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ISLANDS**

September 23, 2021

Via E-mail and U.S. Mail

President Joseph Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Washington, DC 20528

Re: Haitian Refugees

RECEIVED

By ESEC at 2:38 pm, Sep 24, 2021

Dear President Biden and Secretary Mayorkas:

We, the Attorneys General of Illinois, the District of Columbia, Nevada, New York, the U.S. Virgin Islands, California, Connecticut, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Mexico, Oregon, Rhode Island, Vermont, Virginia, and Washington write to you concerning the urgent circumstances facing thousands of Haitian migrants currently seeking the humanitarian aid of the United States at our borders. Like many Americans, we were grateful to learn that your administration will investigate the tactics of U.S. immigration officials on horseback who were recently filmed and photographed charging at—and apparently attempting to whip—Haitian migrants as they sought to bring food to their families massed under a bridge in Del Rio, Texas.¹ We trust that this investigation will result in the cessation of these inhumane tactics, which do not reflect the values of our nation and our respective states. Likewise, we commend the

¹ See Alexandra Petri, *Homeland Security Investigates Border Patrol's Treatment of Haitian Immigrants*, N.Y. TIMES (Sept. 20, 2021), <https://www.nytimes.com/2021/09/20/us/politics/haitians-border.html>.

administration for its recent decision to greatly increase the number of refugees who will be allowed into the United States in the coming fiscal year.²

While we are confident that your administration will address the alarming practices recently used to apprehend Haitian migrants at the border, we remain deeply concerned by the administration's continuation of a summary deportation policy (ostensibly supported by 42 U.S.C. § 265 and related rules) that is sending many Haitians back to a country facing one of the worst series of crises in its history. Haiti is experiencing unprecedented political upheaval from this summer's presidential assassination and is struggling yet again to rebuild after a destabilizing earthquake. These unexpected events have prompted a new influx of Haitian nationals seeking refuge in our country. We understand that the administration must constantly reconsider and formulate responses to a challenging crisis that is unfolding day by day. However, individuals seeking asylum or other humanitarian assistance in our country deserve our respect and compassion, and they should not be treated differently from other migrants based on their country of origin. Haitians deserve the same due process as all others attempting to immigrate or flee to the United States. The circumstances of every Haitian seeking refuge here should be assessed on a case-by-case basis. This individualized evaluation should factor in both the time a person has been away from Haiti and the circumstances he or she would likely face if compelled to return to a nation in the midst of dire humanitarian and governance crises.

We support and encourage the Administration to use the several tools available to address the critical conditions for the Haitians who have sought refuge under the bridge in Del Rio. In immigration matters, the Supreme Court has repeatedly affirmed "the deference traditionally accorded the President in this sphere."³ For example, the President may set a number of refugees to be admitted to the United States separate from the annual cap after determining that "an unforeseen emergency refugee situation exists," and that admission of those refugees "is justified by grave humanitarian concerns."⁴ The administration also could invoke country-specific measures to allow these migrants to legally remain in the United States while conditions in their country of origin are too hazardous for them to safely return.⁵ On an individual level, the Attorney General may parole a migrant into the United States if he "determines that compelling reasons in the public interest with respect to that particular alien require that the alien be paroled into the United States."⁶

We also respectfully urge your administration to reconsider relying on 42 U.S.C. § 265 and related rules to justify expelling Haitian nationals to Haiti. As one federal court recently held, citing Title 42 to expel foreign nationals already in the United States on public health grounds defies the language of the statute and overrides clear humanitarian protections for refugees in the law.⁷

² See Mica Rosenberg & Lisa Lambert, *Biden Administration Seeks to Lift U.S. Refugee Cap to 125,000*, REUTERS (Sept. 20, 2021), <https://reut.rs/3EHHWmG>.

³ *Trump v. Hawaii*, 138 S. Ct. 2392, 2409 (2018).

⁴ 8 U.S.C. § 1157(b).

⁵ See, e.g., 86 FR 41863, *Designation of Haiti for Temporary Protected Status* (Aug. 3, 2021); 86 FR 9531, *Reinstatement of Deferred Enforced Departure and Continuation of Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Eligible Liberians* (Feb. 16, 2021).

⁶ 8 U.S.C. § 1182(d)(5)(B).

⁷ See *Huisha-Huisha v. Mayorkas*, Civ. Action No. 21-100, 2021 WL 4206668 (D.D.C. Sept. 16, 2021).

As Attorneys General, we understand the need to respond to an evolving crisis while following the law. We urge the administration to exercise its discretion—discretion that the law expressly provides—to demonstrate compassion and fairness in the treatment of those Haitians seeking refuge in our country.

Respectfully,



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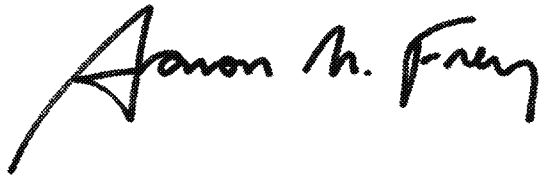
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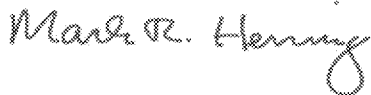
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DHS MORNING BRIEFING

Prepared for the Office of Public Affairs (OPA)

U.S. Department of Homeland Security

By TechMIS

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Editorial Note: The DHS Daily Briefing is a collection of news articles related to Department’s mission. The inclusion of particular stories is not intended to reflect their importance, nor is it intended to endorse the political viewpoints or affiliations included in news coverage.

TO: Homeland Security Secretary & Staff

DATE: Friday, September 24, 2021 6:00 AM ET

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Biden administration directs border officials to suspend horse patrols in Del Rio migrant camp

The [Washington Post](#) [9/23/2021 2:31 PM, Nick Miroff, 11773K] reports that the Biden administration has directed U.S. border officials to suspend patrols by agents on horseback in the Del Rio, Tex., migrant camp, White House press secretary Jen Psaki told reporters Thursday. Psaki said Department of Homeland Security Secretary Alejandro Mayorkas told civil rights leaders Thursday morning "We would no longer be using horses in Del Rio." "So that is something, a policy change that has been made in response," she said, describing the administration's reaction to anger from Democratic lawmakers, rights groups and others after images circulated widely of U.S. agents on horseback charging at migrants, including families, in an attempt to drive them back to Mexico, while cursing and swinging reins in the

air. DHS had previously announced that the incident was under investigation and the agents recorded in video footage have been placed on administrative duties. DHS officials told reporters during a separate briefing Thursday the measure was temporary. "We'll prioritize other methods for identifying individuals who might be in medical distress," one official said during a conference call. Reporters were allowed to participate on the condition that none of the speakers could be named. Border Patrol union representatives did not immediately respond to requests for comment, but they have defended the agents' conduct, which they say was consistent with their training as federal law enforcement officers. DHS officials told reporters only about 4,000 migrants remain in the Del Rio camp Thursday morning, down from a peak of nearly 15,000 on Sept. 18. More than 1,400 migrants have been returned to Haiti so far, and 3,200 have been transferred to other areas of the border with more capacity to process them. The DHS officials said that migrants who cannot be expelled to Haiti under Title 42 of the U.S. public health code would be subject to standard immigration proceedings. Mayorkas told reporters Monday the Biden administration intends to empty the camp by the end of the month. [The Hill](#) [9/23/2021 1:43 PM, Rebecca Beitsch, 1776K] reports "We are increasing the frequency and number of the repatriation flights each day," DHS Secretary Alejandro Mayorkas told lawmakers Tuesday, when the department had expelled roughly 500 Haitians. "We are still under Title 42 because we are in a global pandemic, so we are still operationalizing that," White House Press Secretary Jen Psaki said Thursday. [CBS News](#) [9/23/2021 2:33 PM, Camilo Montoya-Galvez, 2612K] reports the compilation of videos and photos sparked outrage among advocates for immigrants, Democratic lawmakers and top officials in the Biden administration, including Vice President Kamala Harris and DHS Secretary Alejandro Mayorkas, both of whom called the footage horrifying. Mayorkas told lawmakers on Wednesday the internal investigation should conclude by the end of next week and that he plans to make its findings public. [ABC News](#) [9/23/2021 2:34 PM, Quinn Owen, 37K] reports that while many were disturbed by what appeared to be aggressive behavior by the agents on horseback, Border Patrol agents who spoke to ABC News said their colleagues in the controversial photographs were following procedures. They said it's common practice for agents on horseback to use "long reins" to control the horse, apparently leading a photojournalist at the scene in Del Rio to describe them as "whips" being used by the agents.

Reported similarly:

[NPR](#) [9/23/2021 5:27 PM, Joe Hernandez]

[Axios](#) [9/23/2021 3:46 PM, Erin Doherty, 526K]

[FOX News](#) [9/23/2021 1:16 PM, Adam Shaw, 9251K]

[Univision](#) [9/23/2021 1:15 PM, Staff, 366K]

DHS Secretary Mayorkas On Border Conditions And Next Steps For Surge Of Migrants

[NPR](#) [9/23/2021 4:10 PM, Audie Cornish, Elena Burnett, Justine Kenin, 4917K] Audio:

[HERE](#) reports NPR's Audie Cornish speaks with Department of Homeland Security Secretary Alejandro Mayorkas about the government's handling of refugees at the U.S.- Mexico border.

Biden administration defends handling of Haitians amid uproar

[The Hill](#) [9/23/2021 5:04 PM, Morgan Chalfant and Rebecca Beitsch, 1776K] reports the Biden administration on Thursday defended its handling of Haitian migrants at the U.S. southern border amid growing uproar among Democrats over the decision to expel Haitian

nationals. The Department of Homeland Security said it has temporarily suspended the use of horse patrols in Del Rio, Texas, amid an investigation into border agents aggressively chasing Haitian migrants on horseback. The White House insists that they are working to implement an “orderly and humane process” at the border and have pushed back against the notion that Haitian migrants are being treated differently than others at the border. “Our policy process has continued to be the same with Haiti as it is for anybody coming through an irregular migration across our border,” White House press secretary Jen Psaki told reporters during a briefing, noting that those who are not expelled under Title 42 are placed in detention or an alternative, including being released into the country with a notice to appear or register with authorities. The special envoy for Haiti resigned over what he described as “inhumane treatment” of Haitian migrants, claiming that his policy recommendations had been ignored or dismissed by the administration. The State Department vigorously pushed back on his assertions, saying that the envoy, Daniel Foote, had ample opportunity to raise concerns about migration but never did so. With Foote now out of his post, the administration says they have diplomatic officials focused on Haiti to address the ongoing situation. Psaki pointed to the recent confirmation of Brian Nichols as Assistant Secretary of State for Western Hemisphere Affairs. Career diplomat Michele Sison is also the ambassador to Haiti, though Biden has nominated her for a different role at the State Department. Numbers from Del Rio show the Biden administration is continuing to rapidly process the Haitian migrants, following a pledge from DHS Secretary Alejandro Mayorkas to increase “the frequency and number of the repatriation flights each day.” A DHS official told reporters Thursday that 1,400 people have been returned to Haiti, while a population of an estimated 14,000 Haitians living under the bridge in Del Rio has dwindled to just over 4,000. Also unclear is how the U.S. is handling the treatment of Haitians who already have residency in other countries, with many making the journey to the U.S. after living in Brazil and Chile.

Migrant camp shrinks on US border as more Haitians removed

The AP [9/24/2021 12:41 AM, María Verza and Juan Lozano, 302K] reports Haitian migrants waited to learn their fate at a Texas border encampment whose size was dramatically diminished from the almost 15,000 who gathered there just days ago in an effort to seek humanitarian protection in the U.S. but now face expulsion. Families milled around makeshift shelters held up with giant reeds under a bridge between Del Rio, Texas, and Ciudad Acuña, Mexico, as wind blew dust through the camp littered with plastic bottles and overflowing trash bags. Some migrants sat on plastic paint cans or the ground while others hung clothes to dry on the bamboo-like carrizo cane. About 3,000 remained late Thursday, the Department of Homeland Security said. The number peaked Saturday as migrants driven by confusion over the Biden administration’s policies and misinformation on social media converged at the border crossing trying to seek asylum. The administration recently extended protections for more than 100,000 Haitians already in the U.S. — many of whom left their homeland after its devastating 2010 earthquake — citing security concerns and social unrest in the Western Hemisphere’s poorest country. But it doesn’t apply to new arrivals. The United States and Mexico appeared eager to end the increasingly politicized humanitarian situation at the border that prompted the resignation of the U.S. special envoy to Haiti and condemnation from civil rights leader Rev. Al Sharpton and UNICEF after images spread widely this week of border agents maneuvering their horses to forcibly block and move migrants. Homeland Security said nearly 2,000 Haitians have been rapidly expelled on flights since Sunday under pandemic powers that deny people the chance to seek asylum. About 3,900 were being processed for possible return to Haiti or placement in U.S. immigration court proceedings. Others have been released in the U.S. with notices to

appear in court or report to immigration authorities. Thousands have returned to Mexico. Authorities expect the camp will be empty in about two days, according to a U.S. official with direct knowledge who was not authorized to speak publicly. [FOX News](#) [9/23/2021 11:07 AM, Adam Shaw, 9251K] reports that on Wednesday, DHS confirmed that some migrants are being released into the interior, if they are not being removed under Title 42 public health protections. The Biden administration has been removing most single adults under the Center for Disease Control order, but only a sliver of migrant families - about 19% in August. A DHS spokesperson told Fox that those who were not being removed are either placed in "alternatives to detention," detained at an ICE facility, or released into the U.S. with either a notice to appear in court or a notice to report to an ICE office. "The document an individual receives is dependent on facility space and resources available to process," the spokesperson said. The DHS statement noted that Border Patrol will collect information such as fingerprints, phone numbers and an address, while also running background checks.

