

117TH CONGRESS
2D SESSION

H. RES. 1328

Requesting the President, and directing the Secretary of Homeland Security, to transmit to the House of Representatives copies of all documents in their possession referring or relating to certain aspects of border policies of the United States.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2022

Mr. MELJER (for himself, Mr. KATKO, Mr. GUEST, Mrs. MILLER-MEEKS, Mr. JACOBS of New York, Mr. BISHOP of North Carolina, Mrs. HARSHBARGER, Mr. PFLUGER, Mr. JOYCE of Ohio, Mr. VAN DREW, Mr. LATURNER, Mrs. WAGNER, Mrs. CAMMACK, Mr. JOHNSON of Ohio, Mr. MEUSER, Mr. GARBARINO, Mr. NEWHOUSE, Mr. LAMALFA, Mr. MCKINLEY, Mr. MCCAUL, Mr. WEBER of Texas, Mr. ROSE, Mr. STEUBE, and Mr. HIGGINS of Louisiana) submitted the following resolution; which was referred to the Committee on Homeland Security

RESOLUTION

Requesting the President, and directing the Secretary of Homeland Security, to transmit to the House of Representatives copies of all documents in their possession referring or relating to certain aspects of border policies of the United States.

1 *Resolved*, That the House of Representatives requests
2 the President, and directs the Secretary of Homeland Se-
3 curity, to transmit to the House of Representatives, not
4 later than 14 days after the date of the adoption of this

1 resolution, copies of all documents, memoranda, analytical
2 products, advisory legal opinions, notes, reports, briefing
3 materials, intelligence assessments, audio recordings,
4 records (including telephone and electronic mail records),
5 correspondence, communications, and other materials,
6 both classified and unclassified, in the possession of the
7 President or the Secretary, respectively, as of the date of
8 adoption of this resolution that refer or relate to—

9 (1) Department of Homeland Security policies
10 implemented and data collected regarding individ-
11 uals who, from January 20, 2021, until such date of
12 adoption, have arrived at the southwest border of
13 the United States with the intent to enter the
14 United States, including—

15 (A) the total number of encounters re-
16 ported by U.S. Customs and Border Protection
17 (CBP) personnel, on a monthly basis;

18 (B) the total number of such encounters
19 reported by CBP personnel, on a monthly basis,
20 of individuals—

21 (i) who had previously been encoun-
22 tered attempting to cross the southwest
23 border;

24 (ii) attempting to cross the Southwest
25 border as part of a family unit;

1 (iii) who are single adult males at-
2 tempting to cross the southwest border;

3 (iv) who are single adult females at-
4 tempting to cross the southwest border;

5 (v) who are unaccompanied minor
6 children attempting to cross the southwest
7 border; and

8 (vi) admitted into the United States
9 after processing by CBP;

10 (C) the total number of such individuals
11 who have reported to U.S. Immigration and
12 Customs Enforcement (ICE) after previously
13 being admitted into the United States after
14 such processing;

15 (D) the total number of unaccompanied
16 minor children admitted into the United States
17 after such processing and transferred to the
18 custody of the Department of Health and
19 Human Services;

20 (E) the total number of individuals en-
21 countered by CBP personnel and denied admis-
22 sion to the United States;

23 (F) potential explanations for changes in
24 the number of encounters described in subpara-
25 graph (B) from previous years;

1 (G) estimates of how many individuals
2 were able to cross the border into the United
3 States without being encountered by CBP per-
4 sonnel, on a monthly basis;

5 (H) any analysis done prior to January 20,
6 2021, regarding the potential consequences of
7 reversing or suspending immigration policies
8 implemented under the previous presidential ad-
9 ministration;

10 (I) reimplementation of the Migrant Pro-
11 tection Protocols described in the Department
12 of Homeland Security memorandum entitled
13 “Policy Guidance for Implementation of the Mi-
14 grant Protection Protocols”, dated January 25,
15 2019;

