



# COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

## Hearing Statement of Border Security, Facilitation, and Operations Subcommittee Chairwoman Kathleen Rice (D-NY)

### *A Review of the FY 2020 Budget Request for U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services*

May 9, 2019

I want to thank the Administration officials who came here this morning to testify and provide additional details about their priorities and programs for the coming fiscal year. But I'm going to be frank with everyone here today. This budget request is deeply flawed and seems to double down on a number of highly questionable policies that have been patently and repeatedly rejected by Congress over the past two years. That includes billions of dollars for a useless border wall and hundreds of millions of dollars for additional detention space for migrant families.

Let me be clear. These items were non-starters in last year's budget, and they will be non-starters this year too. The FY 2020 CBP budget proposal includes a 5-billion-dollar request for a border wall, while simultaneously eliminating or reducing funding for several technology-oriented security measures including video surveillance and cross-border tunnel detection systems. Shockingly, the proposed budget would also drastically reduce funding for Non-Intrusive Inspection (NII) Systems, which scan for drugs, guns and other contraband at ports of entry. Last year, Congress allocated over 500 million dollars to procure new NII systems. In the 2020 budget, the President requests just 59 million dollars. That is not enough.

We have been over this time and time again. We need to continue investing in proven border security technology. It works. And it works well.

Eliminating funding for something as effective as NII systems is reckless and dangerous and it will hamper our ability to secure our border. And there is overwhelming evidence of that. In FY 2018, 90 percent of heroin was seized at ports of entry by CBP officers, while only ten percent was seized between ports. CBP officers at ports of entry also seized 81 percent of fentanyl in the same period. NII systems play an indispensable role in these types of seizures. Meanwhile, there is absolutely no evidence that a border wall would be more effective in stopping contraband from crossing the border...none whatsoever. Nevertheless, here we are again, litigating this issue.

The President himself frequently talks about the horrors of human trafficking and of the families that have been devastated by the opioid epidemic. Yet, given the chance to actually do something about it... to actually invest in the resources that will help prevent those tragedies, he opts for a border wall... something that only serves to bolster his ego and irrevocably harm our border communities.

It's hard to believe that this needs to be said, but clearly it does: Our committee is not in the businesses of funding ridiculous, xenophobic campaign promises. We are in the business of securing our border and ensuring the efficacy of our border operations. And we will not sign off on a budget that is chock-full of baseless, politically-motivated line items that would only leave our border more vulnerable than it already is.

And this brings me to my next point. This committee is not just responsible for ensuring border security, we are also responsible for making sure that that security apparatus does not undermine a fair, thorough and humane immigration and asylum process. And this budget woefully fails to deliver on that as well.

First and foremost, I noticed that the FY 2020 budget creates something called the "Border Security and Immigration Enforcement Fund," which appears to use USCIS fees to fund an expansion of detention capacity to 60,000 beds, including a 300 percent increase in family detention space, as well as an increase in law enforcement and prosecution-related personnel. As I see it, this fund only further advances USCIS' alarming change in focus from an agency responsible for facilitating and granting immigration benefits, into

an enforcement arm for this president to execute his cruel and punitive immigration agenda. Thus far, USCIS has not answered questions about this fund, instead directing questions to the White House. I can assure you that will not fly today.

Second, in addition to the 60,000 beds that the FY 2020 budget proposes, it also requests funding for 54,000 ICE detention beds, a significant increase over the 40,520 cap in the FY 2018 and 2019 appropriations bills. ICE has continuously ignored the bed caps and still exceeds its current bed capacity today as it carries out Trump's anti-immigration agenda. Immigration detention is supposed to be civil detention. However, I have seen ICE detention facilities, and I can assure you there is nothing civil about them. ICE's detention facilities look and feel like prisons. I saw them with my own eyes last month when I led a delegation from this Committee down to El Paso. These facilities are chronically cited for conditions that are hazardous to the health and safety of its detainees including lack of medical care, overuse of solitary confinement, spoiled and rotten food, and unreported health and security incidents. And that's to say nothing of the repeated reports of abuses toward LGBTQ individuals, pregnant women, and other vulnerable populations. And to make matters worse, ICE has consistently failed to hold detention facilities accountable to performance standards. How in good conscious can we increase their capacity for detention when they have proven incapable of properly overseeing their existing facilities.

On May 1, 2019, OMB sent a letter to the Speaker requesting an emergency appropriation of \$4.5 billion for the remainder of FY 2019 to address the "humanitarian and security crisis at the southern border." Of that 4.5 billion, 1.1 billion was for DHS. And what did DHS say they would use that money for? Additional detention beds. Rapid DNA Testing for individuals that CBP and ICE believe could be human smugglers disguised as family units. And training for Border Patrol agents to begin administering Credible Fear Screenings to families that they apprehend.

All the while, this administration continues to illegally curtail and criminalize our asylum process. They have continued to implement the "metering" process, whereby the administration limits the number of people who are permitted to apply for asylum each day, and they have maintained the Remain in Mexico policy, where migrants and asylum seekers are forced to wait in Mexico while their asylum cases are processed. Taken together, these two strategies have led asylum seekers and migrants to cross in-between ports of entry, which is far more dangerous.

Last week, Bishop Mark Seitz from the Catholic Diocese of El Paso, Texas, testified before this subcommittee. He described the dangerous conditions he saw in Mexico along the U.S. border. He specifically called on the Trump Administration to end policies like Migrant Protection Protocols, also known as "Remain in Mexico" that force asylum seekers to wait in Mexico under "grave safety, humanitarian, and due process concerns." And not only does this policy put tremendous stress on our Mexican partners, it has also proven to be deeply flawed. For example, several migrants subject to Remain in Mexico received Notices to Appear in immigration court, but with an incorrect court date, or no date at all. And even though the migrant could not have possibly shown up for a court date they did not know about, some have been ordered removed in absentia. It's things like this that make a mockery of our entire immigration system...And then of course, there are the President's absurd threats to close the border altogether or charge fees for asylum applications.

But this is what happens when you prioritize fear-mongering and campaign slogans over thoughtful border policies, like addressing chronic personnel challenges and helping our Central American neighbors.

President Trump's proposed DHS budget is simply a continuation of his misguided, short-sighted, enforcement-only approach to border security and immigration. And at this point, we know all too well how that ends: it will undoubtedly lead to the inhumane treatment of migrants and severe misallocations of limited DHS resources. And if anyone has any doubts about that, then I would remind them of the administration's horrifying family separation policy, which plunged DHS into a state of utter chaos and paralysis and caused unimaginable trauma to thousands of children.

When does it stop? When will this administration wake up to the reality that these policies are not only inhumane... they are not only un-American... but they are actually undermining our ability to secure our border. These policies make us less safe. We cannot continue down this road. We cannot continue allowing this administration to divert resources away from solutions and distort DHS' critical mission. We need to focus on and invest in the proven, commonsense strategies that will address both the humanitarian AND security challenges at the border...and that's what I intend to do here today.

# # #

Media contact: Adam Comis at (202) 225-9978