Reported similarly:

[Univision](#) [9/23/2021 12:22 PM, Jorge Cancino, 366K]

Many Haitian Migrants Are Staying In The U.S. Even As Expulsion Flights Rise

The [AP](#) [9/23/2021 6:12 AM, Elliot Spagat, Maria Verza, Juan A. Lozano and Sarah Blake Morgan, 4917K] reports Three hours after being freed from a giant migrant camp under an international bridge, Mackenson Veillard stood outside a gas station and took stock of his sudden good fortune as he and his pregnant wife waited for a Greyhound bus to take them to a cousin in San Antonio. The couple camped with thousands for a week under the bridge in Del Rio, Texas, sleeping on concrete and getting by on bread and bottled water. "I felt so stressed," Veillard, 25, said this week. "But now, I feel better. It's like I'm starting a new life." Many Haitian migrants in Del Rio are being released in the United States, according to two U.S. officials, undercutting the Biden administration's public statements that the thousands in the camp faced immediate expulsion to Haiti. Haitians have been freed on a "very, very large scale" in recent days, one official said Tuesday. The official, who was not authorized to discuss the matter and thus spoke on condition of anonymity, put the figure in the thousands. Many have been released with notices to appear at an immigration office within 60 days, an outcome that requires less processing time from Border Patrol agents than ordering an appearance in immigration court and points to the speed at which authorities are moving. The releases come despite a massive effort to expel Haitians on flights under pandemic-related authority that denies migrants a chance to seek asylum. A third U.S. official not authorized to discuss operations said there were seven daily flights to Haiti planned starting Wednesday.

A senior U.S. diplomat to Haiti resigns, citing the Biden administration's 'inhumane' deportation policy

The [New York Times](#) [9/23/2021 10:25 AM, Lara Jakes and Eileen Sullivan, 24635K] reports the diplomat, Daniel Foote, was appointed special envoy to Haiti in July, just weeks after President Jovenel Moïse was assassinated. The senior American envoy for Haiti policy has resigned, two U.S. officials said Thursday, in a letter that excoriated the Biden administration's "inhumane, counterproductive decision" to send Haitian migrants back to a country that has been racked this summer by a deadly earthquake and political turmoil. The diplomat, Daniel Foote, was appointed special envoy to Haiti in July, just weeks after President Jovenel Moïse was killed in his bedroom during a nighttime raid on his residence.

Thousands of Haitians have since flocked to the Texas border, particularly in the past week, where they have crossed the Rio Grande into the United States and confronted Border Patrol agents on horseback before being deported. “I will not be associated with the United States’ inhumane, counterproductive decision to deport thousands of Haitian refugees and illegal immigrants to Haiti, a country where American officials are confined to secure compounds because of the danger posed by armed gangs in control of daily life,” Mr. Foote wrote in his stinging resignation letter to Secretary of State Antony J. Blinken, dated Wednesday. He also blasted a “cycle of international political interventions in Haiti” that “has consistently produced catastrophic results,” and he warned that the number of desperate people traveling to American borders “will only grow as we add to Haiti’s unacceptable misery.” The [Wall Street Journal](#) [9/23/2021 8:30 PM, Courtney McBride and Michelle Hackman] reports he characterized U.S. policy toward Haiti, the poorest nation in the Western Hemisphere, as flawed, accusing administration officials of distorting or ignoring his recommendations. Citing poverty, gang violence and government corruption, Mr. Foote wrote that the Haitian people “simply cannot support the forced infusion of thousands of returned migrants lacking food, shelter and money without additional, avoidable human tragedy.” At a press conference Thursday, Secretary of State Antony Blinken thanked Mr. Foote for his service, while acknowledging policy disagreements. “I think we actually see eye to eye on the fundamental need to support the Haitian people, to buttress Haiti’s democracy,” the secretary said. “I very much respect him, respect his service, respect his passion,” Mr. Blinken said of Mr. Foote. “But that doesn’t mean that we can’t and won’t disagree on the right approach to take, the right policy to follow.” State Department spokesman Ned Price on Thursday disputed Mr. Foote’s characterization of events, saying administration officials had held “multiple senior-level policy conversations on Haiti, where all proposals, including those led by Special Envoy Foote, were fully considered in a rigorous and transparent policy process.” He described Mr. Foote’s claim that his recommendations were ignored as false, and said the administration conducts policy debates on an array of issues. “It is unfortunate that, instead of participating in a solutions-oriented policy process, Special Envoy Foote has both resigned and mischaracterized the circumstances of his resignation,” Mr. Price said. “He failed to take advantage of ample opportunity to raise concerns about migration during his tenure and chose to resign instead.” Deputy Secretary of State Wendy Sherman said that Mr. Foote’s ideas had included U.S. military intervention in Haiti, a move she said “was a bad idea” and wouldn’t solve the country’s problems.

Reported similarly:

[Politico](#) [9/23/2021 9:34 AM, Nick Niedzwiadek and Jonathan Custodio, 1707K]

[Bloomberg](#) [9/23/2021 12:55 PM, Nick Wadhams and Justin Sink, 6400K]

[NPR](#) [9/23/2021 1:35 PM, L. Carol Ritchie, Michele Kelemen]

[AP](#) [9/23/2021 12:18 PM, Joshua Goodman, Matthew Lee, Danica Coto, Elliot Spagat, 49K]

[Reuters](#) [9/23/2021 7:06 AM, Daina Beth Solomon and Humeyra Pamuk, 5304K]

[The Hill](#) [9/23/2021 12:28 PM, Morgan Chalfant, 1776K]

White House Says It Is Not Sending Haiti Migrants at Border to Guantanamo

[Reuters](#) [9/23/2021 1:17 PM, Staff, 4947K] reports that the Biden administration has no plans to send any of the thousands of Haitian migrants caught crossing the U.S.-Mexico border to a special holding facility at the U.S. naval base in Guantanamo Bay, Cuba, U.S. officials said on Thursday. The officials threw cold water on the idea of using the longtime facility for some of the Haitians gathered at the Texas border. The statement is a response to media speculation stirred by a U.S. government advertisement of a new contract to run

the migrant center. U.S. authorities, on and off for decades, have temporarily housed and processed migrants apprehended at sea trying to get to the United States at the Migrant Operations Center at Guantanamo. The facility is located on the same military base where the United States operates a prison for foreign terrorism suspects captured after the Sept. 11, 2001 attacks on New York and Washington. The Guantanamo jail came to symbolize the excesses of the U.S. "war on terror" because of harsh interrogation methods in earlier years that critics say amounted to torture. The lesser-known migrants center once held thousands of Haitian "boat people" in the early 1990s but has been little used in recent years, though the U.S. government has continued to maintain it. Asked whether any Haitian migrants would be sent there from the U.S.-Mexico border, White House press secretary Jen Psaki told reporters: "There's never been a plan to do that." A bid solicitation from the Department of Homeland Security last week that asked private companies to apply to operate the migrant facility was a "typical, routine first step in a contract renewal, and unrelated to the Southwest Border," tweeted Marsha Espinosa, DHS assistant secretary of public affairs.

House Republicans push for vote on bill to restrict illegal immigration

The [Washington Times](#) [9/22/2021 8:00 PM, Mica Soellner, 381K] reports that House Republicans are seeking to force a vote on a bill that would curb illegal immigration by reinstating border security rules set forth by the Trump administration. Reps. Andy Biggs of Arizona and Matt Rosendale of Montana introduced a resolution on Wednesday that aims to gather support for consideration of Mr. Rosendale's bill, which would implement the border controls. The bill, dubbed the Remain in Mexico Act, would require the Department of Homeland Security to put migrant protection protocols in place. Those controls would allow the U.S. government to return some migrants to Mexico as they await their immigration proceedings. "MPP was one of the most effective tools in our arsenal to curb illegal immigration under the Trump administration," Mr. Rosendale said in a statement. "The Biden administration worked to undermine this policy since the moment he took office, and the result has been an unprecedented border crisis." The lawmakers must obtain the signatures of 218 members in order to force a vote on the resolution. If the resolution were to pass, it would then force a vote on the bill. The Republicans are likely to garner support from members of their party, but are expected to encounter Democratic opposition. However, a handful of Democrats including Reps. Henry Cuellar of Texas and Frederica Wilson of Florida, have broken with their party on the need to better secure the border and immigration. In a court filing on Monday, the Biden administration urged a federal appeals court to let it nix the Trump-era policy that requires some asylum seekers to return to Mexico as their cases are processed. If successful, the administration's move would lift an injunction ordered by U.S. District Judge Matthew Kacsmaryk of Texas, who ruled that the policy should remain in place until border patrol has enough capacity to detain illegal immigrants at the border, as well as those already in the country unlawfully.

EPA completes rule to phase out gases used as refrigerants

The [AP](#) [2/23/2019 8:00 AM, Matthew Daly, 530k] reports that in what officials call a key step to combat climate change, the Environmental Protection Agency is sharply limiting domestic production and use of hydrofluorocarbons, highly potent greenhouse gases commonly used in refrigerators and air conditioners. The new rule, which follows through on a law Congress passed last year, is intended to decrease U.S. production and use of HFCs by 85% over the next 15 years, part of a global phaseout designed to slow global warming. HFCs are greenhouse gases that are thousands of times more powerful than carbon

dioxide. They often leak through pipes or appliances that use compressed refrigerants and are considered a major driver of global warming. President Joe Biden has pledged to embrace a 2016 global agreement to greatly reduce HFCs by 2036. White House climate adviser Gina McCarthy, a former EPA administrator, said the new rule was “a win on climate and a win on jobs and American competitiveness.” The rule is expected to reduce harmful emissions by the equivalent of 4.5 billion metric tons of carbon dioxide by 2050, McCarthy said, a total similar to three years of emissions from the U.S. power sector. EPA Administrator Michael Regan said the phasedown is backed by a coalition of industry groups that see it as an opportunity to “supercharge” American leadership on domestic manufacturing and production of alternative refrigerants. The industry has long been shifting to the use of alternative refrigerants and pushed for a federal standard to avoid a patchwork of state laws and regulations. “This action reaffirms what President Biden always says — that when he thinks about climate, he thinks about jobs,” Regan said, echoing a Biden refrain about climate change. Transitioning to safer alternatives and more energy-efficient cooling technologies is expected to generate more than \$270 billion in cost savings and public health benefits over the next 30 years, Regan said. A pandemic relief and spending bill passed by Congress last December directs the EPA to sharply reduce production and use of HFCs. The measure won wide support and was hailed as the most significant climate change law in at least a decade. Besides targeting HFCs, the American Innovation and Manufacturing, or AIM, Act also promotes technologies to capture and store carbon dioxide produced by power and manufacturing plants and calls for reductions in diesel emissions by buses and other vehicles. The HFC provision was supported by an unusual coalition that included major environmental and business groups, including the National Association of Manufacturers, American Chemistry Council and the Air-Conditioning, Heating and Refrigeration Institute. The chemistry council represents major companies including Dow, DuPont, Honeywell, Chemours and Arkema. The administration said it also is taking other steps to ensure reductions in HFCs, including creation of an interagency task force to prevent illegal trade, production, use or sale of the climate-damaging gases. The task force will be led by the Department of Homeland Security, and EPA’s offices of Air and Radiation and Enforcement and Compliance Assurance. Working with the departments of Justice, State and Defense, the task force will “detect, deter and disrupt any attempt to illegally import or produce HFCs in the United States,” the White House said in a fact sheet. [CNN](#) [9/23/2021 10:49 AM, Ella Nilsen and Veronica Stracqualursi, 4876K] reports “It’s frankly, folks, a very big deal,” White House national climate adviser Gina McCarthy said. “HFCs are found in a range of appliances and other products, and they are thousands of times more potent than carbon dioxide is in terms of how intensely they warm the climate.” On a call with reporters, McCarthy and EPA chief Michael Regan likened the HFC reductions to cutting 4.5 billion metric tons of carbon dioxide-equivalent by 2050, totaling nearly three years of US power sector emissions.

CISA, NIST Issue Critical Infrastructure Control Systems Cybersecurity Performance Goals

[HS Today](#) [9/23/2021 11:38 AM, Staff, 12K] reports that on Wednesday, July 28, 2021, the President signed a National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. The National Security Memorandum establishes a voluntary initiative intended to drive collaboration between the Federal Government and the critical infrastructure community to improve cybersecurity of control systems. It instructs the Department of Homeland Security (DHS) to lead the development of preliminary cross-sector control system cybersecurity performance goals as well as sector-specific performance goals within one year of the date of the National Security Memorandum. These

goals are intended to provide a common understanding of the baseline security practices that critical infrastructure owners and operators should follow to protect national and economic security, as well as public health and safety. "Today, we are delivering on the first step of the President's National Security Memorandum (NSM) objectives to strengthen the cybersecurity of our Nation's critical infrastructure control systems," Secretary of Homeland Security Alejandro N. Mayorkas and Secretary of Commerce Gina Raimondo said a joint statement. "DHS's Cybersecurity and Infrastructure Security Agency (CISA), in coordination with the Department of Commerce's National Institute of Standards and Technology (NIST), developed preliminary cybersecurity performance goals based on nine categories of best practices.

