conducted 5,297 such operations in FY19.⁴⁶⁶

American efforts to save lives sometimes end in tragedy. In 2022, Texas National Guardsman Bishop Evans tragically lost his life trying to save two individuals who were drowning in the Rio Grande near Eagle Pass.⁴⁶⁷ On Nov. 14, 2023, 44-year-old Border Patrol agent Freddy Ortiz was killed when his all-terrain vehicle crashed while he was responding to a call about a potential group of illegal aliens in Cochise County.⁴⁶⁸

Many other Border Patrol agents routinely face the threat of assault by illegal aliens. Heitke told the Committee in May 2023 that the risks to his agents increased along with the higher flow of illegal aliens across the border, and that assaults on his agents had increased in recent years.⁴⁶⁹ Another chief patrol agent echoed this observation, saying, “[i]t’s more often here recently where our agents are facing assaults compared to previous times.”⁴⁷⁰ As of June 3, 2024, 463 agents had been assaulted,⁴⁷¹ up from the previous high set earlier in the Biden-Harris administration.⁴⁷²



Jason Owens/U.S. Border Patrol

⁴⁶⁴ “An Unbearable Price: The Devastating Human Costs of the Biden-Mayorkas Border Crisis,” *Homeland Security Committee Events*, YouTube video, 3:41:16, September 13, 2023, <https://www.youtube.com/live/rPhbaOTSzHc?si=0jPO0iCMx7mzZHcf&t=13276>.

⁴⁶⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics*, last modified August 16, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

⁴⁶⁶ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics Fiscal Year 2020*, last modified June 4, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics-fy2020>.

⁴⁶⁷ Timothy Nerozzi, “Bishop Evans, Texas Soldier Who Died Saving Migrants, to Be Laid to Rest,” *Fox News*, April 30, 2022, <https://www.foxnews.com/us/bishop-evans-texas-soldier-funeral-died-saving-migrants>.

⁴⁶⁸ Ashley Bowerman, “Border Patrol agent Freddy Ortiz killed in ATV crash in Douglas,” *KOLD 13 News*, November 15, 2023, <https://www.kold.com/2023/11/15/cbp-agent-killed-atv-crash-douglas/>.

⁴⁶⁹ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 113 & 115-116, May 9, 2023.

⁴⁷⁰ Gloria Chavez, Transcribed Interview with the House Committee on Homeland Security, 19, September 26, 2023.

⁴⁷¹ Chief Jason Owens [USBPCchief], “This year alone, there have been 463 assaults on our brave Border Patrol agents. Despite the challenges, they remain resilient and steadfast in their duty to protect our borders. #Honorfirst,” Tweet, *Twitter*, June 3, 2024, <https://x.com/USBPCchief/status/1797761911758495968/>.

⁴⁷² Ali Bradley, “Border Patrol celebrates 100-year anniversary,” *NewsNation*, May 28, 2024, <https://www.newsnationnow.com/us-news/immigration/border-patrol-100-year-anniversary/>.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN

The Financial and Emotional Costs to Ranchers and Farmers

Ranchers and farmers who make their living along the Southwest border have been particularly hit hard, as Biden and Harris' open-borders policies have exacted a heavy financial and emotional toll.

The financial costs have been enormous. For example, the cost to repair fences that trespassing human smugglers and illegal aliens have damaged or destroyed often exceed tens of thousands of dollars.⁴⁷³ Sheriff Emmett Shelton of McMullen County, Texas, told the Committee in August 2023 that he knew of ranchers who spent between \$70,000-\$100,000 on repairs.⁴⁷⁴ According to another rancher, sometimes illegal aliens intentionally set fires in hopes of being rescued after getting lost on ranchers' property.⁴⁷⁵ Large groups also "literally [walk] the crops flat."⁴⁷⁶ According to south Texas rancher John Sewell, "[w]ater is the life of south Texas. They're turning our water off and breaking our water [lines]."⁴⁷⁷ One rancher recounted that in 2021, "he lost 130,000 gallons of fresh water and endured 'more property damage than if I were to add 30 years together.'"⁴⁷⁸ Massive amounts of litter and refuse left behind by illegal aliens represent another substantial, expensive challenge.⁴⁷⁹

The crisis has also exacted a terrible toll on the personal lives of these men and women.⁴⁸⁰ They often find dead or abandoned individuals on their property. One rancher in Maverick County, Texas, said in April 2022, "I had more dead people out here [last year] than I've ever had."⁴⁸¹

Concerns for family safety are also paramount. One New Mexico rancher said in April 2021, "[t]o have your family, your kids down there, it's very dangerous. It's become very worrisome, and it kind of makes you wonder and can't believe that you have to live that way in the United States of America, where you're looking over your shoulder afraid that somebody's going to sneak up behind you and kill somebody or whatever it might be, but that's exactly what they're living with."⁴⁸² Another said, "[w]e picked the wrong place to raise a family."⁴⁸³ South Texas rancher Stephanie Crisp-Canales wrote in testimony to Committee last fall, "[n]ow, every time we leave our home we have to carry a gun on us. ... You just never know what's coming up the road or who is hiding in the brush watching you."⁴⁸⁴

⁴⁷³ Mary Elise Cosgray, "South Texas Ranchers Share Stories of Property Crime, Deaths Related to Border," *The Texan*, May 15, 2024, https://thetexan.news/issues/immigration-border-issues/south-texas-ranchers-share-stories-of-property-crime-deaths-related-to-border/article_294119a6-123c-11ef-9ade-83b5046a8db2.html.

⁴⁷⁴ Information provided by the McMullen County Sheriff's Office to the House Committee on Homeland Security, August 14, 2023.

⁴⁷⁵ Bethany Blankley, "Ranchers Testify to Property Damage, Crime Caused by Illegal Foreign Nationals," *The Center Square*, March 17, 2023, https://www.thecentersquare.com/texas/article_1755e2b6-c4be-11ed-b10f-a300cefd0853.html.

⁴⁷⁶ *Ibid.*

⁴⁷⁷ Carine Hajjar, "Nightmare on the Border: Locals Left to Fend for Themselves as Migrant Surge Overruns Ranches, Towns," *National Review*, April 20, 2022, <https://www.nationalreview.com/2022/04/nightmare-on-the-border-locals-left-to-fend-for-themselves-as-migrant-surge-overruns-ranches-towns/>.

⁴⁷⁸ *Ibid.*

⁴⁷⁹ Arthur Uhl, "Editorial: The Border Crisis Is Real for Texas Ranchers," *Texas and Southwestern Cattle Raisers Association*, May 28, 2021, <https://tsra.org/editorial-the-border-crisis-is-real-for-texas-ranchers/>.

⁴⁸⁰ Eli Saslow and Erin Schaff, "A Family Ranch, Swallowed Up in the Madness of the Border," *The New York Times*, February 18, 2024, <https://www.nytimes.com/2024/02/18/us/border-migrant-crisis-arizona.html>.

⁴⁸¹ Carine Hajjar, "Nightmare on the Border: Locals Left to Fend for Themselves as Migrant Surge Overruns Ranches, Towns," *National Review*, April 20, 2022, <https://www.nationalreview.com/2022/04/nightmare-on-the-border-locals-left-to-fend-for-themselves-as-migrant-surge-overruns-ranches-towns/>.

⁴⁸² Elyse Kelly, "Border Crisis Causing Some New Mexico Ranchers to Live in Fear," *Aberdeen News*, April 28, 2021,

<https://www.aberdeennews.com/story/news/2021/04/28/border-crisis-causing-some-new-mexico-ranchers-to-live-in-fear/43781519/>.

⁴⁸³ Megan Myers, "Border rancher fears for her life as migrants cross unchecked, 'picked the wrong place to raise a family,'" *Fox News*, July 14, 2023, <https://www.foxnews.com/us/border-rancher-fears-life-migrants-cross-unchecked-picked-wrong-place-raise-family>.

⁴⁸⁴ Testimony submitted by Stephanie Crisp-Canales to the House Committee on Homeland Security for "An Unbearable Price: The Devastating Human Costs of the Biden-Mayorkas Border Crisis," September 18, 2023.



PART 8: THE HUMAN COSTS OF THE CRISIS— FENTANYL, CRIME, PUBLIC HEALTH, AND EVERYTHING IN BETWEEN



WATCH: Rancher Family Finds Five Young Girls Abandoned by River on Their Property

These hardships are of the Biden-Harris administration’s own making. Jim Volcsko, a rancher and former CBP officer, has said that the Biden-Harris administration is “100 percent” responsible for the chaos, because “[t]hey’re the ones who changed everything.”⁴⁸⁵ Another rancher summed it up, saying, “To be honest, we feel like it’s a Trump versus the new administration, so they’re going to do the opposite of whatever Trump did...but meanwhile the citizens of America and the citizens of New Mexico are caught in the middle.”⁴⁸⁶

In a June 2021 letter to Biden officials, the American Farm Bureau Federation wrote, “[f]arm and ranch families...have never seen a more dire situation. ... The current situation should not be acceptable to you or to any American. ... You must not allow this to continue.”⁴⁸⁷ Yet, that is exactly what Biden, Harris, and Mayorkas have done.

⁴⁸⁵ Carine Hajar, “Nightmare on the Border: Locals Left to Fend for Themselves as Migrant Surge Overruns Ranches, Towns,” *National Review*, April 20, 2022, <https://www.nationalreview.com/2022/04/nightmare-on-the-border-locals-left-to-fend-for-themselves-as-migrant-surge-overruns-ranches-towns/>.

⁴⁸⁶ Elyse Kelly, “Border Crisis Causing Some New Mexico Ranchers to Live in Fear,” *Aberdeen News*, April 28, 2021, <https://www.aberdeennews.com/story/news/2021/04/28/border-crisis-causing-some-new-mexico-ranchers-to-live-in-fear/43781519/>.

⁴⁸⁷ “Letter to Secretaries Mayorkas, Vilsack, and Haaland,” *The American Farm Bureau Federation*, June 3, 2021, https://texasfarmbureau.org/wp-content/uploads/2021/06/Letter_to_Sec_Mayorkas_Vilsack_Haaland_June3_2021.pdf.



PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS

Introduction: The greatest casualties of the Biden-Harris administration’s open-borders policies have been American citizens. However, the migrants the administration claims to value have also suffered horrifically as a direct result of those policies. This administration has actively encouraged millions of people around the world to embark on what the United Nations has called the “deadliest land crossing in the world.”⁴⁸⁸ Biden, Harris, and Mayorkas’ policies have even enabled the creation of new smuggling routes originating halfway around the globe. One recent report detailed the “Biden Express”—a flight from Turkey to Colombia which forms “the first leg of a major new smuggling route across the Atlantic that ultimately allows migrants to flood into – and in many cases remain in – the United States.”⁴⁸⁹ The subsequent human costs have been enormous.

uffering and Abuse Along the Journey to the Border: Biden-Harris administration officials have claimed their policies are “safe, orderly, and humane.”⁴⁹⁰ These statements are utterly divorced from the reality lived by those, especially women and children, who make the perilous journey. For example, one of the most treacherous points in that journey is the 66-mile trek through the Darién Gap into Panama. “[w]eek after week, more children are dying, losing their parents, or getting separated from their relatives” in the Darién, per one U.N. official in 2021.⁴⁹¹


According to the Panama Red Cross, between 10–15 percent of those who transit the Darién Gap “suffer sexual violence.”⁴⁹² In October 2023, Doctors Without Borders “reported assisting 107 victims of sexual abuse, including 59 in one week. Three of the rape victims were ages 11, 12 and 16...”⁴⁹³ Per an April 2024 New York Times report, “aid groups working in the Darién Gap say that in the past six months they have documented an extraordinary spike in attacks, with patterns and frequencies rarely seen outside of war zones. ... [T]he assaults often involve cases in which dozens of women are violated in a single event.”⁴⁹⁴

“HAD I KNOWN, I WOULD NOT HAVE COME OR LET MY SON COME THROUGH HERE. ... I REGRET PUTTING MY SON THROUGH THIS JUNGLE OF HELL SO MUCH THAT I HAVE HAD TO CRY TO LET IT ALL OUT BECAUSE I RISKED HIS LIFE AND MINE.”

- CAROLINA FROM VENEZUELA
CNN, “ON ONE OF THE WORLD’S MOST DANGEROUS MIGRANT ROUTES, A CARTEL MAKES MILLIONS OFF THE AMERICAN DREAM”

“EVEN IF I MAKE IT TO THE U.S. AND LIVE OUT MY AMERICAN DREAM, I DON’T THINK I’LL BE ABLE TO SAY THAT CROSSING THE DARIÉN WAS WORTH IT.”

- ARACELI FROM CUBA
THE WALL STREET JOURNAL, “RAPE OF U.S.-BOUND MIGRANTS MAKE A TREACHEROUS ROUTE EVEN MORE DANGEROUS”



⁴⁸⁸ See United Nations, International Organization for Migration, *Latest Migrant Tragedy in Texas Highlights Crisis Along Deadliest Migration Land Route*, September 30, 2022, <https://www.iom.int/news/latest-migrant-tragedy-texas-highlights-crisis-along-deadliest-migration-land-route>; and United Nations, International Organization for Migration, *U.S.-Mexico Border World’s Deadliest Migration Land Route*, September 12, 2023, <https://www.iom.int/news/us-mexico-border-worlds-deadliest-migration-land-route>.

