



TESTIMONY OF

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For a Hearing

BEFORE

U.S. House of Representatives
Committee on Homeland Security

ON

“Failure By Design: Examining Secretary Mayorkas’ Border Crisis”

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McAllen, TX

Introduction

Chairman Green, Ranking Member Thompson, and Members of the Committee, thank you for the opportunity to discuss the U.S. Border Patrol's (USBP) critical operations at the Southwest Border. I am honored to appear today and represent the dedicated and talented men and women of USBP. As an operational component of U.S. Customs and Border Protection (CBP), USBP is committed to enforcing the nation's laws, protecting our national security, keeping dangerous drugs and people from crossing our borders, and providing safe and humane conditions for those in our custody.

Since 1924, USBP has been entrusted with protecting the American people and promoting economic prosperity through our border and national security mission. Despite the myriad threats that we have confronted throughout our history, including smuggling, irregular migration, and terrorism, we continually learn, evolve, and mature to ensure excellence in protecting the homeland with professionalism while maintaining public trust.

Current State of the Border

Evolving global and regional events continue to produce challenging conditions and trends along the Southwest Border that directly affect USBP's border security operations. Most notably, we continue to respond to elevated levels of migrant encounters and adapt to changing migrant demographics, while also addressing the ongoing and dynamic threat of transnational criminal organizations (TCOs).

Historically, most migrants USBP encountered were from Mexico and northern Central America. However, dynamic conditions along the Southwest Border indicate a changing demographic, one in which individuals and family units are migrating from countries much farther away. In Fiscal Year (FY) 2022, USBP encountered 2,214,652 migrants from 174 countries. In FY 2023 to date,¹ USBP encountered 770,175 migrants from 142 countries.

USBP is committed to the safe and humane processing of all encountered migrants while also preventing the entry of illegal drugs and dangerous persons. In FY 2022, USBP intercepted and seized 111,737 pounds of illegal drugs, including 18,348 pounds of methamphetamine, 12,469 pounds of cocaine, and 2,207 pounds of fentanyl.² USBP also encountered 12,028 subjects who had records of criminal histories, including 62 with homicide or manslaughter convictions and 365 with sexual offense convictions. We have ensured, and continue to ensure, that before any individual is released from USBP custody, he or she is vetted and screened and is determined not to pose a public safety or national security risk.

Increased numbers of migrants in USBP custody, combined with migrant demographics that make it more difficult to remove them from the United States due to complicated diplomatic relations with the country of removal, have led to logistical and operational challenges, especially concerning capacity constraints and care of migrants in processing facilities. However, USBP continues to work with our partners to help ensure efficient processing of all migrants in our custody.

¹ As of January 31, 2023.

² <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

While irregular migration levels have remained elevated for several years, there has been a marked decrease since the announcement of new border enforcement measures in January 2023.

Following the January 5, 2023, implementation of the new parole processes for nationals of Cuba, Haiti, Nicaragua, and expansion of the process for Venezuelans announced in October 2022, overall encounters of migrants at the Southwest border declined. USBP encounters of individuals who entered the country between ports of entry at the Southwest Border in January 2023 totaled 128,410, down 42 percent from 221,675 in December 2022. This is the lowest monthly amount of USBP encounters since February 2021, when encounters began to increase following the severe impact the COVID-19 pandemic had on migration. Encounters have remained at similarly low levels in February.

USBP's ability to manage migrant flow has vastly improved through investments in personnel, facilities, processing efficiencies, and technological improvements. USBP also draws on past experience with migrant surges and other challenges as it plans for and adapts to emerging conditions to ensure we can remain focused on our border security mission.

Improving Processing Capabilities

Once the Title 42 public health order ultimately ends, USBP will continue to use its full range of immigration authorities under Title 8 of the U.S. Code to process migrants encountered at the border, as we have done throughout our agency's history. Under Title 8, noncitizens who enter the United States without authorization are placed into appropriate immigration proceedings, including expedited removal or proceedings before an immigration judge where they may make a claim for asylum or other protection.

USBP has accelerated ongoing efforts to improve processing operations by deploying additional non-uniformed support personnel; expanding capacity and improving conditions at processing facilities; investing in virtual and mobile processing technologies; and strengthening coordination with partner agencies and organizations. These initiatives expand USBP's capabilities and streamline operations to ensure the safe and humane processing of migrants while also relieving agents of non-enforcement duties.