Biden Cyber Officials Back Breach Incident Reporting Mandates

Bloomberg [9/23/2021 12:42 PM, Rebecca Kern and Sophia Cai, 6400K] reports that the head of the U.S. cybersecurity enforcement agency "is a huge supporter" of bipartisan legislation to mandate that operators of critical infrastructure report data breaches to the government. Jen Easterly, director of the Cybersecurity and Infrastructure Security Agency, said she backs draft legislation from the Senate Homeland Security and Governmental Affairs Committee to require certain private companies, federal agencies and government contractors to report cyberattacks to the agency. The proposed legislation is partly in response to a surge of major cyberattacks that targeted government agencies and critical industries, including Colonial Pipeline Co. and meat producer JBS SA. The hacks increased pressure on the Biden administration to bolster U.S. cyber defenses and fueled calls for federal legislation to require companies to share incidents with the federal government to assist in response and recovery. The panel's chairman, Michigan Democrat Gary Peters, told Bloomberg that he hopes to incorporate feedback from the hearing and introduce the bill in the coming weeks. Meanwhile, similar legislation has been added to the must-pass defense authorization measure scheduled to pass the House this week. "The earlier that CISA, the federal lead for asset response, receives information about a cyber incident, the faster we can conduct urgent analysis and share information to protect other potential victims," Easterly said in written testimony for the committee's Thursday hearing. An increase in cyberattacks, particularly from ransomware, has hit the private sector particularly hard, which owns and operates 85% of critical infrastructure. Cyber incident reporting should be timely, Easterly said, "ideally within 24 hours of detection." A draft bill from Peters and top Republican Rob Portman, from Ohio, proposed a 72-hour time frame for reporting.

Lindsey Graham calls for 'incompetent' Mayorkas to resign amid border crisis

FOX News [9/24/2021 1:56 AM, Staff, 9251K] reports U.S. Sen. Lindsey Graham told Martha MacCallum on "The Story" on Thursday night that the "most inhumane thing going on right now in America, is the men and women of the Border Patrol have been completely abandoned." GRAHAM: So, all I can say is what Biden has done is he surrendered the border to drug cartels, coyotes, and human smugglers, he's surrendered Afghanistan to the terrorists, the Taliban and Al Qaeda, and a major attack is going to come our way. Because the combination of allowing Afghanistan to fall back in terrorist's hands and having a completely open and broken border here in the United States, it's a matter of time that the terrorists come through the border to kill us. Here's what I want to say to the American people. The man on horseback is there to protect your family. The people rushing our border have put us all under siege. And I think the most inhumane thing going on right now in America is the men and women of the Border Patrol have been completely abandoned,

demagogued, scapegoated and treated like dirt by elected officials and the Democratic Party and this administration. So, I'm not unhappy, I'm p---ed. Secretary Mayorkas needs to resign. He's completely incompetent. The border is not closed. It's been surrendered.
[Editorial note: consult video at source link]

[TX] Texas Republicans back effort to impeach Biden over border policy, Afghanistan

The [Houston Chronicle](#) [9/23/2021 1:00 AM, Benjamin Wermund, 183K] reports that two Texas Republicans have joined a House GOP effort to impeach President Joe Biden over his handling of the border, the withdrawal from Afghanistan and for extending the national eviction moratorium. It's more of a political exercise than anything, as Democrats control both the House and Senate and Republican leaders including Senate Minority Leader Mitch McConnell have made clear Biden won't be impeached. The impeachment resolution has drawn the support of just four members of Congress so far, two of whom are Texans: U.S. Reps. Brian Babin of Woodville and Randy Weber of Friendswood - both of whom criticized the two impeachments of former President Donald Trump as political stunts. The resolution, led by U.S. Rep. Bob Gibbs of Ohio, accuses Biden of breaking his oath of office and says the president has "Failed to secure the border," "Extended the moratorium on evictions despite publicly acknowledging it would 'not pass constitutional muster,'" and "Failed to act responsibly as Commander-in-Chief with regard to the withdrawal of United States forces from Afghanistan." "Since January 20, 2021, Joe Biden has done nothing but launch our nation into a state of retrograde and increased vulnerability while thwarting the rule of law at every turn," Babin said. "He has failed miserably at his duties as Commander-in-Chief and violated his oath of office to defend the U.S. Constitution." Babin and Weber both voted against former President Donald Trump's two impeachments and both Texans accused Democrats at the time of playing politics.

[TX] Texas asks judge to rule DHS is violating 'Remain in Mexico' ruling

The [Washington Times](#) [9/23/2021 4:16 PM, Stephen Dinan, 381K] reports Texas Attorney General Ken Paxton went back to court Thursday to ask a judge to order Homeland Security to reinstate the "Remain in Mexico" border policy, saying Secretary Alejandro Mayorkas appears to be slow-walking the court's order restoring the policy. Judge Matthew Kacsmayk ruled more than a month ago that Mr. Mayorkas's attempt to phase out the policy, officially known as the Migrant Protection Protocols, was done in defiance of the law. He ordered Mr. Mayorkas to work in good faith to restore the policy. Mr. Paxton said the intervening weeks have seen no progress, and he said it's time the judge gets involved in making it happen. "I have already sued this administration and won - yet they still think they are above the law and can continue shirking their responsibilities," the Republican state attorney general said. MPP was one of the key policies the Trump team used to solve the 2019 border surge. The policy allowed the Border Patrol to immediately push newly arrived illegal immigrants back across the border into Mexico to await their immigration court proceedings.

Immigration and Customs Enforcement

[SC] SC authorities arrest one of Interpol's most wanted suspects

The [AP](#) [9/23/2021 5:10 PM, Staff] reports a man suspected of murder in El Salvador was arrested Thursday in South Carolina. The Bluffton Police Department, with help from other agencies, arrested Erick Salvador Hernandez Bonilla, 23, on Lady's Island, WSAV-TV

reported. Bonilla, wanted by the International Criminal Police Organization — also known as Interpol, faces six counts of murder and terrorist threat. Authorities said the charges are linked to Bonilla's MS13 gang-related activities in El Salvador. Details of the murder case were not released. Bluffton Police, working with the Beaufort County Sheriff's Office, the U.S. Marshal Service and the U.S. Immigration and Customs Enforcement apprehended Bonilla after a month-long investigation with help from an anonymous source, police said. "I am proud and grateful of the anonymous source who contacted the Bluffton Police Department and whose efforts resulted in a successful arrest of this dangerous suspect," Bluffton Police Chief Stephenie Price said.

[GA] 21 Savage Turned Himself In To Police And Was Released On Bond. His Attorneys Claim There's An ICE Connection.

BuzzFeed [9/23/2021 11:29 PM, Hamed Aleaziz, 5962K] reports Atlanta-based rapper 21 Savage turned himself in to local authorities Thursday night to face allegations of drug and weapons possession from a well-publicized incident in early 2019 when immigration officials arrested him in an operation with Georgia authorities. He was released on bond Thursday evening. The rapper, whose real name is She'yaa Bin Abraham-Joseph, was taken into the custody of Immigration and Customs Enforcement officers on Feb. 3, 2019. He was later released on bond following international attention over the arrest. At the time, ICE officials told local media that the rapper had been convicted of felony drug charges in 2014. His attorneys have said that the information was false, pointing out that the conviction was later vacated. ICE officials later dropped an aggravated felony charge against him in immigration court. Earlier this month, a local magistrate court judge signed a warrant authorizing his arrest on suspicion of felony drug possession and weapons possession in DeKalb County, where the rapper turned himself in on Thursday evening. His tour, which he is headlining along with J Cole, begins Friday in Miami. His attorneys claim that he was not aware of the warrant, which was sought by DeKalb County authorities on Sep. 7, until Thursday. The warrant cites allegations that, during a stop the evening of the ICE arrest, the rapper threw out a bottle that had liquid in it which later tested positive for codeine and that a handgun was found inside the car. Since the night of the arrest, the government has pursued his deportation only on the grounds that he had come from the UK at the age of 7 and overstayed a visa, according to Charles Kuck, managing partner of Kuck Baxter Immigration, who represents the rapper.

[Iraq] Ancient tablet acquired by Hobby Lobby going back to Iraq

The AP [9/23/2021 8:27 AM, Colleen Long, 2701K]

A 3,500-year-old clay tablet discovered in the ruins of the library of an ancient Mesopotamian king, then looted from an Iraqi museum 30 years ago, is finally headed back to Iraq. The \$1.7 million cuneiform clay tablet was found in 1853 as part of a 12-tablet collection in the rubble of the library of Assyrian King Assur Banipal. Officials believe it was illegally imported into the United States in 2003, then sold to Hobby Lobby and eventually put on display in its Museum of the Bible in the nation's capital. Federal agents with Homeland Security Investigations seized the tablet — known as the Gilgamesh Dream tablet — from the museum in September 2019. Months later, federal prosecutors in Brooklyn, New York, began a civil forfeiture court proceeding that resulted in the repatriation, which is scheduled for Thursday afternoon at a ceremony at the Smithsonian's National Museum of the American Indian that will include officials from Iraq. It's part of an increasing effort by authorities in the U.S. and around the world to return antiquities pilfered from their home countries. In years past, such items probably would never have made it

back. The black market for these relics is vast, as are criminal networks and smugglers dealing in stolen items and falsifying ownership data. “By returning these illegally acquired objects, the authorities here in the United States and in Iraq are allowing the Iraqi people to reconnect with a page in their history,” said Audrey Azoulay, director general of the U.N. Educational, Scientific and Cultural Organization. “This exceptional restitution is a major victory over those who mutilate heritage and then traffic it to finance violence and terrorism.” For the acting head of Homeland Security Investigations which found and investigated the origins of the tablet, the repatriation is personal. Steve Francis’ parents were born in Iraq, part of a small sect known as Chaldean Iraqis who are Christian, and he was assigned to a U.S. Customs unit in 2003 that was sent to Iraq to help protect looted artifacts. “It’s really special to me. I’m a Chaldean Iraqi and leading the agency that did this work,” Francis said. “It is really something.” Authorities are also repatriating a Sumerian Ram sculpture that was seized during a separate case.

Reported similarly:

[The Hill](#) [9/23/2021 8:53 AM, Rachel Scully, 1776K]

Citizenship and Immigration Services

Tech firms’ nightmare: Vanishing green cards

[Axios](#) [9/23/2021 5:45 AM, Margaret Harding McGill, 526K]

Thousands of green cards are about to go to waste, leaving Google, Microsoft and other tech companies fuming — and pushing the Biden administration to ensure it doesn’t happen again. Tech workers have waited years for green cards that will grant them permanent legal status in the U.S. — but because of pandemic-related processing delays, they will have to wait even longer. The U.S. makes a certain number of family-based and employment-based green cards available each fiscal year. 260,000 employment visas were available this year, rather than the typical 140,000, thanks to a pandemic-related drop in applications for family-based visas in 2020. Unused family cards from one year are added to the next year’s count of employment cards. The catch: Processing those extra applications has gone slowly. An administration official this summer warned of a 100,000-application backlog that would not be filled by the Sept. 30 fiscal year end. Extra green cards that haven’t been granted in one year don’t carry over to the next. Google and Microsoft are among the companies that have been urging federal officials to find a way to save the roughly 80,000 remaining employment-based green cards set to expire Sept. 30.

[NY] Undocumented Workers Who Power New York’s Economy Finally Get Pandemic Aid

[Bloomberg](#) [9/23/2021 8:53 AM, Amy Yee, 6400K] reports that thousands of undocumented immigrants who lost their jobs working as cooks, delivery workers, day laborers, nannies and in other essential jobs are finally getting pandemic unemployment aid. New York state has approved applications for nearly half of a \$2.1 billion fund — the biggest of its kind — to help workers excluded from government aid during the pandemic. The state is starting to disburse \$550 million this week from the landmark Excluded Workers Fund (EWF). Since opening on August 1, it has received more than 163,000 applications, mostly from undocumented immigrants. New York is hoping that supporting these workers can help revive the state’s battered economy. Forty-two percent of New York City small businesses shuttered as of April, and unemployment was at 10.2% in August, about double the national average of 5.2%. Tourism, which isn’t expected to fully recover for another three to four

years, lost billions last year. More than 500,000 undocumented people live in New York City, followed by Long Island, Hudson Valley and other parts of New York. The Fiscal Policy Institute (FPI) estimates that giving \$850 million of the EWF — the amount approved earlier this month — to excluded workers would boost New York City's economy by \$600 million, Long Island by \$70 million and Westchester by \$35 million.

[IN] Officials Refute Wild Rumors About Situation At Camp Atterbury

Northeast Indiana Public Radio [9/23/2021 5:25 PM, Mitch Legan] reports the U.S. Department of Homeland Security (DHS) is denying rumors circulating about happenings at Camp Atterbury. Earlier this week, WIBC radio host Jason Hammer made shocking claims on air about the situation at Camp Atterbury, where roughly 7,000 Afghan evacuees are undergoing final health and safety checks before being settled across the country. Hammer said Monday he received a text from a National Guard member at the camp who said the FBI had been called in to deport members of the Taliban who had been caught in the vetting process. He went on to say the people at the camp were routinely engaging in violence, and that 47 were unaccounted for. DHS spokesperson Lorie Dankers said the claims were false, and that the only people who have left the base are those who have completed their health and safety checks. As of last week, that number was 25. Dankers did not provide an updated figure. "Some individuals (who have completed the vetting process) have decided to continue [the] resettlement process outside of Camp Atterbury," Dankers wrote in an email. "Intelligence, law enforcement and counterterrorism professionals conduct screening and security vetting before the Afghan guests are allowed into the United States. This includes reviews of both biographic and biometric data." "There is some confusion regarding the number of Afghan guests who arrived with government-issued identification," Dankers said. "The vast majority of arrivals present some form of identification or documentation demonstrating their identity. Approximately 76 percent of guests at Camp Atterbury have presented some form of documentation or identification. It is important to note more than 22 percent of our guests are age nine and younger, suggesting that many of those may not have a government-issued IDs."