⁴⁸⁹ James Franey, “EXCLUSIVE: On board the Biden Express - Dailymail.com joins the throng of African migrants on daily sold-out Flight TK800 from Istanbul to Bogota as they make their way to our southern border,” *The Daily Mail*, September 29, 2023, <https://www.dailymail.co.uk/news/article-12576219/On-board-Biden-Express-African-migrants-flight-Istanbul-Bogota.html>.

⁴⁹⁰ U.S. Department of Homeland Security, Newsroom, *DHS Announces Process to Address Individuals in Mexico with Active MPP Cases*, February 11, 2021, <https://www.dhs.gov/news/2021/02/11/dhs-announces-process-address-individuals-mexico-active-mpp-cases>.

⁴⁹¹ United Nations, United Nations Children’s Fund, *2021 records highest ever number of migrant children crossing the Darién jungle towards the US – UNICEF*, October 11, 2021, <https://www.unicef.org/lac/en/press-releases/2021-records-highest-ever-number-migrant-children-crossing-Darién-towards-us>.

⁴⁹² Gustavo Ocampo Alex, “Los 10 peligros de cruzar el Darién, el ‘infierno verde’ de las Américas,” *Voz de América*, August 19, 2022, <https://www.vozdeamerica.com/a/los-10-peligros-de-cruzar-el-Darién-el-infierno-verde-de-las-americas/6705004.html>.

⁴⁹³ Sandra Sanchez, “‘Rape tents’ and sexual violence toward migrants plague Darién Gap, nonprofit says,” *Border Report*, November 22, 2023, <https://www.borderreport.com/immigration/border-crime/rape-tents-and-sexual-violence-toward-migrants-plague-darién-gap-nonprofit-says/>.

⁴⁹⁴ Julie Turkewitz, “Sexual Assault of Migrants in Panama Rises to Level Rarely Seen Outside War,” *The New York Times*, April 4, 2024, <https://www.nytimes.com/2024/04/04/world/americas/migrants-sexual-assault-darién-gap.html>.



PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS

These horrors are not limited to the Darién, however. Heitke told the Committee in May 2023, “[i]t’s very common that female migrants are raped during the process. ... Most of them believe it’s just part of the payment as they go up.”⁴⁹⁵ One 2021 report further documented the horrifying existence of “rape trees” along the Southwest border, which are “known locations where smugglers and others rape women and leave their undergarments on the tree as ‘trophies.’”⁴⁹⁶

Record Numbers of Migrant Deaths Under the Biden-Harris

Administration: Those who make it to the border are often abandoned by the cartels in remote and dangerous areas.



WATCH: Border Patrol Agent Tries to Save Baby Pulled from the Rio Grande

Many are simply dropped over the border wall⁴⁹⁷ or abandoned to the elements, with Border Patrol agents or other law enforcement their only hope of rescue.⁴⁹⁸ Babies as young as two months have been discovered abandoned at the border.⁴⁹⁹ The Rio Grande also poses a danger to those seeking to enter illegally. In the span of just 24 hours in August 2022, the river claimed the lives of a 3-year-old boy and a 5-year-old girl,⁵⁰⁰ while last November, a 4-year-old girl lost both her parents in the river.⁵⁰¹

⁴⁹⁵ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 156, May 9, 2023.

⁴⁹⁶ Charlotte Cuthbertson, “Illegal Immigrants Walk a Deadly Path Around a Border Checkpoint,” *The Epoch Times*, May 18, 2021, <https://www.theepochtimes.com/us/illegal-immigrants-walk-a-deadly-path-around-a-border-checkpoint-3819611>.

⁴⁹⁷ Amber Stegall, “VIDEO: Smugglers Drop 2 Toddlers over Border Barrier, Rescued by U.S. Border Patrol,” *KCBD 11 News*, March 31, 2021, <https://www.kcbd.com>, March 31, 2021, <https://www.kcbd.com/2021/03/31/video-smugglers-drop-toddlers-over-border-barrier-rescued-by-us-border-patrol/>.

⁴⁹⁸ Kelli Dugan, “Border Patrol Rescues Infant, Toddler Abandoned by Smugglers in Arizona Desert,” *KIRO 7 News Seattle*, August 27, 2022, <https://www.kiro7.com/news/trending/border-patrol-rescues-infant-toddler-abandoned-by-smugglers-arizona-desert/ZOM4S7GPLFC5TCAMNKAMG5G66U/>.

⁴⁹⁹ Chief Patrol Agent Gloria I. Chavez [USBPChiefRGV], “Heartbreaking News Alert: Rio Grande City Border Partol [sic] Agents find a 2-month-old child left abandoned at the border! This is a chilling reminder of how children are being exploited by human smugglers & criminal organizations every day.,” Tweet, *Twitter*, September 26, 2023, <https://x.com/USBPChiefRGV/status/1706659403590476066>.

⁵⁰⁰ Chantal Da Silva, “2 Children Dead, Baby in Critical Condition after Attempted Border Crossings,” *NBC News*, August 24, 2022, <https://www.nbcnews.com/news/us-news/2-children-dead-baby-critical-attempted-border-crossings-rena44547>.

⁵⁰¹ Ali Bradley [@AliBradleyTV], “TX: #BREAKING several migrant drownings were reported this morning on the Rio Grande in the Eagle Pass area, according to sources. Two of those drownings were the parents of a 4-year-old girl who is now in Border Patrol/@DHSgov custody... Both of her parents died today. I am working to confirm the number of lives lost today. I’ll update as I learn more.,” Tweet, *Twitter*, November 18, 2023, <https://twitter.com/AliBradleyTV/status/1725985961438511387>.

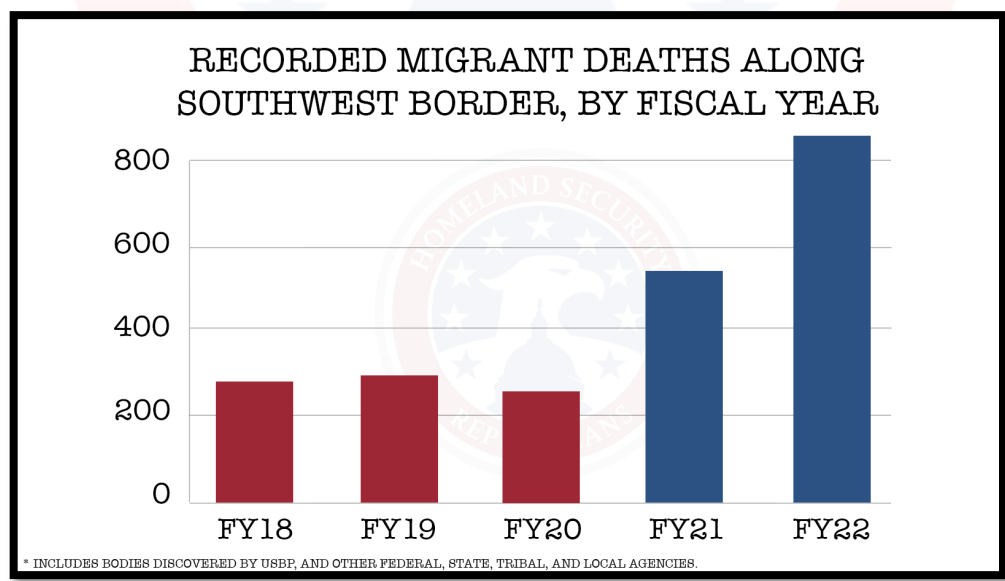


PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS



Numerous migrants have been found dead on U.S. soil after crossing the border. Many others are never found. (Sources: Jonathan Lines and Greg Genitempo)

Under the Biden-Harris administration, migrant deaths are on the rise.⁵⁰² In FY21, Border Patrol agents and other law enforcement agencies discovered 568 dead migrants at the Southwest border, more than double the 254 discovered in FY20; this jumped to 895 in FY22.⁵⁰³ One Texas county official has said that the costs to bury and cremate illegal aliens found in their county “were such an expense that county employees had to take a pay cut to cover the cost.”⁵⁰⁴



⁵⁰² Charlotte Cuthbertson, “As Border Crossings Surge, Biden Admin Hiding Data on Illegal Alien Deaths,” *The Epoch Times*, July 19, 2022, <https://www.theepochtimes.com/us/as-border-crossings-surge-biden-admin-hiding-data-on-illegal-alien-deaths-4605251>.
⁵⁰³ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Border Rescues and Mortality Data*, last modified March 29, 2024, <https://www.cbp.gov/newsroom/stats/border-rescues-and-mortality-data>.
⁵⁰⁴ Andrew Arthur, “RGV Border Disaster: Demoralized Agents, Angry and Despondent Residents,” *The Center for Immigration Studies*, April 13, 2022, <https://cis.org/Arthur/RGV-Border-Disaster-Demoralized-Agents-Angry-and-Despondent-Residents>.



PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS

Those are just the people who have been found. Many more never will be.⁵⁰⁵ When asked during a June 2023 hearing why these numbers have increased so dramatically, Scott answered, “[b]ecause chaos kills people, and we created a chaotic border situation.”⁵⁰⁶

Rising Trafficking and Exploitation of UACs: Many of the unaccompanied children who cross the border face another nightmare—trafficking and enslavement. The Wall Street Journal has reported that in the early days of the crisis, Biden-Harris administration officials “sometimes overlooked concerns about potential guardians as they faced a political crisis over an unprecedented surge of unaccompanied minors soon after taking office.”⁵⁰⁷ That negligence continues today.

Before they even come into DHS custody, many of these minors have already been victimized. The Florida grand jury investigation found that “children are often found to be exploited as part of a ‘fake family’ or even ‘recycled’ to assist the entry of multiple other individuals,” and “often used as lottery tickets to get the whole family across the border at a huge discount.”⁵⁰⁸

Heitke also told the Committee, “[t]he busier you get, the less time you have, the less time you can put into interviews,” meaning that when there are surges of illegal aliens across the border, agents have less ability to conduct the screening to ensure minors are not being exploited.⁵⁰⁹ Former Chief Patrol Agent Clem has described how this impacts operations:

“Even if my spidey senses go off, I have to ask myself, how much time can I devote to this? Because I’ve got 200 more people in line I have to process. They even took away our ability to use DNA testing, so we no longer have the resources to see whether or not we’re processing a real family unit.”⁵¹⁰



⁵⁰⁵ See Charlotte Cuthbertson, “For Every Dead Body Found, 5 to 10 More Out There: Texas Sheriff on Illegal Alien Deaths,” *The Epoch Times*, October 19, 2022, <https://www.theepochtimes.com/us/for-every-dead-body-found-5-to-10-more-out-there-texas-sheriff-on-illegal-alien-deaths-4806821>; and United Nations, International Organization for Migration, Global Migration Data Analysis Centre, Missing Migrants Project, *Annual Regional Overview - Executive Summary: The Americas, January - December 2021*, 2021, https://missingmigrants.iom.int/sites/g/files/tmzbd1601/files/publication/file/MMP%20annual%20regional%20overview%202021%20LAC_Executive%20Summary-ENG_0.pdf.

⁵⁰⁶ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 1:58:12, June 14, 2023, <https://www.youtube.com/live/0gim6jzYHq?feature=share&t=7065>.

⁵⁰⁷ Jack Gillum and Michelle Hackman, “U.S. Officials Wanted to Avoid Trump’s ‘Kids in Cages’ Problem. Doing So Created Another Dilemma,” *The Wall Street Journal*, July 8, 2024, <https://www.wsj.com/us-news/biden-migrant-children-temporary-guardians-trump-cages-c4d115f1>.

⁵⁰⁸ State of Florida Supreme Court, Twenty-First Statewide Grand Jury Regarding Unaccompanied Alien Children, *Third Presentment*, No. SC22-796, March 29, 2023, 32-33, <https://www.documentcloud.org/documents/23734272-3rd-presentment-of-21st-swgi>.

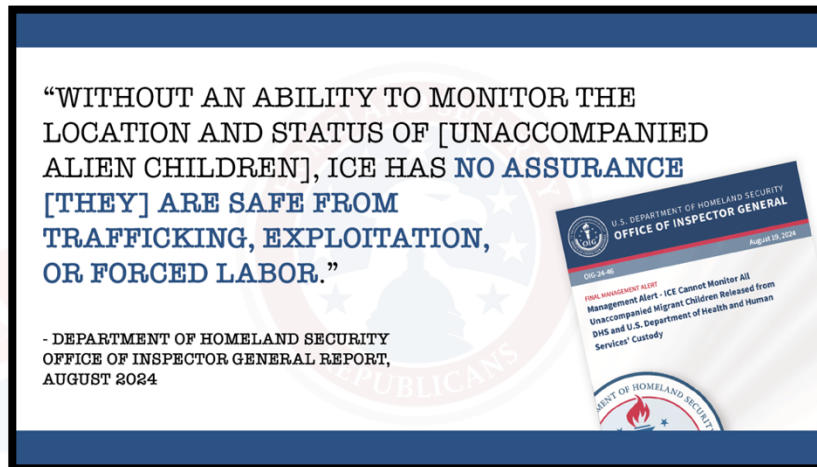
⁵⁰⁹ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 160, May 9, 2023.

⁵¹⁰ Joe Nocera and Michele DeMarco, “Why Some U.S. Border Agents Are Contemplating Suicide,” *The Free Press*, May 19, 2024, <https://www.thefp.com/p/why-border-agents-contemplating-suicide>.



PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS

The Biden-Harris administration has also been caught cutting corners in making sure that, before UACs are released to sponsors, these sponsors are legitimate and that children are going to safe situations. A September 2022 HHS OIG report found that basic screening safeguards had been removed from the sponsor vetting process “in an effort to expedite children’s release from care.”⁵¹¹ Another HHS OIG report in February 2024 found that in a sample of cases just from March-April 2021, “[i]n 16 percent of children’s case files, one or more required sponsor safety checks lacked any documentation that the checks were conducted,”⁵¹² and that HHS officials also failed to conduct timely follow-up calls to evaluate the welfare of the child in more than 20 percent of cases.⁵¹³ According to the Florida grand jury investigation, “[i]n one memorable instance, a federal employee was told by an [Office of Refugee Resettlement] attorney to stop asking questions about potentially unsafe sponsors because doing so caused delay... .”⁵¹⁴



Additionally, the Biden-Harris administration has simply lost track of tens of thousands of UACs after their release. In 2021, Axios reported that the administration “has lost contact with thousands of migrant children released from its custody.”⁵¹⁵ As of early 2023, the Biden-Harris administration could not account for the whereabouts of approximately 85,000 UACs.⁵¹⁶

Incredibly, the DHS OIG further reported in August 2024 that since FY19, ICE had failed to provide NTAs to more than 291,000 UACs, and more than 32,000 who had received court dates never showed up.⁵¹⁷ More than 90,000 of these children who have yet to receive court dates arrived in FY21.⁵¹⁸

The results of this failure have been predictable. Hundreds of thousands of these children have been released to someone other than a verified family member.⁵¹⁹ In one case, more than 100 children were sent to the same address in Austin, Texas, while

⁵¹¹ U.S. Department of Health and Human Services, Office of Inspector General, *Operational Challenges Within ORR and the ORR Emergency Intake Site at Fort Bliss Hindered Case Management for Children*, OEI-07-21-00251, September 2022, 21, <https://oig.hhs.gov/documents/evaluation/3097/OEI-07-21-00251-Complete%20Report.pdf>.

⁵¹² U.S. Department of Health and Human Services, Office of Inspector General, *Gaps in Sponsor Screening and Followup Raise Safety Concerns for Unaccompanied Children*, OEI-07-21-00250, February 2024, 16-17, <https://oig.hhs.gov/documents/evaluation/3093/OEI-07-21-00250-Complete%20Report.pdf>.

⁵¹³ *Ibid.*, 22-23.

⁵¹⁴ State of Florida Supreme Court, Twenty-First Statewide Grand Jury Regarding Unaccompanied Alien Children, *Third Presentment*, No. SC22-796, March 29, 2023, 10, <https://www.documentcloud.org/documents/23734272-3rd-presentment-of-21st-swgi>.

⁵¹⁵ Stef Kight, “Government Can’t Reach 1 in 3 Released Migrant Kids,” *Axios*, September 1, 2021, <https://www.axios.com/2021/09/01/migrant-children-biden-administration>.

⁵¹⁶ Hannah Dreier and Kirsten Luce, “Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.,” *The New York Times*, February 25, 2023, <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

⁵¹⁷ U.S. Department of Homeland Security, Office of Inspector General, *Management Alert - ICE Cannot Monitor All Unaccompanied Migrant Children Released from DHS and U.S. Department of Health and Human Services' Custody*, OIG-24-46, August 19, 2024, 4, <https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-46-Aug24.pdf>.

⁵¹⁸ *Ibid.*, 7.

⁵¹⁹ State of Florida Supreme Court, Twenty-First Statewide Grand Jury Regarding Unaccompanied Alien Children, *Third Presentment*, No. SC22-796, March 29, 2023, 17, <https://www.documentcloud.org/documents/23734272-3rd-presentment-of-21st-swgi>.



PART 9: MIGRANTS SUFFERING ABUSE, EXPLOITATION, AND DEATH AT RECORD LEVELS

other Texas addresses received 44 and 25 minors, respectively.⁵²⁰ According to one expert, “girls have been placed with older men in what is clearly an exploitative situation. There are kids who have been turned over to labor traffickers. There are kids who get turned over to gang members.”⁵²¹ One HHS whistleblower, Deborah White, told a Senate roundtable in June 2024 that even after reporting concerns about UACs being trafficked, “children continued to be sent to dangerous locations with improperly vetted sponsors.”⁵²² Two heart-rending New York Times reports in February⁵²³ and April 2023⁵²⁴ showed how these minors have also been repeatedly exploited by corporate entities after being released from HHS custody.

It is the Biden-Harris administration’s willful refusal to secure the border and ensure the safety of these minors that is to blame. As the Times reported, “all along, there were signs of the explosive growth of this labor force and warnings that the Biden administration ignored or missed... .”⁵²⁵ Perhaps El Cajon Mayor Wells put it best when he said earlier this year that the Biden-Harris administration “is complicit in allowing human trafficking through our southern border. ... My heart breaks knowing what’s happening to these children.”⁵²⁶

⁵²⁰ Ibid, 21.

⁵²¹ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 1:51:19, July 19, 2023, <https://www.youtube.com/live/kva0HOb1TUg?feature=share&t=6679>.

⁵²² Victor Nava, “Biden admin whistleblowers claim ‘billions of taxpayer dollars’ used by gov contractor to traffic children on the border,” *The New York Post*, July 9, 2024, <https://nypost.com/2024/07/09/us-news/biden-admin-whistleblowers-claim-billions-of-taxpayer-dollars-used-by-contractor-to-traffic-children-on-border/>.

⁵²³ Hannah Dreier and Kirsten Luce, “Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.,” *The New York Times*, February 25, 2023, <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

⁵²⁴ Hannah Dreier, “As Migrant Children Were Put to Work, U.S. Ignored Warnings,” *The New York Times*, April 17, 2023, <https://www.nytimes.com/2023/04/17/us/politics/migrant-child-labor-biden.html>.

⁵²⁵ Ibid.

⁵²⁶ Bill Wells [@MayorBillWells], “The Biden Admin is complicit in allowing human trafficking through our southern border. The administration ended mandatory DNA testing, allowing any person to claim someone is their kid to jump to the head of the line. My heart breaks knowing what’s happening to these children.,” Tweet, *Twitter*, June 13, 2024, <https://x.com/MayorBillWells/status/1801277118707352015>.



PART 10: THE BIDEN-HARRIS ADMINISTRATION PUT TAXPAYERS ON THE HOOK

Introduction: There is simply no debate—the border crisis has been a national security, public safety, and humanitarian debacle. On top of these consequences, however, the refusal of the Biden-Harris administration to enforce the law and secure America’s borders has led to devastating financial costs, and ultimately forced taxpayers to foot the bill for mass illegal immigration. In addition to direct dollar costs associated with the crisis, Federal Reserve Governor Michelle Bowman has pointed out that the broader economic consequences of unchecked illegal immigration “could lead to persistently high core services inflation.”⁵²⁷ But the costs do not stop there.

Housing and Benefits for Illegal Aliens

The Washington Post reported in July 2024 that “the influx of migrants has worsened the problem” of homelessness.⁵²⁸ While record numbers of Americans are falling victim to this condition⁵²⁹ in places like New York City and Chicago,⁵³⁰ towns and cities across the country are paying to house and provide benefits to increasing numbers of illegal aliens arriving in their communities. Per some analysis, these costs could exceed as much as \$451 billion.⁵³¹

New York City: As of mid-June 2024, more than 205,000 illegal aliens had arrived in the Big Apple since April 2022, with roughly 65,000 living in city shelters.⁵³² As of May 2024, one out of five city hotels was functioning as a shelter for illegal aliens rather than providing services to paying customers, taking more than 16,000 hotels rooms off the market.⁵³³ In August 2023, Mayor Eric Adams said that total costs incurred in providing these services would balloon by 2025 to around \$12 billion.⁵³⁴ Adams would say just a month later, “I don’t see an ending to this. This issue will destroy New York City.”⁵³⁵



Spencer Platt/Getty Images

Councilman Borelli testified in 2023 that over the following year, New York would “spend enough money [on migrant shelter] to cover the entire budget of Dallas,

⁵²⁷ Address by Governor Michelle W. Bowman, “Perspectives on U.S. Monetary Policy and Bank Capital Reform,” *Board of Governors of the Federal Reserve System*, June 25, 2024, <https://www.federalreserve.gov/newsevents/speech/bowman20240625a.htm>.

⁵²⁸ Abha Bhattarai, “More of America’s homeless are clocking into jobs each day,” *The Washington Post*, July 28, 2024, <https://www.washingtonpost.com/business/2024/07/28/homeless-lack-of-affordable-housing-economy/>.

⁵²⁹ Jon Kamp and Shannon Najmabadi, “More Americans Are Ending Up Homeless—at a Record Rate,” *The Wall Street Journal*, August 14, 2023, <https://www.wsj.com/articles/homelessness-increasing-united-states-housing-costs-e1990ac7>.

⁵³⁰ See “The Financial Costs of Mayorkas’ Open Border,” *Homeland Security Committee Events*, YouTube video, 1:25:29, September 20, 2023, https://www.youtube.com/live/49LVY4FL2xk?si=6nCZLQBpJytU1qG_&t=5129; and Adriana Pérez, “South Shore residents file lawsuit against city over plans to use high school as migrant shelter: ‘We will fight as long as we need to,’ one says,” *Chicago Tribune*, May 11, 2023, <https://www.chicagotribune.com/news/breaking/ct-south-shore-migrants-shelter-lawsuit-20230512-mrrmkk24yjd2xp4c2q7ntgsz2u-story.html>.

⁵³¹ Andrew Arthur, “Biden’s Border Fiasco Costing Local Taxpayers Billions,” *The Center for Immigration Studies*, May 4, 2023, <https://cis.org/Arthur/Bidens-Border-Fiasco-Costing-Local-Taxpayers-Billions>.

⁵³² Sahalie Donaldson, “Following the asylum-seeker odyssey: a timeline,” *City & State New York*, June 11, 2024, <https://www.cityandstateny.com/policy/2024/06/following-asylum-seeker-odyssey/382850/#>.

⁵³³ Luis Ferré-Sadurni, “Why N.Y.C. Hotel Rooms Are So Expensive Right Now,” *The New York Times*, May 25, 2024, <https://www.nytimes.com/2024/05/25/nyregion/hotels-prices-migrants-nyc.html>.

⁵³⁴ Jeffrey Mays, “Mayor Adams Says Migrant Influx Will Cost New York City \$12 Billion,” *The New York Times*, August 9, 2023, <https://www.nytimes.com/2023/08/09/nyregion/adams-nyc-migrants-cost.html>.

⁵³⁵ Emma G. Fitzsimmons, “In Escalation, Adams Says Migrant Crisis ‘Will Destroy New York City,’” *The New York Times*, September 7, 2023, <https://www.nytimes.com/2023/09/07/nyregion/adams-migrants-destroy-nyc.html>.



PART 10: THE BIDEN-HARRIS ADMINISTRATION PUT TAXPAYERS ON THE HOOK

Texas.”⁵³⁶ He further stated, “[i]t’s only been since [the Biden] administration has took [sic] over...where we have had this level of unprecedented migration to our cities from people who are relying on the city taxpayer to provide every resource available to them.”⁵³⁷ Those costs are being borne by some of the poorest neighborhoods in the city, per internal figures obtained by the New York Post. According to a resident in one of these areas, “[t]he [migrants] are taking over. They’re taking over all the parking with their 8,000 scooters. They’re disrespectful — peeing in front of everybody. We do that one time, and we’re going to jail for a long time.”⁵³⁸

Amidst proposed city budget cuts to help pay for these services, Andrew Ansbro, president of the Uniformed Firefighters Association of Greater New York, testified to the Committee in December 2023, “[t]hey are basically going to balance the budget on the backs of injured firefighters.”⁵³⁹ This warning proved to be a heartbreaking reality for the family of 36-year-old firefighter Derek Floyd, who died of a heart attack just a few months after he was laid off right before Christmas in 2023.⁵⁴⁰ According to the New York Post, “Floyd had been just shy of vesting additional medical benefits for his family and more than \$600,000 worth of death benefits when he was booted, leaving his family with nothing despite his years of service.”⁵⁴¹

Chicago: The Windy City has spent more than \$460 million since August 2022 on benefits and services for illegal aliens,⁵⁴² and despite maintaining a public dashboard listing expenditures, “many aspects of the migrant crisis remain shrouded in secrecy.”⁵⁴³ At one Chicago shelter, it cost taxpayers \$38,000 per night to house 2,300 individuals.⁵⁴⁴ Illegal aliens arriving in the city are even eligible for up to \$15,000 in rental assistance.⁵⁴⁵ Approximately \$200 million of the city’s projected \$538-million 2024 budget deficit will come from providing these services.⁵⁴⁶



Recently arrived inadmissible aliens reside in a shelter at Chicago’s O’Hare International Airport in August 2023. (Source: Armando L. Sanchez/Chicago Tribune)

⁵³⁶ “The Financial Costs of Mayorkas’ Open Border,” *Homeland Security Committee Events*, YouTube video, 35:02, September 20, 2023, <https://www.youtube.com/live/49LVY4FL2xk?si=C57fi0XwiYIHe8Ea&t=2102>.

