

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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July 18, 2022

The Honorable Carolyn Maloney
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

We write, for the sixth time this Congress, to request that you immediately begin holding oversight hearings on the worsening border crisis. The Committee on Oversight and Reform continues to waste its time on hearings outside its oversight and legislative jurisdiction, including pet flea and tick collars and the workplace culture at a National Football League team. Meanwhile, the Committee continues to ignore the border crisis which is exacerbated by waste, fraud, abuse, and gross mismanagement in the Biden Administration. The Biden Administration repeatedly boasts of promoting “safe, orderly, and humane migration.”¹ But the southern border is dangerous, chaotic, and inhumane. For example, smugglers recently murdered 53 migrants by abandoning them locked in a tractor trailer in the hot sun.² Due to the Committee’s failure to hold the Administration accountable, you continue to receive an “F” letter grade in the Lugar Center’s Congressional Oversight Hearing Index.³ We urge you to reverse course. We reiterate our request that you invite officials such as Secretary of Homeland Security Alejandro Mayorkas, Customs and Border Protection Commissioner Chris Magnus, Chief of the U.S. Border Patrol Raul Ortiz, Acting Director of Immigration and Customs Enforcement Tae Johnson, and others to testify about the crisis at our southern border.

The situation along the southern border is escalating from a crisis to a national security and humanitarian catastrophe. Apprehensions of illegal border crossings reached a record high in May 2022, with more than two million apprehensions expected just this fiscal year.⁴ U.S. Border Patrol made 222,656 arrests of illegal border crossers in May alone.⁵ Hundreds of thousands of illegal border crossers have been released into the interior of the United States since

¹ Press Release, *Statement by Secretary Mayorkas on U.S. Strategy for Immigration*, DEP’T. OF HOMELAND SECURITY (Jul. 29, 2021).

² Sanchez, Ray, et. al., *On a Texas road called ‘the mouth of the wolf,’ a semitruck packed with migrants was abandoned in the sweltering heat*, CNN NEWS (Jun. 29, 2022).

³ House Committee on Oversight and Reform, *Projected Grade for the 117th Congress, THE LUGAR CENTER* (Jun. 17, 2022), available at <https://oversight-index.thelugarcenter.org/committee-d292d5cc-2db8-4365-b929-ef4756f5fa2e/>.

⁴ Miroff, Nick, *U.S. border arrests rose to record high in May, data shows*, WASH. POST (Jun. 16, 2022).

⁵ Southwest Border Statistics, U.S. Department of Homeland Security, Customs and Border Protection, available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last accessed Jun. 28, 2022) (Sort by Component, U.S. Border Patrol).

President Biden took office.⁶ Those numbers do not include the nearly 400,000 additional aliens known to have evaded capture entirely.⁷

Mexican cartels have capitalized off the chaos to expand their human smuggling and drug trafficking operations. They have transported large groups of migrants to overwhelm Border Patrol Agents while they move fentanyl and other deadly narcotics.⁸ Even President Biden's Director of the Office of National Drug Control Policy recently testified that "I believe we can do more. And I think we need to do more" when it comes to controlling the illicit flow of fentanyl across the southern border.⁹ These cartels have no regard for the value of human life, even as they profit from a human smuggling industry worth billions of dollars.¹⁰ In addition to killing tens of thousands of Americans with illicit fentanyl, they frequently abandon their smuggling clients in perilous situations.¹¹ The depravity of the cartels recently led to a mass casualty event where 53 migrants died after smugglers locked them in a tractor trailer in the hot sun in San Antonio, Texas.¹² Only cartels are benefitting from the southern border crisis. Our Committee must not stand on the sidelines but take action immediately.

The Committee on Oversight and Reform exists to provide congressional oversight to ensure that the federal government is working efficiently and effectively on behalf of the American people. The border crisis demands our oversight. Therefore, we are disappointed in your silence. One Committee Democrat recently suggested that our Committee does not possess oversight authority over immigration policy or the border.¹³ This is simply untrue. In fact, Committee Democrats held multiple immigration and border related hearings last Congress.¹⁴ You also recently asserted that "[w]e have authority to investigate anything and everything."¹⁵ So why do you continue to ignore the worst border crisis in American history?

We must hold the Biden Administration accountable for its decisions surrounding this and other crises confronting our nation. Our failure to act now will only prolong a miserable situation and allow fraud, waste, and abuse to continue impacting southern border policies. Thank you for your attention to this important request.

