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One Hundred Seventeenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

October 26, 2022

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken,

We are writing to express our concerns with the Department of State's continued refusal to provide information regarding the amount, uses, and objectives of U.S. foreign assistance funds being deployed in Mexico.

We began requesting the relevant information on January 6, 2022, and have received nothing more than a brief, generic response, sent roughly six months later on June 21, 2022. In it, the Department failed to clarify or even address the underlying issue – which is the ways in which the Biden Administration may be indirectly, though perhaps purposefully, facilitating illegal immigration through foreign assistance funds managed by the Bureaus of Population, Refugees, and Migration (PRM) and Democracy, Human Rights, and Labor (DRL). Additionally, a subsequent staff briefing on May 13, 2022 with PRM Assistant Secretary Julieta Valls Noyes failed to fully address questions we have repeatedly raised with senior officials. Because of the Department's consistent and continuous obfuscation, **we are sending this formal document preservation request so that we can ensure that relevant records are properly maintained.**

We were perplexed by the Department, in its cursory June 21 response, maintaining that it played essentially no role in implementing the Migrant Protection Protocols (MPP) instituted under Secretary of State Mike Pompeo and Acting Secretary of Homeland Security Kevin McAleenan, given that significant amounts of U.S. foreign assistance funds, managed by State, have gone towards supporting the livelihoods of migrants in Mexico. We were also disappointed in the Department's failure to provide a spending plan for funds deployed during fiscal years 2019-2023 (including those sent to, and managed by, International Organization for Migration

(IOM) and/or the U.N. High Commissioner for Refugees (UNHCR)) relating to the subsidized livelihoods of migrants waiting, transiting, and/or residing in northern Mexico.

Although the Department of Homeland Security traditionally managed MPP, State Department funds that benefit migrants in northern Mexico clearly played a role in supporting MPP, by ensuring that migrants—who were waiting for judicial determinations regarding their U.S. immigration claims—had access to resources such as financial loans, lodging, transportation, internet, food, and legal assistance. Now that federal judges have granted the Biden administration the authority to terminate MPP, it is especially important the American people have a true accounting of how taxpayer money has been spent in Mexico under your tenure.

As sponsors of the United States – Northern Triangle Enhanced Engagement Act, Div. FF, P.L. 116-260, some of us have led efforts to develop a coordinated and comprehensive response to the root causes of migration, including the good faith reimplementing of MPP, which the Biden administration is in the process of terminating. Border states like Texas continue to bear the burden of unprecedented migrants flows, and monthly encounters and arrests at the U.S.’s southern border have smashed previous records. As you likely know, there is strong bipartisan concern in Congress over the administration’s mishandling of the border and regional migration crises. The Department’s continued refusal to answer basic questions prevents the Congress from obtaining information necessary to evaluate the efficacy of the administration’s ongoing “root causes of migration” strategy.

To be clear, many of us have been consistent supporters of targeted foreign assistance in Mexico and Central America to address growing migration flows, and our questions should not be interpreted as blanket opposition to that assistance. Rather, we are attempting to understand what specific projects, services, and entities U.S. taxpayers are funding in Mexico, and how that assistance is affecting immigration. The Biden administration, as justification for terminating MPP, has repeatedly cited dangerous and violent circumstances faced by migrants in Mexico, so another reason for our inquiry is to evaluate the ways in which U.S. foreign assistance funds are, or are not, successfully mitigating those dangers. If, as the Biden administration alleges, drug cartel violence, human smuggling, and the transport of illicit narcotics have created an environment in Mexico so dangerous that migrants are not safe to reside there, it is reasonable to wonder about the efficacy of the hundreds of millions of taxpayer dollars the U.S. is sending to protect migrants’ human rights.

Below, for your convenience please find the Committee’s outstanding questions and requests:

1. Please provide a comprehensive cost breakdown of State Department funding for the International Organization for Migration, United Nations High Commissioner for Refugees, and other international organizations, NGOs, and civil society organizations for foreign assistance projects in Mexico during FYs 2019-2023.
2. Please explain what funding changes occurred in response to the U.S. District Court for the Northern District of Texas issuing its August 13, 2021 MPP ruling and in response to the U.S. Supreme Court issuing its MPP ruling on June 30, 2022.
3. Please provide information on which specific organizations – funded either directly by the State Department or indirectly through IOM and/or UNHCR – are providing services

such as, but not limited to, lodging, financial assistance, legal assistance, internet, and transportation in Mexico to non-citizens who were, or may have been, enrolled in MPP during FYs 2019-2023. Please list all organizations by name.

- a. For each U.S. funded program, service, or activity, provide its objective and performance measures to track progress and efficacy.
 - b. Please also indicate how much each category of funding increased or decreased in FY 2022 in comparison to the previous fiscal year, and between the first and second iteration of MPP.
4. Specify what humanitarian, and non-humanitarian, services are being funded in Mexico by PRM, DRL, and U.S. Agency for International Development (USAID) currently, and at what levels.
 5. Specify what percentage of PRM assistance to IOM goes to IOM's travel (transportation) loan program, and indicate what percentage of loans have been repaid to the Department during FY19-23.
 6. Please also indicate to the extent to which, for any of Mexico funding, PRM is coordinating with the Bureaus of International Narcotics and Law Enforcement (INL) and Western Hemisphere Affairs (WHA), the Department of Homeland Security (DHS), and USAID. In other words, does INL, WHA, DHS, or USAID have to the opportunity to review or "clear" on PRM and DRL projects before funds are distributed?
 7. Identify all migrant shelters in Mexico and Central America which the U.S. has supported or partnered with other entities to construct and/or manage, and clarify the total amount of U.S. funding that has gone towards those shelters (including U.S. funding routed through IOM and/or UNHCR). Provide the number of shelters, their location, and their bedspace capacity.
 - a. Are U.S. funds directly, or through partnerships, being utilized for the physical maintenance of existing shelters, and is any programming – such as but not limited to legal assistance – occurring at existing facilities? If so, what programming, and which implementing partner(s) are providing it?¹
 - b. Is legal assistance that PRM and/or DRL fund independently or vis-à-vis IOM and UNHCR occurring at other places/facilities in Mexico? Please clarify.
 8. Please provide a cost breakdown for all PRM, DRL, IOM, and/or UNHCR funds that go toward migrant legal assistance, along with the names of the relevant implementing partners, if applicable.
 9. Please provide metrics PRM uses when evaluating the efficacy of IOM and/or UNHCR programs funded by U.S. dollars.

In addition, it is imperative that you remind all employees and officials within the Department and USAID of their legal responsibility to take appropriate measures to collect, retain, and preserve all documents, communications, and other records in accordance with federal law, including the Federal Records Act and related regulations, that are related to our series of questions. This includes electronic messages involving official business that are sent using both official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software. **We request that you preserve all**

¹ We understand that for security reasons, the names of shelter partners must be kept confidential. However, we find that information to be pertinent, and thus request a list be provided in a classified setting.

documents and communications referring and relating to PRM and DRL expenditures (including but not limited to moneys sent or transferred to IOM and UNHCR) in Mexico, as well as to State Department support and termination of MPP implementation, during FYs 2019-2023. This request encompasses all information connected to oversight requests or demands from Congress that have been issued since January 2021.

Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a future congressional inquiry, request, investigation, or subpoena. For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

Sincerely,



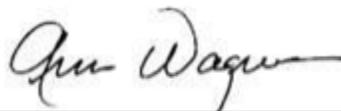
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