

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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judiciary.house.gov

March 30, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, DC 20528

Dear Secretary Mayorkas:

As the Biden border crisis continues to worsen by the day, President Biden and his Administration refuse to accept responsibility for the growing humanitarian and security crisis. This refusal to accept responsibility is startling in light of a news report that suggests the Biden Administration was warned that reversing President Trump's successful immigration policies would lead to a surge at the border. We write to request documentation relating to these warnings.

As you have noted, the United States is "on pace to encounter more individuals on the southwest border than we have in the last 20 years."¹ Yet President Biden still refuses to take any meaningful action to stop the flow of illegal aliens to the border. Even worse, President Biden continues to peddle the false narrative that his immigration policies are not the cause for this ongoing crisis.² You, too, have alleged without evidence that the Biden border crisis is the fault of President Trump.³

Contrary to President Biden's and your attempts to shift responsibility, a new report from National Public Radio shows that career staff at the Department of Homeland Security (DHS) warned the Biden transition team last fall against reversing President Trump's immigration policies.⁴ The article noted that "staff at U.S. Customs and Border Protection warned the Biden team that it would risk another crisis if it removed" Trump Administration policies such as the

¹ Press Release, Statement by Homeland Security Secretary Alejandro N. Mayorkas Regarding the Situation at the Southwest Border, U.S. Dep't of Homeland Security, (Mar. 16, 2021) <https://www.dhs.gov/news/2021/03/16/statement-homeland-security-secretary-alejandro-n-mayorkas-regarding-situation>.

² See, e.g., The White House Remarks by President Biden in Press Conference (Mar. 25, 2021).

³ Joseph Choi, *Mayorkas blames Trump Administration for current border crisis*, The Hill (Mar. 21, 2021).

⁴ Franco Ordonez, *Ex-DHS Chief Says Biden Was Warned About Dismantling Trump's Border Policies*, NPR, (Mar. 23, 2021) <https://www.npr.org/2021/03/23/980272165/ex-dhs-chief-says-biden-was-warned-about-dismantling-trumps-border-policies>.

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Migrant Protection Protocols and the Title 42 public health expulsion authority.⁵ DHS officials reportedly had “multiple briefings” with Biden transition officials, warning them that undoing President Trump’s policies would lead to an increase in illegal immigration.⁶

Instead of heeding these warnings, President Biden signed several executive orders dismantling the Trump Administration’s immigration programs and policies. The reversal of President Trump’s successful immigration policies have created a tremendous incentive for illegal aliens to surge to the southern border. President Biden and his Administration are responsible for the resulting crisis at the border.

To understand the warnings given by DHS officials to the Biden transition team relating to the consequences of reversing Trump Administration immigration policies, please produce the following material for the period October 1, 2020, to the present:

1. All documents and communications, including but not limited to memoranda, charts, graphs, power point presentations, notes, calendar invitations, and other material, referring or relating to meetings between DHS and the Biden transition team about immigration policy.
2. All documents and communications created, generated, or used in meetings between DHS and the Biden transition team about immigration policy.


Please provide these materials as soon as possible but by no later than 5:00 p.m. on April 13, 2021. The Committee on the Judiciary has jurisdiction over immigration policy pursuant to Rule X of the Rules of the House of Representatives.

If you have any questions about this request, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Tom McClintock
Ranking Member
Subcommittee on Immigration and Citizenship

cc: The Honorable Jerrold Nadler, Chairman
The Honorable Zoe Lofgren, Chair, Subcommittee on Immigration and Citizenship

⁵ *Id.*

⁶ *Id.*