16 (J) guidance relating to the documentation
17 required and accepted as valid identification for
18 migrants traveling within the United States, in-
19 cluding Transportation Security Administration
20 policies regarding valid identification docu-
21 mentation required for migrants to pass
22 through airport security checkpoints;

23 (K) the use of authority under section 362
24 of the Public Health Service Act (42 U.S.C.
25 265; commonly and popularly referred to as

1 “title 42 authority”) to prevent the spread of
2 communicable diseases to suspend persons and
3 property from the United States;

4 (L) processes, procedures, and guidance
5 relating to COVID–19 for individuals encoun-
6 tered along the southwest border, including re-
7 quirements related to testing, quarantine peri-
8 ods, and vaccinations; and

9 (M) deployment and use of new and exist-
10 ing technology, including surveillance towers,
11 ground sensors, cargo scanning equipment, and
12 drones, on the southwest border to support De-
13 partment of Homeland Security operations;

14 (2) the total amounts of illicit narcotics, includ-
15 ing fentanyl, seized by CBP, and any internal docu-
16 mentation related to potential explanations for
17 changes in seizure amounts from previous years;

18 (3) the treatment of unaccompanied minor chil-
19 dren who, from January 20, 2021, until such date
20 of adoption, have been encountered crossing the
21 southwest border, including—

22 (A) information regarding processes, proce-
23 dures, and guidance relating to such encoun-
24 ters;

1 (B) the Department's current screening
2 and vetting procedures to determine a migrant's
3 age as well as if a migrant is an unaccompanied
4 child prior to transfer to the Department of
5 Health and Human Services, including—

6 (i) instances in the past three cal-
7 endar years in which an adult migrant pos-
8 ing as an unaccompanied minor child
9 was—

10 (I) encountered at the southwest

11 border; or

12 (II) detected residing in the

13 United States; and

14 (ii) the Department's response to in-
15 stances in which migrant adults posing as
16 undocumented migrant children commit
17 acts of violence or other crimes;

18 (C) information regarding transportation
19 of unaccompanied minor children aboard United
20 States Government-chartered and commercial
21 flights departing from locations near or on the
22 southwest border and flying to locations in the
23 United States; and

24 (D) information regarding such flights ar-
25 riving at Westchester County Airport;

1 (4) any activity within the Department to track
2 transnational criminal organizations that have en-
3 gaged in human trafficking along the southwest bor-
4 der of the United States, including—

5 (A) any discussions, assessments, or pro-
6 fessional opinions regarding the extent to which
7 such transnational criminal organizations have
8 profited from such human trafficking;

9 (B) any intelligence assessments, products,
10 or activities of the Department regarding the
11 regional activities of transnational criminal or-
12 ganizations in Central and South America, in-
13 cluding the role of such organizations in facili-
14 tating the formation and movement of large
15 groups of migrants traveling together to the
16 southwest border;

17 (C) incidents in which Department per-
18 sonnel interdicted criminals attempting to traf-
19 fic migrants across the southwest border;

20 (D) incidents in which Department per-
21 sonnel interdicted criminals attempting to traf-
22 fic children across the southwest border;

23 (E) incidents in which Department per-
24 sonnel or local law enforcement were involved or
25 arrived on the scene of a traffic accident at or

1 near the southwest border in which one of the
2 vehicles involved was found to be involved in
3 human trafficking; and

4 (F) communications with State and local
5 law enforcement along the southwest border re-
6 garding incidents of human trafficking, includ-
7 ing child trafficking;

8 (5) incidents in which a child could not be lo-
9 cated after being released into the United States
10 pending a removal hearing with or to an accom-
11 panying adult claiming to be the legal guardian of
12 such child;

13 (6) communications between the Department
14 and the Government of Mexico regarding unaccom-
15 panied migrant children crossing the southwest bor-
16 der from January 20, 2021, until such date of adop-
17 tion; and

18 (7) policies and procedures when children are
19 interdicted at the southwest border and found to be
20 trafficking illicit commodities.

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