

United States Senate

May 30, 2024

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

Dear President Biden:

I write to urge you to use your executive authority to take immediate action to secure our border, ensure a humane and orderly asylum process, and end the flow of fentanyl and other illicit drugs entering our country. In the wake of Congress's failure to put aside partisan politics and pass bipartisan legislation that enhances border security, it is incumbent upon you to finally utilize the power at your disposal to address the crisis at the U.S.-Mexico border.

The situation at the border is untenable. In December 2023, U.S. Customs and Border Protection reported over 300,000 encounters at the border, more than four times the number of encounters during the same month in 2020. While news reports have indicated that migrant border crossings at the U.S. southern border have shown signs of slightly slowing in recent months, our border law enforcement personnel and resources at the U.S. southern border remain overwhelmed by the sustained historic numbers of migrants attempting to enter the United States, both at and between ports of entry.

This crisis is also having a direct impact right here at home. Nevada families have continued to suffer the pain associated with the opioid epidemic due to the flow of fentanyl coming across the U.S.-Mexico border. Each year, hundreds of Nevadans die of fentanyl overdoses, and according to the Centers for Disease Control and Prevention, reported drug overdoses in Nevada increased by nearly twenty percent between 2022 and 2023, the fourth highest increase in the United States. This has impacted every community across the state, which is why I worked to ensure the passage of my bipartisan *END Fentanyl Act* and the *FEND Off Fentanyl Act*. Together, these bills, which you signed into law, will ensure that CBP regularly updates its drug interdiction guidance to help crack down on existing drug smuggling networks, and sanction drug rings and suppliers involved with international drug trafficking. Importantly, these bills also will allow the U.S. government to go after fentanyl-related money laundering and deploy additional resources to combat the fentanyl crisis. Nonetheless, we need to do more to ensure our border security personnel has all of the authorities, equipment, and human resources needed to fully secure our border and stop the flow of fentanyl into the U.S.

This moment demands decisive action, and it is up to you to step in where Congress has failed. Earlier this month, with my support, the U.S. Senate attempted for the second time this year to advance border security legislation developed by both Republican and Democrats that would have provided new border authorities to enhance and streamline the asylum process. The bill also

would have provided over \$20 billion to strengthen border security, including by hiring more Customs and Border Protection (CBP) officials and Border Patrol agents to provide additional support at ports of entry and by combating the entry of fentanyl through inspection equipment and other border security technologies. Furthermore, the bill would have improved our broken immigration system by including an additional 250,000 employment and family-based visas over four years and allowing asylum seekers who passed newly enhanced screening to more easily receive work authorizations. Unfortunately, almost all Senate Republicans and many Senate Democrats opted to do nothing to secure the border.

While Congress fell short of passing this bipartisan border security bill, you have the authority to take executive action to at least begin to address the border crisis and provide relief to hardworking immigrant families already here in the U.S. The American people have been hearing for months that your Administration would be taking action to restore order at the border, and we can no longer wait for House and Senate Republicans to stop playing political games with our nation's security. Despite some progress in recent months, clearly far more needs to be done to achieve a long-term solution to the ongoing crisis at the border. I therefore urge you to consider any and all available options to secure our border and fix our broken asylum process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jacky Rosen". The signature is fluid and cursive, with a large initial "J" and "R".

Jacky Rosen
United States Senator