

United States Senate

February 16, 2021

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

Dear Secretary Mayorkas,

To minimize the spread of COVID, the Biden Administration has kept in place presidential proclamations issued by President Trump that suspend travel from certain regions of the world. Recently, the Centers for Disease Control (CDC) announced that individuals boarding planes destined for the U.S. must possess negative COVID tests taken within three calendar days of their departure dates. Unfortunately, according to many news reports, the Department of Homeland Security (DHS) is not adhering to the same health guidelines for individuals who are entering the U.S. at or between ports of entry along the Southwest border. If correct, this is both disturbing and discouraging, as our nation has made great sacrifices to contain this virus - to the point of shutting down our economy, laying off American workers, and closing schools.

Almost immediately after taking office, President Biden rescinded many executive orders and DHS policies related to enforcement of U.S. immigration laws. Under your leadership, the Administration has also instituted a number of policies that will undoubtedly weaken both border and national security. I am concerned that these policy changes leave little protection or guidance in place to support our federal and local law enforcement officers along the border or within the interior of the U.S. Not surprisingly, these actions were taken without providing the American people and lawful immigrants any explanation as to why enforcing the nation's immigration laws is contrary to the goals of this Administration.

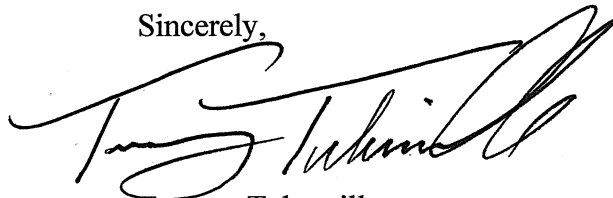
With these critical issues in mind, I ask that you please respond in detail to the questions below to better inform the public's understanding of how DHS plans to prioritize the health, safety, and security of our law enforcement officers and all Americans:

- Please explain what precautionary measures CBP officers and border patrol agents are directed to take to minimize their exposure to COVID and how we can ensure these measures are being adhered to. How frequently are you testing officers and agents stationed along the Southwest border?

- Effective January 26, 2021, the CDC requires that all air passengers, including U.S. citizens, boarding flights destined for the U.S. provide evidence of a negative COVID test taken within three calendar days of departure. Is this same requirement in place for individuals entering the U.S. at or between ports of entry along the Southwest border? If not, why is a stricter standard being applied to U.S. citizens than non-citizens?
- Is every individual admitted at the Southwest border being screened for credible fear? Has COVID impacted the Department's ability to thoroughly vet individuals who are entering the U.S. both legally and illegally via land border?
- Please explain how rescinding any of the executive orders related to immigration and published during the Trump Administration make our nation's borders stronger, the American people safer, and our lawful immigration system more secure.

I appreciate your consideration of my questions and look forward to developing solutions that address my concerns and those of the American people. If you have questions regarding this matter, please have your staff contact Bradley Hayes in my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tommy Tuberville', with a large, stylized flourish extending from the end of the signature.

Tommy Tuberville
United States Senator