Increasing Non-Uniformed Support Personnel

USBP deployed the first class of Border Patrol Processing Coordinators (BPPCs) in April 2021 to better meet the demands of processing noncitizens. BPPCs support Border Patrol agents with humanitarian care and intake processing of noncitizens and provide administrative and logistical support related to data entry and filing, personal property management, transportation, and welfare checks. These BPPCs have allowed agents to return to field work more quickly. To date, USBP has 961 BPPCs on board with more finalizing training and deployment. We have also expanded the use of contract personnel along the Southwest Border to include 429 contract security personnel for the Centralized Processing Centers (CPCs) and 565 contracted processors to handle data entry and management tasks; another 376 are pending deployment.

Expanding Facilities and Services

USBP continues to increase facility capacity and add short-term facilities at key border locations to reduce over-crowding and accommodate varying demographics of migrants encountered crossing the Southwest Border. CBP reopened the Rio Grande Valley CPC in McAllen, Texas, in March 2022 after extensive renovations which dramatically improved CBP's ability to process migrants encountered at the border in a safe, orderly, and humane manner.

Additionally, CBP announced the opening of a new soft-sided facility in El Paso, Texas, on January 11, 2023, which provides additional processing capacity for USBP's El Paso Sector. The facility is weatherproof, climate-controlled, and provides ample areas for eating, sleeping, and personal hygiene. Another soft-sided facility opened in the San Diego Sector on January 31. The new soft-sided facilities include wrap around service contracts that provide sanitation, janitorial, food, and medical services necessary to ensure appropriate conditions for migrants and USBP personnel.

The renovation of the McAllen CPC and opening of new soft-sided facilities are part of CBP's broader goal to safely process individuals CBP encounters, as well as increase capacity and improve facility conditions for migrants, agents, officers, and processing coordinators. We are also maximizing the use of air and ground transportation to move migrants from USBP Sectors that are over capacity to other less impacted CBP locations.

Investing in Virtual and Mobile Processing Technologies

Working with our partners, USBP is mobilizing and shifting personnel in anticipation of potential migration surges at the Southwest Border, providing resources to areas with the most need. USBP is also investing in virtual and mobile processing technologies that are making processing functions more efficient, allowing USBP to enlist the support of agents outside the Southwest Border region without requiring them to be physically present.

A key aspect of USBP's efforts to streamline processing operations is the Electronic Alien File (commonly referred to as an "A-File"). The initiative to make the A-File electronic will enable CBP, U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS) to share and maintain a single file in a digital environment. USBP recently completed the first phase of its implementation of the end-to-end digital A-file for subjects processed for a Notice to Appear (NTA). Based on the success of the first phase, USBP is planning to continue implementation of the fully digital A-file for the NTA disposition nationwide in the coming months and to expand this capability to additional processes in the future. This transition will modernize USBP operations and lead to fully digital subject processing.

CBP will also increase access to, and promote use of, the Unified Immigration Portal (UIP), a centralized location where relevant immigration-related data from multiple agencies involved in the immigration process can be accessed. The platform delivers mission-critical information to users through dashboards, services, and data integration capabilities, facilitating expeditious processing of subjects and increasing visibility for interagency operations during surges.

Coordinating with Partners

Although a critical component, the USBP is only one part of the larger border security enterprise, and collaboration with our partners—foreign and domestic—multiplies the effectiveness of our border security. It is our responsibility to ensure we coordinate, as appropriate, operations with our partners to maximize their impact, while avoiding unnecessary disruptions or conflicts.

While the current border challenges are unprecedented in many ways, so too are the collaboration and joint efforts to address changing border conditions. USBP is a key component of the Department of Homeland Security (DHS)-led strategy to ensure a comprehensive and deliberative response to current and emerging conditions along our Southwest Border. The strategy involves surging resources; increasing efficiency to reduce strain on the border; employing an aggressive consequence regime; coordinating with non-governmental organizations (NGOs) in conjunction with state and local partners; targeting cartels and smugglers; and working with our regional partners. USBP is a key partner agency in DHS's Border Enforcement Security Task Force, which seeks to eliminate the barriers between federal and local investigations, close the gap with international partners in multinational criminal investigations, and create an environment that minimizes the vulnerabilities in our operations that TCOs have traditionally capitalized on to exploit our nation's land and sea borders. This comprehensive plan leverages a whole-of-government approach to prepare for and manage the current level and possible future increases in encounters of migrants at our Southwest Border.

