

**Congress of the United States**  
**Washington, DC 20515**

February 3, 2022

The Honorable Tae D. Johnson  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street SW  
Washington, D.C. 20536

Dear Acting Director Johnson,

We write with grave concern regarding the alarming number of illegal immigrants that have neglected to check-in with the U.S. Immigration and Customs Enforcement (ICE) that was reported by the U.S. Department of Homeland Security (DHS) in a letter responding to our colleague, Senator Ron Johnson on January 11, 2022. Secretary Mayorkas responded two months late and with unanswered questions. This leaves our constituents at risk to acts of terrorism, lack of immigration enforcement, and rising rates of transnational crime—the three pillars your organization claims to focus on.

We have expressed concerns, many times and in various ways, with how the Biden Administration has handled their self-inflicted crisis at the border. Specifically, when an illegal alien is apprehended by border officials, there are several options if the alien is not detained. In the report submitted by DHS, over 270,000 illegal aliens were disseminated into the United States with over 100,000 aliens being released with a Notice to Report (NTR) and that is just from March 21, 2021, to August 31, 2021. Over half of those given a 60-day NTR have failed to report to ICE and begin their deportation proceedings.

As the Acting Director of ICE, you are charged with serving as a defender and protector of the United States. These startling numbers under your leadership are unacceptable, and the American people deserve to know the truth. We request a written response to the following questions along with a congressional briefing with top ICE officials.

- 1) ICE released the 2020 end-of-year report on December 23, 2020; however, we have yet to see a report for 2021. When will the Fiscal Year 2021 ICE Enforcement and Removal Operations Report be available to the public?
- 2) Based on the data collected and submitted by DHS from March 2021 to August 2021, a NTR was issued to 104,171 individual illegal aliens; 67,010 of those individuals have either not checked-in, checked-in after 60 days, or had not checked-in yet but were still within their 60-day period.
  - a. For the 47,705 that did not check-in, how many of those has ICE apprehended?
  - b. For the 12,698 that checked-in after 60 days, how many of those have had a hearing and how many have been removed from the U.S.?

- c. For the 6,607 that had not checked-in and were still within their 60 days as of August 31, 2021, how many of those checked-in within the 60 days, after the 60 days, and have yet to check in?
- 3) There were 49,859 aliens that reported to an ICE field office; however, only 16,293 received Notices to Appear (NTA) to begin deportation proceedings for those individuals. What is the status of the proceedings for the 16,293 issued a NTA, and what is the status of the remaining 33,566 that had not received their NTA?
- 4) Lastly, DHS shared that between March 21, 2021, and December 5, 2021, ICE had issued 50,683 NTAs to aliens previously released on an NTR. Why is it that for over 40,000 of these individual cases, ICE does not have data on which immigration court is overseeing each case, when ICE acts as the prosecutor in deportation proceedings?

We request that you provide the answers to our questions along with dates and times ICE is available to hold a congressional briefing upon receiving the written response to the above questions. Please provide this information no later than February 25, 2022, and we thank you for your assistance in this matter.

Sincerely,



Ben Cline  
Member of Congress



Rob Wittman  
Member of Congress



Elise M. Stefanik  
Member of Congress



Dan Meuser  
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Doug Lamborn  
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Mariannette Miller-Meeks, M.D.  
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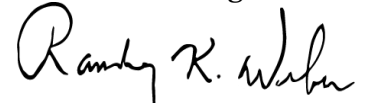
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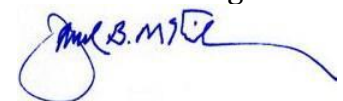
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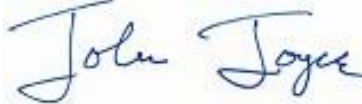
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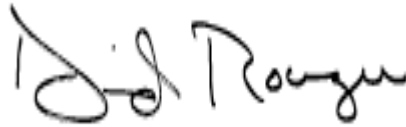
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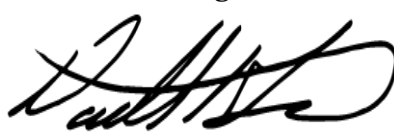
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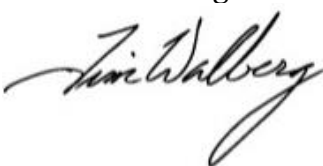
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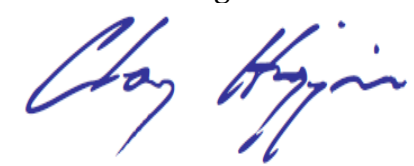
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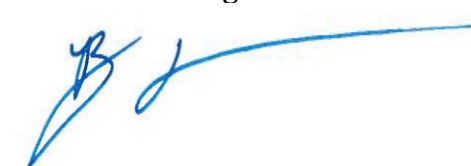
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