

## United States Senate

March 22, 2022

The Honorable Alejandro Mayorkas  
Secretary  
Department of Homeland Security  
301 7th Street SW, Mail Stop 0020  
Washington, D.C. 20528

The Honorable Chris Magnus  
Commissioner  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue NW  
Washington, D.C. 20229

Dear Secretary Mayorkas and Commissioner Magnus:

The crisis at our southern border is undeniable and has impacted the lives of millions of American families. Since President Biden took office, illegal aliens have been flooding into our country at a record-breaking pace. In 2021, Customs and Border Protection (CBP) agents encountered more than 2 million individuals illegally crossing America's southern border. This crisis must be acknowledged and aggressively confronted. However, under the Biden administration, this shocking violation of U.S. laws has largely been ignored. The result of this ignorance is more crime, more drug overdose deaths and greater costs to American taxpayers. It is far past time for the Department of Homeland Security and CBP to enforce the law and put American interests first.

The rise in illegal border crossings and lack of border security seen over the past year has led to an unprecedented amount of drugs flowing across the border and into our communities across the country. Fentanyl has become one of the most dangerous drugs smuggled into the U.S. by narcoterrorists. It is cheap to make, easy to smuggle, and is being counterfeited as popular, trusted, prescription pills. Over the past year, overdose deaths involving synthetic opioids (primarily fentanyl) rose 55.6%. These counterfeit prescription pills are potent, unpredictable and killed nearly 100,000 Americans last year alone. This is heartbreaking and completely unacceptable.

At the 328 U.S. Ports of Entry, CBP is responsible for the inspection of pedestrians, passengers, and cargo. CBP's Office of Field Operations (OFO) is responsible for maintaining the Narcotics Interdiction Guide Book. This guide book provides standardized guidance to all CBP agents for narcotics examinations to ensure standard enforcement at all ports of entry. The agency's own Policy Management Guidebook says that OFO's policies must be reviewed and updated at least every three years. However, the Narcotics Interdiction Guide Handbook was last updated in August 1999 and the Canine Enforcement Program Handbook was last updated in

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August 2002. These handbooks are so old and outdated that they predate the creation of CBP and DHS, and they do not address fentanyl, one of the most dangerous problems facing our CBP officers and Americans today.

The savage drug cartels in Mexico see the Biden administration's weakness on the border and are exploiting it to increase their profits at the cost of American lives. The cartels do not value life, they only care about money and are finding innovative solutions to create new and more lethal drugs to send across the border every day.

The American people deserve to know that every precaution is being taken to keep their children and themselves safe. The leadership at DHS and CBP must do more, and updating policies related to port of entry inspections in accordance with OFO guidance is an easy step that can and should begin today.

The crisis on our border is taking lives every day. There is no excuse for not taking every action to stop deadly fentanyl from entering the U.S. and making sure our brave CBP agents have every tool and resource needed to safely and effectively do their jobs. I expect a swift response to this commonsense request to update old and ineffective policy and look forward to hearing from you on the steps you are taking to actually secure the border and protect American families.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott". The signature is stylized with a large initial "R" and a prominent "S".

Rick Scott  
United States Senator