USBP will continue to work with the DHS Southwest Border Coordination Center's Movement Coordination Cell (MCC), a standing interagency group charged with overseeing expedited processing and transfer of unaccompanied children and other vulnerable individuals out of CBP custody. The MCC, comprised of DHS personnel from CBP and ICE, as well as personnel from the Department of Health and Human Services' Office of Refugee Resettlement, was formed to facilitate communication and problem-solving among U.S. government agencies to specifically address the flow of vulnerable populations. In addition, USBP appreciates critical ground and aviation support capabilities provided by the Department of Defense for detection and monitoring at the Southwest Border.

CBP is also communicating with various NGOs, including a range of non-profit organizations, faith-based entities, and others — both at and away from the border — regarding appropriate care and transportation of migrants released from custody. Furthermore, we continue to work closely with foreign governments to conduct joint enforcement operations.

Strengthening Border Enforcement

In anticipation of increased migrant encounters, USBP is focused on ensuring other security measures and enforcement programs are not circumvented or compromised by the response to emerging events. USBP's deployment of resources and technology enables it to gain awareness of threats and swiftly adapt processes to changing situations along the border.

Combating Human Smuggling

USBP's posture and response to migration events are informed by comprehensive analyses of information and intelligence on operations of smugglers and the movement of migrants. We are

more effectively tracking movements of various migrant groups who may be headed towards the U.S. border and increasing investigation and prosecution of human smuggling networks responsible for unauthorized border crossings.

CBP launched Operation Sentinel, a new counter-network targeting operation focused directly on TCOs affiliated with smuggling migrants into the United States, in April 2021. More than 480 nonimmigrant visas and more than 300 Global Entry and SENTRI cards have been revoked since the launch of Operation Sentinel, and more than 20 businesses and associated entities have been targeted for suspension or debarment. Lookouts have been placed on 2,822 individuals associated with TCOs' illicit activity. More than 2,000 individuals involved in illicit money transactions have been identified and referred to interagency partners for law enforcement actions. Operation Sentinel refers all cases with potential prosecutorial interest to Federal and state investigative partners for review and prosecution.

Additionally, USBP supports the U.S. Department of Justice (DOJ)-established Joint Task Force Alpha initiative, which counters TCOs affiliated with migrant smuggling by targeting their members and associates. DHS and its components are working with DOJ to leverage joint investigative, prosecutorial, and capacity-building efforts to investigate and prosecute the most prolific and dangerous human smuggling and human trafficking groups operating in Mexico and northern Central America.

Migrant smugglers put vulnerable individuals and families in danger every day. The Southwest Border region experiences dramatic and unpredictable temperature changes year-round, meaning individuals lost or left behind in desolate areas are at risk of drowning, dehydration, heat stroke, injuries, or death. During FY 2022, USBP agents rescued more than 22,075 individuals in a wide variety of circumstances. This critical work continues, and agents have conducted nearly 8,000 rescues already this fiscal year. CBP has increased the number of rescue beacons used on the Southwest Border and our CBP officers and agents continue to stand ready to provide lifesaving assistance to all who need it.

Interdicting Illicit Drugs

USBP remains focused on the TCOs that continue to expand across and beyond the Southwest and Northern Borders and increasingly demonstrate their ability to illicitly transport synthetic narcotics, including methamphetamine, illicitly manufactured fentanyl, and fentanyl analogues. Most illicit drugs, including fentanyl, enter the United States through our Southwest Border ports of entry in privately owned vehicles, commercial vehicles, and even by pedestrians.³

Between the ports of entry, CBP continues to experience high numbers of incidents involving illicit use of unmanned aircraft systems (UAS), commonly referred to as "drones," to facilitate unlawful movement of people and narcotics across the southwest border. TCOs and possibly Foreign State Actors use UAS to conduct unauthorized surveillance of CBP personnel and operations to pass information to contacts on the ground on where to guide noncitizens or transport illegal drugs to circumvent law enforcement. Sensor records, pilot and agent sightings and other sources of information also indicate the increasing use of drones to transport illegal drugs and

³ <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>

other contraband across the border. This illicit activity threatens the safety of our frontline personnel, poses a collision risk to our aircraft, and adversely affects our border security operations.

TCOs continually adjust their criminal operations to circumvent law enforcement detection and interdiction by adjusting their tactics, techniques, and procedures in the smuggling of narcotics that can be transported in profitable quantities by advanced concealment techniques. Through intelligence gathering and analysis, advances in detection technology, counter network strategies, collaboration with other Federal, state, and local law enforcement agencies, and interdictions, USBP adjusts law enforcement operations to combat TCO illicit activity and disrupt their operations.

