

**Congress of the United States**  
**Washington, DC 20515**

July 21, 2023

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

Dear President Biden:

We write to express our profound alarm over border policies instituted by Texas Governor Greg Abbott that are putting asylum-seekers at serious risk of injury and death, interfering with federal immigration enforcement, infringing on private property rights, and violating U.S. treaty commitments with Mexico. We urge you to assert your authority over federal immigration policy and foreign relations and investigate and pursue legal action, as appropriate, related to stop Governor Abbott's dangerous and cruel actions.

Since March 2021, Governor Abbott's campaign against migrants, known as Operation Lone Star (OLS), has resulted in hundreds of unlawful arrests and egregious human rights violations. Governor Abbott's actions have escalated in recent months with Texas state troopers illegally erecting a makeshift buoy wall and placing sharp razor wire in the Rio Grande River, creating death traps for migrants and violating U.S. treaty commitments with Mexico.

New reports demonstrate even more barbaric policies. On July 17, the [San Antonio Express-News](#) reported that Texas Department of Public Safety (DPS) troopers and National Guard members were ordered to push migrant children, including nursing babies and a four-year old girl suffering from heat exhaustion, back into the Rio Grande. The article cited an email from DPS indicating that troopers were also instructed to deny water to heat-exhausted migrants.

The reporting also detailed troop encounters with a pregnant woman having a miscarriage who was caught in the deployed razor wire and a teenager who broke their leg after attempting to navigate the wire, as well as unreported drownings that raise concerns over the transparency and accuracy of the Texas government's data and reports. We strongly echo concerns from human rights advocates and others that these practices are inhumane, dangerous, and directly contradictory to American values and laws. These issues require the federal government to immediately intervene.

In addition to directly threatening the lives of migrants, we are concerned that Operation Lone Star is impeding federal immigration enforcement. A leaked June 26 Customs and Border Protection (CBP) memo reported on by the [San Antonio Express-News](#) revealed concerns expressed by CBP officials that razor wire in the Rio Grande installed by DPS is impeding their own immigration enforcement and border security operations. The memo further notes that wire on the Rio Grande riverbank near Eagle Pass reduces visibility to the river, adversely affecting CBP's ability to interdict individuals crossing between ports of entry. Operation Lone Star is clearly hurting the efforts of CBP to enforce U.S. immigration laws.

The June 26 memo also details how Texas DPS has impeded CBP's efforts to process asylum seekers by shutting down key designated areas that CBP has identified as staging points for migration. This encroachment on CBP's authority demonstrates Governor Abbott's complete disregard for federal authority over immigration enforcement. Furthermore, the CBP memo echoes the above concerns about the wire's impact on migrants, noting that migrants will be forced to take more dangerous routes and detailing accounts by migrants that they were left in the river for hours, even days, despite their pleas for assistance. This memo emphasizes the acute need for the administration to take strong actions against Texas' efforts, and explicitly states that "the challenges will...only increase" for Eagle Pass response units.

The placement of razor wire and inflatable buoys in the Rio Grande River is potentially illegal and may violate multiple bilateral treaties between the United States and Mexico, including the Boundary Treaty of 1970 and the Mexican Water Treaty of 1944. A similar attempt to create a makeshift border by Governor Ducey in Arizona was abandoned earlier this year after Department of Justice filed suit against the State of Arizona. The Texas government did not seek or obtain the necessary permits from the International Boundary and Water Commission (IBWC) before installing these barriers on the Rio Grande, as required by law.

We understand, through public reports and direct discussions with the IBWC, that the commission has not received required documentation required to review compliance with international treaties. Following initial protests from the Mexican section of the IBWC, on June 26, the Government of Mexico sent a complaint to the United States noting that the construction of the water barrier is both an infringement of territory and a violation of the Boundary Treaty of 1970 and the Mexican Water Treaty of 1944. We are concerned that Governor Greg Abbott's actions at the border are creating a totally unnecessary conflict between the United States and Mexico, which if left unchecked, would jeopardize bilateral cooperation on trade, migration, and drug interdiction.

