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November 23, 2021

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
3801 Nebraska Avenue NW
Washington, DC 20528

Dear Secretary Mayorkas,

On Sept. 9, 2021 President Biden declared that all companies with more than 100 employees would be required to have all employees vaccinated by January 4, 2022 or be forced to lay off unvaccinated staff or face a fine of up to \$14,000 per case¹. This mandate extended to all federal workers, our military, healthcare worker, and federal contractors. However, the Biden Administration has failed to address the surge of migrants at our southern border. These illegal immigrants are allowed to enter the country without being vaccinated while hardworking men and women, who provide the majority of the taxable income in this country, are being laid off.

Furthermore, on October 25, 2021, President Biden announced new testing and vaccination requirements for travelers entering the United States². The Administration's double standard for travelers going through proper channels to enter this country is unacceptable.

This past year, between February 1, 2021, and September 30, 2021, over 1.4 million migrants were encountered illegally crossing the southern border by U.S. Customs and Border Protection (CBP)³. Due to the Administration's ill-advised border policies, it has been reported that thousands of COVID-positive illegal migrants have been released into border towns throughout the country. This was verified during a House Homeland Security Committee hearing in March when Secretary Mayorkas admitted there were "instances" in which illegal immigrants were released into the country — without being tested.⁴

¹<https://www.businessinsider.com/biden-vaccine-rules-14000-per-employee-fines-for-breaking-2021-11>

²The White House, "A Proclamation on Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic," web, 25 October 2021, accessed 28 October 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/10/25/a-proclamation-onadvancing-the-safe-resumption-of-global-travel-during-the-covid-19-pandemic/>.

³ Department of Homeland Security, "Southwest Land Border Encounters," web, last modified 22 October 2021, accessed 28 October 2021, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

⁴House Homeland Security Committee, "The Way Forward on Homeland Security," web, 17 March 2021, 01 November 2021, <https://www.youtube.com/watch?v= fBiTGjbCik>.

In September, the DHS's Office of Inspector General (OIG) released a report highlighting how "CBP does not conduct COVID19 testing for migrants who enter CBP custody and is not required to do so."⁵ The OIG report goes on to state "without stronger COVID19 prevention measures in place, the Department of Homeland Security is putting its workforce, support staff, communities, and migrants at greater risk of contracting the virus."

While I am against vaccine mandates, we must do everything we can to reduce the spread of COVID19, the double standard at the southern border must be removed. CBP officers should not be losing their jobs over vaccination status while illegal immigrants are allowed to enter this country without being vaccinated or tested for COVID19. As your agency has been tasked with overseeing the scourge at the southern border, I request immediate action be taken to solve the vaccination problem.

Thank you for your prompt attention to these matters. Should you have any questions please reach out to Allie Hildebrand of my staff at allie.hildebrand@mail.house.gov.

Sincerely,



David B. McKinley P.E.
Member of Congress

⁵Department of Homeland Security Office of Inspector General, "DHS Needs to Enhance Its COVID-19 Response at the Southwest Border," web, 10 September 2021, accessed 28 October 2021, <https://www.oig.dhs.gov/sites/default/files/assets/2021-09/OIG-21-60-Sep21.pdf>.