Leveraging Technology and Supporting Agents

USBP relies on effective surveillance of suspect activity along the land borders as a critical element of CBP's border security operations. In FY 2022, USBP continued to deploy proven, effective surveillance technology, including aerostats, mobile surveillance capability systems, remote video surveillance systems, and integrated fixed towers tailored to specific operational requirements along the highest trafficked areas of the Southwest Border.

USBP is also expanding its use of Team Awareness Kits, a digital tool that greatly enhances coordination and collaboration among response teams. This innovative solution enables tactical data to be generated, visualized, and securely shared. The tool facilitates daily operations for public safety organizations and allows different organizations which do not regularly communicate to maintain shared tactical awareness.

Technology is often regarded as a force multiplier, but it is meaningless without dedicated and skilled personnel to operate it. The men and women of USBP are our greatest asset, and their work is extremely demanding, both physically and emotionally. When planning and implementing any operational change or technological deployment, we assess and prioritize every opportunity to enhance the preparedness, safety, and well-being of the USBP workforce.

Enhancing Resiliency

CBP lost 11 colleagues to suicide in calendar year 2021, 15 colleagues in 2022, and two in 2023. One is too many. It was a tough year for the well-being of our agents. We need to continue investing in programs that provide direct support and communicate critical information to our workforce and their families, while improving our operational capabilities to allow agents to focus on their primary mission. Additionally, we, as an agency, need to work to identify the root causes of why we are seeing suicides at the current rate.

USBP recently began the Be the One campaign as a call for action to bring suicidal ideation to the forefront. We need to check in on each other, not just at work, but in life, and talk to and engage with one another in meaningful ways. We work long hours away from our families, so we need to take care of one another.

CBP leadership has directed that every CBP employee receive in-person suicide prevention training in 2023. CBP's Office of Training and Development, in partnership with the CBP

Workforce & Resiliency Directorate and Dr. Kent Corso, developed a three-day train-the-trainer course that started in January as part of the effort to reach all hands.

USBP has also directed that every employee completes a two-day Basic Resiliency Skills Course by the end of calendar year 2023.

Conclusion

Although the continued elevated levels of migration over the last several years have presented many challenges, they have also led USBP to evolve, adapt, increase efficiency, and invest in our processing enterprise and technology. These investments, together with the resiliency, dedication, and professionalism of the men and women of USBP, enable USBP's continued mission success of securing our border and keeping the American people safe while providing proper care to those in our custody.

Thank you for the opportunity to testify today. I look forward to your questions.

Colonel Steven C. McCraw
Director of the Texas Department of Public Safety
Committee on Homeland Security
March 15, 2023

Good morning, Chairman Green, and members of the Committee on Homeland Security. My name is Steven McCraw; I am the Director of the Texas Department of Public Safety (DPS) and our mission is to protect and serve Texas. Thank you for travelling to the border region of our state to talk to our citizens, community leaders and members of local law enforcement who possess firsthand knowledge about the ongoing border crisis.

It is our assessment that the most significant public safety and homeland security threat to Texas and the nation is an unsecured international border with Mexico. I have testified on this issue before Congressional committees eleven times since becoming the Director of DPS, and each report has been grimmer than the last. Unfortunately, that trend continues today and the reason is simple: The federal government has failed to do its Constitutional duty and secure the border. This failure comes at the detriment of our citizens and the benefit of the Mexican Cartels.

In my 2018 Congressional testimony I stated that crime was increasingly transitory, transnational, organized, and discreet. I reported that terrorism had become more disaggregated, and that an unsecured international border with Mexico represented a grave national security vulnerability. Our southern border was porous back then. Our southern border is porous now. This provides the Mexican Cartels a reliable means to smuggle people, some of whom are members of transnational gangs, criminal aliens or foreign nationals from countries hostile toward America.

I also testified that the Mexican Cartels have exploited the porous U.S./Mexico border to dominate our nation's lucrative illicit drug market, working closely with transnational and U.S.-based gangs to support their criminal operations on both sides of the U.S./Mexico Border, and they provide a readily available retail distribution chain for their drugs.

