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United States Senate

WASHINGTON, DC 20510

December 18, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
2201 C St. NW
Washington, D.C. 20520

Dear Secretary Mayorkas,

I write to raise concerns with Customs and Border Protection's (CBP) Office of Field Operations (OFO) recent suspension of operations at international railway crossing bridges in Eagle Pass and El Paso, Texas, effective December 18, 2023.[1] This announcement followed similar suspensions in operations or closures for pedestrian traffic at the Eagle Pass, Lukeville, and San Ysidro Ports of Entry.[2] The announcements state that suspensions are occurring because CBP is redirecting OFO personnel to assist U.S. Border Patrol with the processing of migrants. It is highly troubling that the failed efforts to contain the border crisis are now placing a strain on the United States' supply chains and economy.

The border crisis is not new. Since President Biden took office, CBP personnel have encountered over 6.6 million migrants – not counting additional millions of got-aways. The El Paso Sector and Field Office alone saw 482,088 encounters during fiscal year (FY) 2023, a nearly 50 percent increase compared to FY 2022, and an over 130 percent increase since FY 2021.[3] Encounters in the Del Rio Sector also remain elevated with nearly 400,000 encounters during FY 2023. Due to these high levels of encounters, CBP has previously suspended operations at the international railway bridge in Eagle Pass, demonstrating a concerning pattern.[4] Your office had an opportunity to implement policies that would stem the flow of illegal migration to prevent these suspensions from reoccurring. Instead, you failed to act and placed a heavier burden on American businesses and industries.

Mexico is a top market for many of Nebraska's agricultural products. Many of these products rely on rail, so the suspension of operations at Eagle Pass and El Paso is negatively affecting the transport of Nebraska goods. In 2021, Nebraska exported $590.4 million of corn and $280.6 million of soybeans and soybean products to Mexico. The impacts on agriculture of these rail disruptions reach beyond just Nebraska. Rail impacts have also been reported in Illinois, Iowa, Kansas, Minnesota, and Missouri as a result of the closings.

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[1] https://www.cbp.gov/newsroom/speeches-and-statements/statement-cbp-suspension-rail-operations-eagle-pass-and-el-paso

[2] https://www.cbp.gov/newsroom/speeches-and-statements/statement-cbp-operations-eagle-pass-texas-and-lukeville-arizona

[3] https://www.cbp.gov/newsroom/stats/nationwide-encounters, accessed December 18, 2023

[4] https://www.cbp.gov/newsroom/speeches-and-statements/statement-cbp-operations-eagle-pass-texas

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Given my concerns, I have several questions in regard to the ongoing suspension of operations at the international railway crossings in Eagle Pass and El Paso.

1. How long do you expect operations at the respective railway crossings to be closed?
2. What is your plan to ensure a timely reopening of these railway crossings?
3. What policy changes does DHS plan to implement to guarantee similar disruptions of operations do not occur again in the future?
4. What are the daily averages of migrant encounters in the El Paso and Del Rio Sectors, as well as the southern border as a whole, so far during FY2024?

Closing the railways in Eagle Pass and El Paso will cost agriculture producers across the United States millions per day. The ongoing border crisis is no longer simply a national security and humanitarian crisis – it is an economic crisis. It is past time to enact policies that curb the record levels of migration at our southern border. As you continue to engage with Congress on how to enact such policies, I encourage you to keep these concerns in mind.

Sincerely,

Deb Fischer
United States Senator