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United States Senate

COMMITTEES:
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HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

June 13, 2024

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Garland:

I write today to express my concerns with the Department of Justice's recent litigation against the State of Oklahoma for its implementation of H.B. 4156, which is set to go into effect on July 1, 2024. DOJ's efforts to block my state's implementation of this measure raises serious questions about the Biden Administration's recent "focus" on border security.¹ It is hypocritical for the Biden Administration to refuse to act to secure the southern border while trying to block Oklahoma from doing its part to protect itself from this Administration's open border policies.

Since President Biden took office, nearly 8 million migrants have crossed the southern border illegally – more illegal crossings than under the Obama and Trump Administrations combined. This astronomical level of illegal immigration has strained State and local government services across the nation, creating issues for school systems, homelessness shelters, and related services.

The ongoing border crisis has empowered cartels and transnational criminal organizations both at the border and in the interior. In my home state of Oklahoma, many Chinese migrants who have crossed the border have ended up working on illegal marijuana farms run by Chinese transnational criminal organizations.² In Oklahoma and across the country, Americans are dying from fentanyl that has been trafficked across the border by the cartels that have been empowered under this Administration's open border policies.

According to U.S. Border Patrol Chief Jason Owens, over 52,000 special interest migrants (SIMs) crossed the border already this fiscal year. SIMs are illegal aliens who potentially pose a national security risk to the United States. Many of these SIMs are released into the country with no knowledge of who they are or why they are here. Rather than addressing the real national security concerns created our open southern border, DOJ is instead focused on handcuffing Oklahoma's ability to address the border crisis.

While the Biden Administration has sought to use the recent bipartisan border bill as a partisan cudgel against Republicans, the people of my home state have been asking for leadership on the border. Oklahoma passed H.B. 4156 because of the Federal government's lack of leadership on securing the border. Your efforts to block Oklahoma's implementation of this law shows that the Biden Administration continues to be unserious in its efforts to address our open southern border.

¹ Michael D. Shear, "Biden Tries to Flip the Politics of Immigration," *New York Times*, Feb. 23, 2024: <https://www.nytimes.com/2024/02/23/us/politics/biden-immigration-executive-action.html>.

² Sebastian Rotella, et. al., "Gangsters, Money, and Murder: How Chinese Organized Crime is Dominating America's Illegal Marijuana Market," *ProPublica*, March 14, 2024: <https://www.propublica.org/article/chinese-organized-crime-us-marijuana-market>.

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The people in my home state, and Americans across the country, are ready for this Administration to take the ongoing crisis at the border seriously. The Biden Administration has turned every state into a border state. It's time to stop this crisis and enforce the law.

Thank you for your attention to this matter. I look forward to receiving your response by not later than COB, July 13, 2024.

In God We Trust,

A handwritten signature in blue ink, appearing to read "James Lankford", with a stylized flourish at the end.

James Lankford
United States Senator