At the 2018 Congressional hearing, we warned that if Texas were to see a repeat of what occurred in 2014, U.S. Border Patrol agents will again be overwhelmed with detaining, transporting, and processing large numbers of individuals through federal immigration procedures. A surge of unaccompanied children and family units into Texas resulted in over 300,000 apprehensions of illegal migrants for calendar year 2014. These large numbers overwhelmed the U.S. Border Patrol and Texas communities. We witnessed how a scenario in which droves of individuals seeking asylum at the U.S./Mexico border resulted in substantial security gaps along the border.

In 2018, policymakers were more concerned about the possibility of a mass migration event at our border as a consequence of a failed state in the Western Hemisphere or a catastrophic event. Nobody considered that a global mass migration event could be the result of U.S. policies; however, there is now compelling evidence that because the federal government incentivized – rather than criminalized – illegal migration, crime and disorder have followed.

In calendar year 2021, there were more than 1.3 million apprehensions in Texas, which is 1 million more apprehensions than what occurred in 2014. And, in calendar year 2022 there were more than 1.4 million apprehensions in Texas. These numbers do not include the many known and unknown *got-a-ways*.

In our profession it is the absence of crime and disorder that defines success, and the border crisis has increased the difficulty of doing so in every community throughout the state and nation.

In Texas, Governor Greg Abbott and our state legislature care deeply about protecting its people and have appropriated billions of dollars in state funds to support the mission of the U.S. Border Patrol and its Agents. To continue addressing the border crisis in full force, Governor Abbott has made border security an emergency item for the legislative session occurring in Austin right now. The Governor is working with members of the legislature to:

- Secure \$4.6 billion to bolster border security efforts
- Pass legislation making it at least a ten-year mandatory minimum jail sentence for anyone caught smuggling in Texas
- Enhance the minimum penalty for operating stash houses to a third degree felony
- Enhance criminal penalties for foreign terrorist organizations and increase intelligence operations against such organizations.

Nobody has done more to secure the southern border with Mexico than Governor Abbott. His leadership on this issue should be your example. Texas is a law-and-order state and the people of Texas overwhelming support the U.S. Military, law enforcement and the rule of law and they want meaningful action, not excuses. The state of Texas does not need the permission of the federal government to protect its citizens from transnational threats and it will continue to do so by working closely with our local and federal partners to address the ongoing border crisis.

In March 2021, Governor Abbott launched Operation Lone Star (OLS) to deter, detect and interdict transnational criminal activity using all available state resources as part of a fully integrated, multidisciplinary strategy to address security lapses at the border. Thousands of National Guard Soldiers, Texas State Troopers, DPS Special Agents, Texas Rangers, DPS Tactical Teams and Texas Game Warden personnel were deployed to the border region to conduct around-the-clock patrol operations on the river, in the brush, on the roadways and in the air in smuggling corridors.

Importantly, Texas Border Sheriffs and Chiefs of Police serve on the front line in protecting their communities and OLS provided them much needed funding to address the border crisis in their communities.

Infrastructure and technology are also vital to securing something as vast and diverse as the Texas/Mexico border. Governor Abbott enlisted the Texas Facilities Commission to continue work on a permanent wall at identified hot spots. These projects are complex and implementing them takes time. In the interim, the Texas National Guard has worked with Texas landowners and communities along the border to install temporary fencing to deter crossings on private property. The temporary fencing (such as cyclone fencing), concertina wire or Conex boxes also serve as notice that those who cross over these barriers are subject to state criminal trespassing charges.

Governor Abbott designated the Mexican Cartels as Terrorist Organizations and directed that DPS Special Agents and Analysts conduct stateside criminal enterprise investigations targeting the command-and-control elements of the Mexican Cartels operating throughout Texas working closely with DEA, FBI and HSI in cities throughout Texas.

Another key element of the OLS strategy includes Texas' Anti-Gang Center Program that funds centers located throughout the state where there is a prevalence of gang activity. The Mexican Cartels work closely with these gangs that support cartel smuggling and trafficking operations and the gangs are also involved in the retail distribution of the drugs. The TAG Centers provide a venue to collocate local, state and federal gang enforcement, analytical, investigative and prosecutorial resources to maximize the impact on violent gang activity and dismantle gang networks working with the Mexican Cartels.

Other state agencies also play a key role such as the Texas Department of Criminal Justice which has provided jail space and transportation to address the many OLS related arrests. The Texas Department of Emergency Management continues to provide valuable support to local and state agencies as well.