⁵³⁷ Ibid, 55:54, <https://www.youtube.com/live/49LVY4FL2xk?si=jDbcMm2aekqMDzkh&t=3354>.

⁵³⁸ Rich Calder and Georgia Worrell, “NYC’s poorest ZIP codes forced to bear brunt of migrant crisis, confidential docs reveal,” *The New York Post*, July 7, 2024, <https://nypost.com/2024/07/07/us-news/nycs-poorest-zip-codes-forced-to-bear-brunt-of-migrant-crisis-confidential-docs-reveal/>.

⁵³⁹ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “Public Safety Crisis: New York First Responders. Official Testify to Strain On Emergency Management Resources Caused By Border Crisis,” Press Release, December 5, 2023, <https://homeland.house.gov/2023/12/06/public-safety-crisis-new-york-first-responders-official-testify-to-strain-on-emergency-management-resources-caused-by-border-crisis/>.

⁵⁴⁰ Craig McCarthy and Alex Oliveira, “NYC firefighter, 36, dies of heart attack after being fired to pay for migrants — leaving his family with nothing,” *The New York Post*, April 28, 2024, <https://nypost.com/2024/04/28/us-news/nyc-firefighter-dies-of-heart-attack-after-being-fired-to-pay-for-migrants-leaving-his-family-with-nothing/>.

⁵⁴¹ Ibid.

⁵⁴² City of Chicago, *Cost Dashboard, Vendor Payments – New Arrivals Mission*, last modified August 9, 2024, <https://www.chicago.gov/city/en/sites/texas-new-arrivals/home/cost-dashboard.html>.

⁵⁴³ Bennett Haerberle, Lisa Capitanini, and Nathan Halder, “Chicago’s migrant website obscures details on where \$300 million was spent,” *NBC 5 Chicago*, March 25, 2024, <https://www.nbcchicago.com/investigations/chicagos-migrant-website-obscures-details-on-where-300-million-was-spent/3392762/>.

⁵⁴⁴ Ibid.

⁵⁴⁵ Illinois Housing Department Authority, *Request for Applications (RFA) Housing Stability Services (HSS) for the Asylum Seeker Emergency Assistance Program (ASERAP)*, February 2023, https://www.ihda.org/wp-content/uploads/2023/02/RFA_ASERAP_3.0_final-version_-2-2-2023.pdf.

⁵⁴⁶ Heather Cherone, “Johnson Sets Aside \$150M to Care for Migrants in 2024, Less Than Half of 2023 Costs,” *WTTW*, October 12, 2023, <https://news.wttw.com/2023/10/12/johnson-sets-aside-150m-care-migrants-2024-less-half-2023-costs>.



PART 10: THE BIDEN-HARRIS ADMINISTRATION PUT TAXPAYERS ON THE HOOK

When she learned that her neighborhood park was being turned into a shelter for illegal aliens, 57-year-old West Side resident Cata Truss' reaction represented the frustration of many Chicagoans—"Are you freaking kidding me?"⁵⁴⁷ Meanwhile, city figures showed that the number of homeless people on Jan. 25, 2024 (18,836), more than tripled compared to the same day the year prior (6,139), nearly 14,000 of whom were "new arrivals."⁵⁴⁸

Denver: In 2023, Denver spent \$46 million on services for illegal aliens, most of it going to housing, with more than \$5 million going toward 19,000 bus tickets to transport illegal aliens out of the city.⁵⁴⁹ A spokesman for Denver Health Services has said, "[w]e say, 'where do you want to go?' and then we buy them a ticket, usually by bus, and get them on their way."⁵⁵⁰ In April 2024, the city unveiled a roughly \$90-million budget "to fund migrant aid and sheltering for the rest of the year," partly paid for by cuts to the fire department and law enforcement.⁵⁵¹

Per one Colorado think tank, costs have ballooned to as much as \$340 million since December 2022,⁵⁵² and "are not limited to Denver alone, but also have been absorbed by other neighboring metro communities."⁵⁵³ Not content with these services, however, a group of illegal aliens in a street camp in Denver in April 2024 demanded the city provide benefits like "employment support" and "free immigration lawyer[s]" as their price for using city-provided shelters.⁵⁵⁴

Washington, D.C.: As of March 2024, the nation's capital had spent nearly \$60 million to date on providing services like housing and food to more than 13,000 illegal aliens arriving from the Southwest border since April 2022.⁵⁵⁵

GEORGIA NEWS

In Atlanta, long lines of migrants downtown reflect surge at border

Small-Town America: These devastating costs have not been confined to America's largest cities, however. Between 15,000-20,000 Haitians have arrived in Springfield, Ohio—a town of around 60,000 people—in just the past four years, "putting a significant strain on [city] resources and ability to provide ample housing for all of [the

⁵⁴⁷ Olivia Reingold, "They're Black Democrats. And They're Suing Chicago Over Migrants.," *The Free Press*, January 23, 2024, <https://www.thefp.com/p/black-democrats-sue-chicago/>.

⁵⁴⁸ City of Chicago, *Point in Time (PIT) Count*, last accessed September 17, 2024, <https://www.chicago.gov/city/en/depts/fss/provdrs/emerg/svcs/PITcount.html>.

⁵⁴⁹ Katie Parkins, "Denver mayor announces reduction in DMV and Parks & Rec. to offset migrant costs," *Denver 7 ABC*, February 9, 2024, <https://www.denver7.com/news/front-range/denver/denver-mayor-announces-reduction-in-dmv-and-parks-rec-after-failure-of-bipartisan-congress-immigration-bill>.

⁵⁵⁰ Shaun Boyd, "Denver spends millions of dollars on plane, bus and train tickets for migrants to other cities," *CBS News Colorado*, November 6, 2023,

<https://www.cbsnews.com/colorado/news/denver-spends-millions-dollars-plane-bus-train-tickets-migrants/>.

⁵⁵¹ Gabby Easterwood, "Denver introduces nearly \$90M 'newcomer' budget plan for migrant aid," *KDVR Fox 31*, April 10, 2024, <https://kdvr.com/news/local/denver-introduces-nearly-90m-newcomer-budget-plan-for-migrant-aid/>.

⁵⁵² DJ Summers, "The Ongoing Costs of Denver Migrants," *Common Sense Institute*, May 30, 2024, <https://commonsenseinstitute.org/the-ongoing-costs-of-denver-migrants/>.

⁵⁵³ DJ Summers, "The Metro-Wide Accumulated Costs of Migrants," *Common Sense Institute*, March 20, 2024, <https://commonsenseinstitute.org/the-metro-wide-accumulated-costs-of-migrants/>.

⁵⁵⁴ Rogelio Mares, "Group of migrants sends list of demands to Denver's mayor," *KDVR Fox 31*, May 7, 2024, <https://kdvr.com/news/local/group-of-migrants-send-denver-mayor-list-of-demands/>.

⁵⁵⁵ Antonio Olivo, "While bused migrants overwhelm other cities, D.C. scales back services," *The Washington Post*, March 12, 2024, <https://www.washingtonpost.com/dc-md-va/2024/03/12/migrants-dc-border-crossings-lull/>.



PART 10: THE BIDEN-HARRIS ADMINISTRATION PUT TAXPAYERS ON THE HOOK

city’s] residents.”⁵⁵⁶ At least 1,000 illegal aliens arrived in Whitewater, Wisconsin—a town of around 15,000 people—between 2022-2023, forcing officials “to deal with the increasing strain on law enforcement resources, housing overcapacity, and the challenges associated with educating children with no formal background in schooling and often lacking basic English skills.”⁵⁵⁷ Sanford, Maine, which boasts a population of just 22,000 people, saw costs to care for illegal aliens roughly triple from what was budgeted for FY23, prompting one official to say, “[w]e’re tapped. We’re out. ... We’ve been overrun.”⁵⁵⁸ Carbondale, Colorado, home to around 6,000 people, sent a request to the state in December 2023 for roughly \$220,000 to house around 100 newly arrived Venezuelans.⁵⁵⁹ Ultimately, as one local New York official has noted, “[i]f [New York City] can be overwhelmed by a couple thousand migrants, imagine what a couple hundred can do to overwhelm a small rural community upstate?”⁵⁶⁰

Health Care Costs

Uninsured illegal aliens also consume limited health care resources, leading to massive costs for taxpayers. For example, total Medicaid costs for “emergency services for undocumented aliens” in FY21 alone exceeded \$7 billion and more than \$5.4 billion in FY22,⁵⁶¹ compared to \$1.6 billion in FY16.⁵⁶² Many costs often go unreimbursed, meaning providers pass them on to those with insurance.

Providers have been hit hard. For example, Yuma Regional Medical Hospital in Arizona incurred more than \$26 million in unreimbursed costs from December 2021 to November 2022 alone.⁵⁶³ In September 2023, Yuma County Supervisor Jonathan Lines told the Committee that the crisis was even forcing American citizens to drive hundreds of miles away to receive care: “I had several people tell me that they had to travel to San Diego or to Phoenix to deliver their baby or to have regular surgery that had been scheduled that had been put off. We had an 18-month period where it was almost impossible to go into the hospital... .”⁵⁶⁴ In 2023, the Denver Health hospital system incurred \$136 million in uncompensated costs, some of which were incurred from treating 8,000 illegal aliens, spread across approximately 20,000 visits—even reducing beds, canceling raises, and delaying renovations to cover costs.⁵⁶⁵

Two San Diego trauma centers have seen costs to provide care to illegal aliens injured trying to scale the border wall jump from \$11 million between 2016-2019 to \$72 million

⁵⁵⁶ Thérèse Boudreaux, “Ohio city faces ‘significant housing crisis’ due to migrant flux,” *The Center Square*, July 10, 2024, https://www.thecentersquare.com/ohio/article_cb6446c2-3ed8-11ef-919b-cbe9a1b1fdbb.html.

⁵⁵⁷ The Institute for Reforming Government, “Immigration Crisis in Wisconsin,” June 2024, 5, <https://reforminggovernment.org/wp-content/uploads/2024/06/June-2024-Immigration-Crisis-in-Wisconsin.pdf>.

⁵⁵⁸ Edward Tomic, “‘We’ve been overrun’: Sanford City Officials Express Frustration Over Migrant Crisis at Emergency Meeting,” *The Maine Wire*, May 23, 2023, <https://www.themainewire.com/2023/05/weve-been-overrun-sanford-city-officials-express-frustration-over-migrant-crisis-at-emergency-meeting/>.

⁵⁵⁹ Andrea Teres-Martinez, “Carbondale confirms new shelters for Venezuelan migrants, acquires \$200,000 grant,” *The Post Independent*, December 27, 2023, <https://www.postindependent.com/news/carbondale-confirms-new-shelters-for-venezuelan-migrants-acquires-200000-grant/>.

⁵⁶⁰ Bernadette Hogan, Jack Morphet, and Bruce Golding, “Tiny upstate town faced with NYC-like migrant influx: ‘Won’t take many to overwhelm the system,’” *The New York Post*, January 13, 2023, <https://nypost.com/2023/01/13/tiny-upstate-new-york-town-faced-with-nyc-like-migrant-influx/>.

⁵⁶¹ See Financial Management Report for FY 2021 and Financial Management Report for FY 2022, U.S. Department of Health and Human Services, Center for Medicaid and CHIP Services, *Expenditure Reports From MBES/CBES*, last accessed August 29, 2024, <https://www.medicaid.gov/medicaid/financial-management/state-expenditure-reporting-for-medicaid-chip/expenditure-reports-mbescbes/index.html>.

⁵⁶² *Ibid*, Financial Management Report for FY 2016.

⁵⁶³ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Robert J. Trenchel for Every State is a Border State: Examining Secretary Mayorkas’ Border Crisis*, 118th Cong., 1st sess., February 28, 2023, 31-32, <https://homeland.house.gov/wp-content/uploads/2023/08/2023-02-28-HRG-PressPacket.pdf>.

⁵⁶⁴ “The Financial Costs of Mayorkas’ Open Border,” *Homeland Security Committee Events*, YouTube video, 2:54:38, September 20, 2023, https://www.youtube.com/live/49LVY4FL2xk?si=5H74C_-j3DG0rvtc&t=10478.

⁵⁶⁵ Meg Wingerter, “Denver Health at ‘critical point’ as migrant influx contributes to more than \$130 million in uncompensated care,” *The Denver Post*, January 16, 2024, <https://www.denverpost.com/2024/01/16/denver-health-finances-budget-migrants-mental-health/>.