[IL] Dozens of Afghan children arrive in Chicago after evacuation

The AP [9/23/2021 10:43 AM, Staff, 495K] reports that dozens of Afghan children have arrived in Chicago as refugees evacuated from Afghanistan during the U.S. withdrawal continue to reach American cities, officials said. The unaccompanied Afghan minors - children who traveled without a parent or legal guardian - arrived Wednesday at Chicago O'Hare International Airport, weeks after the U.S. ended its longest war. Nubia Willman, director of the city's Office of New Americans, said 75 Afghan minors had been expected to arrive in Chicago. She said at least 500 Afghans are expected to be resettled in the city, the Chicago Sun-Times reported. The U.S. Department of Homeland Security confirmed that a flight of Afghan children from Qatar had arrived Wednesday in Chicago. An agency spokesperson said the minors will be reunited with a vetted relative or will remain in the custody of the federal Office of Refugee Resettlement. The children will receive COVID-19 vaccines if they are eligible for it, according to DHS. A spokesman for Mayor Lori Lightfoot said the city's Office of Emergency Management and Communications along with the Department of Aviation were working with state and federal officials to assist the children. "They have given up their homes, their families, their lives as they know them for a chance to survive," Lightfoot spokesman Cesar Rodriguez said in the statement posted on Twitter.

[WI] Afghan evacuees at U.S. military base charged with domestic violence, sexual abuse of minors

The [Washington Times](#) [9/23/2021 12:26 PM, Stephen Dinan, 381K] reports one Afghan evacuee being held at an American military base in Wisconsin tried to coerce two young boys into having sex with him, while another tried to strangle his wife, federal officials said in charging documents unsealed this week. The men, Bahrullah Noori and Mohammad Haroon Imaad, were arraigned Thursday and entered pleas of "not guilty." Both boys said Mr. Noori had been "doing this kind of thing for the last couple of weeks," and they'd been told not to say anything or he would beat them, an FBI agent said in an affidavit. Mr. Noori was indicted on multiple charges of attempted sex with a juvenile between 12 and 15, including one by force. In separate charges, Mr. Imaad, 32, is accused of assaulting his wife by trying to strangle or suffocate her. More broadly, security experts have complained about the massive numbers involved in the airlift, warning that there's little chance to do significant vetting.

Customs and Border Protection

Watchdog: CBP improperly targeted Americans as caravans approached border

[Politico](#) [9/23/2021 9:05 AM, Daniel Lippman, 1707K] reports that U.S. Customs and Border Protection improperly targeted American citizens that the agency suspected were involved with a 2018-19 migrant caravan with intrusive additional inspections, according to a new Department of Homeland Security inspector general's report. The inspector general also found that a Customs and Border Protection official asked the Mexican government in December 2018 to block 14 U.S. citizens from entering Mexico as the caravan approached the U.S. border even though it had "no genuine basis" to do so. The report, dated Sept. 20 but not yet publicly released, documents one instance where CBP officials placed "lookouts" — electronic alerts that lead to more intrusive inspections when crossing the U.S. border — on 15 Americans who had previously crossed the border with or were connected via social media to someone who CBP suspected might be planning violence at the border. But CBP didn't have any information that those 15 Americans were involved in planning any of the violence or were present at an intrusion into the U.S. CBP officials also improperly shared the "sensitive information" of other U.S. citizens with the Mexican government, according to the DHS watchdog. The CBP officials involved, the inspector general said, "were not forthcoming about the disclosures, did not follow CPB policies on sharing information with foreign entities and did not retain communication records." It noted that CBP's only written guidance on when to place lookouts hasn't been updated since 1990, 13 years before the Department of Homeland Security was established. Spokespeople for DHS and CBP didn't immediately respond to requests for comment on if any employees will be subject to disciplinary action. [CNN](#) [9/23/2021 6:38 PM, Geneva Sands, 4876K] reports the report looks back at 2018 when thousands of migrants gathered and traveled from Central America through Mexico seeking to enter the US, a migration movement known as the "migrant caravan." CBP was concerned that members of the migrant caravan could overwhelm CBP's resources and hinder its ability to process the legitimate flow of trade and travel. At the time, there was heated political rhetoric around the issue with then-President Donald Trump claiming in a series of tweets, just weeks ahead of the 2018 midterm elections, that he would declare a "national emergency" over migrant caravans moving north toward the US. To coordinate its response to the caravan, CBP implemented "Operation Secure Line" from October 2018 through February 2019, which included an intelligence section that gathered information about the number and travel patterns of

migrants moving toward the border and researched social media and news articles to identify potential migrant caravan organizers, according to the inspector general. In early 2019, journalists, attorneys and migrant caravan supporters raised concerns that CBP was harassing people over their work on the migrant caravan, prompting the inspector general investigation.

Reported similarly:

Washington Times [9/23/2021 5:00 PM, Stephen Dinan, 381K]

Driver of a van carrying immigrants dies after eluding Border Patrol and crashing
Univision [9/23/2021 4:57 AM, Staff, 366K] reports that an Ecuadorian citizen was killed and nine other immigrants were injured when the truck in which they were traveling crashed down a highway in New Mexico, after evading a Border Patrol checkpoint and trying to escape from the authorities. According to the official account, the truck that the Ecuadorian was driving, a black SUV, circumvented the checkpoint after which several Border Patrol vehicles came out in pursuit. Officers located the Acura approximately six miles north of the checkpoint and attempted to bring the vehicle to a stop near the mile marker 19, but the driver did not stop and "continued for approximately half a mile until it lost control and crashed." Several of the occupants of the truck were "expelled from the vehicle", which ended up catching fire. Border Patrol agents immediately called for emergency medical services, removed the remaining four occupants from the burning vehicle and provided assistance, the CBP bulletin indicates. A forensic doctor arrived at the scene and declared the driver dead. So far her identity is unknown. Two of the injured were airlifted to University Medical Center in El Paso, Texas, and seven people were taken to Mimbres Memorial Hospital in Deming, New Mexico. A few hours later, five of the people who were taken to Mimbres Memorial Hospital were airlifted to University Medical Center for further medical care. CBP said the incident is being investigated by Homeland Security Investigations and the New Mexico State Police and reviewed by the U.S. Customs and Border Protection Office of Professional Responsibility and the New Mexico Office of the Medical Investigator.

Thousands Of Migrants Are Weighing Whether To Crossing Into The U.S.

NPR [9/23/2021 4:06 PM, Carrie Kahn, 4917K] Audio: HERE reports Haitian migrants camped on the Mexican side of the U.S. border are debating making the crossing north to face possible deportation to Haiti — or release into the U.S. for immigration hearings.

Border Patrol union chief says Biden using ‘whip’ furor to deflect from handling of migrant crisis

FOX News [9/23/2021 2:55 PM, Adam Shaw, 9251K] reports the head of the Border Patrol union is accusing the Biden administration of using a controversy over agents on horseback blocking Haitian migrants to "deflect" from its own handling of the crisis at the border, while saying the furor is "completely and totally demoralizing" for agents. "They know that what is taking place under the bridge is very embarrassing to them so they are trying to deflect," Brandon Judd, head of the National Border Patrol Council, told Fox News in an interview. "That's the administration trying to deflect off themselves for their failures which led to the catastrophe that's taking place under the bridge." Agents were surged to the area to tackle the wave, which saw more than 14,000 migrants camped under the bridge last week, and led to the administration increasing deportation flights. Judd has said previously that Border Patrol warned the administration about the potential crisis months ago, but no action was taken. DHS Secretary Alejandro Mayorkas appeared to initially refute the claims being

made by some in the media on Monday as she stood alongside Border Patrol Chief Raul Ortiz – who noted the use of long reins and how they are necessary to control the horse. But by Tuesday, after the White House weighed in, Mayorkas said the images "troubled me profoundly." The agents involved have since been shifted to desk duty as the investigation continues. Judd said he was not surprised by Mayorkas' change in attitude. Later, on Thursday afternoon, the White House announced that Mayorkas had told civil rights leaders that Border Patrol use of horses was being suspended in the Del Rio Sector.

[TX] Texas Gov. Greg Abbott signs bill easing prosecution of human smuggling suspects

FOX News [9/23/2021 11:45 AM, Ronn Blitzer, 9251K] reports that Texas Gov. Greg Abbott signed a bill that broadens the scope of who can be charged with human smuggling, while raising the stakes for offenses covered under the previous law. The bill, SB 576, removes the requirement for an offender to be seeking monetary gain when transporting another person for the purpose of hiding from or fleeing an officer. It also adds ways that a person can violate the statute. "This all makes it easier to arrest and to prosecute human smugglers. This law also increases criminal penalties for human smuggling, especially when payment is involved in that process," Abbott said at a Wednesday news conference. The new law amends a previous statute by making it a third-degree felony to help or direct more than one person "To enter or remain on agricultural land without the effective consent of the owner." It also bumps smuggling a person "For pecuniary benefit" up from a third-degree felony to second degree. This raises the maximum jail time for the offense from 10 years to 20. "Any operation that imposes stiffer fines or jail time for individuals is a deterrent, and we appreciate the assistance that we can get," Border Patrol agent Jesse Moreno told BorderReport.com. Moreno said he has seen 30 or more people living in quarters meant for four or five. The Department of Homeland Security said that as of Wednesday they had deported 1,719 people back to Haiti. Border Patrol agents have told Fox News that those being removed are generally single men and women, while family units and women claiming to be pregnant are being released.

[TX] Texas lawmakers sound the alarm on immigration crisis in Del Rio: The problem will 'spiral out of control'

FOX News [9/23/2021 12:45 PM, Amy Nelson, 9251K] reports that Tony Gonzales and August Pfluger shared their firsthand accounts of the ongoing crisis in Del Rio as thousands of migrants are waiting to get into the United States. On "America's Newsroom," Gonzales said it's like a hurricane has hit the community. Gonzales, who represents Del Rio, said Border Patrol and law enforcement are doing everything they can to mitigate the crisis. He said the latest numbers as of Thursday morning show roughly 4,400 migrants waiting under the International Bridge and another 2,000 still waiting in Mexico to cross into the U.S. He told Fox News' Dana Perino that the crisis is continuing to get worse and noted that Del Rio isn't the only community being impacted. "These are the type of things that are happening every single day throughout, not only in Del Rio, but other sectors as well," Gonzales said. "Meanwhile, the El Paso agents caught \$2 million worth of narcotics." "This is a problem that is continuing to grow, continuing to spiral out of control, and expelling migrants that do not qualify for asylum is part of that solution." President Biden pledged Tuesday to get the situation "Under control," but critics maintain that the crisis continues to threaten Americans' safety. Pfluger visited the Del Rio border Saturday and reported seeing 15,000 migrants waiting to enter the country. "It's clear that it's a crisis," Pflueger said.

[TX] How Haitian migrants are flooding the border in Texas with Big Tech’s help

FOX News [9/23/2021 9:00 AM, Staff, 9251K] reports that for the final leg of his journey from Chile to the United States, Haitian migrant Fabricio Jean followed detailed instructions sent to him via WhatsApp from his brother in New Jersey who had recently taken the route to the Texas border. His brother wired him 20,000 pesos for the trip, then meticulously mapped it out, warning him of areas heavy with Mexican immigration officials. What Jean didn’t expect was to find thousands of Haitian migrants like himself crossing at the same remote spot. Migrants use platforms like Facebook, YouTube WhatsApp to share information, with the latter being the most popular. Online messages touting the Mexican town of Ciudad Acuña, across from Del Rio, started after President Joe Biden took office and began reversing some of the Trump administration’s immigration policies. Facebook Inc., which owns WhatsApp, allows people to exchange information about crossing borders, even illegally, but its policy bars posts that ask for money for services that facilitate human smuggling. Haitians began crossing there this year, but their numbers ballooned after a Biden administration program that briefly opened the door to some asylum seekers ended, said Nicole Phillips, of the San Diego-based Haitian Bridge Alliance, which advocates for Haitian migrants. Once it ceased in August, people panicked, and the messages recommending Ciudad Acuña "went viral," Phillips said. Interviews with dozens of Haitian migrants, immigration attorneys and advocates reveal a phenomenon produced partly by confusion over the Biden administration’s policies after authorities recently extended protections for the more than 100,000 Haitians living in the United States. In extending protections for Haitians this spring, the Biden administration cited security concerns and social unrest in the Western Hemisphere’s poorest country. Despite Biden’s announcement to turn Haitian immigrants around, many families continue to be released into the US. Homeland Security Secretary Alejandro Mayorkas said the temporary protections were limited to those residing in the U.S. before July 29 - but that condition was often missing in posts, leading Haitians outside the United States to believe they, too, were eligible. "I want to make sure it is known that this is not the way to come to the United States," he said.

[TX] “We have to cross 14 countries”: this was the journey of a Haitian immigrant from Chile to Austin

Univision Austin [9/23/2021 10:54 AM, Staff, 366K] reports that many Haitian immigrants who have been camping since last week under a bridge in Del Rio, Texas, are being released in the United States, according to two government officials. One of them is living in the Austin area and spoke about his journey across borders. The Haitian immigrant, who did not want to be identified, said that he left Haiti 4 years ago and was living in Chile. However, a few weeks ago he made the decision to cross the border with his pregnant wife. "To get here it was very hard because we have to cross 14 countries, from Chile to Mexico," said the man. According to him told Univision 62, the man has a brother in Round Rock and that is why he came to this area. Likewise, he indicated that he has an appointment with an immigration agent in about 2 months and after that he hopes to apply for asylum in order to remain in this country. "Everyone wants to come to the United States and when the president says that migrants can now cross, one says now you have to come. In Chile we work, but there is a chaos of papers. Many people do not have paper to do their paperwork. If you have a boy or a girl in Haiti, you cannot bring them to live together with their family," he explained. All this occurs at the same time that dozens of Haitians are being deported back to their country of origin, at a time of economic and social instability in that country due to an earthquake in August and the assassination of its president in July. With the large number of Haitians under the international bridge in Del Rio, Texas, the Biden administration announced the repatriation of hundreds of these immigrants. The

Department of Homeland Security (DHS) confirmed late Wednesday that 1,401 Haitian migrants who were in a makeshift camp at the border crossing have been deported.