I am submitting for today's record a table which contains some of the OLS activity numbers. Of note is the over 360 million lethal doses of fentanyl that were seized by DPS and more than 19 tons of methamphetamine. Moreover, members of the Texas National Guard, Texas Game Wardens and DPS personnel have detained and turned over 350,000 illegal migrants to Border Patrol that would have otherwise been *got-a-ways*.

Again, thank you for taking the time to travel to the Texas/Mexico border to witness the crisis for yourself and speaking with local experts and citizens who live and work here. This is a beautiful part of our state, or rather our country. The federal government owes it to the people who live here to do their job and secure the border. These communities and our state is doing everything possible to maintain the rule of law, protect human life, and protect property. All of this comes at great expense and sacrifice.

My name is Brad Coe and I am the Sheriff of Kinney County Texas. I am currently in my second term as Sheriff. Prior to being elected as sheriff, I spent over 30 years with the US Border Patrol, all of which was in Kinney County.

Kinney County Texas lies in southwest Texas and has 16 miles of border with Mexico. Kinney County is roughly 1370 square miles, making 27th in size. Currently the population is under 3200 people. Kinney County is primarily agricultural land for the raising of sheep, goats and cattle. One of the primary sources of revenue is the hunting industry.

My office has 6 fulltime deputies and 8 parttime to cover the 1370 square miles of the county. This causes large areas of the county to go unpatrolled. The majority of their patrol areas are within the city limits of Brackettville and Fort Clark Springs, which is a gated community within the county.

Currently Kinney County is under siege by illegal immigrants either walking through local ranches, or being smuggled through the county on the back roads that circumvent US Border Patrol Checkpoints. I am here today to discuss the impact this immigration crisis is having on Kinney County's resources and revenue.

Out of Control Immigration

With the current "open door" policy, Kinney County has seen a dramatic increase in illegal alien activity. The number of migrants seen on our game camera system is currently averaging 165 people per night (60,225 this year). These are also considered a way since Kinney County does not have the personnel or equipment to actively pursue these subjects.

Damage to fences, water troughs and structures has ranchers spending more on repairs than they can afford. There currently is no way to recoup those losses. The loss of the ability to grow crops is an issue also. With large groups walking cross country, creates trails that prevent the grass and natural foliage to grow, reduces the grass for the livestock.

Our "game ranches" specialize in exotic animal hunts year-round. Some of these hunts cost up to \$40,000.00 per animal. With the constant foot traffic walking through these ranches, the animals are harder to locate and often are spooked by illegal aliens while the hunter is watching the animals. Which can and will result in the loss of revenue for the rancher.

Smuggling

Kinney County has 6 highways that lead directly from the border area into the county, plus two other roadways that circumvent the US Border Patrol checkpoint on U.S. Highway 90. These highways have seen an unprecedented increase in human smuggling activity. For calendar year 2022, Kinney County Deputies arrested 741 human smugglers and filed over 3000 felony charges. This is a huge increase from calendar year 2021 in which we arrested 169 human

smugglers. Currently we are on track to exceed over 900 human smugglers for calendar year 2023.

With the increase in human smuggling comes the increase in vehicle pursuits and bail outs. The number of pursuits has increased with the increase in human smuggling arrests. With these increases, the risk of traffic accident and deaths associated to these accidents also increase.

With the increase in pursuits that result in traffic accidents puts a huge strain on our first responders. In December of 2022 an accident that was the result of a driver trying to flee from law enforcement, lost control of the vehicle, killing himself and two other, later identified as being in the US illegally, and required 3 others, who were thrown from the vehicle, to be transported to area hospitals due to severe injuries.

First Responder Resources

Kinney County only has one EMS team on duty at any given time. Our Fire and Rescue Department is all volunteer. This accident required Kinney County to request EMS assistance from neighboring Val Verde County. As a precaution, Air-Life was also dispatched in the event they would be needed. This accident tied up all of Kinney County's first responder resources. Resources that are provided for by tax payers of Kinney County. Kinney County does not have a tax base that sustain this type of emergency. Not only were our first responders timed up, but resources from Val Verde County were tied up as well.

It's not uncommon for EMS to be called out for illegal aliens who have suffered an injury or has become dehydrated while walking cross country. Often EMS has to transport these individuals to Val Verde County since Kinney County does not have an emergency medical facility. This too ties up a county resource. Often the county does not get re-imbursed for these services, creating another burden for the local taxpayer.

During one instance where EMS was tied up with injured illegal aliens, a resident of Kinney County suffered a heat attack. A second team had to be called in to respond to the call. The Kinney County resident didn't survive. Would he have survived if the primary on duty EMS team responded? We'll never know.

