

House Calendar No. 98

117TH CONGRESS
2^D SESSION

H. RES. 1328

[Report No. 117-473]

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

SEPTEMBER 19, 2022

Additional sponsors: Mr. GIMENEZ, Mrs. FLORES, Mr. WENSTRUP, and Mr. CLYDE

SEPTEMBER 19, 2022

Reported adversely from the Committee on Homeland Security, referred to the House Calendar and ordered to be printed

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

13 (1) Department of Homeland Security policies
14 implemented and data collected regarding individ-
15 uals who, from January 20, 2021, until such date of
16 adoption, have arrived at the southwest border of

1 the United States with the intent to enter the
2 United States, including—

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

6 (B) the total number of such encounters
7 reported by CBP personnel, on a monthly basis,
8 of individuals—

9 (i) who had previously been encoun-
10 tered attempting to cross the southwest
11 border;

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

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

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

18 (v) who are unaccompanied minor
19 children attempting to cross the southwest
20 border; and

21 (vi) admitted into the United States
22 after processing by CBP;

23 (C) the total number of such individuals
24 who have reported to U.S. Immigration and
25 Customs Enforcement (ICE) after previously

1 being admitted into the United States after
2 such processing;

3 (D) the total number of unaccompanied
4 minor children admitted into the United States
5 after such processing and transferred to the
6 custody of the Department of Health and
7 Human Services;

8 (E) the total number of individuals en-
9 countered by CBP personnel and denied admis-
10 sion to the United States;

11 (F) potential explanations for changes in
12 the number of encounters described in subpara-
13 graph (B) from previous years;

14 (G) estimates of how many individuals
15 were able to cross the border into the United
16 States without being encountered by CBP per-
17 sonnel, on a monthly basis;

18 (H) any analysis done prior to January 20,
19 2021, regarding the potential consequences of
20 reversing or suspending immigration policies
21 implemented under the previous presidential ad-
22 ministration;

23 (I) reimplementaion of the Migrant Pro-
24 tection Protocols described in the Department
25 of Homeland Security memorandum entitled

1 “Policy Guidance for Implementation of the Mi-
2 grant Protection Protocols”, dated January 25,
3 2019;

4 (J) guidance relating to the documentation
5 required and accepted as valid identification for
6 migrants traveling within the United States, in-
7 cluding Transportation Security Administration
8 policies regarding valid identification docu-
9 mentation required for migrants to pass
10 through airport security checkpoints;

11 (K) the use of authority under section 362
12 of the Public Health Service Act (42 U.S.C.
13 265; commonly and popularly referred to as
14 “title 42 authority”) to prevent the spread of
15 communicable diseases to suspend persons and
16 property from the United States;

17 (L) processes, procedures, and guidance
18 relating to COVID–19 for individuals encoun-
19 tered along the southwest border, including re-
20 quirements related to testing, quarantine peri-
21 ods, and vaccinations; and

22 (M) deployment and use of new and exist-
23 ing technology, including surveillance towers,
24 ground sensors, cargo scanning equipment, and

1 drones, on the southwest border to support De-
2 partment of Homeland Security operations;

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

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

11 (A) information regarding processes, proce-
12 dures, and guidance relating to such encoun-
13 ters;

14 (B) the Department’s current screening
15 and vetting procedures to determine a migrant’s
16 age as well as if a migrant is an unaccompanied
17 child prior to transfer to the Department of
18 Health and Human Services, including—

19 (i) instances in the past three cal-
20 endar years in which an adult migrant pos-
21 ing as an unaccompanied minor child
22 was—

23 (I) encountered at the southwest
24 border; or

1 (II) detected residing in the
2 United States; and

3 (ii) the Department's response to in-
4 stances in which migrant adults posing as
5 undocumented migrant children commit
6 acts of violence or other crimes;

7 (C) information regarding transportation
8 of unaccompanied minor children aboard United
9 States Government-chartered and commercial
10 flights departing from locations near or on the
11 southwest border and flying to locations in the
12 United States; and

13 (D) information regarding such flights ar-
14 riving at Westchester County Airport;

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

19 (A) any discussions, assessments, or pro-
20 fessional opinions regarding the extent to which
21 such transnational criminal organizations have
22 profited from such human trafficking;

23 (B) any intelligence assessments, products,
24 or activities of the Department regarding the
25 regional activities of transnational criminal or-

1 organizations in Central and South America, in-
2 cluding the role of such organizations in facili-
3 tating the formation and movement of large
4 groups of migrants traveling together to the
5 southwest border;

6 (C) incidents in which Department per-
7 sonnel interdicted criminals attempting to traf-
8 fic migrants across the southwest border;

9 (D) incidents in which Department per-
10 sonnel interdicted criminals attempting to traf-
11 fic children across the southwest border;

12 (E) incidents in which Department per-
13 sonnel or local law enforcement were involved or
14 arrived on the scene of a traffic accident at or
15 near the southwest border in which one of the
16 vehicles involved was found to be involved in
17 human trafficking; and

18 (F) communications with State and local
19 law enforcement along the southwest border re-
20 garding incidents of human trafficking, includ-
21 ing child trafficking;

22 (5) incidents in which a child could not be lo-
23 cated after being released into the United States
24 pending a removal hearing with or to an accom-

1 panying adult claiming to be the legal guardian of
2 such child;

3 (6) communications between the Department
4 and the Government of Mexico regarding unaccom-
5 panied migrant children crossing the southwest bor-
6 der from January 20, 2021, until such date of adop-
7 tion; and

8 (7) policies and procedures when children are
9 interdicted at the southwest border and found to be
10 trafficking illicit commodities.

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