PART 10: THE BIDEN-HARRIS ADMINISTRATION PUT TAXPAYERS ON THE HOOK

from 2020-June 2022. In 2022, “U.C. San Diego had to convert a postpartum unit into a ward for the border-wall casualties. Treating gravely injured migrants has affected care for the local population.”⁵⁶⁶

Law Enforcement Costs

State and local law enforcement have experienced the costs of dealing with increased illegal immigration more acutely than many in the Biden-Harris administration seem to comprehend. One study has estimated that total law enforcement expenditures associated with illegal aliens cost states around \$22 billion in 2022.⁵⁶⁷ Texas alone projects to spend more than \$9 billion by the end of 2024 to secure its border through Operation Lone Star.⁵⁶⁸ Numerous other states have stepped up to help secure America’s borders, at immense cost to themselves.⁵⁶⁹ Illegal aliens also frequently tie up first responder and law enforcement resources that would otherwise go to helping American citizens and other lawful residents.⁵⁷⁰ Caudle told the Committee that 911 calls are “pretty prevalent,” with illegal aliens sometimes calling because they are “frustrated that we aren’t picking them up and transporting them fast enough...”⁵⁷¹

Transportation Costs

The Biden-Harris administration has also spent hundreds of millions of dollars transporting illegal aliens into the interior,⁵⁷² including on new contracts with private entities to do so.⁵⁷³ It has also actively used charter and commercial flights to transport illegal aliens throughout the country.⁵⁷⁴ In recent months, DHS has even been caught flying illegal aliens from overwhelmed Border Patrol facilities in California to Texas, at a cost of \$80,000 per flight.⁵⁷⁵ States have also spent tens of millions of dollars to transport illegal aliens out of their states.⁵⁷⁶

⁵⁶⁶ Miriam Jordan, “Border Wall Falls Leave Migrants With Devastating — and Costly — Injuries,” *The New York Times*, November 14, 2023, <https://www.nytimes.com/2023/11/14/us/border-wall-migrant-injuries.html>.

⁵⁶⁷ “The Fiscal Burden of Illegal Immigration On United States Taxpayers 2023,” *Federation for American Immigration Reform*, March 2023, 56, https://www.fairus.org/sites/default/files/2023-03/Fiscal%20Burden%20of%20Illegal%20Immigration%20on%20American%20Taxpayers%202023%20WEB_0.pdf.

⁵⁶⁸ J. David Goodman, “Gov. Abbott’s Policing of Texas Border Pushes Limits of State Power,” *The New York Times*, July 26, 2023, <https://www.nytimes.com/2023/07/26/us/texas-greg-abbott-border-migrants.html>.

⁵⁶⁹ See State of Florida, Office of the Governor, Governor Ron DeSantis: ‘Florida is Sending Help to Texas to Secure the Southern Border,’ May 16, 2023, <https://www.flgov.com/2023/05/16/governor-ron-desantis-florida-is-sending-help-to-texas-to-secure-the-southern-border/>; Greg Abbott [@GregAbbott_TX], “Tennessee Joins Idaho, Florida, and Nebraska in Support of Texas’ Historic Border Mission. Thank You, @GovBillLee. Together, We Will Fill the Gaps Biden’s Open Border Policies Created and Keep Americans Safe,” Tweet, *Twitter*, May 25, 2023, https://twitter.com/GregAbbott_TX/status/1661856812650446854; Summer Concepcion, “Four GOP Governors Send National Guard to the Southern Border,” *NBC News*, May 31, 2023, <https://www.nbcnews.com/politics/immigration/va-gov-glenn-youngkin-sends-national-guard-southern-border-rcna87048>; and Misty Severi, “These are the states sending National Guard troops to southern border,” *The Washington Examiner*, June 3, 2023, <https://www.washingtonexaminer.com/policy/immigration/these-states-are-sending-national-guard-troops-us-southern-border>; and State of New Hampshire, Office of the Governor, *Re: Request to Enter into an I.C.E. Delegation Agreement Pursuant to Section 287(g)*, March 13, 2023, <https://www.governor.nh.gov/sites/g/files/ehbemt336/files/inline-documents/sonh/20230313123049.pdf>.

⁵⁷⁰ U.S. Congress, House of Representatives, Judiciary Committee, *Prepared Testimony of Leon N. Wilmot for The Biden Border Crisis: Part II*, 118th Cong., 1st sess., February 23, 2023, 3, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/WilmotTestimony.pdf>.

⁵⁷¹ Dustin Caudle, Transcribed Interview with the House Committee on Homeland Security, 101, September 28, 2023.

⁵⁷² John Binder, “Biden’s Flights of Illegals into U.S. Cost Taxpayers \$340M in 9 Months,” *Breitbart*, February 1, 2022, <https://www.breitbart.com/politics/2022/02/01/bidens-flights-of-illegal-aliens-into-u-s-cost-taxpayers-340m-in-9-months/>.

⁵⁷³ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Historic Dollar Costs of DHS Secretary Alejandro Mayorkas’ Open-Borders Policies, Phase 4 Interim Report*, 118th Cong., 1st sess., November 13, 2023, 48, <https://homeland.house.gov/wp-content/uploads/2023/11/Phase4Report.pdf>.

⁵⁷⁴ See Miranda Devine, et al., “Biden secretly flying underage migrants into NY in dead of night,” *The New York Post*, October 18, 2021, <https://nypost.com/2021/10/18/biden-secretly-flying-underage-migrants-into-ny-in-dead-of-night/>; Miranda Devine, “‘Betraying the American people’: Leaked video reveals Joe Biden’s ‘hush hush’ migrant invasion,” *The New York Post*, January 26, 2022, <https://nypost.com/2022/01/26/leaked-video-reveals-joe-bidens-hush-hush-migrant-invasion/>; and James Varney, “‘Ghost Flights’: The Mystery of the Migrant Kids the Feds Are Spiriting into the U.S. Interior,” *RealClearInvestigations*, February 10, 2022, https://www.realclearinvestigations.com/articles/2022/02/10/the_mystery_of_the_migrant_kids_the_feds_are_spiriting_into_the_us_interior_815986.html.

⁵⁷⁵ Jennie Taer, “Biden admin flying migrants from overwhelmed California to Texas after Gov. Abbott’s crackdown deterred crossings — at \$80K per flight,” *The New York Post*, July 15, 2024, <https://nypost.com/2024/07/15/us-news/biden-admin-flying-migrants-from-overwhelmed-california-to-texas-after-gov-abbotts-crackdown-deterred-crossings/>.

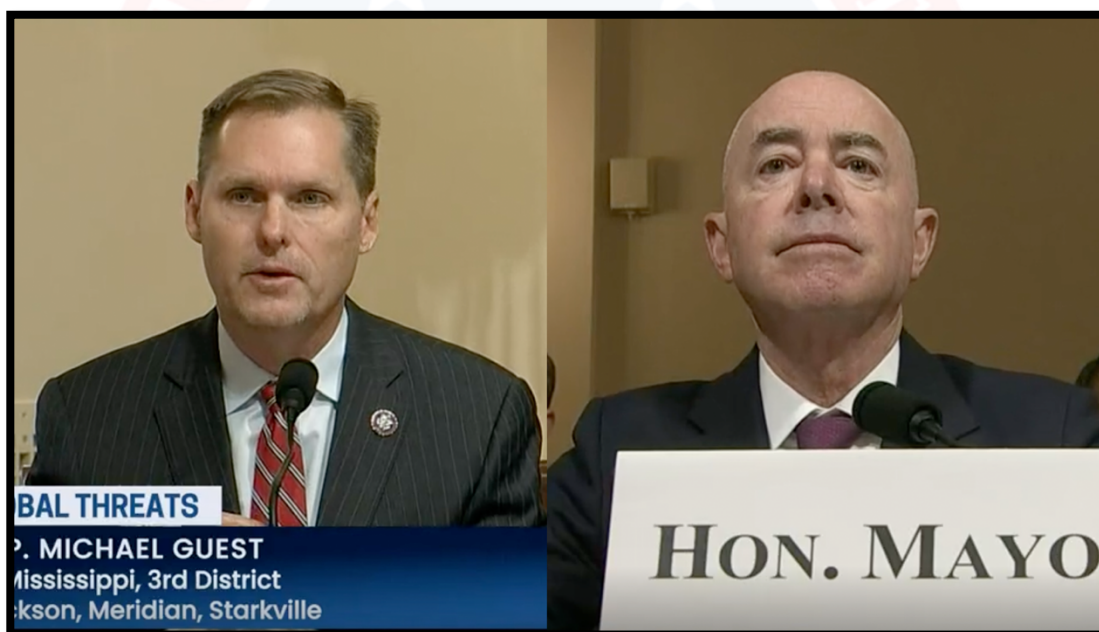
⁵⁷⁶ See Kevin Ozebek and Sarah Rafique, “Texas private company paid \$75 million in 1 year to bus migrants out of state, report shows,” *ABC 13 Eyewitness News*, October 11, 2023, <https://abc13.com/texas-bus-migrants-bussing-to-other-cities-wynne-transportation-sanctuary/13889625/>; Jeremy Duda, “Arizona transports 26,000 asylum seekers under Hobbs,” *Axios Phoenix*, November 17, 2023, <https://www.axios.com/local/phoenix/2023/11/17/arizona-migrant-bus-transport-asylum-seekers-cost/>; and Joe Duhownik, “Arizona budget committee recommends \$13 million to fund migrant transportation, prosecution,” *Courthouse News Service*, January 30, 2024, <https://www.courthousenews.com/arizona-budget-committee-recommends-13-million-to-fund-migrant-transportation-prosecution/>.



PART 11: BORDER CRISIS LIES FROM THE BIDEN-HARRIS ADMINISTRATION

Introduction: The Biden-Harris administration’s refusal to comply with and enforce U.S. laws has been catastrophic enough. Even more frustrating for millions of Americans are administration officials’ consistent attempts to mislead the public about the crisis. Almost from day one, they have repeatedly misrepresented the truth about the unprecedented crisis and chaos at America’s borders. The following are some of the most egregious falsehoods, many of which are also inconsistent with each other.

“The Border Is Secure:” Mayorkas has repeated this false claim, or variations on it, dozens of times. On March 1, 2021, he denied that there was even a crisis, but called it a “challenge...that we are managing.”⁵⁷⁷ He told a member of the Committee that the border was “no less secure than it was previously.”⁵⁷⁸ He even misled Congress when he falsely claimed to have “operational control” of the border, as defined by federal law⁵⁷⁹—a statement he tried to back away from just days later.⁵⁸⁰ Harris said in September 2022 that the border was secure.⁵⁸¹



WATCH: Mayorkas Refuses to Tell Rep. Michael Guest How Many Daily Border Encounters Represents a “Bad Day”

⁵⁷⁷ The White House, “Press Briefing by Press Secretary Jen Psaki and Secretary of Homeland Security Alejandro Mayorkas,” March 1, 2021,

<https://www.whitehouse.gov/briefing-room/press-briefings/2021/03/01/press-briefing-by-press-secretary-jen-psaki-and-secretary-of-homeland-security-alejandro-mayorkas/>.

⁵⁷⁸ U.S. Congress, House of Representatives, Committee on Homeland Security, Worldwide Threats To The Homeland: 20 Years After 9/11, 117th Cong., 1st sess., September 22, 2021, 64, <https://www.congress.gov/117/chrg/CHRG-117hrg46377/CHRG-117hrg46377.pdf>.

⁵⁷⁹ “‘I Know It’s True, You Know It’s True!’: Sparks Fly Between Chip Roy & Mayorkas,” *Forbes Breaking News*, YouTube video, May 1, 2022, <https://www.youtube.com/watch?v=sH1-Q2frmk>.

⁵⁸⁰ U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, *Resources and Authorities Needed to Protect and Secure the Homeland*, 117th Cong., 2nd sess., 1:21:10, May 4, 2022, <https://www.hsgac.senate.gov/hearings/05-04-2022-resources-and-authorities-needed-to-protect-and-secure-the-homeland/>.

⁵⁸¹ “Vice President Kamala Harris under fire for saying ‘the border is secure,’” *The National Desk*, September 13, 2022, <https://cbsaustin.com/news/nation-world/vice-president-kamal-harris-under-fire-for-saying-the-border-is-secure-mark-morgan-united-states-customs-order-protection-immigration-migrants-joe-biden>.



PART 11: BORDER CRISIS LIES FROM THE BIDEN-HARRIS ADMINISTRATION

“The Biden-Harris Administration Cannot Fix the Crisis:” On Jan. 30, 2024, Biden denied that he had executive authority to respond to the very crisis that exploded on his watch, telling reporters, “I’ve done all I can do. Just give me the power.”⁵⁸² This was belied by his later issuing executive orders in response to the crisis, indicating that he clearly understood he did have authority to act. Just after the order was announced, Mayorkas’ department tweeted, “[o]nly Congress can provide an enduring solution to our broken immigration system,”⁵⁸³ an excuse Mayorkas has made frequently.⁵⁸⁴ Part Two of this report makes evident that Congress has passed numerous border security laws—which are distinct from laws regarding the broader legal immigration system—and they work well when enforced. The Biden-Harris administration’s blame-shifting is just political gamesmanship.

The Biden-Harris Administration Has “Effectively Managed” the Crisis: Biden claimed in 2022, “we have a process in place to manage migrants at the border.”⁵⁸⁵ Mayorkas testified three times to Congress in 2022 that DHS had “effectively managed” the chaos at the border,⁵⁸⁶ and told CNN in January 2023 that the border had been “managed in an orderly way.”⁵⁸⁷ Jen Psaki, the former White House press secretary, claimed on May 4, 2021, that the Biden-Harris administration was “building a fair, orderly, and humane immigration system... .”⁵⁸⁸ If the last several years represent Biden and Harris’ definition of “orderly” and “effective,” one would shudder to think how they define “disorder.”

“DHS Is Enforcing the Law Against Illegal Aliens:” Mayorkas, in particular, has often hidden behind tough-sounding phrases and talking points, such as contending that DHS is placing illegal aliens without valid asylum claims into “immigration enforcement proceedings,” thinking most Americans will assume that means they will be promptly removed.⁵⁸⁹ He has claimed, “[p]eople who cross our border unlawfully and without a legal basis to remain will be promptly processed and removed.”⁵⁹⁰ Nothing is further from the truth. The figures and accounts documented throughout this report make clear that this is all a lie.