[Mexico] Surge of Haitian migrants at the U.S. border challenges Mexico, too

The Washington Post [9/23/2021 7:04 PM, Kevin Sieff and Paulina Villegas, 11773K] reports as the United States denies entry to thousands of Haitians who have arrived at the southern border, Mexico is reckoning with its own dilemma over what to do with the migrants massing on its side of the Rio Grande. Its response reflects the continuous pressure applied by the United States to keep migrants far away from U.S. soil and the country's own increasingly conservative immigration policy. Francisco Garduño Yáñez, commissioner of Mexico's National Immigration Institute, said this week that Mexican authorities will ferry Haitians "by air and ground" back to the country's southern border, so that migrants who have claimed asylum can "continue their process" in the states where they first filed their cases. Mexican authorities will also "support them with their safe return to their country of origin," he said. He did not offer details. On Thursday morning, the crowd of Haitians in Ciudad Acuña, across the Rio Grande from Del Rio, Tex., had dwindled from several thousand to a few hundred. Mexican police and national guard members rounded up Haitians staying in area motels and plazas. After authorities had done little to stop Haitian migrants as they transited north through Mexico this month, it appeared they were now attempting to prove — above all to the United States — that they would not tolerate the arrival of undocumented immigrants at Mexico's northern border. The country's immigration agency boasted of its new enforcement operations. In Mexico, unlike in the United States, migration is rarely politically divisive. In 2016, thousands of Haitians arrived at Mexico's northern border and were mostly permitted to stay there. Many lived in an area that was renamed "Little Haiti." Their arrival prompted little antagonism. Reuters [9/24/2021 2:05 AM, Daina Beth Solomon, 5304K] reports Mexican officials are urging Haitians on the Texas border trying to reach the United States to give up and return to Mexico's frontier with Guatemala to request asylum, even as discontent grows over the treatment meted out to the beleaguered migrants. Up to 14,000 mostly Haitians were camped just north of the Rio Grande river this month as they attempted to enter the United States, but hundreds retreated to Mexico after U.S. officials began sending planes of people back to Haiti. Pressure is growing on U.S. President Joe Biden to tighten the border, and Mexico's National Migration Institute (INM) is starting to return migrants to the southern Mexican city of Tapachula so they can file asylum applications there.

Transportation Security Administration

Unruly airplane behavior prompted harsher penalties and more enforcement. People are still acting out.

The Washington Post [9/23/2021 7:10 PM, Lori Aratani, 11773K] reports that high-profile incidents involving airline passengers insulting and attacking crew members or refusing to wear masks in defiance of federal requirements risk eroding public confidence in air travel, witnesses and lawmakers said Thursday during a hearing to examine the effects of unruly passengers on the aviation system. Federal agencies have stepped up efforts to quash such behavior, but even as the Federal Aviation Administration said Thursday that the rate of reported incidents has declined since the start of this year, it conceded that such occurrences remain unacceptably high. The hearing before the House subcommittee on aviation is Washington's latest response to a sharp rise in mask-related incidents and bad behavior on airplanes. It comes after stepped-up enforcement and increased fines, with

lawmakers this week questioning whether changes have deterred conflicts. On Thursday, Rep. Rick Larsen (D-Wash.), chairman of the subcommittee, said incidents have put the safety of front-line workers, passengers and the aviation system at risk. "As the nation works to get to the other side of the covid-19 pandemic, the surge in public air rage incidents has exacerbated the already-tenuous workforce situation in our aviation sector and eroded confidence in air travel," he said. Added Rep. Garret Graves (La.), the top Republican on the subcommittee: "It needs to be a civil experience for everyone on the plane, and obviously there are additional safety considerations for being tens of thousands of feet up in the air in a metal airplane when thinking about this." The FAA said this week it has received 4,385 reports of unruly passenger incidents, most of which involve masks. The numbers have prompted both chambers on Capitol Hill to voice concerns about airplane behavior. Earlier this month, the Transportation Security Administration — which enforces a mask mandate in transportation settings — doubled fines for those who refuse to comply.

Reported similarly:

[The Hill](#) [9/23/2021 10:53 AM, Mychael Schnell, 1776K]

Delta has banned more than 1,600 unruly passengers. Now, it wants airlines to share ban lists.

[CBS News](#) [9/23/2021 7:49 PM, Kathryn Krupnik, Allison Elyse Gualtieri, 2612K] reports that more than 1,600 people have been banned by Delta Airlines since the federal government has required airplane passengers to wear masks — and now, the company wants other airlines to share their ban lists. The number of people on those internal lists, separate from the federal no-fly list, topped 4,000 as of May, though the figure has likely increased since. That number does not include passengers banned by American and Southwest airlines, as those companies do not release their data. "We've also asked other airlines to share their "no fly" list to further protect airline employees across the industry — something we know is top of mind for you as well. A list of banned customers doesn't work as well if that customer can fly with another airline," said a memo reviewed by CBS News that was sent to flight attendants Wednesday. Delta also said they've submitted more than 600 banned names to the Federal Aviation Administration. The agency said earlier this week that it had received 4,385 reports from airlines this year about unruly passengers, including 3,199 reports involving passengers refusing to comply with federal mask requirements. Those requirements will be in place until January, the Transportation Security Administration announced last month. Representatives of the FAA met this week with representatives of the airlines to discuss ways to reduce unruly behavior, and asked the airlines to commit to more action. The FAA had earlier asked airports to work with local law enforcement on criminal prosecutions. The airlines started enforcing federal mask mandates in June 2020, and the FAA implemented its zero-tolerance policy regarding unruly behavior in January. The agency has initiated 789 investigations into passengers so far in 2021, a sharp spike from the 183 investigations it initiated in 2020.

'Airports are terrifying': How TSA Cares helps people who need extra support at security

[USA Today](#) [9/23/2021 6:01 AM, Melissa Yeager, 6282K]

When Jim Macklin last flew through Phoenix Sky Harbor International Airport in June, he booked a flight with Southwest Airlines. Needing help to navigate the airport, he highlighted one word on his reservation: blind. It was Macklin's first time traveling since his diagnosis of Stargardt disease, a rare genetic condition that causes macular degeneration. He hasn't

completely lost his vision but his eyesight has deteriorated to the point where he cannot navigate the labyrinth of an airport without assistance. Unsure how he would find his gate, he flagged down someone in a uniform when he arrived curbside at Sky Harbor. The person helped him get where he needed to go, but Macklin is one of many travelers who might have felt less anxiety if they had known of a Transportation Security Administration program designed to make trips through airport security less stressful. The TSA screening process can induce anxiety in even the most seasoned travelers. Remembering what's allowed, what's not. Taking off shoes. Taking out laptops. Separating 3-ounce liquids into a plastic bag. Getting hands swabbed. Standing in an X-ray machine. Navigating crowds of people in a noisy, packed environment. A medical condition or sensory issue could make the process even more taxing. Recognizing that, the Transportation Security Administration launched TSA Cares in 2012. People who might need extra support through security, whether due to a disability, medical condition or other circumstance, can call in advance to let the agency know. The program is generally open to any passenger who believes they would benefit from extra support navigating security and is available nationwide. Some of the most common requests are from people with autism, those who use a wheelchair or scooter, travelers with cognitive disabilities and passengers with diabetes.

Federal Emergency Management Agency

Tropical Storm Sam forms, forecast to become major Atlantic hurricane by Sunday

The [Washington Post](#) [9/23/2021 11:59 AM, Matthew Cappucci, 11773K] reports that newly formed Tropical Storm Sam has all the makings of an eventual monster as it rolls through the central tropical Atlantic. Forecast to become a major hurricane, it comes barely a week after the historic peak of Atlantic hurricane season, with roughly half the season left to go. There are some models that suggest that Sam could cruise well into Category 4 territory, whipping up winds in excess of 130 mph as it swings west toward the Leeward Islands. Most forecast simulations project the storm to make a right-hand turn and curve northward over the open Atlantic before reaching the Lesser Antilles, but it will be an extremely close call. A few models do show the possibility of it becoming a threat in the northern Caribbean. Meteorologists are also tracking multiple additional systems in the Atlantic, including the remnants of Odette, which have been swirling around the North Atlantic for nearly a week now. There are some signs it could regenerate and acquire tropical or subtropical characteristics. Another tropical wave soon to emerge off the coast of Africa could gradually develop as well, becoming something to watch in the next week or so. The season so far has featured 18 named storms, including six hurricanes and three major hurricanes. If three more storms form, the National Hurricane Center's list of storm names will be exhausted, and it will be forced to use a supplementary list developed by the World Meteorological Organization for any additional storms. [USA Today](#) [9/23/2021 11:47 PM, Susan Miller, 6282K] reports Tropical Storm Sam was expected to take a west to west-northwest track across the central Atlantic over the weekend, Accuweather said. Whether it makes landfall is still uncertain, but forecasters urged Bermuda, the Bahamas and the U.S. East Coast to stay vigilant. "Sam could approach the northern Leeward Islands by Tuesday of next week as a major hurricane," Miller said, noting the storm's maximum sustained winds could be at least 111 mph, the threshold for a Category 3 hurricane. Sam is the 13th named storm to form in the Atlantic since Aug. 11, according to Colorado State University hurricane researcher Phil Klotzbach. Only one other hurricane season on record has had 18 named storms by Sept. 23, he said: 2020 had 23 named storms by that date. So far this year there have been six hurricanes and three major hurricanes: Grace, Ida and Larry.

Reported similarly:

Reuters [9/23/2021 11:13 AM, Staff, 5304K]

[NY] New York City braces for new round of flooding after summer of wild rains

The Washington Post [9/23/2021 2:06 PM, Matthew Cappucci, 11773K] reports that on the night of Sept. 1, a dire flash flood emergency was issued for New York, with scores of water rescues occurring as rising floodwaters killed at least 50 people in the Northeast. The top-tier flooding event, due to the remnants of Hurricane Ida, dropped staggering rain totals approaching the double digits in spots. It capped off a summer punctuated by relentless rounds of flooding. Similar scenes unfolded in July when back-to-back deluges flooded the New York subway. A National Weather Service balloon launch found record atmospheric moisture during that event. Now residents in the Big Apple are preparing for yet another potential flood event, with flash flood watches up for the city of 8 million. The heaviest rains will accompany a band of thunderstorms along a cold front that will sweep through the region Thursday night into Friday morning. The downpours will not be as extreme as those three weeks ago but could still drop one to two inches of rain in a short time. "The rainfall combined with wet antecedent conditions in a short period of time will lead to increased potential for flash flooding," the National Weather Service wrote. A ribbon of high PWATs, or precipitable water values, is aiming toward New York like a fire hose. PWATs describe how much moisture is present in a column of atmosphere and is available for clouds to tap into to produce rainfall. PWATs exceeding two inches are moving into the region. The atmosphere is like a soggy sponge, and it won't take much to squeeze that moisture out of the sky. The bulk of the rain is expected through early Friday.

Reported similarly:

Univision [9/23/2021 10:22 AM, Staff, 366K]

[CA] Fawn Fire in Northern California quickly spreads, prompting evacuation

FOX News [9/23/2021 3:45 PM, Bradford Betz, 9251K] reports northern California authorities have ordered evacuations in response to a new wildfire spreading in the area. The Shasta County Sheriff's Office issued a mandatory evacuation order because of the Fawn Fire burning in the unincorporated Mountain Gate area north of the city of Redding at the far north end of the Central Valley. The fire has grown to more than 1 square mile since it started Wednesday afternoon and was just 5% contained. Statewide, more than 9,000 firefighters remained assigned to 10 large, active wildfires, according to the California Department of Forestry and Fire Protection. California fires have burned 3,671 square miles this year, destroying more than 3,200 homes, commercial properties and other structures.

[CA] Woman arrested on suspicion of starting California blaze

The AP [9/23/2021 8:20 PM, Staff, 49K] reports a woman has been arrested on suspicion of starting a Northern California wildfire that spread rapidly, burning homes and prompting evacuation orders Thursday in a rural community, authorities said. Workers at a nearby quarry reported seeing a woman acting strangely and trespassing in the area in Shasta County where the Fawn Fire was sparked Wednesday afternoon, the California Department of Forestry and Fire Protection said in a statement. Later Wednesday, Alexandra Souverneva walked out of the brush near the fire line and approached firefighters and told them she was dehydrated and needed medical help, Cal Fire said. Souverneva, 30, was taken out of the area for evaluation and treatment. During an interview with Cal Fire and law

enforcement, officers came to believe Souverneva, of Palo Alto, was responsible for setting the fire, officials said. She was arrested and booked into the Shasta County Jail. It wasn't immediately known if she has an attorney.