Given these considerations, we ask that you immediately intervene to stop Governor Greg Abbott's actions and, as appropriate, pursue legal action given the serious and


credible allegations of harm to migrants, interference in the federal enforcement of immigration laws, and violations of treaty commitments with Mexico.


Operation Lone Star's programs and policies, specifically the recent erection of razor wire or buoy walls, pose a huge danger to migrants and impedes the ability of our border patrol offices to safely and humanely treat migrants as well as to comply with relevant federal and international laws. As Governor Abbott continues to escalate his efforts on the border, we urge you to take the above actions and stop this horrific abuse of power.


CC:


- The Honorable Merrick Garland, Attorney General of the United States
- The Honorable Antony J. Blinken, Secretary of State
- The Honorable Lloyd J. Austin III, Secretary of Defense
- The Honorable Alejandro Mayorkas, Secretary of Homeland Security


Sincerely,


  
\_\_\_\_\_  
Joaquin Castro  
Member of Congress

  
\_\_\_\_\_  
Veronica Escobar  
Member of Congress

  
\_\_\_\_\_  
Al Green  
Member of Congress

  
\_\_\_\_\_  
Jasmine Crockett  
Member of Congress

  
\_\_\_\_\_  
Vicente Gonzalez  
Member of Congress

  
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Lloyd Doggett  
Member of Congress



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Greg Casar  
Member of Congress



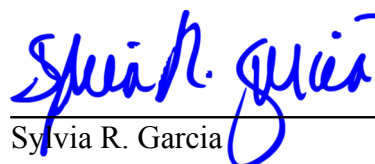
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Sheila Jackson Lee  
Member of Congress



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Marc A. Veasey  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



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Henry Cuellar  
Member of Congress



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Colin Z. Allred  
Member of Congress



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Lizzie Fletcher  
Member of Congress



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Robert Garcia  
Member of Congress



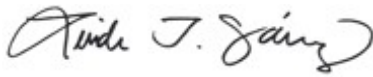
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Rashida Tlaib  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Linda T. Sánchez  
Member of Congress



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Dina Titus  
Member of Congress



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Adam B. Schiff  
Member of Congress



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Barbara Lee  
Member of Congress



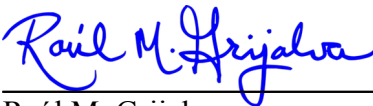
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Jan Schakowsky  
Member of Congress



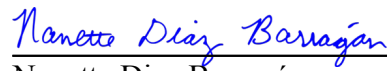
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Grace F. Napolitano  
Member of Congress



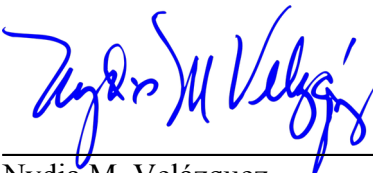
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Raúl M. Grijalva  
Member of Congress



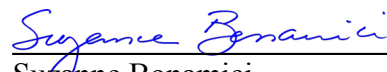
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Nanette Diaz Barragán  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



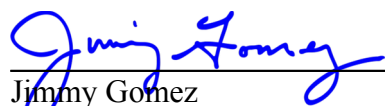
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Suzanne Bonamici  
Member of Congress



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Eric Swalwell  
Member of Congress



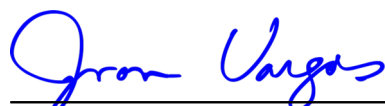
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Jimmy Gomez  
Member of Congress



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Ilhan Omar  
Member of Congress



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Juan Vargas  
Member of Congress



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Mark Pocan  
Member of Congress



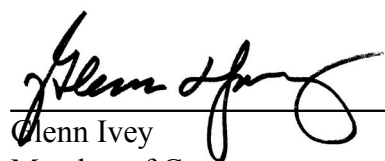
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Norma J. Torres  
Member of Congress