Closing

Kinney County has no industry to support it. We depend on our ranchers and hunters. We have no port of entry for international trade, or tourism. At one time Kinney County was a world leader in the production of wool and mohair. That has gone away. Kinney County was the Movie Capital of Texas. John Wayne's The Alamo, Lonesome Dove, The Gambler, Bad Girls,

Just name a few that were filmed here. Alamo Village was huge tourist attraction, which brought in people from across the county. That has closed. All we have left is our agriculture and hunters. If our ranchers sell due to loss of revenue, who's going to buy the property? If the

hunters quit coming, our gas station, our grocery store, and restaurants are going to close. What happens to the residents of Kinney County when the ranchers go out of business and the hunting quit coming? This is why I am fighting so hard, so I don't lose the county.

Questions pertaining to:

Landowner re-imburement

Landowner liability

Interstate Compact to allow state level officers to arrest and prosecute federal violations

Ex. Illegal entry to the US

Inter-agency cooperation

Needs improvement.

Turn over aliens for prosecutions

Prosecution Levels

Need additional resources 8 years behind.

Facilities

Jail closed

No female space

Radio Communications with other agencies

Can no longer communicate via radio to outside agencies.

Grant funding

School safety

Salary supplements

Advanced Training

Fleet repairs/fuel/etc



Homeland Security Investigations

STATEMENT

OF

STEVEN CAGEN
ASSISTANT DIRECTOR
HOMELAND SECURITY INVESTIGATIONS

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING TITLED

“FAILURE BY DESIGN: EXAMINING SECRETARY MAYORKAS’ BORDER CRISIS.”

BEFORE THE

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON HOMELAND SECURITY

Wednesday, March 15, 2023
McAllen, Texas
8:15 a.m.

Chairman Green, Ranking Member Thompson, and distinguished members of the House Committee on Homeland Security:

Introduction

Thank you for the opportunity to appear before you today to discuss Homeland Security Investigations' (HSI) efforts to disrupt and dismantle transnational criminal organizations (TCOs). With more than 6,800 special agents located in hundreds of offices throughout the United States and the world, HSI investigates, disrupts, and dismantles terrorist, transnational, and other criminal organizations that threaten our nation's security. My statement today will focus on HSI's efforts to stop deadly drugs from ever making it to the streets of the United States; its mission at the borders to turn individual seizures into cartel-toppling investigations; and its efforts to deny TCOs the illicit proceeds that fuel their operations.

As the principal investigative component of the Department of Homeland Security (DHS), HSI is responsible for investigating transnational crime. In collaboration with its partners in the United States and abroad, HSI special agents develop evidence to identify and advance criminal cases against TCOs; terrorist networks and facilitators; and other criminal elements that threaten the Homeland. HSI works with prosecutors to arrest and indict violators; execute criminal search warrants; seize criminally derived money and assets; and other actions with the goal of disrupting and dismantling TCOs operating throughout the world. These efforts help protect the national security and public safety of the United States.

HSI's investigative mission includes dismantling TCOs, which flood the United States with deadly drugs, including illicit fentanyl and other opioids. HSI conducts federal criminal investigations at every phase of the illicit drug supply chain; internationally, where TCOs operate and manufacture illicit drugs; at our Nation's borders and ports of entry (POEs), where smuggling cells attempt to exploit America's legitimate trade, travel, and transportation systems; and in communities throughout the United States. HSI combats TCOs through multiple avenues of criminal enforcement. Not only does HSI target the narcotics smuggling activities of the TCOs, but HSI also targets the financial networks they utilize to fund and profit from their illegal activity and the firearms trafficking the TCOs undertake to support their violent activities. HSI also targets the various other illegal activities the TCOs employ to fuel their criminal organizations, including human smuggling and trafficking, cyber-crime, intellectual property rights violations, and fraud.

These criminal organizations have expanded beyond narcotics smuggling and have morphed into poly-criminal TCOs involved in the associated crimes of weapons trafficking, human trafficking, human smuggling, money laundering, and other crimes—all of which HSI investigates. Rather than narrowly focusing on a single element of the TCO, HSI combats TCOs by using its unique and broad investigative authorities to enforce over 400 federal laws by investigating a myriad of crimes. Investigative efforts must be broad in scope to fully dismantle enterprises that often transcend borders.