Reported similarly:

San Francisco Chronicle [9/23/2021 6:29 PM, Andres Picon, Dominic Fracassa, 495K]

Federal Protective Service

Senators introduce bill to incentivize agencies to lease space they don't need

The Federal News Network [9/23/2021 1:44 PM, Jory Heckman, 49K] reports that a bipartisan group of members from the Senate Homeland Security and Governmental Affairs Committee is introducing a bill to incentivize agencies to lease space they don't need. The Saving Money and Accelerating Repairs Through Leasing Act would create a pilot program that would allow agencies to sublease underutilized real estate to "any person or entity at fair market value," including another federal, state or local government agency. The bill allows agencies to use rent payments to help fund capital projects and facilities maintenance. The legislation would give agencies more options to deal with underutilized space across more than 130,000 civilian federal buildings in the United States. The SMART Leasing Act would require the General Services Administration to certify that subleases conducted through the pilot would not have any negative impact on the mission of agencies leasing the space, and that the terms of the sublease protect the interests of the country. The pilot outlined in the bill would cap the number of agency subleases to six per year, and would run through 2024. At that point, GSA would advise Congress on whether to extend or expand the program. Senators modeled the bill after a similar program used by NASA, which has generated millions of dollars in revenue for the agency to use on capital projects and facilities maintenance.

[CA] 4 California militia members plead guilty to conspiracy

The AP [9/23/2021 3:48 PM, Staff] reports four members of an alleged California militia group have pleaded guilty to conspiring to obstruct justice in the case of a federal guard who was fatally shot in Oakland more than a year ago, federal prosecutors said. The men — followers of the "boogaloo" movement, a concept embraced by a loose network of gun enthusiasts and militia-style extremists — are accused of conspiring to destroy communications and other records about the May 29, 2020, killing of federal security officer David Patrick Underwood and attempted murder of his partner by one of their members. In April, a federal grand jury indicted Jessie Alexander Rush, 29, of Turlock; Robert Jesus Blancas, 33, of Castro Valley; Simon Sage Ybarra, 23, of Los Gatos; and Kenny Matthew Miksch, 21, of San Lorenzo, on charges of conspiracy to obstruct justice. Miksch on Monday became the fourth member of the so-called Grizzly Scouts to plead guilty to conspiring to obstruct justice. Rush and Ybarra pleaded guilty to a single charge of conspiracy to obstruct justice last week and Blancas last month, according to recent plea agreements with the Northern District of California U.S. Attorney's Office that were announced Monday.

Secret Service

Former military intelligence analyst: Biden admin buying Chinese drones ‘poses national security threat’

FOX News [9/23/2021 3:03 PM, Joshua Q. Nelson, 9251K, Neutral, Primary] Video: [HERE](#) reports former military intelligence analyst Brett Velicovich said on Thursday that the report of federal agencies buying Chinese drones "poses a national security risk." Federal law enforcement agencies in the Biden administration are reportedly purchasing surveillance drones from China that have previously been labeled a potential national security threat by the Pentagon. The U.S. Secret Service and the Federal Bureau of Investigation have recently acquired surveillance drones from the Shenzhen-based company DJI, around the same time the Defense Department deemed products from the Chinese company to be a potential national security threat, according to an Axios report. "The American people especially need to look at what this administration does, and not what they say, because they are clearly full of it if they don't stop this illegal activity immediately," Velicovich told "Fox & Friends." Velicovich argued that the purchase of Chinese-made drones is not only hypocritical to the Biden administration's stance on reducing America's reliance on technology, but it was also made illegal by the Department of Justice in 2019 when specific legislation was passed banning the purchase of drones and components made in China. The former military intelligence analyst added that there is "no denying at this point that this technology poses a national security risk." "I mean, the cybersecurity vulnerabilities are very, very well documented. The Biden administration has even come out and made dramatic unprecedented statements saying that the tech poses a national security risk," he said.

[AL] Woman uses counterfeit bills at CVS in Prattville, police say

ABC3340 [9/23/2021 11:00 AM, Jeff Wyatt, Neutral, Secondary] reports the Prattville Police Department is looking for a woman they say is passing counterfeit money. According to a news release, the woman in the photo used two fake \$100 bills at the CVS on Cobbs Ford Road in Prattville to purchase a PayPal card. This happened just after 5:30 P.M. on August 26, 2021.

[FL] 2 Tampa men defrauded government of \$1 million in unemployment benefits

The Tampa Bay Times [9/23/2021 10:32 AM, Josh Fiallo, 346K, Positive, Secondary] reports two Tampa men pleaded guilty Wednesday to making fraudulent unemployment claims that netted them over \$1 million in benefits during 2020. Kary Stevenson, 47, and Corey Quinn, 35, conspired to commit access device fraud and aggravated identity theft, the U.S. Attorney's Office in Tampa said in a news release. Each man could receive up to seven years in federal prison — five years for the conspiracy charge and two years for identity theft. Plea agreements describe how the pair collected the money, obtaining the personal information of strangers and making unemployment claims in the strangers' names. They had the benefits deposited into bank accounts and used debit cards to withdraw money from ATMs or to make purchases at stores. The U.S. Department of Labor estimated that Stevenson and Quinn defrauded the U.S. government of at least \$1.01 million. Helping in the investigation were the Department of Labor, the U.S. Secret Service and the Tampa Police Department. The U.S. Attorney General established the COVID-19 Fraud Enforcement Task Force in May 2020 to help prevent pandemic-related fraud but it was not clear whether the task force was involved in this case.

[FL] Credit card fraudster sentenced to eight years in prison

My Sun Coast [9/23/2021 10:28 AM, Staff, 23K, Positive, Secondary] reports a Miami man was sentenced to eight years in federal prison Wednesday for credit card fraud that victimized stores in four states, including Sarasota County. Andre Moore, 37, pleaded guilty June 8 to credit card fraud and aggravated identity theft. The judge in U.S District Court in Tampa also ordered Moore to pay \$650,145.03 in restitution and to forfeit \$3,110.55, related to the counts on which he was convicted. According to court documents, Moore stole the identities of more than 100 individuals. Between September 2019 and May 2020, Moore used those stolen identities to make more than \$650,000 in purchases at retail stores in Florida, Georgia, North Carolina, and Texas. Moore used fraudulent driver licenses and ID cards to open store credit card accounts under the stolen identities and to re-open dormant store credit card accounts. Moore made thousands of dollars in purchases during the COVID-19 pandemic, including using the stolen accounts to purchase items that were scarce early on in the pandemic. Further, Moore committed the fraud while living under a fake identity and, upon his federal arrest, lied about his name and identity to both federal agents and the Court. This case was investigated by the U.S. Secret Service, the Sarasota County Sheriff's Office, and the Winter Park Police Department.

[OH] Dayton police officer released from hospital after being shot in line of duty

WDTN [9/23/2021 5:05 PM, Josh Goad, 10K, Neutral, Secondary] reports Officer Thadeu Holloway has been released from the hospital after being shot in the left side of his head by a suspect Tuesday. Dozens of law enforcement cruisers lined Main Street outside of Miami Valley Hospital to wish the injured officer well as he continues his recovery. Holloway was shot Tuesday after stopping a Antwaine Deon Lowe for possibly using a counterfeit bill at a Dollar General in Dayton. The encounter escalated when Lowe punched the officer, Holloway then tased the suspect, who fell and pulled a gun shooting one round at Holloway's head. The officer shoot back five times, striking Lowe and leaving him in critical condition. During a news conference Wednesday the department said that the suspect was in serious condition but was stable. [Editorial note: consult video at source link]

[OH] Police investigate counterfeit bills used during local pizza delivery

WKBN 27 First News [9/23/2021 3:32 PM, Patty Coller, 20K, Neutral, Secondary] reports police in Warren are investigating after someone gave a pizza delivery driver counterfeit money. According to a police report, officers were called Tuesday to the Pizza Hut on Market Street where the manager said a driver delivered a pizza to an address on the 2000 block of N. Feederlee SE at about 8 p.m. and the person gave him two \$20 bills. When the driver returned to the restaurant, it was discovered that the money was fake. The bills were taken as evidence. The investigation is ongoing.

[MN] Olivia officials say counterfeit currency becoming more prevalent

KEYC [9/23/2021 8:46 PM, Staff, 9K, Neutral, Secondary] reports the Olivia Police Department says counterfeit money is becoming a huge issue in the city. The department says it has taken a handful of reports regarding counterfeit currency being passed at local businesses over the past few weeks. So far, \$20 worth of fake bills have been confiscated, and the department is asking local area businesses to be vigilant in checking any and all paper currency.

Coast Guard

U.S. icebreaker gap with Russia a growing concern as Arctic 'cold war' heats up

The [Washington Times](#) [9/22/2021 8:00 PM, Mike Glenn, 381K] reports that a Seattle-based Coast Guard cutter is almost halfway through a months-long voyage that took it through the ice-choked Northwest Passage north of Canada and will eventually result in a circumnavigation of North America once it transits through the Panama Canal and returns home. The mission of the USCGC Healy, a 420-foot medium ice breaker, was to stage military exercises alongside allies like Canada and carry out high-latitude scientific research. Another assignment was to demonstrate a U.S. presence in the Arctic amid long-term warming trends that are reducing the ice and dramatically increasing maritime traffic in the region. One problem for American strategists seeking to make a statement: By itself, the 22-year-old Healy represents exactly 50% of the U.S. Coast Guard's "fleet" of active polar icebreakers. Russia, by contrast, boasts dozens and is building more, and other states vying for influence and resources in the Arctic also outpace the U.S. The USCGC Polar Star, also based in Seattle, is a heavy icebreaker and even older. It was commissioned in 1976. A third USCG heavy icebreaker, the Polar Sea, is being cannibalized to provide parts for its sister ship. For years, Coast Guard officials have been pleading with Congress to help them bulk up its icebreaker fleet to ensure continued access to the polar regions. With both Russia and China making a concerted push for influence in the Arctic, the lagging American presence is even more glaring in light of the new Pentagon strategy of focusing on "great-power" rivals. "We absolutely need to be up in the Arctic and down in Antarctica on a more persistent basis than we are today. Great power competition is alive and well there," Adm. Karl Schultz, commandant of the Coast Guard, told the House Homeland Security Committee at a hearing this summer.

[TX] Major US port target of attempted cyber attack

The [Hill](#) [9/23/2021 8:16 PM, Olafimihan Oshin, 1776K] reports the Port of Houston, a major U.S. port, was targeted in an attempted cyber attack last month, the Port shared in a statement on Thursday. "The Port of Houston Authority (Port Houston) successfully defended itself against a cybersecurity attack in August," the statement reads. "Port Houston followed its Facilities Security Plan in doing so, as guided under the Maritime Transportation Security Act (MTSA), and no operational data or systems were impacted as a result." The attempted hack involved a password management program called ManageEngine ADSelfService Plus, according to The Associated Press. In a joint statement last week, the Cybersecurity and Infrastructure Security Agency along with the FBI and the U.S. Coast Guard said that the vulnerability in the software creates a serious threat to critical infrastructure companies, defense contractors, and others. This comes as some major U.S. companies such as Colonial Pipeline and JBS USA have experienced similar ransomware cyberattacks in 2021. Sen. Rob Portman (R-Ohio) told the newswire that the attack was "concerning," saying that the country needs to "push back against these nation-state actors who continue to probe and to commit these crimes against our public and private sector entities."

Reported similarly:

[Axios](#) [9/23/2021 9:54 PM, Fadel Allassan, 526K]

[Washington Post](#) [9/23/2021 6:40 PM, Alan Suderman, 11773K]

CISA/Cybersecurity

Officials urge Congress to consider fining companies that fail to report cyber incidents

The Hill [9/23/2021 4:44 PM, Maggie Miller, 1776K] reports the nation's top cybersecurity officials on Thursday urged Congress to consider passing legislation that would fine organizations if they failed to report cybersecurity incidents to the federal government, part of an effort to do more to confront a recent spree of attacks. Jen Easterly, the director of the Cybersecurity and Infrastructure Security Agency (CISA), testified in favor of taking the more hardline stance to encourage incident reporting during a hearing held by the Senate Homeland Security and Governmental Affairs Committee, which is considering bipartisan mandatory cyber reporting legislation. "I know some of the language talks about subpoena authority," Easterly said, referring to the committee's draft legislation. "My personal view is, that is not an agile enough mechanism to allow us to get the information that we need to share as rapidly as possible to prevent other potential victims from threat actors, so I think we should look at fines." Both Federal Chief Information Security Officer Christopher DeRusha and National Cyber Director Chris Inglis testified alongside Easterly on Thursday, with both agreeing that further enforcement mechanisms were needed to encourage cyber incident reporting to the federal government.

Reported similarly:

Washington Times [9/23/2021 10:28 AM, Ryan Lovelace, 381K]

[IA] Russian hackers deny an Iowa grain cooperative counts as 'critical'

The Washington Post [9/23/2021 7:54 AM, Joseph Marks, 11773K] reports that during a June faceoff with Russian President Vladimir Putin, President Biden threatened retaliation if Russian hacking gangs don't steer clear of U.S. critical infrastructure. Now Biden's commitment is being debated amid a ransomware attack gumming up operations at an Iowa grain cooperative – an operation that's small, yet still part of the critical agriculture sector. And Blackmatter, the Russian criminal hacking gang that hacked New Cooperative in Fort Dodge, Iowa, has even appeared to mock the cooperative's claim it counted as critical infrastructure in an online chat, warning "everyone will incur losses." (Analysts at Recorded Future observed and screenshotted the chats.) Agriculture is one of 16 sectors the Department of Homeland Security has officially listed as critical. Others include health care, financial services and energy. But here's the problem: New Cooperative doesn't look particularly critical to the casual observer. It manages only a small portion of the Iowa corn market. And the cooperative quickly developed workarounds such as using paper sale tickets that limited any broader impacts that might affect food prices, as Jacob Bogage reports. That puts the Biden administration in an awkward spot. On one hand: The attack is less damaging than dozens of other ransomware hacks that have hit schools and small businesses in recent months without prompting any significant attention from the federal government. On the other hand: It represents a direct provocation from one of the United States' toughest adversaries. U.S. officials say Russia-based ransomware gangs don't work on behalf of the Russian state but operate with the Kremlin's tacit approval. "A lot of people probably had the same reaction, that New Cooperative doesn't really look like critical infrastructure. But it's not my call. The government has declared it critical infrastructure," Allan Liska, director of threat intelligence at the cybersecurity firm Recorded Future, told me.