⁵⁸² The White House, “Remarks by President Biden Before Marine One Departure,” January 30, 2024, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/01/30/remarks-by-president-biden-before-marine-one-departure-43/>.

⁵⁸³ Homeland Security (@DHSgov), “Only Congress can provide an enduring solution to our broken immigration system, which is legislation. @POTUS has taken action within his lawful authorities to address high border encounters. @SecMayorkas joined @MSNBC to discuss,” Tweet, Twitter, June 5, 2024, <https://x.com/DHSgov/status/1798473188143190099>.

⁵⁸⁴ See U.S. Congress, House of Representatives, Committee on Homeland Security, *A Review of the Fiscal Year 2023 Budget Request for the Department of Homeland Security*, 117th Cong., 2nd sess., April 27, 2022, 12, <https://www.congress.gov/117/chrg/CHRG-117hhrg48215/CHRG-117hhrg48215.pdf>; and Summer Concepcion and Alexandra Marquez, “Alejandro Mayorkas on border: ‘We don’t bear responsibility for a broken system,’” *NBC News*, February 11, 2024, <https://www.nbcnews.com/politics/immigration/alejandro-mayorkas-border-dont-bear-responsibility-broken-system-rcna138268>.

⁵⁸⁵ The White House, “Remarks by President Biden at the 45th Congressional Hispanic Caucus Institute Gala to Kick Off Hispanic Heritage Month,” September 15, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/09/16/remarks-by-president-biden-at-the-45th-congressional-hispanic-caucus-institute-gala-to-kick-off-hispanic-heritage-month>.

⁵⁸⁶ See U.S. Congress, House of Representatives, Committee on Homeland Security, *A Review of the Fiscal Year 2023 Budget Request for the Department of Homeland Security*, 117th Cong., 2nd sess., April 27, 2022, 12, <https://www.congress.gov/117/chrg/CHRG-117hhrg48215/CHRG-117hhrg48215.pdf>; U.S. Congress, House of Representatives, Committee on the Judiciary, Oversight of the Department of Homeland Security, 117th Cong., 2nd sess., April 28, 2022, 11, <https://www.congress.gov/117/chrg/CHRG-117hhrg49702/CHRG-117hhrg49702.pdf>; and “A Review of the President’s Fiscal Year 2023 Funding Request for the U.S. Department of Homeland Security,” U.S. Senate Committee on Appropriations video, 35:00, May 4, 2022, <https://www.appropriations.senate.gov/hearings/a-review-of-the-presidents-fiscal-year-2023-funding-request-for-the-us-department-of-homeland-security>.

⁵⁸⁷ Zachary Leeman, “CNN’s Poppy Harlow Pushes Mayorkas After He Touts Border Successes: ‘If That’s Not a Crisis, Secretary, What Is?’,” *Mediaite*, January 6, 2023, <https://www.mediaite.com/tv/cnns-poppo-harlow-pushes-mayorkas-after-he-touts-border-successes-if-thats-not-a-crisis-secretary-what-is/>.

⁵⁸⁸ The White House, “Press Briefing by Press Secretary Jen Psaki,” May 4, 2021, <https://www.whitehouse.gov/briefing-room/press-briefings/2021/05/04/press-briefing-by-press-secretary-jen-psaki-may-4-2021/>.

⁵⁸⁹ See Callie Patteson, “DHS Secretary Alejandro Mayorkas Says ‘Borders Are Not Open,’” *The New York Post*, September 20, 2021, <https://nypost.com/2021/09/20/dhs-secretary-alejandro-mayorkas-says-borders-are-not-open/>; and Glenn Kessler, “Mayorkas’s Claim That Undocumented Immigrants Are ‘Promptly Removed,’” *The Washington Post*, May 5, 2022, <https://www.washingtonpost.com/politics/2022/05/05/mayorkas-claim-that-undocumented-immigrants-are-promptly-removed/>.

⁵⁹⁰ The White House, “Press Briefing by Press Secretary Karine Jean-Pierre and Secretary of Homeland Security Alejandro Mayorkas,” May 11, 2023, <https://www.whitehouse.gov/briefing-room/press-briefings/2023/05/11/press-briefing-by-press-secretary-karine-jean-pierre-and-secretary-of-homeland-security-alejandro-mayorkas/>.



PART 11: BORDER CRISIS LIES FROM THE BIDEN-HARRIS ADMINISTRATION

Former Acting Secretary Wolf said Mayorkas “uses terms like these...to try to explain away what’s going on along that border.”⁵⁹¹ In actuality, such proceedings often take years to adjudicate, increasingly so given the backlog created under this administration. Meanwhile, these millions of individuals are released to roam free. While some are removed, certainly, Biden, Harris, and Mayorkas’ policies are a wholesale departure from bipartisan precedent on border enforcement. This falsehood is meant to distract from that fact.

“The Trump Administration ‘Dismantled’ the Immigration and Asylum System.” The Biden-Harris administration is fond of declaring that the previous administration “gutted” or “dismantled” the immigration system. The numbers show that this is little more than a severe case of projection. For starters, consider that the Trump administration granted more asylum claims in 2019 alone—46,508—than the final four years of Biden’s vice presidency.⁵⁹² By contrast, Biden, Harris, and Mayorkas have overseen a dramatic increase in the asylum claims backlog. Through the second quarter of FY21, the majority of which constituted the first months of the Biden-Harris administration, pending asylum claims, as well as those for a similar form of relief known as “withholding of removal,” totaled 398,928.⁵⁹³ By the second quarter of FY24, the backlog had skyrocketed to 1.18 million.⁵⁹⁴

One recent shocking report showed that since 2022, the Biden-Harris administration has simply terminated more than 350,000 cases, allowing illegal aliens to remain in the country indefinitely, with no oversight—effectively granting them “mass amnesty.”⁵⁹⁵ In FY19, this number was just 4,746.⁵⁹⁶

The backlog has gotten so bad that numerous illegal aliens are being given court dates years in the future, as far out as April 2027,⁵⁹⁷ and even 2032 and 2035.⁵⁹⁸ Councilman Borelli quipped in September 2023, “[w]e have seen people with 2033 court dates, meaning the lawyers are probably at Little League tonight. That’ll be their attorney in that case in 10 years.”⁵⁹⁹

Meanwhile, as of mid-summer 2024, inadmissible aliens seeking employment authorization after being paroled were having their cases adjudicated in less than a month.⁶⁰⁰ These and other backlogs have no doubt been exacerbated by the administration forcing USCIS personnel to assist with operations at the border instead

⁵⁹¹ “Open Borders, Closed Case: Secretary Mayorkas’ Dereliction of Duty on the Border Crisis,” *Homeland Security Committee Events*, YouTube video, 2:55:15, June 14, 2023, <https://www.youtube.com/watch?v=0gjm6jzYHqW&t=10515s>.

⁵⁹² U.S. Department of Homeland Security, News, Table 16. Individuals Granted Asylum Affirmatively or Defensively: Fiscal Years 1990 to 2019, December 14, 2022, <https://www.dhs.gov/immigration-statistics/yearbook/2019/table16>.

⁵⁹³ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Number of Service-wide Forms By Quarter, Form Status, and Processing Time, Fiscal Year 2021*, https://www.uscis.gov/sites/default/files/document/reports/Quarterly_All_Forms_FY2021Q2.pdf.

⁵⁹⁴ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Number of Service-wide Forms By Quarter, Form Status, and Processing Time, January 1, 2024 – March 31, 2024*, https://www.uscis.gov/sites/default/files/document/reports/quarterly_all_forms_fy2024_q2.xlsx.

⁵⁹⁵ Jennie Taer, “Biden admin offers ‘mass amnesty’ to migrants as it quietly terminates 350,000 asylum cases: sources,” *The New York Post*, June 2, 2024, <https://nypost.com/2024/06/02/us-news/biden-admin-offers-mass-amnesty-to-migrants-as-it-quietly-terminates-350000-asylum-cases-sources/>.

⁵⁹⁶ *Ibid.*

⁵⁹⁷ Kaelan Deese [@KaelanDC], “Speaking to immigrants in the streets of Brownsville this afternoon. This man from Venezuela was given a date to appear in court for April 2027. #Immigration #BrownsvilleTX #migrants,” Tweet, *Twitter*, May 13, 2023, <https://twitter.com/KaelanDC/status/1657471382349807617>.

⁵⁹⁸ Valentina Jaramillo and Stephanie Pagones, “Migrants allowed into US as asylum seekers given immigration court dates into year 2035,” *The New York Post*, May 11, 2023, <https://nypost.com/2023/05/11/migrants-admitted-to-us-given-2035-immigration-court-dates/>.

⁵⁹⁹ “The Financial Costs of Mayorkas’ Open Border,” *Homeland Security Committee Events*, YouTube video, 1:08:09, September 20, 2023, <https://www.youtube.com/live/49LVY4FL2xk?si=xjZv92FGKSQ3QEam&t=4089>.

⁶⁰⁰ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, *Historical National Median Processing Time (in Months) for All USCIS Offices for Select Forms By Fiscal Year*, last accessed August 29, 2024, <https://egov.uscis.gov/processing-times/historic-pt>.



PART 11: BORDER CRISIS LIES FROM THE BIDEN-HARRIS ADMINISTRATION

of handling these claims.⁶⁰¹ Under Biden and Harris, “[e]ntering the ‘right way’ is for suckers,” according to one former immigration judge.⁶⁰²

Blaming Everyone and Everything but Their Own Policies: “I am President of the United States of America, and the buck stops with me,” Biden told the country in August 2021, amidst the disastrous withdrawal from Afghanistan.⁶⁰³ However, just as he refused to truly accept responsibility for that debacle, so too has his administration refused to take ownership of the unprecedented crisis it created. Mayorkas, in particular, has blamed the crisis on “extreme weather events,”⁶⁰⁴ COVID-19,⁶⁰⁵ and general poverty, violence, and corruption⁶⁰⁶—excuses that all fall apart on close scrutiny. Biden falsely claimed in 2021 that the massive surge mere weeks into his presidency was simply seasonal.⁶⁰⁷ Mayorkas has flat out denied any suggestion that the administration’s policies have contributed at all to the chaos.⁶⁰⁸

⁶⁰¹ Stephen Dinan, “DHS orders employees to drop regular duties, shift to coming border surge,” *The Washington Times*, May 2, 2023, <https://www.washingtontimes.com/news/2023/may/2/dhs-will-slow-legal-immigration-work-to-handle-bor/>.

⁶⁰² Andrew Arthur, “Legal immigrants are being hurt the most by Biden’s policies,” *The New York Post*, May 10, 2024, <https://nypost.com/2024/05/10/opinion/legal-immigrants-are-being-hurt-the-most-by-bidens-policies/>.

⁶⁰³ The White House, “Remarks by President Biden on Afghanistan,” August 16, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/16/remarks-by-president-biden-on-afghanistan/>.

⁶⁰⁴ “Mayorkas: US Immigration System Is ‘Completely Broken,’” *CNN*, 1:05, March 8, 2023, <https://www.cnn.com/videos/tv/2023/03/08/amanpour-alejandra-mayorkas.cnn>.

⁶⁰⁵ U.S. Department of Homeland Security, News, *Secretary Mayorkas Delivers Remarks in Brownsville, Texas*, August 12, 2021, <https://www.dhs.gov/news/2021/08/12/secretary-mayorkas-delivers-remarks-brownsville-texas>.

⁶⁰⁶ *Ibid.*

⁶⁰⁷ The White House, “Remarks by President Biden in Press Conference,” March 25, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/03/25/remarks-by-president-biden-in-press-conference/>.

⁶⁰⁸ U.S. Congress, House of Representatives, Committee on the Judiciary, *Oversight of the Department of Homeland Security*, 117th Cong., 2nd sess., April 28, 2022, 73, <https://www.congress.gov/117/chrg/CHRG-117/hrhg49702/CHRG-117/hrhg49702.pdf>.



PART 12: HOUSE REPUBLICANS TRY TO END THE CRISIS, WHILE DEMOCRATS OBSTRUCT

Introduction: While the Biden-Harris administration and its Democrat enablers in Congress are the arsonists in this crisis, House Republicans have been trying to put out the fire and ensure accountability for this crisis. The legislative record makes that clear.

Policy Responses: One of the first significant attempts to address the crisis by House Republicans in the 118th Congress was to pass major border-security legislation. H.R. 2, the “Secure the Border Act,”⁶⁰⁹ closed various loopholes in the asylum process currently being exploited to an unprecedented degree, prohibited the Biden-Harris administration from using mass parole to release inadmissible aliens into the interior, restarted construction of new border wall system, cut off federal funding to NGOs who have helped facilitate the crisis, and instituted a nationwide E-Verify system.⁶¹⁰ It passed the House in May 2023, with Democrats unanimously voting against it.⁶¹¹ To this day, the bill awaits a vote in the Senate, almost 18 months later, and Biden has vowed to veto it.⁶¹²

Biden dismisses GOP border security bill as too tough on illegal immigrants, says he’ll veto

Democrats’ opposition to common sense solutions did not stop there. Over the next year, House Republicans proposed bills that would make assaulting law enforcement officers a deportable offense,⁶¹³ prohibit federal funds from being used to house illegal aliens in schools,⁶¹⁴ make Social Security or identity fraud grounds for removal,⁶¹⁵ make conviction for DUI grounds for deportation,⁶¹⁶ empower DHS to detain illegal aliens arrested for “burglary, theft, larceny, or shoplifting,” and allow the states to sue the federal government “for alleged failures related to immigration enforcement.”⁶¹⁷ The vast majority of House Democrats have opposed them all,⁶¹⁸ and the Senate has refused to consider any of them.

