

United States Senate

March 17, 2021

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

The Honorable Norris Cochran
Acting Secretary
U.S. Department of Health & Human
Services
200 Independence Avenue, Southwest
Washington, D.C. 20201

Dear Secretary Mayorkas and Acting Secretary Cochran,

The humanitarian crisis our nation is experiencing along our Southern border is deeply concerning. Under the Biden Administration, we have seen a dramatic rise in the number of migrants illegally attempting to cross the border, including tragically high numbers of unaccompanied children. In January, law enforcement agencies apprehended more than 75,000 people along the Southern border attempting to illegally enter the United States, more than any other January in the past decade. Last month, the number of apprehensions rose to more than 100,000 migrants, the highest monthly total in nearly two years. As our brave border patrol agents and law enforcement officers continue to deal with the threat of COVID-19, this surge in attempted crossings not only threatens their health and safety, but that of everyone being held in rapidly filling detention centers.

The United States is a nation built on immigration and we should continue to encourage people to live their dreams in our country – but it has to be done legally. I have been clear – without a secure border, we cannot succeed with needed reforms to our immigration system. Sadly, the Administration has chosen to ignore this reality. There is no question that the decisions of the Biden Administration to stop construction and funding of the border wall, repeal key immigration policies and the push the dangerous rhetoric of amnesty and open borders has contributed to the rise in attempted border crossings and asylum applications.

It's clear that this crisis demands the attention of the federal government. If additional resources are needed to secure the border, Congress must be informed of those needs so we may appropriately respond. Therefore, I request an immediate response to the following questions:

1. Secretary Mayorkas – in our conversation prior to your confirmation vote, you committed to me that you would enforce all immigration laws. Is the Department of Homeland Security (DHS) honoring that commitment?
2. Last week, DHS asked for volunteers from other federal agencies to support its response to the crisis at the Southern border. Does DHS need additional Customs and Border Protection (CBP) agents and Immigration and Customs Enforcement (ICE) officers to help address the record number of illegal apprehensions being processed at the border?
3. Given the humanitarian crisis we are witnessing at the Southern border, will the Biden Administration reconsider its decision to reinstate the dangerous policy known as “catch and release,” as this practice has served as a “pull-factor” for vulnerable migrants and is exploited by savage cartels?
4. Please provide an explanation of the Federal Emergency Management Agency’s (FEMA) new role in responding to the crisis at the Southern border.
5. Given FEMA’s involvement, does the Biden Administration now believe that this is indeed a crisis and emergency?
6. Since January 20, 2021, how many unaccompanied children has DHS encountered at the Southern border? How many unaccompanied children have been processed to Department of Health and Human Services (HHS) custody since January 20, 2021? How many unaccompanied children are currently in HHS custody?
7. Are DHS and HHS using all the facilities currently available to shelter the growing number of illegal aliens crossing our border? If not, why not? Are additional beds needed?
8. Do you expect DHS and HHS to reopen Florida’s Homestead Shelter for Unaccompanied Children? If so, when?
9. Since January 20, 2021, have all illegal aliens who are not unaccompanied children been denied entry into the U.S. and returned to Mexico? If so, how many individuals have been denied entry and returned? If not, how many have been allowed into the U.S.?
10. On the Southern border, is every illegal alien in CBP, ICE and HHS custody given a COVID-19 test? If so, how many illegal aliens have tested positive for COVID-19 since January 20, 2021? How many total COVID-19 tests have been administered to illegal aliens since January 20, 2021? What is the protocol when an illegal alien in CBP, ICE or HHS custody tests positive for COVID-19?
11. Is every illegal alien who is released into the interior of the country confirmed to be COVID-19 negative, prior to release?

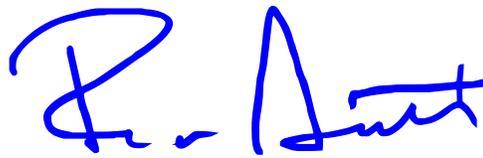
Right now, those trying to cross the border illegally believe that the Administration’s policy changes are a signal for them to come here without

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consequence. That must change. Our laws are clear and unequivocal, and the application of them by this Administration should be as well. It's time for the Biden Administration to send a clear message of law and order, which will deter those seeking entry from making the dangerous trek to our border, protect unaccompanied children, and alleviate the burden placed on our courageous law enforcement, border patrol and immigration officers.

I look forward to your prompt response to my questions and attention to this growing crisis.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Rick Scott
United States Senator

cc: Tae Johnson, Acting Director U.S. Immigration and Customs Enforcement
Troy Miller, Senior Official Performing the Duties of the Commissioner of U.S.
Customs and Border Patrol
Robert J. Fenton, Jr., Senior Official Performing the Duties of FEMA
Administrator