

# United States Senate

WASHINGTON, DC 20510

June 21, 2024

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear President Biden:

We write today to express our grave concerns regarding your proposal to offer amnesty to illegal aliens who are unlawfully present in the United States. This action directly contravenes the laws Congress has passed, and it will throw fuel on the fire of the ongoing border crisis.

We have previously challenged the legality of your Administration's parole authority and have sought to reform this authority to ensure that decisions regarding parole are restored to Congress' original intent – “on a case-by-case basis” to aliens who are not already present in the U.S.<sup>1</sup> Under your Administration, the parole authority has been unlawfully used to circumvent screening and vetting, mass parole of illegal aliens after the cartels surge caravans at the border, and to circumvent normal refugee processing. These actions undermine the immigration laws Congress has passed, and they have eroded the rule of law at our southern border.

Parole was never intended as a mass amnesty. Your actions fly in the face of the clear reading of the law. Due to reckless policies, your Administration has encountered more illegal aliens at the southern border than the Obama administration and Trump administration combined. DHS recently promulgated regulations that appear to tighten the border, but the implementing policy guidance, the DHS website, and the border data since implementation show what all Americans know – the border remains wide open.

Since Day One of your Administration, you have rolled back measures that would have secured our border, including the Remain in Mexico program, the asylum cooperative agreements, and the ICE enforcement priorities that prevent the deportation of most illegal immigrants. These actions and many others have invited the chaos that is present at the border and in communities across the country.

Numerous inspector general reports, Government Accountability Office reports, and news reports have shown that DHS has been so overwhelmed by the border crisis that it has been unable to vet the illegal immigrants who cross our border. CBP encountered nearly 180,000

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<sup>1</sup> INA 212(d)(5) “The Attorney General [or Secretary of Homeland Security] may [...] in his discretion parole *into* the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit *any alien applying for admission to the United States*, but such parole of such alien shall not be regarded as an admission of the alien [...]” (emphasis added); *see also*, Immigration Parole Reform Act of 2023, S. 505. 118<sup>th</sup> Congress (2023).

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illegal immigrants at the border in April 2024. This would have been a record had your Administration not previously set records for the highest October, November, and December earlier this fiscal year.


ICE just arrested 8 illegal aliens who have known ties to ISIS-K, and news reports have stated that ICE personnel have been told to be prepared for more arrests of ISIS affiliates. Our border security apparatus has failed because the volume of illegal aliens crossing the border has overwhelmed DHS's ability to vet each individual that is in DHS custody.

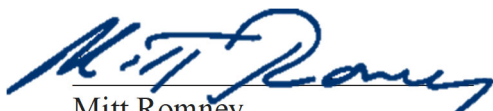
This week's action doubles down on your Administration's message to the world that the America will not enforce the law at the southern border.

Border security is national security, and our adversaries will continue to take advantage of the chaos your Administration created by announcing this policy. We urge you to rescind this policy immediately and focus your efforts on securing our border against the cartels and adversaries who will welcome this chaos.

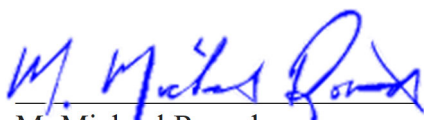
Sincerely,

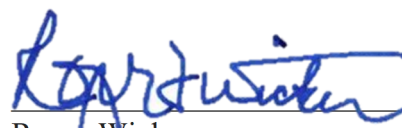
  
James Lankford  
United States Senator

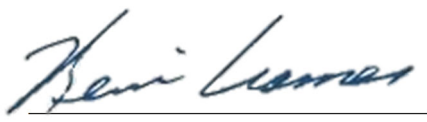
  
John Thune  
United States Senator

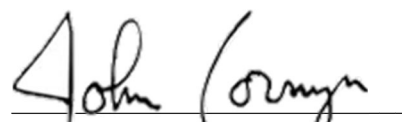
  
Mitt Romney  
United States Senator


  
Ted Budd  
United States Senator


  
M. Michael Rounds  
United States Senator


  
Roger Wicker  
U.S. Senator

  
Kevin Cramer  
United States Senator

  
John Cornyn  
United States Senator


  
John Kennedy  
United States Senator

  
Shelley Moore Capito  
United States Senator



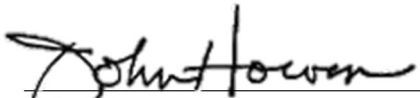
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Joni K. Ernst  
United States Senator



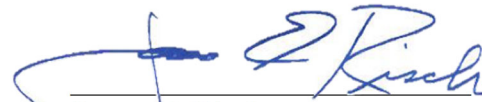
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Deb Fischer  
United States Senator



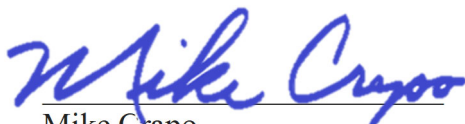
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John Hoeven  
United States Senator



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James E. Risch  
United States Senator



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Mike Crapo  
United States Senator



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Thom Tillis  
United States Senator