[CA] UC San Diego Health sued over data breach that may have exposed records of 500,000 patients

The [San Diego Union Tribune](#) [9/23/2021 9:59 PM, Mike Freeman, 302K] reports UC San Diego Health faces a lawsuit over a data breach last winter that potentially exposed sensitive information from nearly a half-million patients, employees and others connected with the health care system. Lawyers representing an El Cajon cancer patient filed legal action this week in San Diego federal court alleging negligence, breach of contract, and violation of California consumer privacy and medical confidentiality laws. It seeks class-action status and unspecified damages for all individuals whose personal and medical information may have been compromised. "Patients should trust that their most private medical results will not be made public, and that their medical visits will not leave them at risk for identity theft," said San Diego Attorney Jason Hartley, who is working with lead counsel Stueve Siegel Hanson of Kansas City. "This breach was preventable — had UC San Diego Health had the right data protection protocols in place." The lawsuit names the Regents of the University of California doing business as UC San Diego Health. A university spokesperson declined to comment on pending litigation. In July, the health care system announced on its website that hackers had used a phishing scam to gain unauthorized access to certain email accounts over a four-month period from Dec. 2, 2020, through April 8. That opened the door to potential access to a wide range of personal and medical data. At the time, UC San Diego Health didn't say how many people were affected due to an ongoing investigation, which included reporting the breach to the FBI and working with external cybersecurity experts. That probe is now complete. Beginning Sept. 7, UC San Diego Health began notifying the 495,949 individuals affected by the breach on a rolling basis where contact information is available, according to the spokesperson.

Terrorism Investigations

[DC] January 6 committee issues first subpoenas for witness testimony to four Trump loyalists

[CNN](#) [9/23/2021 11:22 PM, Ryan Nobles and Annie Grayer, 4876K] reports the select committee investigating the January 6 riot at the US Capitol issued its first round of subpoenas Thursday, targeting close aides and allies of former President Donald Trump. The subpoenas come as the select committee seeks to investigate efforts the Trump White House took to potentially overturn the 2020 presidential election and how the spread of misinformation fueled the anger and violence that led to the Capitol insurrection. The four subpoenas are going to former Trump White House chief of staff Mark Meadows, former deputy chief of staff Dan Scavino, former adviser Steve Bannon and Kash Patel, a former chief of staff to then-acting Secretary of Defense Christopher Miller who had also served as an aide to Republican Rep. Devin Nunes. The former Trump staffers are being issued subpoenas for private depositions and records. All document requests are due by October 7. The committee requests that Patel and Bannon appear on October 14, while Scavino and Meadows have been requested to appear before the committee on October 15.

[TN] Tennessee Kroger grocery store shooting leaves 1 dead, at least 12 injured, police say

[FOX News](#) [9/23/2021 5:39 PM, Bradford Betz , David Aaro, 9251K] reports police in Tennessee responded Thursday after at least a dozen people were shot at a Kroger supermarket, including at least one who was killed. The shooter, whose identity remained unknown, also was dead of what was believed to be a self-inflicted gunshot wound, police

said. The shooting happened in Collierville, Tennessee, about 30 miles east of downtown Memphis. Collierville police Chief Dale Lane said responding officers and a SWAT team entered the supermarket and went aisle to aisle to rescue employees – some of whom were hiding in the store's freezer. "I've been involved in this for 34 years and I've never seen a scene like this," Lane said, calling it "the most horrific event in Collierville history." Police said 44 employees were in the store at the time of the shooting, though it was unclear how many customers were inside. Lane said an image circulating on social media, showing someone on the store's roof, was later determined to be that of a Kroger employee. The Collierville Police Department originally received a call regarding an active shooter at Kroger at around 1:30 p.m., authorities said. Kroger employee Brignetta Dickerson said she was working the cash register Thursday when shots rang out.

Reported similarly:

[NPR](#) [9/23/2021 4:43 PM, Jonathan Franklin]

[USA Today](#) [9/23/2021 6:10 PM, Katherine Burgess, Dima Amro, Jeanine Santucci, 6282K]

Video: [HERE](#)

National Security News

Diplomat overseeing "Havana Syndrome" response leaving after 6 months

[CBS News](#) [9/23/2021 11:34 AM, Olivia Gazis, Sophie Reardon, and Tori Powell, 2612K] reports that Ambassador Pamela Spratlen, the senior official leading the State Department's response to cases of "Havana Syndrome" reported by U.S. diplomats, is leaving her post after six months in the role, the department confirmed Wednesday. "Ambassador Spratlen earlier this year agreed to return to the Department to take on the role, created by Secretary Blinken, of Senior Advisor of the Health Incidents Response Task Force," a State Department spokesperson said. Spratlen had "reached the threshold of hours of labor" permitted under her status as a retired ambassador, the official said, adding her replacement would be named "soon." "We thank her for her service and invaluable contributions to the efforts of the Task Force," the spokesperson said. Deputy Secretary for Management and Resources Brian McKeon will continue to oversee the task force's efforts. Spratlen's departure comes amid simmering frustration among diplomats who have been affected by "Havana Syndrome," the mysterious neurological illness with symptoms that can include vertigo, nausea and intense headaches. Victims have complained of inattention by the department to their cases and lingering skepticism among its medical staff. Earlier this month, Secretary of State Antony Blinken held a call with affected employees, who have also complained they continue to face hurdles in accessing medical care and benefits. [Editorial note: consult video at source link]

Top nuclear policy appointee removed from Pentagon post: report

[The Hill](#) [9/23/2021 10:34 AM, Monique Beals, 1776K] reports that the Pentagon has removed one of its top political appointees as the Biden administration looks to solidify its nuclear weapons policies moving forward. Leonor Tomero, the deputy assistant secretary of Defense for nuclear and missile defense, was asked by Pentagon officials to resign, a move first reported by Politico. Tomero had only been in her role for eight months and was responsible for overseeing the Biden administration's Nuclear Posture Review. The president is expected to release that review, which details its strategy surrounding nuclear weapons, in early 2022, the news outlet reported. This strategy could involve cutting back on the country's use of nuclear weapons or modernizing the U.S. nuclear force against the

wishes of progressive lawmakers. Some advocates for nuclear disarmament suggested Tomero's departure was the result of her efforts to challenge current nuclear policies, The Washington Post reported. Nuclear weapons expert Jeffrey Lewis told the Post her departure signals a "no tolerance" policy at the Pentagon for new ideas. "People wonder why we don't learn from failures like Vietnam, Iraq and Afghanistan. The reason is simple: People who point out alternatives to current national security policies are systematically driven out of positions of authority," Lewis, who is also a professor at the Middlebury Institute for International Studies, told the Post. An anonymous Pentagon official denied that Tomero's views contributed to her ousting. "This was a reorganization decision to more appropriately align our organization with policy objectives," the official said to the Post. "This was not a difference in opinion or policy." At a press briefing Wednesday, Pentagon press secretary John Kirby said he would not discuss personnel issues, but insisted their focus was on "protecting our security interests." "It's natural with any new administration — this one's not excepted — that we would want to reevaluate the organizational structure and make changes where we think is appropriate to support the secretary's priorities," he said. The Hill has reached out to the Pentagon for more information.

Congress considers permanent UFO investigation office

The [Washington Times](#) [9/23/2021 8:00 AM, Sean Salai, 381K] reports that Congress is considering setting up a permanent UFO investigation office primarily focused on terrestrial threats. Section 1652 of House Bill HR. 4350, referring to the "Establishment of [an] Office to Address Unidentified Aerial Phenomena," states: "Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within the Office of the Secretary of Defense to carry out, on a Department-wide basis, the mission currently performed by the Unidentified Aerial Phenomenon Task Force as of the date of the enactment of this Act." Consumed by more pressing budgetary matters, the House on Wednesday postponed further proceedings on the bill, delaying a final decision. The House bill and its Senate companion make it clear that the federal government's interest in UAPs — the official Department of Defense term for UFOs — strictly concerns possible foreign espionage activities rather than extraterrestrials. On June 25, the Office of the Director of National Intelligence published an unclassified preliminary assessment of UAPs, evaluating a growing number of sightings in recent years as a potential security threat. Prepared for the congressional intelligence and armed services committees, the document noted that it came in response to a Senate request in the Intelligence Authorization Act for Fiscal Year 2021 "to submit an intelligence assessment of the threat posed by unidentified aerial phenomena (UAP) and the progress the Department of Defense Unidentified Aerial Phenomena Task Force (UAPTF) has made in understanding this threat." Out of 144 reported incidents of UFOs, the report explained away only one as a weather balloon, leaving the remainder of the sightings unresolved.

Blinken says U.S. soon will release new strategy for Indo-Pacific region

[Reuters](#) [9/23/2021 11:41 AM, Staff, 5304K] reports that U.S. Secretary of State Antony Blinken told foreign ministers from the Association of Southeast Asian Nations (ASEAN) on Thursday that Washington would soon release a new comprehensive strategy for the wider Indo-Pacific region. The Biden administration is hoping to pivot from the crisis in Afghanistan to focus on its main national security priority of countering a rising China. Speaking at the start of a meeting with his counterparts in the 10-nation bloc on the sidelines of the U.N. General Assembly, Blinken said the U.S. strategy would emerge "this

fall" and "builds on our shared vision for a free, open, interconnected, resilient and secure region." "It will reflect Southeast Asia's importance to the Indo-Pacific region and the critical role that ASEAN plays in determining the region's future," he added.

Biden hosts Indo-Pacific leaders as China concerns grow

The AP [9/24/2021 12:11 AM, Aamer Madhani, 11773K] reports President Joe Biden is set to host the first in-person gathering of leaders of an Indo-Pacific alliance known as "the Quad" on Friday, wrapping up a tough week of diplomacy in which he faced no shortage of criticism from both allies and adversaries. Biden's meeting with leaders from India, Japan and Australia at the White House gives the U.S. president a chance to put the spotlight on a central aim of his foreign policy: turning greater attention to the Pacific in the face of what the U.S. sees as China's coercive economic practices and unsettling military maneuvering in the region. The four leaders' talks are also expected to center on climate, COVID-19 response and cyber security. Before the summit, the Japanese and Indian governments welcomed a recent announcement that the U.S., as part of a separate new alliance with Britain and Australia, would equip Australia with nuclear-powered submarines. It's a move that will allow Australia to conduct longer patrols and give it an edge on the Chinese navy. But the announcement infuriated France, which accused the Biden administration of stabbing it in the back by squelching its own \$66 billion deal to provide diesel-powered submarines.

[Cuba] In the middle of the migration crisis, the government is looking for a private contractor to reopen a camp at the Guantanamo base

Univision [9/23/2021 6:14 AM, Staff, 366K] reports that the Biden administration has published an offer seeking a private contractor to operate a migrant detention center at the Guantanamo naval base, on the eastern tip of the island of Cuba. According to the call, the center that exists there has a capacity of 120 people and "will have an estimated daily population of 20 people", but "the service provider will be responsible for maintaining on site the necessary equipment to erect temporary housing facilities for populations that exceed 120 and up to 400 migrants, in a surge event " The mentioned equipment, specifies the call, includes tents and cots, that "the contractor must be able to have them assembled and ready with little notice." However, the Department of Homeland Security (DHS) has wanted to make it clear that this movement in Guantánamo does not mean that they are thinking of transferring Haitian migrants to the base. In a statement sent to NBC News, DHS said it "is not [shipping] and will not send Haitian nationals who are on the southwestern border to the Migration Operations Center (MOC) at Guantanamo Bay. The MOC has been used for decades to process migrants intercepted at sea for resettlement in third countries. The recently published Request for Information (RFI) is a typical and routine first step in the renewal of a contract, and is not related to the southwestern border. "

[Turkey] Turkey builds a wall to keep out Afghan refugees

CBS News [9/23/2021 2:12 PM, Pinar Sevinclidir, 2612K] reports that some of the refugees fleeing the Taliban's brutality in Afghanistan are taking an arduous route across neighboring Iran to try and cross into Turkey. We met a family in the Turkish border city of Van who made it out of Afghanistan the night before the capital fell to the Taliban. "I don't have money, I don't have food, I don't have dresses, nothing," said the mother. Her family doesn't want to be identified, given how they made it into Turkey without permission, but they told CBS News that they blame the United States and its chaotic withdrawal from Afghanistan for their plight. More than 2 million Afghans have already taken refuge in neighboring

Pakistan and Iran, but those countries have closed their borders to new arrivals. Now the Turkish government is working to stop a potential influx of Afghans by building a wall along its border. On the other side of that wall is Iran, which shares another border with Afghanistan. The Afghans who survive the trek through Iran to the Turkish border, which can take weeks, will now be met with a wall of concrete slabs 10 feet high. The Biden administration has asked Congress for funding to help rehome 95,000 Afghan refugees by September 2022, and Homeland Security Secretary Alejandro Mayorkas said this month that he expected at least 50,000 to be resettled in the U.S. "Recent polling shows strong public support in the U.S. for welcoming refugees, especially Afghan civilians who helped the U.S. war effort in their country." "This is a very unique political moment for President Biden to reset the way that the American public sees the immigration system, much less the United States' role in refugee resettlement," suggested Noorani. [Editorial note: consult video at source link]

[Israel] House passes \$1B for Israel's Iron Dome after progressive dustup

Politico [9/23/2021 2:17 PM, Andrew Desiderio, 1707K] reports the House on Thursday overwhelmingly passed a bill to replenish Israel's Iron Dome missile defense system, just two days after it was pulled from a government funding package over objections from progressive lawmakers. The bill passed by a vote of 420-9, with eight Democrats and one Republican voting against it, plus two Democrats voting present. But for the majority party, the episode served to further expose the its internal strife over the U.S.-Israel relationship, with progressives demanding a policy doctrine that takes into account the plight of Palestinians and pushes back on Israel's retaliatory offensives in Gaza. Lawmakers who support the security funding sought to highlight the defensive nature of the Iron Dome system, which has proven to be effective in intercepting rockets that would otherwise harm civilians in Israel. Ahead of the House vote, Defense Secretary Lloyd Austin spoke with Israeli Defense Minister Benny Gantz, according to a readout from the Israeli government. Gantz "thanked Secretary Austin for the continued support of the U.S. administration and the Pentagon for the processes to equip Israel with the means necessary to defend itself and its citizens." The Hill [9/23/2021 2:31 PM, Cristina Marcos, 1776K] reports the debate over the Iron Dome funding once again laid bare the internal Democratic divisions over Israel, which have repeatedly flared since they took over the House majority two years ago. House Majority Leader Steny Hoyer (D-Md.) spoke with the Israeli foreign minister on Tuesday and assured him that lawmakers would address the Iron Dome funding, despite its removal from the bill to prevent a government shutdown on Oct. 1. Funding for the Iron Dome, which is designed to help Israel defend itself from rocket attacks launched by terrorist groups like Hamas in Gaza, has long enjoyed bipartisan support. Democratic members of the House Appropriations Committee sought to stress that the funding is purely for defensive purposes and cannot be used by Israel for procurement of offensive weapons.