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Nikema Williams  
Member of Congress



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Glenn Ivey  
Member of Congress



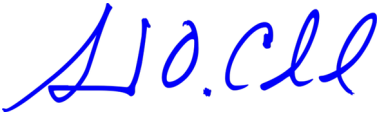
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Ritchie Torres  
Member of Congress



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Madeleine Dean  
Member of Congress



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Salud Carbajal  
Member of Congress



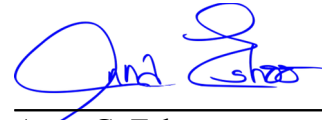
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Eleanor Holmes Norton  
Member of Congress



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Bonnie Watson Coleman  
Member of Congress



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Anna G. Eshoo  
Member of Congress



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Ayanna Pressley  
Member of Congress



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Teresa Leger Fernández  
Member of Congress



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Grace Meng  
Member of Congress



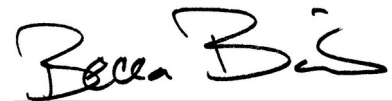
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Betty McCollum  
Member of Congress



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Frederica S. Wilson  
Member of Congress



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Becca Balint  
Member of Congress



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Darren Soto  
Member of Congress



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Sydney Kamlager-Dove  
Member of Congress



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MARK TAKANO  
Member of Congress



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Robert J. Menendez  
Member of Congress



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Tony Cárdenas  
Member of Congress



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David J. Trone  
Member of Congress



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Donald M. Payne, Jr.  
Member of Congress



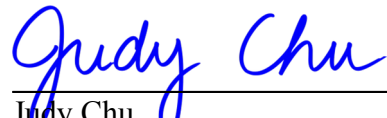
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James P. McGovern  
Member of Congress



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Delia C. Ramirez  
Member of Congress



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Judy Chu  
Member of Congress





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J. Luis Correa  
Member of Congress



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Dan Goldman  
Member of Congress



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Kathy Castor  
Member of Congress



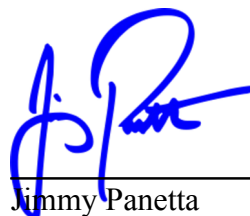
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Emanuel Cleaver, II  
Member of Congress



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Cori Bush  
Member of Congress



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Jimmy Panetta  
Member of Congress



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Gerald E. Connolly  
Member of Congress



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Scott H. Peters  
Member of Congress



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Gwen S. Moore  
Member of Congress



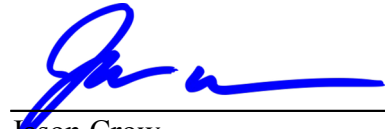
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Pramila Jayapal  
Member of Congress



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Jamaal Bowman, Ed.D.  
Member of Congress



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Jason Crow  
Member of Congress



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Raul Ruiz, M.D.  
Member of Congress



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Alexandria Ocasio-Cortez  
Member of Congress



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Sara Jacobs  
Member of Congress



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Dean Phillips  
Member of Congress



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Troy Carter  
Member of Congress



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Gabe Vasquez  
Member of Congress



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Ted W. Lieu  
Member of Congress



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Andrea Salinas  
Member of Congress



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Maxwell Alejandro Frost  
Member of Congress



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Adriano Espaillat  
Member of Congress



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Lori Trahan  
Member of Congress



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Katie Porter  
Member of Congress



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Lois Frankel  
Member of Congress



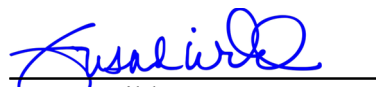
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Gregorio Kilili Camacho  
Sablan  
Member of Congress



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Adam Smith  
Member of Congress



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Susan Wild  
Member of Congress



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Steven Horsford  
Member of Congress



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Earl Blumenauer  
Member of Congress