

**The Department of Homeland Security's Response to
Representative Chip Roy's August 9, 2022 Letter**

Please provide information, including documents and correspondence relating to

- 1. Executive orders to repeal or rescind policies in effect before January 20, 2021, with respect to the operations of U.S. Customs and Border Protection (CBP) at the southern border of the United States.**

The Executive Order is attached.

- 2. The total number of migrants who unlawfully entered the United States and were taken into the custody of CBP since January 20, 2021, disaggregated by —**
 - a. gender;**
 - b. status as a single adult;**
 - c. What status as a family unit—**
 - (i) with a child 6 years old or younger; or**
 - (ii) without children younger than 6 years old?**
 - d. unaccompanied alien children (as such term is defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 22 279(g)(2))).**

Nationwide Encounters: The Nationwide Encounters page provides U.S. Border Patrol's Title 8 apprehensions, Office of Field Operations' inadmissible individuals under Title 8, and Title 42 expulsions for fiscal years (FY) 2020, 2021, and 2022 to date. Data is available for the northern land border, southwest land border, and nationwide (i.e., air, land, and sea modes of transportation) encounters. This information can be parsed out further, by such filters as demographics, citizenship, location of apprehension/inadmissible, etc., and is available at: <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

- 3. The number of migrants who unlawfully entered the United States and were subject to expulsion pursuant to section 362 of the Public Health Service Act (42 U.S.C. 265), disaggregated by—**
 - (A) gender;**
 - (B) status as a single adult;**
 - (C) status as a family unit—**
 - (i) with a child 6 years old or younger; or**
 - (ii) without children younger than 6 years old; and**
 - (D) unaccompanied alien children.**

CBP Border Enforcement Statistics: The Border Enforcement Statistics page provides data on apprehensions, admissibility, recidivism, arrests of criminal aliens at the border, currency and drug seizures, and agricultural enforcement. This link currently has data from FY17 through FY21, and is available at: <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

4. **The number of CBP agents, since January 20, 2021, who were reassigned from a U.S. Border Patrol sector located in Arizona, California, New Mexico, or Texas to a facility that shelters migrants who unlawfully entered the United States.**

U.S. Border Patrol has not reassigned any agents from the sectors located in the above-mentioned states to facilities that shelter migrants.

5. **The number of agents from the Office of Field Operations, since January 20, 2021, who were reassigned from a U.S. Border Patrol sector to a facility that shelters migrants who unlawfully entered the United States.**

From March 19 through April 1, 2021, OFO deployed 10 CBP officers to the Carrizo Springs, TX Influx Care Facility in support of Federal Protective Services. From March through November 2021, OFO supported U.S. Border Patrol at Donna Soft Sided Facility with up to 37 CBP officers from the Laredo Field Office.

6. **The number of migrants who unlawfully entered the United States, since January 20, 2021, who—**

- (A) tested positive for the virus responsible for COVID-19 in the custody of CBP;**

With the exception of UCs from countries other than Mexico at the Donna Soft Sided Facility, individuals are tested by ICE or HHS upon transfer from CBP or through state and local partnerships as well as partnerships with NGOs upon release.

- (B) were released from the custody of CBP while infected with such virus;**

All OTM UCs testing positive at the Donna Soft Sided Facility were transferred to HHS custody consistent with governing law, including the Trafficking Victims Protection Reauthorization Act (TVPRA).

- (C) received a COVID-19 vaccination after encountering CBP.**

CBP does not administer vaccinations to non-citizen migrants in custody. Noncitizens are offered vaccinations upon transfer to ICE custody or HHS custody (for children who are eligible to receive the vaccine), or upon release through state and local partnerships or partnerships with NGOs. Noncitizens who are enrolled in the Migrant Protection Protocols (MPP) receive vaccines upon enrollment. As of February 23, 2022, there have been 771 migrants vaccinated and 905 vaccines given through MPP.

7. **The number of migrants, since January 20, 2021, who—**

- (A) unlawfully entered the United States and were apprehended by CBP;**

(B) were subsequently released into the United States after such apprehension, including the destinations of such migrants within the United States, disaggregated by State and city; and

- (C) received a notice to appear for a hearing with an immigration judge, and—**

- (i) did so appear; and**

- (ii) did not so appear.**

CBP Border Enforcement Statistics: The Border Enforcement Statistics page provides data on apprehensions, admissibility, recidivism, arrests of noncitizens with criminal convictions at the border, currency and drug seizures, and agricultural enforcement. This

link currently has data from FY17 through FY21.
<https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>

8. The number of—

- (A) unaccompanied alien children who unlawfully entered the United States and were apprehended by CBP since January 20, 2021;**
Please see attached.
- (B) such children who have been released to a sponsor within the United States; and**
DHS respectfully defers to HHS.
- (C) such sponsors subjected to a background investigation performed by the Federal Bureau of Investigation.**
DHS respectfully defers to HHS.

