

Congress of the United States
House of Representatives
Washington, DC 20515-0305

March 10, 2021

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

Dear Secretary Mayorkas:

Given your recent plea for volunteers from throughout the Department of Homeland Security (DHS) to support Customs and Border Protection's work at the border, I request that you publicly declare that the situation at the southern border is a crisis.^[1] Calling the deteriorating humanitarian crisis at the border "a challenge" instead of a "crisis" demonstrates your Department's unwillingness to protect our country from illegal immigration.^[2]

Additionally, I request that you immediately reinstate enrollments in the Migrant Protection Protocol (MPP). Reinstating enrollments in MPP will immediately send a message to aliens seeking to enter the United States that DHS is serious about border security and enforcing our immigration laws. The Department's current actions allowing aliens previously placed in MPP into the United States sends a strong message to aliens that our border is open and encourages aliens to attempt to enter illegally.

Finally, I request that you rescind U.S. Immigration and Customs Enforcement's (ICE) Interim Guidance on Civil Immigration Enforcement and Removal Priorities and immediately begin enforcing our immigration laws on all aliens. I recommend that ICE begin by removing all aliens with final orders of removal. Last year, former Acting Director Matthew Albence testified that there are more than one million aliens with final orders of removal on ICE's non-detained docket.^[3] Removing these aliens will send a strong message that DHS will enforce the law.

Thank you for your consideration of these recommendations. Should you choose not to implement these recommendations, I request that you provide me with detailed reasons for your decisions.

Sincerely,



Andy Biggs
Member of Congress

^[1] <https://www.washingtontimes.com/news/2021/mar/8/dhs-begs-volunteers-rush-border-admits-surge-migra/>

^[2] https://www.washingtonpost.com/immigration/biden-administration-facing-a-challenge-at-mexico-border-but-not-a-crisis-dhs-chief-says/2021/03/01/d30d1564-7aac-11eb-85cd-9b7fa90c8873_story.html

^[3] <https://www.ice.gov/sites/default/files/documents/Testimony/2020/20200311albence.pdf>