

# **EXHIBIT 2**



One Hundred Eighteenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

August 21, 2023

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Mayorkas:

The Committee on Homeland Security (Committee) is conducting oversight of the Department of Homeland Security's (Department) intra-agency intelligence sharing, particularly as it relates to cartel smuggling operations at the southwest border. Since President Biden took office, U.S. Border Patrol (USBP) has encountered over 5.1 million illegal aliens in between U.S. ports of entry.<sup>1</sup> Nearly all the illegal aliens that cross the southwest border are smuggled over by a Mexican cartel.<sup>2</sup> With smuggling rates for illegal aliens ranging from \$3,000 to \$60,000,<sup>3</sup> President Biden's border crisis creates a prime environment for a billion-dollar human smuggling business.<sup>4</sup>

Mexican cartels treat humans as mere profitable cargo and since 2021, media extensively reported that cartels require migrants, including children, to wear plastic bracelets before they cross into the U.S. from Mexico.<sup>5</sup> Bracelet colors, decals, and writing, reflect which cartel the

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<sup>1</sup> *Nationwide Encounters*, U.S. CUSTOMS AND BORDER PROTECTION, <https://www.cbp.gov/newsroom/stats/nationwide-encounters> (last visited Aug. 14, 2023).

<sup>2</sup> See H. Comm. on Oversight & Accountability and H. Comm. on Homeland Sec., Transcribed Interview of Jason Owens, Del Rio Sector Chief Patrol Agent 53-54 (May 5, 2023) (advising that cartels "keep a death grip on anything that comes across the border illicitly"); H. Comm. on Oversight & Accountability and H. Comm. on Homeland Sec., Transcribed Interview of John R. Modlin, Tuscon Sector Chief Patrol Agent 89 (July 26, 2023) (confirming that no one in the Tuscon sector crosses the border without going through the cartels. "We have experienced when people try to, and we've seen them beaten for trying to cross without paying fees.").

<sup>3</sup> H. Comm. on Oversight & Accountability and H. Comm. on Homeland Sec., Transcribed Interview of Joel Martinez, Laredo Sector Chief Patrol Agent 29 (June 1, 2023) [hereinafter Martinez Transcript].

<sup>4</sup> Miriam Jordan, *Smuggling Migrants at the Border Now a Billion-Dollar Business*, N.Y. TIMES (July 25, 2022), <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

<sup>5</sup> Todd Bensman, *Overwhelmed Mexican Alien-Smuggling Cartels Use Wristband System to Bring Order to Business*, CENTER FOR IMMIGRATION STUDIES, Mar. 2, 2021, <https://cis.org/Bensman/Overwhelmed-Mexican-AlienSmuggling-Cartels-Use-Wristband-System-Bring-Order-Business>; Andrees Latif, Laura Gottesdiener & Mica Rosenberg, *Color-coded Passage: Why Smugglers Tagging U.S.-Bound Migrants With Wristbands*, REUTERS, Mar. 9, 2021, <https://www.reuters.com/article/us-usa-immigration-border/color-coded-passage-why-smugglers-are-tagging-u-s-bound-migrants-with-wristbands-idUSKBN2B12E6>; see Martinez Transcript at 86 (describing how the Gul Cartel uses color coded wristbands for its smuggling operations in the Rio Grande Valley sector).

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migrant owes, how much, and where the migrant is in the smuggling process.<sup>6</sup> While the tagging system implies an orderly process, the cartels are savage, collecting information about migrants' families so they have a target if migrants do not pay their debts,<sup>7</sup> holding migrants hostage to demand ransom,<sup>8</sup> and leaving migrants, including children, to die in severe conditions.<sup>9</sup>

Despite extensive news coverage and USBP's acknowledgement that cartels use wristbands to facilitate human trafficking, you were apparently, and astonishingly, unaware of the practice. In a March 2023 hearing before the Senate Committee on the Judiciary, Senator Ted Cruz displayed a poster board depicting five different migrant wristbands, one of which clearly depicts the word "entrega" (delivery) and another "llegadas" (arrivals).<sup>10</sup> When Senator Cruz asked you "what are these wristbands?" you responded, "I don't know what they are, Senator."<sup>11</sup>

Your response is deeply troubling. The Committee expects that the Department's leader is advised of important intelligence about the tactics that cartels use to smuggle millions of illegal aliens into the United States. Your ignorance of such basic and readily public information suggests a breakdown in intra-agency intelligence sharing and that such basic information related to border enforcement is not conveyed to the Department's leadership.

To help the Committee fully understand this failure at the Department, we request you provide the following, as soon as possible but no later than 5:00 p.m. on September 4, 2023:

1. All documents and communications, including but not limited to, e-mail, daily press clips, links to news articles, and internal memoranda, sent to or courtesy copying the Secretary or the Office of the Secretary referring or relating to cartels' use of wristbands, bracelets, or other labeling systems for migrants at the southwest border, from February 2, 2021, to the present;
2. Any and all presentations, slide shows, or intelligence products created for the Secretary, U.S. Customs and Border Protection (CBP) Headquarters officials, Homeland Security Investigations (HSI) Headquarters officials, or other Department Headquarters officials,

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<sup>6</sup> Bensman, *supra* note 5.

<sup>7</sup> Bensman, *supra* note 5.

<sup>8</sup> Martinez transcript at 87; Jordan, *supra* note 4.

<sup>9</sup> See Rosa Flores, *4 People Have Been Charged In The Texas Semitruck Smuggling Operation That Left 53 Migrants Dead*, CNN, June 30, 2022, <https://www.cnn.com/2022/06/29/us/san-antonio-migrant-truck-deaths-charges-filed/index.html>; Anita Snow, *Border Patrol Rescues Baby, Toddler Left In Arizona Desert*, ASSOCIATED PRESS, Aug. 26, 2022, <https://apnews.com/article/health-arizona-immigration-phoenix-tucson-003b76ab49f5420ad722f79cb22e6791>.

<sup>10</sup> *Oversight of the Department of Homeland Security: Hearing before S. Comm. on the Judiciary*, 118th Cong. (Mar. 28, 2023).

<sup>11</sup> *Id.*

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referring or relating to cartels' use of wristbands, bracelets, or other labeling systems for the migrants at the southwest border, from February 2, 2021, through March 28, 2023;

3. Any and all CBP or HSI briefing agendas that referring or relating to cartels' use of wristbands, bracelets, or other labeling systems for migrants at the southwest border, from February 2, 2021, to the present; and
4. All documents or communications created by or presented to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons referring or relating to cartels' use of wristbands, bracelets, or other labeling systems for migrants at the southwest border from February 2, 2021, to the present.

An attachment contains instructions for responding to this request. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy, and has special oversight functions of "all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security."

Thank you for your prompt attention to this important matter.

Sincerely,



Mark E. Green, MD  
Chairman  
Committee on Homeland Security

Encl.

cc: The Honorable Bennie Thompson, Ranking Minority Member  
Committee on Homeland Security