

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States  
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906  
judiciary.house.gov

January 22, 2024

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
3017 7th St. S.W.  
Washington, DC 20528

Dear Secretary Mayorkas:

The Committee on the Judiciary and the Subcommittee on Immigration Integrity, Security, and Enforcement continue to conduct oversight of the crisis at the southwest border. Since President Biden took office there have been 35 consecutive months in which Customs and Border Protection (CBP) has encountered more than 100,000 illegal aliens along the southwest border.<sup>1</sup> In that time, CBP encounters of illegal aliens on the southwest border have totaled more than seven million,<sup>2</sup> including an all-time monthly high of over 302,000 in December 2023.<sup>3</sup>

The incentives created by the Biden Administration's radical open-border policies continue to drive illegal immigration into the United States. Illegal aliens continue to cross our southwest border because they know that more likely than not, the Biden Administration will release them into the U.S. To make matters worse, the illegal aliens know that they will then be given a plane or bus ticket—at U.S. taxpayer expense—to whatever U.S. destination they desire. According to Department of Homeland Security data and sources, the Biden Administration has released more than 3.3 million illegal aliens into the United States.<sup>4</sup>

---

<sup>1</sup> U.S. Customs and Border Prot., Sw. *Land Border Encounters*, U.S. DEP'T OF HOMELAND SEC. (last accessed Dec. 27, 2023) (reporting 6,776,255 illegal alien encounters through Nov. 2023); Bill Melugin (@BillMelugin\_), X (Dec. 26, 2023, 11:28 AM) (reporting 730,000 illegal alien encounters thus far in FY 2024). Under the Biden Administration, CBP has encountered at least 7,022,862 illegal aliens along the southwest border.

<sup>2</sup> *Id.*

<sup>3</sup> Timothy H.J. Nerozzi and Griff Jenkins, *Migrant encounters at southern border hit record 302K in December, sources say*, FOX NEWS (Jan. 1, 2024), <https://www.foxnews.com/politics/migrant-encounters-southern-border-hit-record-302k-december-sources-say>.

<sup>4</sup> See H. Comm. on the Judiciary, Rep. on The Biden Border Crisis: How the Biden Admin. Opened the Sw. Border and Abandoned Interior Immigr. Enf't at App'x 1 (Oct. 9, 2023) ("DHS released at least 2,148,738 illegal aliens into the United States" through March 2023); see also U.S. Customs and Border Prot., *CBP Releases Nov. 2023 Monthly Update*, U.S. DEP'T OF HOMELAND SEC. (Dec. 22, 2023), <https://www.cbp.gov/newsroom/national-media-release/cbp-releases-november-2023-monthly-update> ("297,000 Cubans, Haitians, Nicaraguans, and Venezuelans [] were granted parole under the parole processes [through Nov. 2023]") [hereinafter Nov. 2023 Monthly Update];

It is hard to think of a bigger incentive for illegal aliens to show up along the southwest border than the promise of being rewarded with a government-sanctioned stay in the United States. Yet two weeks ago you gave them one. According to press reports, on January 8, “when meeting privately with [Border Patrol] agents in Eagle Pass, Texas,” you acknowledged that currently more than 85 percent of illegal aliens encountered at the southwest border are being released into the interior of the country.<sup>5</sup> Such an astronomical release rate shows a flagrant disrespect for the rule of law and for those Americans and legal immigrants who abide by the law.

Your frank admission about DHS’s release rate demands our attention. Accordingly, to assist the Committee with its continued oversight of federal immigration policy and procedures, we ask that you please provide the following:

1. All data relating to and supporting your assertion that DHS has released into the interior over 85 percent of illegal aliens encountered at the southwest border;
2. All documents and communications between or among Department of Homeland Security or its components for the period January 20, 2021, to the present referring or relating to the above-referenced over-85 percent release rate for illegal aliens;
3. A numerical breakdown of all illegal alien releases at the southwest border since January 20, 2021, by release category, including the statutory basis for the release;
4. The Standard Lifecycle Table through December 31, 2023;
5. The CBP Bookouts Table through December 31, 2023;
6. The Immigration and Customs Enforcement (ICE) Bookouts Table through December 31, 2023; and
7. On a monthly basis going forward, for the preceding month, no later than the 15th of each month,
  - a. The Standard Lifecycle Table;

---

U.S. Customs and Border Prot., *Custody and Transfer Statistics FY 2023*, U.S. DEP’T OF HOMELAND SEC. (last accessed Jan. 12, 2024), <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2023> (reporting that, between April 2023 and September 2023, 507,873 illegal aliens were released with a notice to appear or paroled); Bill Melugin (@BillMelugin\_), X (Dec. 22, 2023, 12:07 PM), [https://x.com/BillMelugin\\_/status/1738244827475775910?s=20](https://x.com/BillMelugin_/status/1738244827475775910?s=20) (In FY 2024 thus far, “Border Patrol has released more than 386,500 illegal aliens”).

<sup>5</sup> Adam Shaw, Bill Melugin, and Griff Jenkins, *Mayorkas tells Border Patrol agents that ‘above 85%’ of illegal immigrants released into US: sources*, FOX NEWS (Jan. 8, 2024), <https://www.foxnews.com/politics/mayorkas-tells-border-patrol-agents-illegal-immigrants-released-into-us-sources>.

The Honorable Alejandro Mayorkas

January 22, 2024

Page 3

b. The CBP Bookouts Table; and

c. The ICE Bookouts Table.

Please provide this information as soon as possible, but no later than 5:00 p.m. on February 5, 2024.

If you have any questions, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Chairman



Tom McClintock  
Chairman  
Subcommittee on Immigration  
Integrity, Security, and Enforcement

cc: The Honorable Jerrold L. Nadler, Ranking Member

The Honorable Pramila Jayapal, Ranking Member, Subcommittee on Immigration  
Integrity, Security, and Enforcement