What the Senate *did* try to force on the American people, however, was an ill-advised bill negotiated at the eleventh hour of Biden’s presidency by the White House, Mayorkas, Senate Democrats, and one Republican senator. Unfortunately, the bill would only have perpetuated the crisis. Former senior DHS officials have noted the bill would have done the following:

⁶⁰⁹ “The Secure the Border Act,” H.R. 2, 118th Cong., 1st sess. (2023).

⁶¹⁰ Lora Ries and R.J. Hauman, “Incoming Speaker and House Republicans Cannot Squander Another Opportunity to End the Biden Border Crisis,” *The Heritage Foundation*, October 24, 2023, <https://www.heritage.org/immigration/report/incoming-speaker-and-house-republicans-cannot-squander-another-opportunity-end>.

⁶¹¹ Office of the Clerk, Roll Call 209, “The Secure the Border Act,” H.R. 2, 118th Cong., 1st sess., <https://clerk.house.gov/Votes/2023209>.

⁶¹² Stephen Dinan, “Biden dismisses GOP border security bill as too tough on illegal immigrants, says he’ll veto,” *The Washington Times*, May 8, 2023, <https://www.washingtontimes.com/news/2023/may/8/biden-says-hell-veto-republicans-border-security-b/>.

⁶¹³ “The POLICE Act of 2023,” H.R. 2494, 118th Cong., 1st sess. (2023).

⁶¹⁴ “The Schools Not Shelters Act,” H.R. 3941, 118th Cong., 1st sess. (2023).

⁶¹⁵ “The Consequences for Social Security Fraud Act,” H.R. 6678, 118th Cong., 2nd sess. (2024).

⁶¹⁶ “The Protect Our Communities from DUIs Act,” H.R. 6976, 118th Cong., 2nd sess. (2024).

⁶¹⁷ “The Laken Riley Act,” H.R. 7511, 118th Cong., 2nd sess. (2024).

⁶¹⁸ See Office of the Clerk, Roll Call 225, “The POLICE Act of 2023,” H.R. 2494, 118th Cong., 1st sess., <https://clerk.house.gov/Votes/2023225>; Office of the Clerk, Roll Call 340, “The Schools Not Shelters Act,” H.R. 3941, 118th Cong., 1st sess., <https://clerk.house.gov/Votes/2023340>; Office of the Clerk, Roll Call 27, “The Consequences for Social Security Fraud Act,” H.R. 6678, 118th Cong., 2nd sess., <https://clerk.house.gov/Votes/202427>; Office of the Clerk, Roll Call 31, “The Protect Our Communities from DUIs Act,” H.R. 6976, 118th Cong., 2nd sess., <https://clerk.house.gov/Votes/202431>; and Office of the Clerk, Roll Call 66, “The Laken Riley Act,” H.R. 7511, 118th Cong., 2nd sess., <https://clerk.house.gov/Votes/202466>.



PART 12: HOUSE REPUBLICANS TRY TO END THE CRISIS, WHILE DEMOCRATS OBSTRUCT

- Effectively legitimized crisis levels of illegal crossings by giving the president authority to immediately expel illegal aliens *only when* encounters exceeded 5,000 a day for at least a week—not counting UACs, parolees, and those claiming credible fear or who had already traveled beyond 100 miles from the border;
- Mandated mass releases by changing the law requiring detention of inadmissible aliens to require “noncustodial detention” instead;
- Expanded the definition of parole to apply to far more inadmissible aliens;
- Taken asylum claim adjudication authority away from immigration judges;
- Broken with precedent, requiring taxpayer-funded lawyers for younger UACs;
- Made various, harmful changes to the legal immigration system.⁶¹⁹

Indeed, while Democrats in Washington continue to oppose commonsense solutions to this unprecedented crisis, the Biden-Harris administration has also taken legal action against states like Texas to keep them from securing their own borders. Most notably, in January of this year, the administration sued to prevent Texas from enforcing Senate Bill 4, which would empower Texas law enforcement to arrest and remove those apprehended illegally entering the state⁶²⁰—something DHS under the Biden-Harris administration often refuses to do.



Funding: From a fiscal standpoint, there has also been a clear difference between House Republicans and the Biden-Harris administration. Specifically, the administration has repeatedly attempted to cut vital funding for DHS law enforcement, while Republicans have increased it.

For example, despite the escalating numbers at the border, President Biden’s FY24 budget request cut CBP’s “border security operations” funding by several hundred million dollars, and proposed a reduction of CBP’s overall budget by more than \$1 billion.⁶²¹ Meanwhile, in the same budget, DHS requested just \$3.8 billion for ICE’s Enforcement and Removal Operations (ERO), a nearly \$700-million cut from what Congress enacted in FY23.⁶²² In their FY24 DHS appropriations bill, House Republicans allocated billions more dollars for border security operations than were requested by the

⁶¹⁹ Lora Ries, et. al., “The Senate Border Bill Is a Disaster for Border Security,” *The Heritage Foundation*, February 5, 2024, <https://www.heritage.org/homeland-security/report/the-senate-border-bill-disaster-border-security>.

⁶²⁰ Hayden Sparks, “Biden-Harris administration Sues Texas to Stop Enforcement of State Law Criminalizing Illegal Immigration,” *The Texan*, January 4, 2024, https://thetexan.news/issues/immigration-border-issues/biden-administration-sues-texas-to-stop-enforcement-of-state-law-criminalizing-illegal-immigration/article_a0995eb2-ab19-11ee-9cca-8ff22e92f74c.html.

⁶²¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Budget Overview: Fiscal Year 2024 Congressional Justification*, March 1, 2023, 6-8, https://www.dhs.gov/sites/default/files/2023-03/U.S.%20CUSTOMS%20AND%20BORDER%20PROTECTION_Remediated.pdf.

⁶²² U.S. Department of Homeland Security, U.S. Customs and Immigration Enforcement, *Budget Overview: Fiscal Year 2024 Congressional Justification*, March 1, 2023, 5-6, https://www.dhs.gov/sites/default/files/2023-03/U.S.%20IMMIGRATION%20AND%20CUSTOMS%20ENFORCEMENT_Remediated.pdf.



PART 12: HOUSE REPUBLICANS TRY TO END THE CRISIS, WHILE DEMOCRATS OBSTRUCT

Biden-Harris administration.⁶²³ In H.R. 2, Republicans also funded a Border Patrol force of roughly 22,000 agents, an increase of roughly 3,000 above current levels and the number senior leaders have said they need; comparatively, the administration's 2023 supplemental spending request only asked to fund around 1,300 agents.⁶²⁴

Meanwhile, the Biden-Harris administration has requested more taxpayer money to facilitate the crisis it has created, while simply better managing the terrible optics it poses. For example, in its FY24 budget request, DHS asked for \$165 million to construct a new Joint Processing Center at the Southwest border,⁶²⁵ to allow CBP to process and release illegal aliens more quickly into the interior of the United States, or as DHS framed it, “yield processing efficiencies.”⁶²⁶ Border Patrol sources have said that other “soft-sided processing facilities” that have “popped up all across the southern border” cost \$100 million per month to operate.⁶²⁷ In its FY25 budget, the Biden-Harris administration requested an astounding \$4.7 billion to operate an effectively off-book slush fund to pay for more processing capacity, transportation of illegal aliens, and money to NGOs and local jurisdictions.⁶²⁸



Despite a record-breaking number of monthly encounters in December 2023, the Biden-Harris administration has only doubled down on its unlawful policies in the months since. (Source: John Moore/Getty Images)

Biden has previously said, “[m]y father had an expression: ‘Don’t tell me what you value. Show me your budget—and I’ll tell you what you value.’”⁶²⁹ Unfortunately, recent budgets indicate the Biden-Harris administration simply does not value border security or immigration enforcement.

Accountability: In spring 2023, the Committee launched a comprehensive, five-phase investigation into the causes, costs, and consequences of the historic crisis. Over the course of the year, the Committee conducted 10 full and subcommittee hearings, gathering testimony from dozens of witnesses. The Committee, along with the House Committee on Oversight and Accountability, also conducted transcribed interviews with chief and deputy chief patrol agents responsible for the Border Patrol’s Southwest

⁶²³ U.S. Congress, House of Representatives, Committee on Appropriations, Majority, “Fiscal Year 2024 Homeland Security Appropriations Bill,” Bill Summary, 118th Cong., 1st sess., September 28, 2023, <https://appropriations.house.gov/sites/evo-subsites/republicans-appropriations.house.gov/files/FY24%20Homeland%20Security%20-%20Bill%20Summary%20Updated%209.28.23.pdf>.

⁶²⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, “Chairman Green Op-Ed on Border Spending Package: ‘Not Another Dime For DHS Until We Get Real Border Policy Changes’” Press Release, 118th Cong., 1st sess., December 7, 2023, <https://homeland.house.gov/2023/12/07/chairman-green-op-ed-on-border-spending-package-not-another-dime-for-dhs-until-we-get-real-border-policy-changes/>.

⁶²⁵ U.S. Department of Homeland Security, *FY 2024 Budget in Brief*, March 27, 2023, 21, https://www.dhs.gov/sites/default/files/2023-03/DHS%20FY%202024%20BUDGET%20IN%20BRIEF%20%28BIB%29_Remediated.pdf.

⁶²⁶ *Ibid.*

⁶²⁷ Ali Bradley, “How much is the migrant crisis costing American taxpayers?,” *NewsNation*, November 7, 2023, <https://www.newsnationnow.com/us-news/immigration/migrant-crisis-costing-american-taxpayers/>.

⁶²⁸ U.S. Department of Homeland Security, *FY 2025 Budget in Brief*, March 11, 2024, 10, https://www.dhs.gov/sites/default/files/2024-03/2024_0311_fy_2025_budget_in_brief.pdf.

⁶²⁹ President Biden [POTUS], “My father had an expression: ‘Don’t tell me what you value. Show me your budget—and I’ll tell you what you value.’ The budget I’m releasing today sends a clear message that we value fiscal responsibility, safety and security, and the investments needed to build a better America.,” Tweet, *Twitter*, March 28, 2022, <https://x.com/POTUS/status/1508530790249947147>.



PART 12: HOUSE REPUBLICANS TRY TO END THE CRISIS, WHILE DEMOCRATS OBSTRUCT

border sectors. At the conclusion of each phase, the Committee released in-depth reports of its findings—nearly 400 pages in total.⁶³⁰

The comprehensive, thorough, and fair investigation ultimately found, in particular, that Mayorkas' efforts to turn Biden and Harris' open-borders directives into reality had contributed to the unprecedented crisis at America's borders and in the homeland. In January 2024, the Committee, as the committee of jurisdiction for DHS, initiated impeachment proceedings against Mayorkas,⁶³¹ and later that month, voted to advance articles of impeachment to the full House.⁶³² On Feb. 13, 2024, the House voted to impeach Mayorkas for high crimes and misdemeanors,⁶³³ the first impeachment of a sitting Cabinet official in American history. However, the Democrat-led Senate refused to fulfill its constitutional duty and even hold an impeachment trial—the first time in U.S. history the Senate failed to hold such a trial when given the opportunity.⁶³⁴

Despite this historic rebuke, Biden, Harris, and Mayorkas have shown no contrition for their actions, or any willingness to reverse course on their open-borders agenda.



⁶³⁰ See U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, DHS Secretary Alejandro Mayorkas' Dereliction of Duty, Phase 1 Interim Report, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Phase-One-Report.pdf>; U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas Has Emboldened Cartels, Criminals, and America's Enemies, Phase 2 Interim Report*, 118th Cong., 1st sess., September 7, 2023, <https://homeland.house.gov/wp-content/uploads/2023/09/07-Phase-2-Final.pdf>; U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Devastating Human Costs of DHS Secretary Alejandro Mayorkas' Open-Borders Policies, Phase 3 Interim Report*, 118th Cong., 1st sess., October 10, 2023, <https://homeland.house.gov/wp-content/uploads/2023/10/Phase-3-Report.pdf>; U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Historic Dollar Costs of DHS Secretary Alejandro Mayorkas' Open-Borders Policies, Phase 4 Interim Report*, 118th Cong., 1st sess., November 13, 2023, <https://homeland.house.gov/wp-content/uploads/2023/11/Phase4Report.pdf>; U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *The Massive Waste and Abuse Enabled by DHS Secretary Alejandro Mayorkas, Phase 5 Interim Report*, 118th Cong., 1st sess., December 21, 2023, <https://homeland.house.gov/wp-content/uploads/2023/12/Phase-5.pdf>; and U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *Appendix: First-Hand Accounts of the Crisis from Border Patrol Sector Chiefs*, 118th Cong., 1st sess., December 21, 2023, <https://homeland.house.gov/wp-content/uploads/2023/12/TI-Appendix.pdf>.

