

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



Lloyd Doggett
Member of Congress



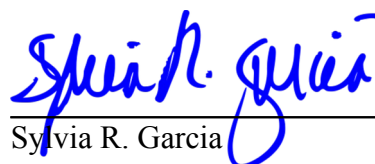
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Sheila Jackson Lee
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Sylvia R. Garcia
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Henry Cuellar
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Colin Z. Allred
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Lizzie Fletcher
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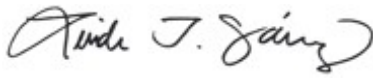
Robert Garcia
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Rashida Tlaib
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Jesús G. "Chuy" García
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Linda T. Sánchez
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Dina Titus
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Adam B. Schiff
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Barbara Lee
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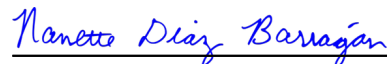
Jan Schakowsky
Member of Congress



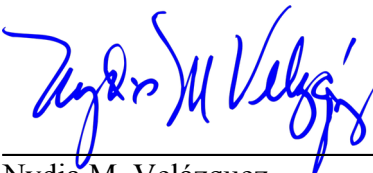
Grace F. Napolitano
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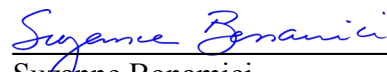
Raúl M. Grijalva
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Nanette Diaz Barragán
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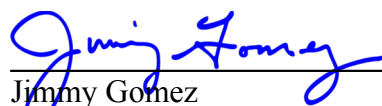
Nydia M. Velázquez
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Suzanne Bonamici
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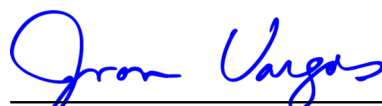
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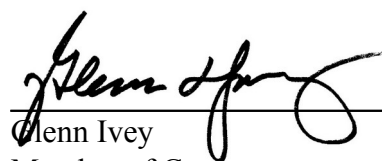
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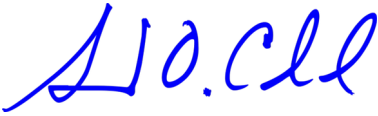
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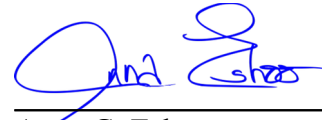
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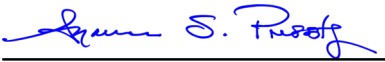
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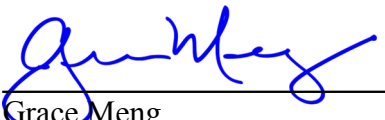
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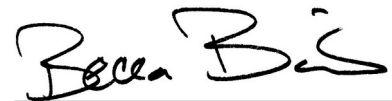
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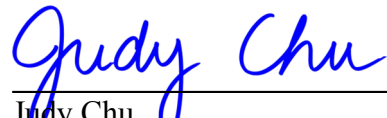
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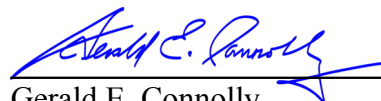
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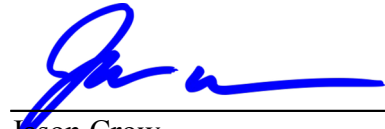
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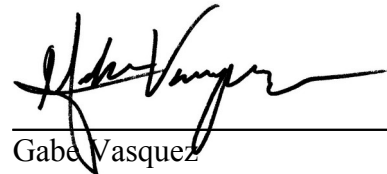
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Dean Phillips
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Troy Carter
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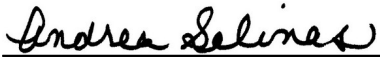
Gabe Vasquez
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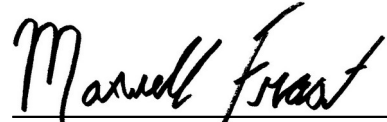
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