

Congress of the United States
Washington, DC 20515

March 15, 2021

The Honorable Ken Paxton
Texas Attorney General
300 W. 15th Street
Austin, TX 78701

Dear Attorney General Ken Paxton,

We write to urge you to protect the American people from a crisis at our southern border, which was manufactured by the Biden Administration and has led to tens of thousands of illegal immigrants entering our nation. These immigrants have not been tested for COVID-19 and pose an incredible threat to the health and safety of the American people. This threat was exacerbated by President Biden's removal of Title 42 provisions during this global health crisis, which is a reckless way to score cheap political points at the expense of American health and safety.

As you know, President Trump implemented Title 42 in the early days of the COVID-19 pandemic to prohibit the entry of any persons who potentially pose a health risk, either by virtue of being subject to previously announced travel restrictions or because they unlawfully entered the country to bypass health screening measures. This much needed measure was intended to keep Americans safe, and is a critical step towards reopening our economy and getting Americans back to work. Until the U.S. Department of Health and Human Services (HHS) can justify reopening of the border, Title 42 must remain intact and Border Patrol must be allowed to equally apply the law.

In spite of these efforts to protect Americans, President Biden capriciously waived Title 42 protections and directed border patrol agents against enforcement of Chapter 6A, Subchapter II, Part G, Section 265 of Title 42. This decision puts all Americans in danger, and is in direct violation of the public health order issued by HHS. Due to the ongoing COVID-19 pandemic, the United States and Mexico land border is closed to non-essential travel. The Administration's decision to rescind Title 42, Chapter 6A, Subchapter II, Part G, Section 265 is in direct violation of the public health order issued by HHS. We urge you to file suit against the Biden Administration to fix this violation of the law.

As such, we, 20 members of the Texas congressional delegation, are asking you to help us stand up for the American people and file a lawsuit that will allow Title 42 to be firmly enforced until HHS can ensure the conditions listed in HR471 can be met and that it would be safe to rescind the emergency order. Texas and other border states are desperately trying to ensure that their economies are returning to normal, Americans are back to work and the number of positive COVID-19 cases in Texas continue to drop. We cannot allow these advances to be undermined by an unknown number of COVID-19 cases pouring across the southern border.

Thank you for considering our request, and we stand ready to work with you and your office to help in whatever way possible to see this crisis end.

Sincerely,



Beth Van Duyne
Member of Congress



Ronny L. Jackson
Member of Congress



Jodey Arrington
Member of Congress



Brian Babin, D.D.S.
Member of Congress



Kevin Brady
Member of Congress



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



John Carter
Member of Congress



Michael Cloud
Member of Congress

Dan Crenshaw
Member of Congress

Pat Fallon
Member of Congress

Louie Gohmert
Member of Congress

Lance Gooden
Member of Congress

Michael McCaul
Member of Congress

Troy Nehls
Member of Congress

August Pfluger
Member of Congress

Chip Roy
Member of Congress

Pete Sessions
Member of Congress

Van Taylor
Member of Congress

Randy Weber
Member of Congress

Roger Williams
Member of Congress