

United States Senate
WASHINGTON, DC 20510

May 23, 2024

VIA ELECTRONIC TRANSMISSION

The Honorable Dick Durbin
Chair
United States Senate Committee on the Judiciary

Dear Chair Durbin:

In light of the ongoing crisis at the southern border of the United States and the recently renewed interest in the consideration of immigration-related legislation in the United States Senate, we write to request that the Senate Judiciary Committee schedule a mark-up of S.3933, the bipartisan Laken Riley Act.

As you are aware, during the Biden Administration and due to its policies, U.S. Customs and Border Protection (CBP) has reported over 7.8 million encounters with illegal aliens at the southern border.¹ That staggering number of encounters is larger than the individual populations of 37 states and larger than the number of people who live in any city throughout the United States other than New York City.

One of these encounters was with Jose Ibarra, the alleged killer of Georgia nursing student, Laken Riley. After being encountered entering the United States illegally from Venezuela in 2022, Ibarra was released into the country by the Biden Administration via an abuse of the immigration parole authority found in the Immigration and Nationality Act. As discussed in a recent report published by the House Judiciary Committee, the Biden Administration apparently felt that Ibarra's release was justified because of "urgent humanitarian reasons" or reasons of "significant public benefit," despite his reported affiliation with a dangerous Venezuelan prison gang.²

In reality, Ibarra was released "due to detention capacity"—a far cry from either of the lawful reasons for granting immigration parole.³ He is just one of the millions of aliens who have been granted parole by CBP under the leadership of President Biden and Secretary Mayorkas, who

¹ See U.S. Customs and Border Protection, "Southwest Land Border Encounters" (last modified May 15, 2024), available at <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

² *How the Biden Administration's Lax Immigration Enforcement Allows Dangerous Criminal Aliens to Run Free in American Communities*, Interim Staff Report of the Committee on the Judiciary and Subcommittee on Immigration Integrity, Security, and Enforcement, U.S. House of Representatives (April 16, 2024), available at <https://judiciary.house.gov/media/press-releases/new-report-reveals-how-biden-administration-allowing-criminal-aliens-run-free>.

³ Press Release, U.S. Senate Committee on the Judiciary, DHS Confirms to Graham: Laken Riley Murder Suspect Illegally Paroled Into U.S. (Apr. 16, 2024) <https://www.judiciary.senate.gov/press/rep/releases/dhs-confirms-to-graham-laken-riley-murder-suspect-illegally-paroled-into-us>.

have implemented an unprecedented increase in the abuse of the parole authority.⁴ Under the Trump administration and the Obama administration, grants of parole by Customs and Border Protection at the southern border averaged around less than 6,000 a year. Under President Biden, grants of parole across the Department of Homeland Security have skyrocketed to over 1.3 million a year.

Unsurprisingly, once released into the United States, Ibarra went on to commit multiple crimes in both New York and Georgia but was never arrested or detained by U.S. Immigration and Customs Enforcement (ICE). As has been widely reported, he was arrested in New York in August 2023 for “acting in a manner to injure a child less than 17 and a motor vehicle license violation,”⁵ and then subsequently committed a theft offense in Georgia in October 2023.⁶

His crime spree in the United States allegedly culminated in the murder of Laken Riley earlier this year—a senseless tragedy that was entirely preventable had the Biden Administration enforced federal immigration law as it should.

Accordingly, the Laken Riley Act mandates that ICE arrest illegal aliens who commit theft offenses—such as burglary, theft, larceny, or shoplifting—and detain them until they can be removed from the United States. It also ensures that states have standing to sue the federal government in cases where federal officials (such as Secretary Mayorkas) are refusing to enforce immigration law.

This bipartisan bill is a common-sense measure that would help to avoid future tragedies resulting from the failure to enforce and follow immigration law, and we look forward to the Judiciary Committee’s consideration of it.

The Laken Riley Act is but one of numerous pieces of legislation that Senate Republicans have introduced to better protect the American people from the consequences of the ongoing crisis at the southern border and to stop—not merely manage—the flow of illegal aliens to the southern border and into the United States. So far during this Congress, the Judiciary Committee has failed to take meaningful action on any of those bills. We hope that will change in the near future, and we request that you start with the Laken Riley Act.

Sincerely,



Lindsey O. Graham

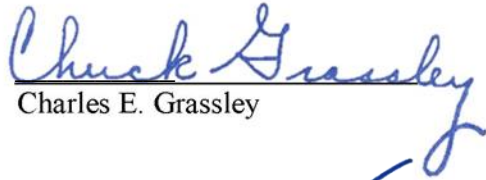


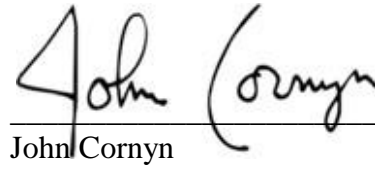
Katie Boyd Britt

⁴ U.S. Dep’t of Homeland Security, Under Secretary for Management, Parole Requests, Fiscal Year 2023, Fourth Quarter (Apr. 3, 2024) (on file); U.S. Dep’t of Homeland Security, U.S. Customs and Border Protection, Parole Requests, Fiscal Year 2022 (July 12, 2023) https://www.dhs.gov/sites/default/files/2023-08/23_0712_cbp_fy22_parole_requests.pdf.

⁵ S. Dev, *Suspect in murder of Georgia nursing student entered U.S. illegally, ICE says*, CBS NEWS, (February 26, 2024), <https://www.cbsnews.com/news/jose-ibarra-suspect-murder-georgia-nursing-student-illegal-entry-venezuela/>.


⁶ Rosie Manins, *Laken Riley case: Suspect had been arrested by federal, local authorities*, ATLANTA JOURNAL-CONSTITUTION (February 26, 2024), <https://www.ajc.com/news/suspect-in-student-death-at-uga-cited-for-october-shoplifting-in-athens/KONKOZMOLJBINHW4HQOXXZJ27Q/>.


Charles E. Grassley

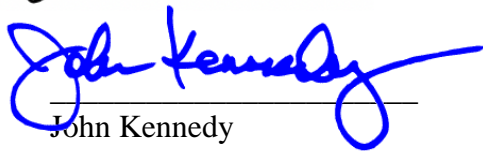

John Cornyn

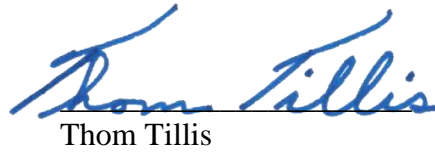

Mike Lee


Ted Cruz


Josh Hawley


Tom Cotton


John Kennedy


Thom Tillis


Marsha Blackburn