



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

October 31, 2024

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

Dear Secretary Mayorkas:

To assist the Committee on Homeland Security (Committee) with its investigation of the Department of Homeland Security's (Department) failure to effectively operate and maintain remote video surveillance systems, enclosed is a subpoena compelling the production of outstanding documents and information requested in the Committee's October 16, 2024 letter.<sup>1</sup>

On October 16, the Committee requested specific documents and information relating to the operability of cameras in U.S. Border Patrol's (USBP) Integrated Fixed Towers (IFT) and Remote Video Surveillance System-Upgrade (RVSS-U) programs.<sup>2</sup> The exigency of this national security threat demands solutions from the Department, U.S. Customs and Border Protection (CBP), and Congress.

Multiple sources informed the Committee that more than 66 percent of cameras in the RVSS-U program are inoperable. These sources also informed the Committee that the maintenance and repair of the RVSS-U towers, including through an Interagency Agreement with the Federal Aviation Administration, is sometimes performed by non-U.S. citizens, possibly in violation of CBP security policy.<sup>3</sup>

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<sup>1</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., et al., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Oct. 16, 2024).

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

<sup>3</sup> *See*, CBP Handbook 1400-05D ver. 7.0, Information Systems Security Policies and Procedures Handbook, Section 4.1.1. Citizenship, Personnel Screening, and Position Categorization. ("CBP policy requires that only Government and contractor personnel who are U.S. citizens shall be granted access to CBP systems processing sensitive information.") The CBP Commissioner or designee may, however, grant access to CBP systems for non-U.S. citizens under certain exceptions if the individual is a legal permanent resident of the United States or a citizen of Ireland, Israel, the Republic of the Philippines, or any nation on the Allied Nations List, who has a satisfactorily completed the necessary background check because there is a compelling reason to employ the individual instead of a U.S. citizen, and the Department's Chief Security Officer and Chief Information Officer concur in approving access for the individual.

The failure to maintain camera operability in surveillance towers presents a grave national security threat. In the last four years, the Biden-Harris Administration's disastrous border security and immigration policies have resulted in CBP encountering more than 8.4 million individuals at the U.S.-Mexico border, more than 10.4 million nationwide, and the escape of more than two million known gotaways into the interior of the United States.<sup>4</sup> The Committee is deeply concerned that if nearly two-thirds of USBP's remote surveillance tower cameras are inoperable, the total number of aliens that entered or will enter the United States without screening or vetting may be much greater than reported.

The Department's delinquency in providing the Committee the specific documents and information requested on October 16 is therefore unacceptable. On October 25, Committee staff e-mailed the Department's Office of Legislative Affairs (DHS-OLA) staff, requesting immediate production of a narrowed scope of the requested documents and information.<sup>5</sup> DHS-OLA responded that a briefing with Committee staff on October 30 would "begin answering the Committee's informational needs,"<sup>6</sup> while providing no further information on which of the Committee's October 16 requests the Department might satisfy in the briefing or if the briefing would be accompanied with a production of documents. Committee staff again e-mailed DHS-OLA inquiring whether the Department would produce the requested documents by October 28.<sup>7</sup> The Department failed to respond to the Committee's e-mail. Further, in the October 30 briefing with Committee staff the Department stated that the briefing was "not intended to be responsive" to the October 16 letter, and further provided no date that the Committee could expect production.<sup>8</sup>

To date, the Committee has received no production schedule or formal response from the Department, indicating that the Department may lack even a minimal desire to accommodate the simplest request in the absence of the compulsory process. The Committee requires the documents, information, and data compelled by the attached subpoena to fully evaluate potential legislation concerning both the standards of operability for USBP surveillance towers and the standards of contractor eligibility for contracts involving the maintenance and operation of USBP surveillance towers.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy, and has special

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<sup>4</sup> Nationwide Encounters, U.S. Customs & Border Protection, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>; See H. Comm. on Homeland Sec., Border Crisis Startling Stats, U.S. House of Rep., <https://homeland.house.gov/wp-content/uploads/2024/10/September-24-Startling-Stats.pdf>.

<sup>5</sup> E-mail from Staff, H. Comm. on Homeland Sec., to Off. of Legislative Affairs, Dep't of Homeland Sec. (Oct. 25, 2024 at 11:54 EDT) (on file with author).

<sup>6</sup> E-mail from Off. of Legislative Affairs, Dep't of Homeland Sec., to Staff, H. Comm. on Homeland Sec. (Oct. 25, 2024 at 16:55 EDT) (on file with author).

<sup>7</sup> E-mail from Staff, H. Comm. on Homeland Sec., to Off. of Legislative Affairs, Dep't of Homeland Sec. (Oct. 25, 2024 at 18:56 EDT) (on file with author).

<sup>8</sup> *Briefing on Integrated Fixed Tower and Remote Video Surveillance System at SWB: Briefing Before the Subcomm. on Border Sec. and Enf't and the Subcomm. on Oversight, Investigations and Accountability of the H. Comm. on Homeland Sec.* 118th Cong. (Oct. 30, 2024).

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oversight functions of “all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security.”

Sincerely,



MARK E. GREEN, M.D.  
Chairman

Encl.

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