

Congress of the United States
Washington, DC 20515

January 18, 2023

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

Dear Secretary Mayorkas,

The Department of Homeland Security (DHS) announced an expansion of its purported parole authority to include the monthly parole of more than 30,000 illegal migrants from Cuba, Nicaragua, Haiti and Venezuela into the United States.¹ You testified before the House Judiciary Committee that parole “is judged on an individualized case-by-case basis.”² Therefore, in your own words, the new mass-parole of 30,000 migrants is unlawful. Additionally, DHS and the Department of Justice announced a forthcoming proposed rule that seeks to address the “unprecedented surge ... [and] encounters at our border” by “incentiviz[ing] the use of new and existing lawful processes.”³ While admitting the significance of the crisis at the border, the Biden Administration is again forgoing real solutions by encouraging more migration that will assuredly worsen the untenable border crisis.

In the first year under your leadership, this administration created the worst border crisis in the history of the United States, and this historic crisis worsened in this administration’s second year. A 30,000 monthly increase in paroles under the policy announced today would mark a 33% increase over the concerning parole totals available in December. Under your leadership, this administration has continued to double-down on policies that act as pull factors for illegal immigration rather than addressing the historic border crisis. In the wake of its own failures to effectively address the border crisis, the Biden Administration has also prohibited states from implementing policies to deal with illegal immigration themselves and limited the tools available to Border Patrol agents.

This administration cannot continue its erosion of the southern border and its mass-parole of migrants into our country. A secure country demands secure borders.

Please provide these answers and other requested information no later than January 31, 2023.

¹ *DHS Continues to Prepare for End of Title 42; Announces New Border Enforcement Measures and Additional Safe and Orderly Processes*, DHS (Jan. 5, 2023), <https://www.dhs.gov/news/2023/01/05/dhs-continues-prepare-end-title-42-announces-new-border-enforcement-measures-and>; Cleve R. Wootson Jr., Nick Miroff, and Maria Sacchetti, *Biden’s new immigration plan would restrict illegal border crossings*, THE WASHINGTON POST (Jan. 5, 2023), <https://www.washingtonpost.com/politics/2023/01/05/biden-border-security-immigration/>.

² *Oversight of the Department of Homeland Security: Hearing Before the H. Comm. on the Judiciary, 117th Cong.*, April 28, 2022 (Statement of Alejandro Mayorkas).

³ *DHS Continues to Prepare for End of Title 42; Announces New Border Enforcement Measures and Additional Safe and Orderly Processes*, DHS (Jan. 5, 2023), <https://www.dhs.gov/news/2023/01/05/dhs-continues-prepare-end-title-42-announces-new-border-enforcement-measures-and>.

1. From what source does DHS derive its legal authority to parole more than 30,000 monthly migrants into the United States?
2. From what source does DHS derive its legal authority to parole migrants before they reach the United States border?
3. Will the migrants paroled pursuant to this policy be transported into the United States using federal funds?
4. How does this policy “enhance border security”?⁴
5. Under what criteria were the countries Cuba, Haiti, and Nicaragua selected for this program?

Sincerely,



JD Vance
U.S. Senator



Andy Biggs
Member of Congress



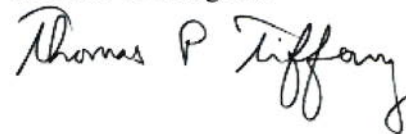
Ron Johnson
U.S. Senator



Brian Babin, D.D.S
Member of Congress



Ted Cruz
U.S. Senator



Tom Tiffany
Member of Congress



Bill Cassidy
U.S. Senator



Diana Harshbarger
Member of Congress

⁴ DHS Continues to Prepare for End of Title 42; Announces New Border Enforcement Measures and Additional Safe and Orderly Processes, DHS (Jan. 5, 2023), <https://www.dhs.gov/news/2023/01/05/dhs-continues-prepare-end-title-42-announces-new-border-enforcement-measures-and>.



Mike Braun
U.S. Senator



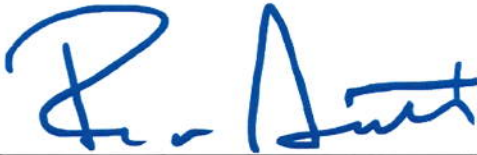
Matt Gaetz
Member of Congress



Josh Hawley
U.S. Senator



Lauren Boebert
Member of Congress



Rick Scott
U.S. Senator



Eli Crane
Member of Congress



Cynthia Lummis
U.S. Senator



Marjorie Taylor Greene
Member of Congress




Ted Budd
U.S. Senator



Tom McClintock
Member of Congress



Eric Schmitt
U.S. Senator



Mary E. Miller
Member of Congress



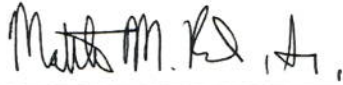
Warren Davidson
Member of Congress



Michael Cloud
Member of Congress



Andy Ogles
Member of Congress




Matthew M. Rosendale, Sr.
Member of Congress



Dan Bishop
Member of Congress



Ralph Norman
Member of Congress



Ronny L. Jackson
Member of Congress



Lance Gooden
Member of Congress



Beth Van Duyne
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Ken Buck
Member of Congress



Jim Banks
Member of Congress



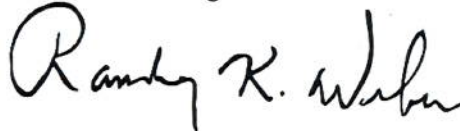
Debbie Lesko
Member of Congress



Eric Burlison
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



Randy K. Weber
Member of Congress



Rich McCormick, MD, MBA
Member of Congress

A handwritten signature in black ink, appearing to read 'CR' with a stylized flourish underneath.

Chip Roy
Member of Congress