

United States Senate

WASHINGTON, DC 20510

April 24, 2024

VIA ELECTRONIC TRANSMISSION

Howard Migdal
Chief Executive Officer
Grubhub
Chicago, Illinois 60602

Dear Mr. Migdal:

We write to express our concern regarding reporting from the *New York Post* that food delivery services are being hijacked by illegal immigrants intent on gaming the system. As a result of the Biden administration's open border policies, millions of illegal immigrants have flooded across our southern border since he took office. Rather than detaining and deporting these individuals, President Biden has allowed them to remain in our communities and, at times, has even used taxpayer funds to fly them to their desired locations. When they arrive in these cities, reports indicate that many rely on murky networks to earn money, including by paying active food delivery service account holders to use their accounts and deliver meals to Americans' doorsteps. These illegal immigrants often pay hundreds of dollars weekly for access to these active accounts—without having to go through standard vetting procedures—and, in the process, they simultaneously gain access to the addresses and personal information of thousands of American citizens.¹ The result is a black-market economy riddled with abuse and danger for your users.

The danger to Americans—and specifically consumers using your services—is real. These illegal immigrants are delivering food directly to consumers' doors without ever having undergone a background check and often without even using their real names. Deliveries routinely occur late into the night, compounding the dangerous situation, and—if the unimaginable happened—there would be little to no way to track the immigrant or bring them to justice. When American consumers have no way of knowing who is showing up at their doors, and there is no accountability process in place, it creates safety risks, especially for women and the elderly. Importantly, when someone orders from a food delivery service, they should have confidence that the individual delivering their food is the actual account holder and has been thoroughly vetted. Unfortunately, neither of those are presently the reality. For the safety of your users—and the betterment of your company—vetted account holders must be the only individuals delivering food through your service.

Additionally, working illegally—especially in these circumstances—creates the potential for exploitation, abuse, and even modern-day slavery. Just as these migrants can be used by the cartels

¹ Georgette Roberts & Megan Palin, *Uber Eats deliverer warns against illegal workers coming into your home: 'Significant security issue'*, N.Y. POST (Sept. 22, 2023) <https://nypost.com/2023/09/22/uber-eats-deliverer-warns-against-workers-illegally-using-app/>.

as they journey to our southern border, the account holders who sell access to your services often victimize the illegal immigrants, withholding earnings and perpetuating cycles of abuse.² There is nothing compassionate about allowing exploitative illegal work.

Your services have improved the lives of so many Americans—fostering convenience and food accessibility across the country—and the gig economy is an incredibly important part of the American dream that must be protected. With that in mind, we must work together to inspire consumer confidence and crack down on this underground system of illegal work. Americans should be able to use your services without fear of untraceable illegal immigrants arriving at their home—a sentiment that we know you also share. With that in mind, please respond to the following questions by May 6, 2024:

1. What steps are you taking to increase security on your application and ensure that account holders are the only individuals delivering food through your services?
2. What are the consequences for an account holder who sells access to their account?
3. How many account holders have you suspended for selling access to their account?
4. Have you received any reports from consumers regarding this growing problem? If so, how many?

Thank you for your attention to this urgent matter.

Sincerely,



Marsha Blackburn
United States Senator



Ted Budd
United States Senator



Mike Braun
United States Senator

² Andrew Silverstein, *Illegal Mopeds and Fake Names: Migrants Scrape By in Underground Economy*, N.Y. TIMES (Sept. 15, 2023) <https://www.nytimes.com/2023/09/15/nyregion/migrant-delivery-unlicensed-moped.html>.