October 27, 2021

Hon. Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20258-0525

Dear Secretary Mayorkas:

We write with grave concern regarding your department’s plans to fire unvaccinated Border Patrol agents and other employees responsible for securing our borders and enforcing our immigration laws. Specifically, we take issue with your intent to enforce President Biden’s Executive Order on mandatory vaccines for federal employees.

Under this mandate, Border Patrol agents who choose not to vaccinate against COVID-19 would be subject to termination as early as next month. As the deadline approaches, many agents have expressed frustration with an ultimatum that pits them between a vaccine they do not want or risk losing their jobs.

Our men and women in the Border Patrol have worked tirelessly to manage the crisis at our southern border. This year especially, they have been subject to extraordinary amounts of mental and physical stress. With morale at an all-time low, this mandate will serve as a last straw for agents who can easily leave the agency for other law enforcement organizations at the state and local level or retire.

It takes more than 400 days for applicants to go through the hiring process. New recruits then have over 20 weeks of training at the Border Patrol Academy. It would be impractical to rely on additional recruiting for anticipated shortages. The reality is that Border Patrol has long suffered a net loss in employment and continues to experience high attrition rates. With vacancies at an all-time high, the Administration should instead be focused on retaining an already-limited workforce, especially in the middle of the worst crisis to ever hit our southern border.

If this vaccine mandate is enforced without any flexibility, we can expect an untold number of additional vacancies across our border. At this point, no agent is expendable given the crisis we are facing, but there is talk that Customs and Border Protection may claim that having any number of unvaccinated employees will create an undue burden on the agency, opening the door for an untold number of employees to be removed from federal service.
We strongly urge you to carefully consider the reasonable accommodation requests of agents who have either medical or religious issues with the vaccine. We believe that these reservations are genuine and heartfelt. Furthermore, these agents who do have medical or religious issues can easily be tested on a regular basis as many corporations are now doing with their employees. In addition to the regular testing, the department can require them to wear N95 masks to protect themselves and others. At a time when the need for employee retention is at its most critical, we cannot afford to lose even one agent to this mandate.

We appreciate your urgent attention to this matter and await a response.

Sincerely,

Tony Gonzales
Member of Congress

Brian Babin, D.D.S
Member of Congress

Ronny L. Jackson
Member of Congress

Michael C. Burgess, M.D.
Member of Congress

Glenn Grothman
Member of Congress

Beth Van Duyne
Member of Congress

Elise Stefanik
Member of Congress

William R. Timmons, IV
Member of Congress

Andrew S. Clyde
Member of Congress

Mariannette Miller-Meeks, M.D.
Member of Congress

Ben Cline
Member of Congress

Michelle Steel
Member of Congress
Barry Moore  
Member of Congress  

Eric A. "Rick" Crawford  
Member of Congress  

Pat Fallon  
Member of Congress  

Lisa McClain  
Member of Congress  

Scott Perry  
Member of Congress  

Louie Gohmert  
Member of Congress  

W. Gregory Steube  
Member of Congress  

Jeff Duncan  
Member of Congress  

Ashley Hinson  
Member of Congress  

Carlos A. Gimenez  
Member of Congress  

Kat Cammack  
Member of Congress  

Mike Bost  
Member of Congress  

Tom Emmer  
Member of Congress  

Ralph Norman  
Member of Congress  

Mike Kelly  
Member of Congress  

Randy Weber  
Member of Congress  

Chris Jacobs  
Member of Congress  

Michael Cloud  
Member of Congress
August Pfluger  
Member of Congress

Debbie Lesko  
Member of Congress

Greg Pence  
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Tracey Mann  
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Blake D. Moore  
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Stephanie Bice  
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Claudia Tenney  
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Brian Mast  
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John H. Rutherford  
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Lance Gooden  
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Russ Fulcher  
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Randy Feenstra  
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Brett Guthrie  
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Markwayne Mullin  
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