



One Hundred Seventeenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

February 2, 2021

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas:

As you may be aware, recent media reporting indicates that the U.S. Government initially planned to offer taxpayer-procured SARS-CoV-2 vaccination doses to individuals being held at the detention facility at Guantanamo Bay, Cuba.¹ While this plan appears to have been paused by the Department of Defense, after understandable public outcry at the prospect of detainees receiving vaccinations before millions of American citizens, the plan raises similar questions about the Department of Homeland Security's plan for its scarce vaccine resources. A scenario where individuals in DHS custody are prioritized for vaccination over our frontline federal law enforcement tasked with securing our border and enforcing immigration laws, as well as other frontline DHS personnel and American citizens, would likely prove equally shocking and inequitable to the American people.

U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) law enforcement personnel have collectively faced more than 7,000 cases of Covid-19, and, tragically, more than 18 have lost their lives to the virus. It is believed that, in many instances, officers contracted the disease in the line of duty, while interacting with migrants and the traveling public at ports of entry, during apprehensions along the land borders, during interior enforcement actions, and in processing or detention facilities. Now, as our nation faces a new surge of migrants heading to the Southwest Border on the heels of a flurry of policy rollbacks including of the Migrant Protection Protocols and President Biden's Presidential Proclamation 10142 to stop wall system construction projects funded by direct Congressional appropriations, we are concerned that DHS is taking too long to vaccinate frontline personnel who are critical to our national security.

Further, we are concerned that vaccine allotments made to DHS may be offered to foreign nationals being held in processing or detention facilities before CBP and ICE law enforcement and other frontline DHS personnel, including Transportation Security Administration (TSA) Officers, the Federal Protective Service (FPS), the United States Secret Service (USSS), and others. Should this occur, the United States would be faced with yet another self-imposed incentive for migrants to

¹ "U.S. Pauses Plans to Give Virus Vaccine to Guantanamo Prisoners," *Associated Press*, <<https://apnews.com/article/john-kirby-coronavirus-pandemic-cuba-9e9c9054fc0017c64eea00e3ef3c3f49>>, January 29, 2021.

make their way to our borders, exacerbating an already-strained system and putting public health in border communities and across the country at even greater risk.

Given these concerns, we request a briefing no later than February 6, 2021 on the Department's plans to vaccinate frontline personnel, as well as answers to the following questions:

1. Does DHS have plans to sufficiently vaccinate the Department's frontline personnel at CBP, ICE, TSA, FPS, USSS, and other components? If so, when can we expect the bulk of frontline DHS personnel to be vaccinated? Does the Department have clarity on what vaccine allotments will be available to it and when?
2. How is the Department working with the Veterans Health Administration (VHA) to ensure vaccine distribution is efficient and documented? What is being done in regions where a VHA facility isn't within a reasonable proximity to frontline law enforcement personnel.
3. What are the Department's plans to enhance capacity to process and detain migrants who cross our border illegally, and prevent the spread of Covid-19 among migrants and DHS personnel, should the surge along the Southwest Border continue or get worse?
4. Does DHS intend to vaccinate foreign nationals in processing or detention facilities before the vaccine has been made widely available to all American citizens?
5. What are the key hindrances to vaccinating frontline DHS personnel, and what steps is DHS taking to coordinate and plan the difficult logistics around vaccinating frontline personnel stationed along our borders, at our ports of entry, and across the country?
6. How is the Department coordinating the allotment of vaccines among DHS components?
7. What are the current criteria for a Department employee to receive a vaccine?
8. Have any vaccinations intended for DHS personnel been diverted to other individuals, populations, or federal agencies? If so, please outline where those vaccines have gone and why.

Thank you for your prompt attention to this matter. Should you or your staff have any questions, please do not hesitate to reach out to Kyle Klein on the Committee staff at (202) 226-8417.

Sincerely,



JOHN KATKO
Ranking Member



CLAY HIGGINS
Ranking Member
Subcommittee on Border Security
Facilitation, and Operations

cc:

Dr. Pritesh Ghandi
Chief Medical Officer
Department of Homeland Security