

United States Senate

WASHINGTON, DC 20510

November 15, 2021

Dear Colleagues,

We write to express opposition to the partisan funding proposals released by Senate Appropriations Committee Democrats. Among many issues, the posted bills fail to provide America's border agents with the proper security infrastructure necessary to defend America's southern border from the continued crisis of unrestrained illegal migration. The failure to provide sufficient resources is a continuation of the Biden-Harris Administration's inability and unwillingness to acknowledge the humanitarian and national security risks created by its open-border policies. We write to indicate that we will withhold support of any negotiated Fiscal Year 2022 omnibus funding agreement that fails to appropriately fund our nation's border security.

As you know, the Trump Administration took the security vulnerabilities posed by a porous southern border seriously. On February 15, 2019, President Trump declared the situation at the southern border to be a national emergency. The White House repeatedly extended this emergency status as conditions on the ground necessitated. As recently as January 15, 2021, President Trump signed a Continuation of the National Emergency stating that "further action is needed to address the humanitarian crisis and to control unlawful migration and the flow of narcotics and criminals across the southern border of the United States."¹

Yet, on President Biden's first day in office, he ordered the termination of the national emergency proclaimed by President Trump, instead opting to "[direct] a careful review" of the Administration's immigration policy.² The termination of this proclamation and the rescission of successful Trump-era policies like the Migrant Protection Protocols (MPP) and the construction of a physical border wall has restricted the resources available to confront the national security crisis on the southern border.

The results of President Biden's open-borders policy are stark. Since President Biden was sworn in, U.S. Customs and Border Protection (USCBP) reports that more than 1.3 million migrants have been encountered at the southern border, an increase of 377 percent from a comparable time frame the year prior, a 33 percent increase over levels seen in 2019, and a 154 percent increase from 2018.³

To address the humanitarian and security risks at our southern border, Congress, on a bipartisan basis, recently appropriated nearly \$6 billion towards the construction of a physical border wall, including \$1.4 billion in fiscal year 2021. Yet continued funding was excluded from

¹ Office of the Federal Register, National Archives and Records Administration. "86 FR 6557 - Continuation of the National Emergency with Respect to the Southern Border of the United States". Government. Office of the Federal Register, National Archives and Records Administration, January 21, 2021.

<https://www.govinfo.gov/app/details/FR-2021-01-22/2021-01566>

² Office of the Federal Register, National Archives and Records Administration. "DCPD-202100053 - Proclamation 10142-Termination of Emergency with Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction". Government. Office of the Federal Register, National Archives and Records Administration, January 19, 2021. <https://www.govinfo.gov/app/details/DCPD-202100053/>

³ "Southwest Land Border Encounters." U.S. Customs and Border Protection.

<https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>. Accessed: October 18, 2021.

the Democrat's Fiscal Year 2022 proposal. Instead, the proposals took steps in the wrong direction, by cutting USCBP's budget by half a billion dollars, and by including a new policy rider allowing the administration to remove previously constructed border wall.

This funding is omitted despite significant evidence that a physical barrier is a critical tool for America's border security agents to combat illegal migration, drug smuggling, and human trafficking. On October 29, 2020, the Department of Homeland Security (DHS) reported that the border wall system was successful in reducing illegal entries by 87 percent in certain sectors in comparison to the year prior in addition to reducing drug trafficking into the United States. Financially, DHS reported that one segment of the border barrier in San Diego saves DHS approximately \$28 million in salaries due to the reduced manpower requirements.

The continuation of border security funding, particularly continued funding for physical barrier construction, remains necessary during the continued immigration crisis. As such, and in the defense of our nation, we will not offer support for any fiscal year 2022 omnibus agreement that omits this funding or authorizes the administration to remove previously constructed border security measures.

Sincerely,



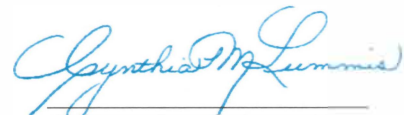
Mike Braun
United States Senator



Marco Rubio
United States Senator



Michael S. Lee
United States Senator



Cynthia Lummis
United States Senator



Ted Cruz
United States Senator