9. Migrants who unlawfully entered the United States, since January 20, 2021, who were apprehended by CBP and have a connection to a Mexican drug cartel, including—

- (A) the number of such migrants;**
- (B) the name of each such cartel; and**
- (C) the connection of such migrants to such cartels, disaggregated by—**
 - (i) membership; and**
 - (ii) the type of assistance received by such migrants from such cartels**

Gang Description	Apprehensions from 1/20/2021 – 1/31/2022
M.S.13	183
Paisas	93
18th Street	65
Surenos (sur-13)	45
Tango Blast	9
Latin Kings	8
Mexican Mafia	5
Nortenos	3
Barrio Azteca	2
Partido Revolucionario Mexican (PRM)	2
Texas Syndicate	1
South Sider	1
Mac 11	1
Other	61
Total	479

10. Migrants who have unlawfully entered the United States, since January 20, 2021, who—
(A) were apprehended by CBP;

From January 20, 2021, through December 31, 2021, U.S. Border Patrol conducted 1,911,942 encounters nationwide to include 1,083,275 Title 42 expulsions and 828,667 Title 8 apprehensions. It is important to note that this is the total number of *encounters*, not *unique individuals encountered*, as the same individual can potentially be subject to expulsion under Title 42 multiple times.

(B) are included on a list maintained by the Federal Government relating to terrorists or individuals prohibited from boarding a commercial aircraft.
(U//FOUO/LES)

Since January 20, 2021, the U.S. Border Patrol and the Office of Field Operations has arrested 42 subjects who were on the terror watchlist and attempted to enter the United States illegally. These numbers are inclusive of anyone who may be on the No-Fly List.

11. The CBP facility in Donna, Texas, including—

(A) with respect to funding for such facility, the Administration responsible for such funding;

Office of Facilities and Asset Management

(B) the date on which such facility was first used to shelter migrants who unlawfully entered the United States.

February 8, 2021

(C) the number of such migrants sheltered in such facility since January 20, 2021.
Approximately 284,000 migrants spent time at Donna facility from January 20, 2021, through December 31, 2021

12. Temporary Influx Care Facilities opened after January 20, 2021, including—

(A) the total number of such facilities; Seven

(B) the number of such facilities that—

(i) were previously used as such facilities; None

(ii) are convention centers; None

(iii) are military bases; None

(iv) have exceeded maximum capacity; All soft sided facilities have exceeded maximum capacity at various points since becoming operational.

(v) are operating with non-habitable living conditions, including— None

(I) non-potable water; or None

(II) other sanitary issues; and None

(C) the total number of migrants who unlawfully entered the United States living in such a facility, disaggregated by—

(i) gender;

(ii) status as a single adult; and

(iii) status as a family unit—

(I) with a child 6 years old or younger; or

**(II) without children younger than 6 years old; and
(iv) unaccompanied alien children.**

1/20/2021—FY2022 YTD (as of 2/7/2022)

- Breakdown by gender
 - Emergency Family Staging Centers (EFSC):
 - Male: 11,546 (FY21) + 8,011 (FY22 YTD) = 19,557
 - Female: 12,880 (FY21) + 9,906 (FY22 YTD) = 22,786
 - Family Staging Centers (FSC):
 - Male: 12,751(FY21) + 2,976 (FY22 YTD) = 15,727
 - Female: 17,279 (FY21) 4,008 (FY22YTD) = 21,287
- Number of adults
 - EFSCs: 13,330 (FY21) + 9,612 (FY22 YTD) = 22,942
 - FSCs: 16,095(FY21) 3,824 (FY22 YTD) = 19,919
- Number of children
 - EFSCs: 11,096 (FY21) + 8,305 (FY22 YTD) = 19,401
 - FSCs: 13,936 (FY21) + 3,160 (FY22 YTD) = 17,096

As of 2/9/2022

- Children 6 years old or younger (while detained): 16,903 + 5,730 (FY22 YTD) = 22,633
- Children 7 years old to 17 (while detained): 8,449 + 5,873 (7-17 YO) = 14,372

The total number of unaccompanied children who were booked into ORR custody in FY22, disaggregated by –

As of 2/7/22

- Breakdown by gender
 - Male: 6,189 (FY21) + 27,087 (FY22 YTD) = 33,276
 - Female: 2,774 (FY21) + 15,099 (FY22 YTD) = 17,873
- Children 6 years old or younger (while booked into ORR custody): 280 (FY21) 1,080 (FY22 YTD) = 1,360
- Children 7 years old to 17 (while booked into ORR custody): 8,683 (FY21) 41,195 (FY22 YTD) = 49,878

13. The total amount of Federal funding obligated or expended for expenses relating to the care of migrants who unlawfully entered the United States since January 20, 2021, including— Amount of federal funding obligated/Expended by CBP:

(A) housing; 0.00

(B) shelter services and resources, including—

- (i) personnel; \$95M**
- (ii) infrastructure; \$338M**
- (iii) utilities and food; \$98M**
- (iv) education; 0.00**
- (v) health care, including – \$166M**

- (I) COVID-19 tests;
- (II) COVID-19 vaccinations
- (III) Personal Protective Equipment

- (C) transportation, including –**
 - (i) by vehicle; \$12M**
 - (ii) by airplane \$36M**