

**Congress of the United States**  
**Washington, DC 20515**

February 9, 2021

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

President Biden,

We write today to bring attention to the rising illegal migration crisis that is already beginning at our southern border, a mere few weeks into your Administration.

Based on information from sources on the ground, this week Customs and Border Protection (CBP) agents have seen the average daily flow soar to more than 3,500 migrants, up from 2,000 earlier last month. Border Patrol's 21-day average has risen to nearly 3,000. The number of unaccompanied minors illegally entering our borders is closing in on 300 per day. CBP hasn't seen numbers like this since the height of the immigration crisis in the summer of 2019. CBP has already encountered over 200,000 illegal migrants since October and numbers are rising. For context, in the first three months of fiscal year 2020, CBP encountered 128,347.<sup>1</sup>

In Arizona, law enforcement officers have seen increases in illegal foot traffic in areas that "went completely dead" under the Trump Administration.<sup>2</sup> Illegal migrants are not just coming from our southern neighbors either, for example, last Monday, Border Patrol agents arrested 11 Iranians after sneaking across the border in Arizona, pushing the number of Iranians apprehended in the Yuma sector since October 1st, to 14.<sup>3</sup> By any standard - these are crisis level numbers being driven by the new administration's open border policies.

The increasing rate of illegal migration was foreseeable. Even before your inauguration, illegal migration numbers were increasing with the transition to your Administration and anticipated policies. During the first three months of fiscal year 2021, the number of single adult migrants encountered by Border Patrol increased 178 percent to 180,633 compared to the same period the year before, and encounters with Unaccompanied Alien Children (UACs) increased 50 percent.<sup>4</sup> In Texas, Border Patrol agents in the Laredo Border Patrol Sector have arrested over 1,200 migrants in stash houses since October - this is a 436 percent increase compared to the same period last year.<sup>5</sup>

Despite these rising numbers, on your first day as President, you signed multiple Executive Orders (EO) aimed at dismantling the security of our borders - rescinding policies from the Trump Administration that were working as intended to halt the flow of illegal migration.<sup>6</sup> The Biden Administration directives on stopping the building of border infrastructure, revoking policies aimed at carrying out interior enforcement, halting deportations for 100 days, and suspending the Migrant Protection Protocols (MPP) enrollment have all communicated that our borders are open.

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<sup>1</sup> <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

<sup>2</sup> <https://townhall.com/tipsheet/juliorosas/2021/02/04/obama-20-az-county-explains-border-worse-biden-n2584199>

<sup>3</sup> <https://www.washingtontimes.com/news/2021/feb/3/iranians-arrested-border-parol-jumping-us-border-a/>

<sup>4</sup> <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters/usbp-sw-border-apprehensions>

<sup>5</sup> <https://www.dailymail.co.uk/news/article-9203127/CBP-reports-436-increase-migrants-arrested-stash-houses-located-Texas-border-city.html>

<sup>6</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/>

Further, it is concerning to see your Administration perceives our border security issues as a political game instead of the very serious threat open borders provide to Americans and the migrants seeking to come here. We are once again on the brink of a huge humanitarian crisis, endangering the lives of migrants and law enforcement officers at the hands of the violent cartels that your Administration has further empowered. Reports also indicate that Health and Human Services (HHS) is opening an overflow facility for illegal migrants apprehended at our southern border.<sup>7</sup> Instead of finding common ground on border security issues as you once did when you voted for the “Secure Fence Act of 2006,” your solution to build more facilities that are only needed because of your recent actions, will only exacerbate the issue and further stretch resources.<sup>8</sup>

Notably, the Trump Administration’s policy to use 42 U.S. Code § 265 is perhaps now the only policy ensuring the southern border is not immediately rushed. Unfortunately, however, just last week, you signed another Executive Order threatening the longevity of this crucial policy.<sup>9</sup> If title 42 is indeed rescinded, the daily illegal flow will become catastrophic overnight.

Mr. President, the fundamental responsibility of the federal government is to protect America, not to ignore the law and to actively encourage, incentivize, and facilitate illegal migration in ways that empower cartels and endanger both American citizens and migrants wrongly being encouraged to succumb to the perilous journey. Given the emergency that this presents to the United States, we ask that you instruct Secretary Mayorkas to provide immediate briefings to all members of the U.S. House on this matter. This is not a political game - we implore you not let ideology blind your Administration to the need to secure the border, to defend Americans, and to prevent another cartel-empowering humanitarian crisis.

Sincerely,



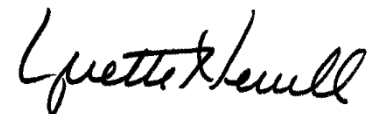
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<sup>7</sup> <https://www.cnn.com/2021/02/02/politics/migrant-children-facility-immigration/index.html>

<sup>8</sup> <https://dailycaller.com/2021/01/21/joe-biden-democrats-congress-border-security-amnesty-illegal-immigration/>

<sup>9</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/executive-order-creating-a-comprehensive-regional-framework-to-address-the-causes-of-migration-to-manage-migration-throughout-north-and-central-america-and-to-provide-safe-and-orderly-processing/>

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cc. The Honorable Alejandro Mayorkas  
Secretary  
Department of Homeland Security  
Washington, DC 20528