⁶³¹ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, "Media Advisory: Chairman Green Announces First Hearing as Part of Impeachment Proceedings Against DHS Secretary Mayorkas," Press Release, 118th Cong., 2nd sess., January 3, 2024, <https://homeland.house.gov/2024/01/03/media-advisory-chairman-green-announces-first-hearing-as-part-of-impeachment-proceedings-against-dhs-secretary-mayorkas/>.

⁶³² U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, "Chairman Green on Homeland Security Committee Approving Mayorkas Impeachment Articles: 'Congress Must Finally Hold This Man Accountable,'" Press Release, 118th Cong., 2nd sess., January 31, 2024, <https://homeland.house.gov/2024/01/31/chairman-green-on-homeland-security-committee-approving-mayorkas-impeachment-articles-congress-must-finally-hold-this-man-accountable/>.

⁶³³ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, "Chairman Green on the Impeachment Of DHS Secretary Mayorkas: Congress Has Taken Decisive Action to 'Defend Our Constitutional Order,'" Press Release, 118th Cong., 2nd sess., February 13, 2024, <https://homeland.house.gov/2024/02/13/chairman-green-on-the-impeachment-of-dhs-secretary-mayorkas-congress-has-taken-decisive-action-to-defend-our-constitutional-order/>.

⁶³⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, "Chairman Green on Democrat-Led Senate Refusing to Hold Mayorkas Impeachment Trial: Senate, Like Secretary Mayorkas, Has Failed Its Constitutional Duty," Press Release, 118th Cong., 2nd sess., April 17, 2024, <https://homeland.house.gov/2024/04/17/chairman-green-on-democrat-led-senate-refusing-to-hold-mayorkas-impeachment-trial-senate-like-secretary-mayorkas-has-failed-its-constitutional-duty/>.



PART 13: EXAMINING THE RECORD OF “BORDER CZAR” KAMALA HARRIS

Introduction: On March 24, 2021, Biden announced that he was tapping Harris to “lead our efforts” in working with Mexico and Central America to stem the flow of historic numbers of would-be illegal border crossers to the Southwest border.⁶³⁵ At the time, some in the media gave Harris the title of “border czar,”⁶³⁶ with the Washington Post even reporting that she would have “the lead role on the overall border and regional issue,”⁶³⁷ and the Associated Press running a piece titled, “Biden taps VP Harris to lead response to border challenges.”⁶³⁸

However, despite the fanfare that accompanied being given responsibility for this all-important issue, Harris utterly failed to deliver any solutions to the border crisis her own policies and statements helped create. A careful look at her track record reveals why putting her, of all officials, in charge of the border crisis was the height of foolishness.



WATCH: “Border Czar” Harris’ Irresponsible Rhetoric on Border Security

In 2018, then-Senator Harris advocated abolishing ICE, saying “we need to probably think about starting from scratch.”⁶³⁹ She also advocated doing away with private ICE detention facilities,⁶⁴⁰ and boasted about introducing legislation to reduce the number of ICE detention beds.⁶⁴¹ She called construction of new border wall system, a move supported by the overwhelming majority of Border Patrol agents, “a stupid use of money”⁶⁴² and a “vanity project.”⁶⁴³ During one 2018 Senate hearing, she even compared ICE agents to the Ku Klux Klan.⁶⁴⁴

⁶³⁵ The White House, “Remarks by President Biden and Vice President Harris in a Meeting on Immigration,” March 24, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/03/24/remarks-by-president-biden-and-vice-president-harris-in-a-meeting-on-immigration/>.

⁶³⁶ Shawna Chen, “Harris to visit Mexico and Guatemala to address ‘root causes’ of border crossings,” *Axios*, April 14, 2021, <https://www.axios.com/2021/04/14/harris-immigration-visit-mexico-guatemala>.

⁶³⁷ Anne Gearan, Nick Miroff, and Karen DeYoung, “White House border coordinator to step down soon,” *The Washington Post*, April 9, 2021, https://www.washingtonpost.com/politics/roberta-jacobson-border-coordinator-leaves/2021/04/09/e2fe3a14-9971-11eb-962b-78c1d8228819_story.html.

⁶³⁸ Jonathan Lemire, et. al., “Biden taps VP Harris to lead response to border challenges,” *The Associated Press*, March 24, 2021, <https://apnews.com/general-news-3400f56255e000547d1ca3ce1aa6b8e9>.

⁶³⁹ Naomi Lim, “Kamala Harris: ICE should be reassessed ‘from scratch,’” *The Washington Examiner*, June 25, 2018, <https://www.washingtonexaminer.com/news/109823/kamala-harris-ice-should-be-reassessed-from-scratch/>.

⁶⁴⁰ Kamala Harris [@KamalaHarris], “Private prisons literally incentivize making money off of incarcerating human beings. No wonder ICE officials are bought in. On day 1, my Administration will shut down all government contracts with private prisons.” Tweet, *Twitter*, November 27, 2019, <https://x.com/KamalaHarris/status/1199826489379840002>.

⁶⁴¹ Kamala Harris [@KamalaHarris], “The WH wants to pour billions of dollars into ICE’s detention facilities, despite reports of rampant abuse and negligence. I’ve put forward legislation to prohibit the expansion or construction of new facilities and reduce the number of detention beds.” Tweet, *Twitter*, June 14, 2018, <https://x.com/KamalaHarris/status/1007323293634957315>.

⁶⁴² Kamala Harris [@KamalaHarris], “Trump’s border wall is just a stupid use of money. I will block any funding for it.” Tweet, *Twitter*, April 21, 2017, <https://x.com/KamalaHarris/status/855559494637674496>.

⁶⁴³ Adam Kelsey, “Sen. Kamala Harris hits Trump’s border wall ‘vanity project,’” *ABC News*, January 8, 2019, <https://abcnews.go.com/Politics/sen-kamala-harris-mother-big-influence-life-mum/story?id=60219175>.

⁶⁴⁴ Adam Shaw, “Flashback: Kamala Harris compared ICE to KKK in Senate hearing,” *Fox News*, August 11, 2020, <https://www.foxnews.com/politics/kamala-harris-ice-kkk-senate-hearing>.

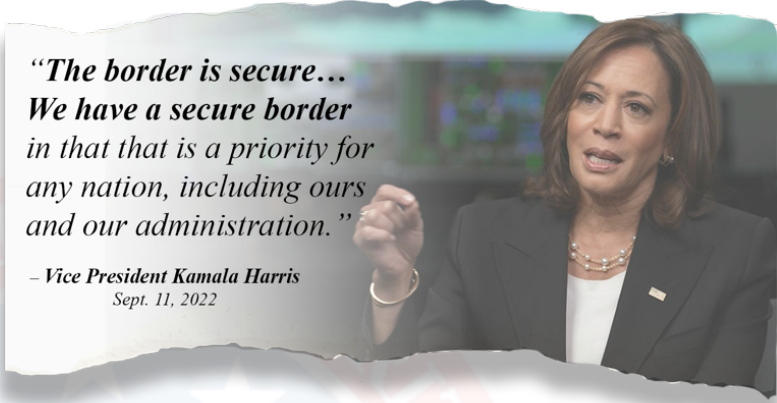


PART 13: EXAMINING THE RECORD OF “BORDER CZAR” KAMALA HARRIS

Given such a long track record of anti-border security, anti-enforcement bias, it should come as no surprise to Americans that Harris has done nothing to alleviate this crisis.

The numbers documented throughout this report stand alone in condemnation of her record as “border czar,” but the failure goes even deeper. In fact, as “border czar,” she has only made one trip to the Southwest border—all the way back in June 2021—in what a member of her own party blasted as a “politically safe,” “check the box” visit.⁶⁴⁵ Border Patrol agents would later say of the visit,

“[t]hey rented out a ton of hotels and we spent hours moving out bodies. The kids that remained, we had to braid their hair,” while another said, “[w]e sanitized all the aliens out of there to make it look good.”⁶⁴⁶ She has not gone back since.



***“The border is secure...
We have a secure border
in that that is a priority for
any nation, including ours
and our administration.”***

– Vice President Kamala Harris
Sept. 11, 2022

In July 2024, Americans further learned that she has never spoken with current Border Patrol Chief Owens, or his predecessor, Chief Ortiz.⁶⁴⁷ Her defenders have argued that Harris was only tasked with dealing with the “root causes” of increased illegal immigration from Mexico and the Northern Triangle countries, but an examination of the numbers shows that illegal crossings just from those countries on her watch, through July 2024, were up 140 percent compared to the Trump administration.⁶⁴⁸ Her abject failure as “border czar” was officially recognized by the House of Representatives on July 25, 2024, when, in a bipartisan vote, the House condemned the Biden-Harris administration’s open-borders policies, and specifically, Harris’ failed tenure as “border czar.”⁶⁴⁹

⁶⁴⁵ Tim Hains, “Texas Democrat Rep. Cuellar: Kamala Harris Taking A ‘Politically Safe,’ ‘Check The Box’ Trip To The Border,” *RealClearPolitics*, June 25, 2021, https://www.realclearpolitics.com/video/2021/06/25/texas_democrat_rep_cuellar_kamala_harris_taking_a_politically_safe_check_the_box_trip_to_the_border.html.

⁶⁴⁶ Jennie Taer, “Federal agents instructed to clear streets of migrants and put on a ‘show’ for ‘border czar’ Kamala Harris’ only trip to border,” *The New York Post*, July 24, 2024, <https://nypost.com/2024/07/24/us-news/kamala-harris-border-visit-agents-told-to-clear-streets/>.

⁶⁴⁷ Ali Bradley, “Last 2 Border Patrol chiefs say Harris has not spoken with them,” *NewsNation*, July 22, 2024, <https://www.newsnationnow.com/us-news/immigration/border-coverage/kamala-harris-border-patrol-chiefs/>.

⁶⁴⁸ Bill Melugin [[@BillMelugin](https://twitter.com/BillMelugin)], “NEW: VP Kamala Harris was tasked w/ solving ‘root causes’ of migration in the Northern Triangle countries & Mexico. What do the numbers say? According to CBP data, under the Biden/Harris administration, illegal crossings of migrants from Mexico and the Northern Triangle countries are up 140% over Trump’s term in office, and are up 34% over all 8 years of Obama’s two terms in office...,” Tweet, *Twitter*, July 25, 2024, <https://x.com/BillMelugin/status/1816637509390180751>.

⁶⁴⁹ “Strongly condemning the Biden Administration and its Border Czar, Kamala Harris’s, failure to secure the United States border,” H.Res. 1371, 118th Cong., 2nd sess. (2024).



PART 14: CONCLUSION

It is time for the Biden-Harris administration to follow the law and end this crisis—or step aside. As San Diego County Supervisor Jim Desmond has said, “[y]ou’re not a country if you do not have borders.”⁶⁵⁰ While there have always been policy differences on border security, administrations of both parties historically agreed with this sentiment. They understood that America’s immigration laws should be enforced. America’s leaders used to comprehend that illegal immigration was not only an affront to the rule of law, but a direct threat to the health and prosperity of the United States.

As one politician put it more than three decades ago, “[a]ll Americans, not only in the States most heavily affected but in every place in this country, are rightly disturbed by the large numbers of illegal aliens entering our country. ... It is wrong and ultimately self-defeating for a nation of immigrants to permit the kind of abuse of our immigration laws we have seen in recent years, and we must do more to stop it.”⁶⁵¹

Those words were uttered not by some Republican member of Congress, but by President Clinton in his 1995 State of the Union address. They stand in stark contrast to the feckless, reckless policies and rhetoric of the Biden-Harris administration today.

Quite simply, Biden, Harris, and Mayorkas have launched an assault on the rule of law, and in so doing, have

undermined the sovereignty, national security, and long-term wellbeing of the country they claim to serve. Despite absurd claims to the contrary, like Mayorkas giving himself “an ‘A’ for effort” in his oversight of the border,⁶⁵² the American people know the Biden-Harris administration has failed in its basic constitutional responsibility.

Biden, Harris, and Mayorkas were entrusted with the responsibility to secure the border, enforce the law, and keep Americans safe. They have not only broken that trust, but willfully cast aside their sacred obligation to the American people. History will remember them for this, but before those books are written, leaders in both parties must stand up and do what is right—end this crisis, reduce illegal immigration, and secure America’s borders.



John Moore/Getty Images

⁶⁵⁰ Supervisor Jim Desmond [@jim_desmond], “Over 1,500 single male adults have been dropped off at transit stations throughout San Diego County in the past three days. Our immigration system is non-existent, and people from around the world are taking advantage of the Federal government’s ineptness. It is simple: you’re not a country if you do not have borders.” Tweet, *Twitter*, September 16, 2023, https://twitter.com/jim_desmond/status/1703041867670294698.

⁶⁵¹ “Address Before a Joint Session of the Congress on the State of the Union,” *The American Presidency Project*, Transcript, January 24, 1995, <https://www.presidency.ucsb.edu/documents/address-before-joint-session-the-congress-the-state-the-union-11>.

⁶⁵² Tim Hains, “DHS Secretary Mayorkas Grades Biden Immigration Policy As ‘A For Effort,’” *RealClearPolitics*, video, November 16, 2021, https://www.realclearpolitics.com/video/2021/11/16/dhs_secretary_mayorkas_grades_biden_immigration_politics_as_a_and_on_the_road_to_success.html.