

Congress of the United States

Washington, DC 20515

July 19, 2022

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

Dear Secretary Mayorkas:

We write to conduct oversight over the Department of Homeland Security's (DHS) use of non-governmental organizations to facilitate the release and onward travel of thousands of illegal border crossers into the United States. The Biden Administration's plan for dealing with historic levels of illegal border crossings amounts to a directive to components to simply release—with little to no consequence—more aliens, more quickly into the United States.¹ To carry out this task, the Biden Administration increasingly relies on non-governmental organizations including those who may be receiving taxpayer funding from various federal or state sources. We write to conduct oversight into the relationship between DHS and non-governmental organizations (NGOs) who are facilitating those releases, as well as the use of taxpayer money to subsidize these activities. American taxpayers deserve to know where their money is going and how it is being used.

In response to the Biden Administration's numerous policies dismantling our lawful immigration system and fueling illegal immigration into the United States, we are witnessing a historic border crisis. NGOs have historically partnered with the DHS to provide temporary shelter and other humanitarian relief for migrants. Yet under the Biden Administration, NGOs have been used as a tool to enable the mass-release of hundreds of thousands of illegal border crossers into the United States. More than 400,000 illegal border crossers were released into the U.S. during President Biden's first year in office,² and tens of thousands more are released every month.

In response to prior Committee inquiries, DHS has denied directly providing airline tickets for illegal border crossers released from DHS custody, but notes that for aliens not self-funding their own travel, "[s]tandard procedures are for sponsors in the United States to provide transportation or for a non-governmental organization to provide assistance upon referral or

¹ See Memorandum for Interested Parties from Alejandro Mayorkas, Secretary, DEP'T. OF HOMELAND SECURITY (Apr. 26, 2022), available at https://www.dhs.gov/sites/default/files/2022-04/22_0426_dhs-plan-southwest-border-security-preparedness.pdf.

² Sullivan, Eileen, *Migrants Left in Limbo After Policy Change to Help Busy Border Officials*, N.Y. TIMES (Feb. 14, 2022).

transfer.”³ The role of non-governmental organizations has only increased since that time. Recently, you announced that the DHS would be “increasing CBP processing efficiency” to “mitigate potential overcrowding at Border Patrol stations” which translates into faster releases for illegal border crossers.⁴ In order to complete these releases, you announced that “[w]e are bolstering the capacity of NGOs to receive noncitizens after they have been processed by CBP and are awaiting the results of their immigration removal proceedings.”⁵ Specifically, you noted that:

“Our goal is to help communities alleviate the pressures they experience by expanding NGO capacity, through communication and coordination with all relevant partners, and other assistance such as the Emergency Food and Shelter Program (EFSP), a Federal Emergency Management Agency (FEMA) grant program that supplements and expands ongoing work of local NGOs to meet the needs of local agencies.”

It is clear that the Biden Administration relies heavily on NGOs to facilitate releases of illegal border crossers from DHS custody. Moreover, based on your statements, it appears that these NGOs are receiving taxpayer money, at the very least in the form of grants from DHS agencies, and perhaps from other departments or agencies throughout the federal government enterprise.

To assist Republicans on the Committee on Oversight and Reform in conducting oversight of DHS’ funding mechanisms for NGOs that facilitate onward travel of illegal border crossers, please provide the following documents and information, no later than August 2, 2022:

1. All documents and communications regarding the use of non-governmental organizations in facilitating releases of recent illegal border crossers from DHS custody;
2. A complete list of all non-governmental organizations relied on by the DHS to facilitate releases of recent illegal border crossers from DHS custody;
3. All assessments and information created by or maintained by the Southwest Border Coordination Center or any other DHS component agency relating to capacity of non-governmental organizations to receive recent illegal border crossers;
4. All documents and communications relating to the use of federal taxpayer funds, whether administered by DHS agencies or by other federal agencies, provided to non-governmental organizations which facilitate releases of recent illegal border crossers from DHS custody;

³ DHS Response to July 20, 2021 letter from Michael Cloud, Ranking Member, Subcommittee on Economic and Consumer Policy (Oct. 13, 2021), *on file with committee staff*.

⁴ *See supra*, n.1.

⁵ *Id.*

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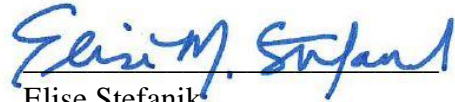
5. A numerical accounting of all illegal border crossers released from DHS custody on or after January 20, 2021 into the interior of the United States, disaggregated by State of their reported destination.

Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight & Reform



Elise Stefanik
Chairwoman
House Republican Conference

cc: The Honorable Carolyn B. Maloney, Chairwoman
Committee on Oversight & Reform