⁶ Sullivan, Eileen, *Migrants Left in Limbo After Policy Change to Help Busy Border Officials*, N.Y. TIMES (Feb. 14, 2022).

⁷ Betz, Bradford, *Mayorkas testifies more than 389,000 migrant 'gotaways' at border*, FOX NEWS (Apr. 28, 2022).

⁸ H. Comm. On Oversight & Reform, *Examining the 2022 National Drug Control Strategy and the Federal Response to the Overdose Crisis*, 117th Cong. (Jun. 27, 2022).

⁹ *Id.*

¹⁰ *Human Smuggling equals grave danger, big money*, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Jan. 26, 2022), available at <https://www.ice.gov/features/human-smuggling-danger> (last visited July 14, 2022).

¹¹ *Supra*, n.2.

¹² *Id.*

¹³ H. Comm. On Oversight & Reform, *Examining the 2022 National Drug Control Strategy and the Federal Response to the Overdose Crisis*, 117th Cong. (Jun. 27, 2022) (Rep. Wasserman Schultz: "So, our, our colleagues on the other side of the aisle talk a lot, a good game about focusing on what we are actually responsible over. That policy [immigration policy and border policy] is not what we are responsible for in the oversight committee.").

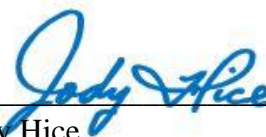
¹⁴ See e.g. H. Comm. On Oversight & Reform, *Kids in Cages: Inhumane Treatment at the Border*, 116th Cong. (Jul. 10, 2019); H. Comm. On Oversight & Reform, *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment*, 116th Cong. (Jul. 12, 2019); Memorandum from Majority Staff, H. Comm. On Oversight & Reform, *Hearing with Acting Secretary of Homeland Security Kevin K. McAleenan*, 116th Cong. (Jul. 15, 2019) (to examine "the treatment of immigrants detained in U.S. government facilities."); H. Comm. On Oversight & Reform, Subcommittee on Civil Rights & Civil Liberties, *The Administration's Apparent Revocation of Medical Deferred Action for Critically Ill Children*, 116th Cong. (Sept. 11, 2019).

¹⁵ H. Comm. On Oversight & Reform, *Tackling Toxic Workplaces: The NFL's Handling of Workplace Misconduct at the Washington Commanders*, 117th Cong. (Jun. 22, 2022).

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



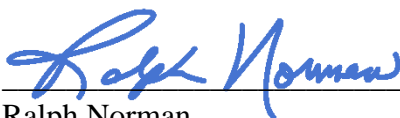
Jody Hice
Ranking Member
Subcommittee on Government
Operations



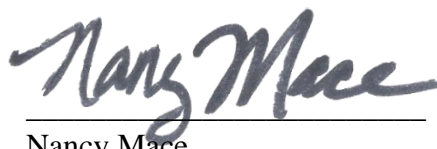
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



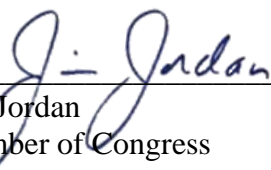
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



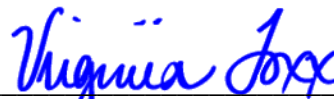
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Ranking Member
Subcommittee on Environment



Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



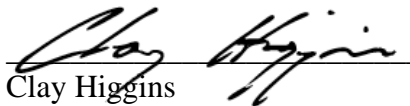
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Member of Congress



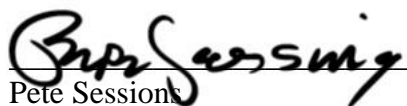
Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



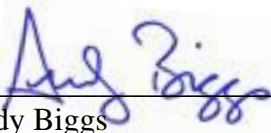
Clay Higgins
Member of Congress



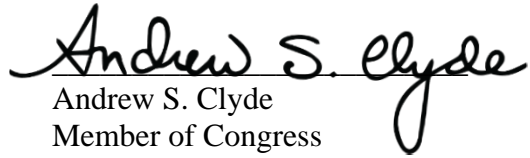
Pete Sessions
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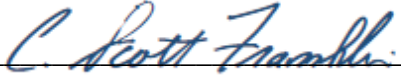
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Member of Congress



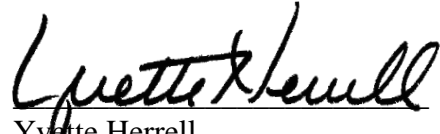
C. Scott Franklin
Member of Congress



Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties