

# United States Senate

April 7, 2022

President Joseph R. Biden  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Biden:

I write to you today to express my continued concern about reports that your Administration may soon rescind Customs and Border Security's (CBP) legal authority to expel migrants under Title 42 via the Center for Disease Control's (CDC) March 2020 order.<sup>1</sup> CBP's Title 42 authority to expel migrants is necessary both to protect public health and to adequately manage the challenges the agency continues to face due to exponential increases in border encounters at the Southern border. Furthermore, I have deep concerns that this Administration may attempt to lower security standards and divert resources away from the Department of Veterans Affairs (VA), specifically medical personnel, to deal with the consequences of this self-inflicted border crisis.

According to reporting late last week, the Department of Homeland Security (DHS) has been considering potential strategies for dealing with the anticipated influx of migrants when CBP's Title 42 authority is revoked. Reportedly, one such strategy, according to a source from within CBP, includes diverting VA medical personnel and deploying them to the border. The CBP source went on to say "[w]e're going to take medical services away from people...[w]ho went to combat...to give free medical attention to illegal migrants."<sup>2</sup> That is completely unacceptable.

Additionally, as revealed by the *Washington Free Beacon*, DHS is reportedly considering allowing volunteer staffers and outside contractors to access the federal government's internal immigration data entry system, which includes sensitive information such as biometric data.<sup>3</sup>

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<sup>1</sup> *Control of Communicable Diseases; Foreign Quarantine: Suspension of Introduction of Persons Into United States From Designated Foreign Countries or Places for Public Health Purposes*, CENTERS FOR DISEASE CONTROL, 85 *Federal Register* 16559-16567 (March 20, 2020) <https://www.federalregister.gov/documents/2020/03/24/2020-06238/control-of-communicable-diseases-foreign-quarantine-suspension-of-introduction-of-persons-into>.

<sup>2</sup> Hillary Vaughn (@hillary\_vaughn), Twitter, (March 31, 2022) [https://twitter.com/hillary\\_vaughn/status/1509530954569682951?s=20&t=PzMG7Cz65Iy-jkyiGDVXvQ](https://twitter.com/hillary_vaughn/status/1509530954569682951?s=20&t=PzMG7Cz65Iy-jkyiGDVXvQ).

<sup>3</sup> Joseph Simonson, *Migrant Surge May Push DHS To Lower Security Standards at Border*, WASHINGTON FREE BEACON (April 6, 2022) <https://freebeacon.com/biden-administration/migrant-surge-may-push-dhs-to-drop-security-standards-so-it-can-staff-up/>.

Apparently, DHS has also proposed expanding the volunteer force to employees at other federal agencies, including the VA.<sup>4</sup> Lowering security standards by allowing individuals who have not undergone the applicable background check scheme to access this sensitive law enforcement database demonstrates a dangerous and careless disregard for border security.<sup>5</sup> Further, redirecting scarce resources approved by Congress to provide care to our nation's veterans, especially as our nation is emerging from a pandemic, seems to be callous and a slap in the face to the men and women who put on the uniform to protect our nation. To date, your Administration has failed to deny any of these troubling reports.

These disturbing reports also occur against the backdrop of the VA's recommendations to the Asset and Infrastructure Review (AIR) Commission to close or downsize dozens of facilities across the nation, including the Bonham VA Medical Center (VAMC) in Fannin County, Texas, which serves rural veterans.<sup>6</sup> Dismantling the Bonham VAMC would force rural veterans to travel over 80 miles to the Dallas VAMC for specialty care, as there are "limited community resources in the surrounding rural counties for specialty care and complex care needs" which the VA's own recommendation admits.<sup>7</sup> The very idea that your Administration's VA would close a vital resource for Texas veterans while contemplating diverting VA medical personnel to be deployed at the border is baffling and deeply troubling.

There has been an outcry from a bipartisan coalition of legislators pleading with you to reverse course on rescinding this authority and to ensure that our border is secure. At a bare minimum, American veterans' medical care needs should not suffer due to this misplaced policy choice.

I call on you to categorically denounce any policy which would result in diverting resources intended for American veterans to migrants at the Southern border and to abandon any plan that would give unqualified individuals access to sensitive information in order to process illegal aliens. Further, I urge you to secure our Southern border and immediately renew Title 42.

Sincerely,

Ted Cruz  
United States Senator



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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Recommendations to the Asset and Infrastructure Review Commission*, U.S. DEP'T VET. AFF. (March 2022) <https://www.va.gov/AIRCOMMISSIONREPORT/docs/VISN17-Market-Recommendation.pdf>.

<sup>7</sup> *Id.*