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COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

SUBCOMMITTEE ON SPACE AND AERONAUTICS
REPUBLICAN LEADER

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

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Congress of the United States
House of Representatives
Washington, DC 20515-4336

May 14, 2021

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The Honorable Bill Nelson
Administrator
National Aeronautics and Space Administration
300 E. Street, SW
Washington, D.C. 20546

Dear Administrator Nelson:

Recent reporting indicates that NASA is increasing its role in the crisis at our southern border. As Members of the House Science, Space, and Technology, we are interested in understanding the nature and repercussions of this involvement.

NASA recently notified Congress of its intent to assess the suitability of Ames Research Center (ARC) property for use as a Temporary Influx Care Facility for unaccompanied alien children (UACs). NASA's notification stated that,

“(t)he Department of Health and Human Services (HHS) requested federal agencies to determine whether they have currently vacant properties that might be available and suitable for potential future use as Temporary Influx Care Facilities for unaccompanied migrant children. HHS and NASA's Ames Research Center are coordinating a site assessment of some currently vacant property at Moffett Field, California, for HHS personnel to determine whether certain facilities at the site might be suitable to temporarily provide shelter space in the future. This effort will have no impact on NASA's ability to conduct its primary missions.”¹

This notification was also reported in the press.² Shortly thereafter, and likely a result of public pressure, it was reported that a decision was made to not use ARC facilities for this purpose.³

More recently, another report alleged that the Biden Administration asked NASA employees to volunteer to assist overcrowded UAC detention facilities.⁴ According to the report, this would involve contact with UACs and travel to the Southwest, including Dallas, San Diego, San Antonio, and Ft. Bliss, and extend to other geographic areas according to need.

¹ Email from NASA Office of Legislative Affairs to House Science, Space, and Technology Committee Staff, March 10, 2021.

² Barr, Luke, and Faulders, Katherine, “US considers using NASA facility to house migrant children,” ABC News, March 10, 2021. Accessed at <https://abcnews.go.com/Politics/us-considers-nasa-facility-house-migrant-children/story?id=76380512>

³ Geha, Joseph, “Moffett Field will not be used to house unaccompanied migrant children,” The Mercury News, March 19, 2021. Access at <https://www.mercurynews.com/2021/03/18/moffett-field-will-not-be-used-to-house-unaccompanied-migrant-children/>

⁴ Ruiz, Michael, “NASA employees reportedly asked to volunteer to work with unaccompanied migrant children,” Fox News, April 6, 2021. Accessed at <https://www.foxnews.com/politics/nasa-employees-unaccompanied-migrant-children>

NASA's recent notification to Congress and the Biden Administration solicitation of NASA volunteers to travel to the southern border are a result of the overwhelming surge of illegal border crossings triggered by this administration's recent Executive Orders on immigration.⁵ These policies not only encourage and enable illegal immigration and the human trafficking of minors, but also place children's health, safety, and security at risk. The care and protection of all children should be the highest priority for any elected official. The Biden Administration's refusal to recognize the crisis underway at our southern border exacerbates the problem. Unfortunately, this national emergency was not only predictable, but it was also invited.

This crisis at the border also endangers our nation's citizens and NASA's mission. A recent article highlighted that the Immigration and Customs Enforcement (ICE) is releasing COVID-19 positive illegal aliens into local border communities.⁶ Because of continued COVID-19 risks, NASA continues to require mandatory telework and limits on-site work to mission-essential activities to protect life, property, and mission-critical work. An Office of the Inspector General Memorandum found that NASA facility closures and a mandatory telework posture for much of its civil servant and contractor workforces caused by COVID-19 cost the agency nearly \$3 billion.⁷ Despite the fact that NASA continues to require mandatory telework, limits onsite activities to mission critical activities, and prohibits all but NASA mission-critical travel, NASA appears to be soliciting volunteers to travel to the border and work on-site at facilities where exposure to COVID-19 is likely.

The Biden Administration Executive Orders and border policies have failed. Until the administration rejects their own crisis-inducing policies, we are concerned that the health and safety of UACs will remain at risk, our own citizens will be exposed to elevated risks from COVID-19 exposure from illegal border crossings, and NASA's mission will be compromised. The Biden Administration should immediately rescind the immigration Executive Orders and return to the previous policy of humane treatment of UACs that allows for asylum request consideration in a deliberate, safe, and legal manner from their country of origin. This will reduce the exposure of U.S. citizens to COVID-19-positive illegal immigrants released by ICE into not only our border communities, but into every state and territory of this country. Rescinding the failed immigration policies will also allow NASA to focus on its primary mission rather than diverting the NASA workforce to address a self-inflicted crisis at the border.

In order for the public to better understand the impact of the administration's border policies, please provide the following records and information:

- 1) Any and all correspondence with NASA employees soliciting volunteers to travel to the border and assist with the border crisis during 2021;

⁵ Executive Order 14010, Creating a Comprehensive Regional Framework To Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border, February 2, 2021. Accessed at <https://www.federalregister.gov/documents/2021/02/05/2021-02561/creating-a-comprehensive-regional-framework-to-address-the-causes-of-migration-to-manage-migration>

⁶ Gerber, Jon and Sacchetti, Maria, "A border community, ICE at odds over release of detainees with covid," The Washington Post, March 14, 2021. Accessed at https://www.washingtonpost.com/immigration/immigration-covid-detainees/2021/03/14/674a4e50-846b-11eb-9ca6-54e187ee4939_story.html

⁷ "COVID-19 Impacts on NASA's Major Programs and Projects," Final Memorandum, NASA Office of the Inspector General, March 31, 2021. Accessed at <https://oig.nasa.gov/docs/IG-21-016.pdf>

- 2) Any and all correspondence between NASA employees and the Department of Homeland Security related to border issues during 2021;
- 3) Any and all correspondence between NASA employees and the White House related to border issues during 2021;
- 4) The total number of NASA employees that volunteered to travel to the border and assist with the border crisis;
- 5) The total number of NASA employees that were approved by supervisors to travel to the border and assist with the border crisis;
- 6) The total number of NASA employees officially approved to travel to the border and assist with the border crisis;
- 7) The total number of NASA employees approved to travel to the border and assist with the border crisis that are (or were) exempt from NASA's mandatory telework policy or not approved to work on-site at NASA facilities;
- 8) The total cost to NASA associated with employees working at the border, but not working for NASA, as well as the process used to assess those costs;
- 9) The total impact to NASA mission schedules resulting from NASA employees working at the border, including the process by which NASA assessed those impacts; and
- 10) The total number of NASA employees that test positive for COVID-19 after volunteering.

Please provide an initial response to this request by May 28, 2021, and any additional information pursuant to a mutually agreeable production schedule.

Sincerely,



Brian Babin
Member of Congress
Ranking Member, Subcommittee on Space and Aeronautics
Co-Chair, House Border Security Caucus



Bill Posey
Member of Congress



Randy Weber
Member of Congress



Carlos Gimenez
Member of Congress



Mo Brooks
Member of Congress



Stephanie Bice
Member of Congress



Pete Sessions
Member of Congress

Cc: Rep. Don Beyer, Chairman, Subcommittee on Space and Aeronautics