[Russia] Milley: US should explore more military talks with Russia

The AP [9/24/2021 12:00 AM, Lolita C. Baldor, 11773K] reports the U.S. should explore ways to expand its military contacts with the Russians, potentially to include allowing observers from each country to watch the other's combat exercises, in a broad effort to increase transparency and reduce the risk of conflict, the top U.S. military officer said Thursday. Army Gen. Mark Milley, chairman of the Joint Chiefs of Staff, met in Finland for six hours Wednesday with his Russian counterpart, Gen. Valery Gerasimov, chief of the Russian General Staff. Speaking to two reporters traveling with him back to the U.S., Milley said that military contacts between the two great powers are currently largely limited to

senior leaders such as the defense secretary, the chairman and the supreme allied commander for Europe. But he said the U.S. might look into allowing the military service chiefs to form stronger relationships with their Russian counterparts — which is currently not allowed. That way, for example, naval leaders could reach out to avoid conflict when there are tensions at sea. “We need to put in place policies and procedures to make sure that we increase certainty, to reduce uncertainty, increase trust to reduce distrust, increase stability to reduce instability in order to avoid miscalculation and reduce the possibility of great power war,” Milley said. “That’s a fundamental thing that we should try to do, and I am going to try to do it.”

[North Korea] North Korea says call to formally end Korean War is ‘premature’

The Washington Post [9/23/2021 9:00 PM, Michelle Ye Hee Lee, 11773K] reports North Korea said Friday it was "premature" to declare a formal end to the Korean War, a reference to renewed efforts by South Korean President Moon Jae-in to put the agreement back on the table amid stalled nuclear negotiations with Pyongyang. In a statement issued via state media, North Korean Vice Foreign Minister Ri Thae Song said Moon’s calls for the end-of-war declaration carried no guarantee it would lead to the withdrawal of “U.S. hostile policy toward” North Korea. Sustained fighting in the Korean War ended with an armistice agreement in 1953, but the two Koreas remain technically at war. In his speech at the United Nations General Assembly meeting this week in New York, Moon again called for an end-of-war declaration, which he views as a way to move forward in denuclearization talks. Moon proposed that the two Koreas, along with the United States and China, come together for the declaration. The AP [9/23/2021 9:31 PM, Hyung-Jin Kim, 11773K] reports North Korean Vice Foreign Minister Ri Thae Song dismissed Moon’s call as premature so long as U.S. policies were unchanged. “It should be clearly understood that the declaration of the termination of the war is of no help at all to stabilizing the situation of the Korean Peninsula at the moment but can rather be misused as a smokescreen covering up the U.S. hostile policy,” Ri said. He said American weapons and troops deployed in South Korea and its vicinity and regular U.S. military drills in the region “all point to the U.S. hostile policy toward (North Korea) getting vicious day by day.” North Korea has also long described U.S.-led economic sanctions as proof of U.S. hostility against the North.

{End of Report} RETURN TO TOP

September 24, 2021

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

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

The Honorable Troy Miller
Acting Commissioner
U.S. Department of Homeland Security
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, D.C. 20229

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Detroit, Michigan
Erie, Pennsylvania
Kansas City, Missouri
Nashville, Tennessee
Raleigh, North Carolina
"Rinconcito del Sol", Florida
Saint Louis, Missouri
San Salvador, El Salvador
Washington, DC

RE: DHS Policy and Treatment Towards Haitian Migrants

Dear President Biden, Secretary Mayorkas, and Acting Commissioner Miller:

The U.S. Committee for Refugees and Immigrants, and Haitian Bridge Alliance, as well as the undersigned twenty eight organizations write to condemn the new "Strategy to Address Increase in Migrants in Del Rio" adopted by the Department of Homeland Security (DHS) on September 18, and to request that DHS immediately rescind the strategy in its entirety and fully restore asylum access for Haitians and other migrants at the southern border. The policy, and the cruel and unacceptable actions of border patrol agents who were documented chasing and whipping migrants on horseback, are both inhumane and illegal. The Biden administration has promised to make immigration fair and humane, and to address racism in U.S. policy. This new policy of rounding up, pushing back, detaining, deporting, and whipping Haitian migrants negates the administration's promises and must be ended immediately.

Haiti is currently experiencing extraordinary turmoil and danger, as the Biden administration recently acknowledged through its redesignation of Temporary Protected Status to Haitians already residing in the United States on or before July 29. According to the Federal Register notice by the State Department and DHS just over one month ago,

“Haiti is grappling with a deteriorating political crisis, violence, and a staggering increase in human rights abuses... Haiti faces the challenges of ‘rising food insecurity, and malnutrition... waterborne disease epidemics, and high vulnerability to natural hazards, all of which have been further exacerbated by the coronavirus disease.’”

This assessment was made *before* the 7.2 magnitude earthquake that hit Haiti in August, killing over 2,200 people and damaging or destroying over 120,000 homes. Years of multiple crises in Haiti have caused Haitians to flee in search of safety.

The policy outlined by DHS in the Strategy to Address Increase in Migrants in Del Rio orders border patrol and ICE agents to “ensure that irregular migrants are swiftly taken into custody, processed, and removed.” It also states that DHS will accelerate removal flights to Haiti within 72 hours. The strategy uses Title 42 as part of its authority for these policies, and frames expulsions in reference to both individuals and families. This strategy violates both domestic law and international human rights. In addition, the strategy is inhumane and rooted in a history of racist and biased immigration policies against Haitians. For these reasons, the strategy must be rescinded immediately and Haitians arriving at the U.S.-Mexico border must be allowed and encouraged to exercise their right to seek asylum.

The Strategy is Illegal and in Violation of Human Rights

The Biden administration has been using Title 42 as an excuse to deport asylum-seekers without due process from the beginning. Despite a recent federal court ruling that the use of Title 42 for this purpose is illegal, and that the administration must stop using it against family units, the administration has decided to appeal this ruling and continue deportations using Title 42. Although the administration has constantly tried to justify Title 42 as a public health matter, numerous public health experts have decried the policy as having no basis in public health. DHS must not continue to invoke Title 42 without any rational basis to deport Haitians and their families to danger without the chance to seek asylum.

Not only is DHS continuing to rely on a policy with an invalid and illegal rationale to deport Haitians, but these deportations violate Haitians’ and other asylum-seekers’ basic human right to seek asylum at U.S. borders. According to U.S. law, any person who “arrives in the United States (*whether or not at a designated port of arrival...*), irrespective of such [person’s] status, may apply for asylum” (emphasis added). Even Haitians who are not arriving at ports of entry have the right to seek asylum under U.S. law.

In addition to the right to seek asylum, these vulnerable migrants have the right not be returned to a place where their lives or liberty would be in danger. This principle of *nonrefoulement* is enshrined in multiple international human rights conventions, including the 1951 Refugee Convention¹ and the Convention Against Torture². Deporting Haitians back to Haiti without any regard for their safety after deportation is a clear violation of the principle of *nonrefoulement*.

The Strategy is Inhumane

Haitians arriving at the U.S.-Mexico border have fled dangerous and desperate situations of persecution, political upheaval, poverty, gang violence, and natural disaster exacerbated by climate change in their home country. When they are expelled, many face the same persecution or other life-threatening dangers they fled in Haiti, or they are expelled to Mexico. Once in Mexico, they do not have legal status and cannot legally work. They are unable to access basic services and are vulnerable to harassment by gangs that target migrants.

¹ The UN Convention and Protocol Relating to the Status of Refugees (1951) states: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

² The UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984) states: “No State Party shall expel, return (“refouler”) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.”

Migrants pushed back into border cities in Mexico have reported being “sexually assaulted, abducted for ransom, extorted, robbed at gunpoint, and subjected to other crimes.” The situation is even more dire for Haitians, as anti-Black racism is rampant and attacks against Black asylum-seekers in Mexico continue to escalate.

It is not only the conditions to which Haitians are returned that make this strategy inhumane; U.S. border patrol agents have been using excessive force to drive Haitians back to Mexico using barbaric methods such as whipping them. Those who are expelled by plane are not spared either, as it is becoming common practice for migrants to be fully restrained in both handcuffs and leg cuffs for long deportation flights, often without the ability to even use the restroom or meet other basic needs. This kind of treatment is barbaric and must be immediately ended.

The Strategy has Discriminatory Roots

Despite U.S. financial and political support for the Duvalier regime of the 1960s-1980s, as well as the hotly contested extension of recently-assassinated president Juvenel Moïse’s presidency, both of which have caused turmoil in Haiti and led to the movement of refugees, U.S. immigration law has not borne responsibility for the devastation caused to the Haitian people. The United States has consistently blocked and expelled Haitian migrants fleeing oppression and violence. The U.S. government expelled Haitians under the Duvalier regime, created a rapid expulsion program to deport Haitians in 1978, incarcerated Haitians at disproportionate rates to other immigrants in the 1980s, returned Haitians apprehended at sea by the thousands between 1981 and 1991, and excluded Haitians from immigration relief efforts in the 1990s.

Under previous presidential administrations, new policies were created that targeted Haitians. In the final months of the Obama administration, an unofficial implementation of a ‘metering’ policy occurred when thousands of Haitians crossing from Mexico into the United States to seek asylum were turned away in lieu of formal inspection or processing. The Obama administration utilized an explanation of crowding at particular points of entry at the border to justify these actions. The Trump administration subsequently implemented metering as an official immigration policy in 2018. In 2017, the Trump administration tried to terminate TPS for Haiti, but was forced to reinstate it by two federal courts who ruled the termination was fueled by racism. In 2018, the administration removed Haitians from eligibility for temporary work visa programs and ended a Haitian family reunification program. In 2020, under the guise of public health, the Trump administration began expelling Haitians back to danger at alarming rates using Title 42, a policy that the Biden administration continues to support and attempt to uphold. In fact, there have been more Title 42 expulsions in the first few weeks of the Biden administration than during an entire year of Trump’s administration. Even as the administration acknowledged the “extraordinary” conditions making Haiti unsafe for return and thus eligible for TPS, DHS resumed and increased expulsions to the country.

Haitians have continuously been targeted for discrimination and exclusion by U.S. immigration policies, despite their desperate need to find safety and their human right to seek it. This administration must not continue this discrimination, allowing Haitians to be expelled to extreme danger.

The Strategy Must be Rescinded and Asylum Access Restored Immediately

The strategy recently implemented by DHS to address the influx of Haitian migrants in Del Rio is illegal, immoral, and a continuation of the failure of the United States to treat Haitians and all migrants with respect and dignity. The undersigned thirty organizations demand that the administration immediately rescind the strategy, end the use of Title 42, stop expulsion flights of Haitians and all other migrants who have not had the chance to seek asylum, and restore all of the rights and benefits owed to asylum-seekers under both international and U.S. law.

Sincerely,



Eskinder Negash
President and CEO of USCRI

And the following organizations,

Alianza Americas
Alianza Nacional de Campesinas
Amnesty International USA
ADL (Anti-Defamation League)
Asian Americans Advancing Justice | AAJC
Center for Popular Democracy
Church World Service
Earthjustice
Faith in New Jersey
First Focus on Children
Haitian Bridge Alliance
Hispanic Federation
Immigrant Justice Network
International Refugee Assistance Project (IRAP)
Justice Action Center
Latin America Working Group
Laundry Workers Center
MomsRising
National Immigration Law Center
New Jersey Alliance for Immigrant Justice
New Jersey Consortium for Immigrant Children
New York Immigration Coalition
Oxfam America
Robert F. Kennedy Human Rights
UndocuBlack Network
Union for Reform Judaism
United We Dream Network
Wind of the Spirit Immigrant Resource Center
Young Center for Immigrant Children's Rights