



## STATE OF FLORIDA

**ASHLEY MOODY  
ATTORNEY GENERAL**

November 13, 2023

The Honorable Mike Johnson  
Speaker of the House  
United States House of Representatives  
568 Cannon House Office Building  
Washington, D.C. 20515

Dear Speaker Johnson:

We, Attorneys General for 26 States, write to congratulate you on being elected Speaker of the House and to urge you to use your new position to prioritize enactment of the Immigration Enforcement Partnership Act of 2023, H.R. 1337, or similar legislation giving States more authority to combat illegal immigration.

The crisis at our Southwest Border poses an imminent threat to the public safety of Americans across the United States and the sovereignty of our nation. The statistics recently released from U.S. Customs and Border Protection (CBP) are staggering. Since President Biden took office, more than 7 million illegal immigrants,<sup>1</sup> including an estimated 1.5 million ‘gotaways,’<sup>2</sup> have walked across our wide-open border. Total immigrant encounters for Fiscal Year 2023 have already surpassed Fiscal Year 2022, setting yet another new record. In September alone, the last month of statistics released by CBP, there were 269,735 migrant encounters.<sup>3</sup> In addition to the growing crisis at the Southwest Border, the Northern Border saw a significant increase in illegal crossings in Fiscal Year 2023, with at least one sector experiencing more apprehensions in Fiscal Year 2023 than the past 10 years combined.<sup>4</sup>

Making matters worse, more than 280 people on the terrorist watch list have been identified at the Southwest Border by Border Patrol since the start of Fiscal Year 2021, including 169 in Fiscal

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<sup>1</sup> <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

<sup>2</sup> <https://www.foxnews.com/politics/million-gotaways-border-biden-administration-report>

<sup>3</sup> <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

<sup>4</sup> <https://www.foxnews.com/politics/northern-border-sees-record-migrant-numbers-76-countries-last-10-years-combined.amp>

Year 2023.<sup>5</sup> And these are just the terrorists the federal government was able to capture—many more enter our country undetected. The horrific Hamas attacks on Israeli civilians demonstrate the profound risks created by our open border. In fact, only days ago, a leaked CBP document recognized that “[f]oreign fighters” from terrorist organizations like Hamas and Hezbollah “may attempt to travel to or from the area of hostilities in the Middle East via circuitous transit across the Southwest border.”<sup>6</sup>

Similarly, in September 110 pounds of fentanyl was seized in the Rio Grande Valley alone, representing enough of this synthetic opioid to kill 25 million Americans or the entire populations of Washington, Oregon, Idaho, Montana, Nevada, Utah, New Mexico, Wyoming, and South Dakota combined.<sup>7</sup>

Unfortunately, President Biden and Secretary Mayorkas are not just derelict in their duties, they are complicit—ignoring federal law, setting immigration release quotas,<sup>8</sup> and adopting policies to speed up the rapid influx of millions of immigrants. Under the Biden Administration, every State is a border State, with even Northeast States like New York<sup>9</sup> and Massachusetts<sup>10</sup> declaring states of emergency because of the effects of these egregious policies.

Many of us have taken the Biden Administration to court over his unlawful immigration policies, and we have won multiple victories.<sup>11</sup> We like to believe we at least slowed the flows to some degree. However, it is becoming clear that the judicial system alone is not a sufficient battlefield to quickly and adequately address the urgent crisis President Biden has created.

That is why we are urging you to enact H.R. 1337. Florida Attorney General Ashley Moody worked with Florida Congressman Bill Posey in 2022,<sup>12</sup> and earlier this year,<sup>13</sup> to introduce this legislation to give States more authority to combat illegal immigration. Specifically, H.R. 1337 would allow state officials to perform the functions of federal immigration officials when the Secretary of Homeland Security refuses to do his job.

Twice this legislation has been introduced, and it has yet to receive a hearing. Had Congress acted sooner, the U.S. might not be setting yet another record for CBP encounters at the border. We will never know, but if we take action now to give States the authority to do the job the Biden Administration refuses to do, we could prevent another illegal immigration record next year, start

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<sup>5</sup> <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>

<sup>6</sup> <https://www.foxnews.com/politics/cbp-memo-sounds-alarm-hamas-hezbollah-fighters-potentially-using-southern-border-enter-us>

<sup>7</sup> <https://twitter.com/USBPChiefRGV/status/1704182187862462526?s=20>

<sup>8</sup> <https://www.foxnews.com/politics/border-patrol-set-bookout-targets-bring-migrant-numbers-manageable-levels-amid-new-surge>

<sup>9</sup> <https://www.governor.ny.gov/news/governor-hochul-extends-executive-order-declaring-state-emergency-asylum-seeker-crisis>

<sup>10</sup> <https://www.foxnews.com/politics/massachusetts-gov-declares-state-emergency-surge-migrants-calls-federal-action>

<sup>11</sup> *E.g.*, <https://www.myfloridalegal.com/newsrelease/ag-moody-wins-major-immigration-case>

<sup>12</sup> <https://www.myfloridalegal.com/newsrelease/ag-moody-rep-posey-present-legislation-give-states-ability-enforce-immigration-laws>

<sup>13</sup> <https://www.myfloridalegal.com/newsrelease/enforcing-immigration-laws-when-biden-wont>

to curb American deaths caused by Mexican and Chinese fentanyl, and reduce the number of terrorists entering our country.

It is surprising to us that H.R. 1337 and other similar proposed laws have received so little attention, and we hope that under your leadership that will change. We ask that you schedule a hearing for H.R. 1337 on an expedited basis. Illegal immigration is threatening every State in our nation. We are setting new drug overdose death records every year due to illicit fentanyl from Mexico. Hundreds of terrorists are likely being allowed into our interior, and the federal government has already lost track of more than 85,000 immigrant children.<sup>14</sup> As a Statewide Grand Jury in Florida recently found, many of the more than 250,000 unaccompanied alien minors brought into the country have been sexually abused and subjected to other atrocious crimes.<sup>15</sup>

Thank you for your immediate attention to this urgent matter. We urge you to work with us to enact H.R. 1337 so States can begin doing the job President Biden and Secretary Mayorkas refuse to do and protect our citizens from the devastating effects of our wide-open border.

Sincerely,



Ashley Moody  
Florida Attorney General

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<sup>14</sup> <https://www.foxnews.com/politics/biden-admin-pressed-85000-unaccounted-migrant-children-released-us-forced-labor-allegations>

<sup>15</sup> <https://www.myfloridalegal.com/newsrelease/21st-sw-grand-jury-releases-shocking-report?Open=>



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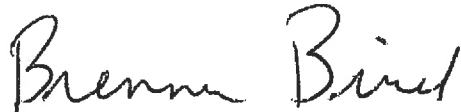
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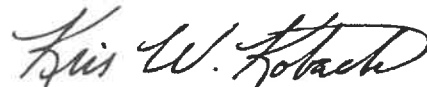
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