HSI International Counternarcotics Efforts

HSI's efforts to combat synthetic drugs, such as fentanyl, begin abroad. HSI has the largest international investigative presence within DHS, comprising hundreds of HSI special agents strategically assigned to 93 offices in 56 countries. This includes offices located in Mexico, where the vast majority of fentanyl is produced, and throughout the Asia-Pacific region, where synthetic drug precursor chemicals often originate.

HSI takes a forward-leaning approach to identify and mitigate threats before reaching our borders and applies a multi-tiered, multi-pronged strategy, spanning international boundaries and crossing all investigative program areas. HSI special agents abroad develop and foster relationships with host government law enforcement partners to exchange information; coordinate and support investigations; and facilitate enforcement actions and prosecutions to disrupt and dismantle TCOs that operate abroad but threaten the national security, economic prosperity, and public safety of the United States. HSI and its counterparts in other countries identify and disrupt sources of illicit drugs, transportation and smuggling networks, and money laundering operations. These efforts enable HSI and its partners to prevent dangerous narcotics and other illicit goods from reaching our borders and stop illicit outbound flows of illegally derived currency and weapons.

Transnational Criminal Investigative Unit Program

The effectiveness of our international counter-narcotics efforts is greatly enhanced by HSI's Transnational Criminal Investigative Unit (TCIU) Program. TCIUs comprise vetted foreign law enforcement officials and prosecutors who support some of HSI's most significant extraterritorial investigations and prosecutions targeting TCOs. HSI has established 14 TCIUs around the world, including in Mexico, where the team is comprised of more than 40 officers and prosecutors from their Attorney General's office. In Fiscal Year (FY) 2022, efforts by the HSI Mexico TCIU resulted in approximately 123 criminal arrests and the seizure of approximately \$1.1 million, 11,100 pounds of cocaine and 18,200 pounds of precursor chemicals.

Targeting the fentanyl and methamphetamine precursor chemical supply chain is an integral element of HSI's approach to stopping the production of illicit drugs. These precursors serve as the fuel the cartels need to manufacture their deadly drugs destined for American cities and streets. Blending interagency and foreign collaboration, industry partnerships, financial data, and information technology tools, HSI identifies, targets, and interdicts precursor chemical shipments destined for Mexican cartels. Disruptions to the procurement phase of the narcotics production supply chain have an exponential impact on the drugs encountered at our border and on our streets. Mexican cartels operate on an industrial scale when procuring precursor chemicals, and the interdiction of these shipments has a profound effect on the number of drugs reaching our country. Many of these enforcement efforts are led by HSI's TCIU in Mexico, where, in addition to seizing precursor chemical shipments, they also lead investigations targeting the labs where the chemicals are synthesized into illicit drugs.

HSI's TCIUs are critical to preventing drugs from reaching our borders and yet face barriers to success. For example, HSI has the authority to pay salary stipends to TCIU members who serve on the frontline of combating TCOs but lacks the appropriations to fully realize the

legislative authority. HSI's inability to provide these stipends results in recruitment and retention challenges. The ability to pay salary stipends to TCIU members would enhance HSI's overall strategy and efforts to disrupt Mexican cartels' illicit precursor chemical supply chains.

National Targeting Center – Investigations

HSI's National Targeting Center - Investigations (NTC-I) was established in 2013 in collaboration with U.S. Customs and Border Protection's (CBP) National Targeting Center to further our shared border security mission. HSI's increased manpower and concerted efforts at NTC-I support the entire border security continuum, from CBP interdictions and HSI investigations, to the joint exploitation of intelligence. Working in a collaborative environment at NTC-I, HSI provides support to all of DHS's domestic and international offices by targeting illicit precursor chemical movements within the air and maritime commercial transportation modalities.

The combination of NTC-I targeting and foreign action through HSI's TCIUs, is critical to stopping the flow of illicit drugs and dismantling TCOs. Using these resources, HSI targets the supply chains responsible for foreign origin shipments of precursor chemicals used in the illicit production of fentanyl and methamphetamine destined for Mexico. By blending interagency collaboration, industry partnerships, financial intelligence, and computer-based tools, HSI processes large volumes of data to identify precursor chemical suppliers and TCO procurers. HSI uses this information to target and seize precursor chemicals that are being transshipped through the United States or seized by its TCIUs abroad before the chemicals are converted into the synthetic drugs fueling overdose deaths. Thus far, this methodology has resulted in the seizure of approximately 3.3 million pounds of dual-use precursor chemicals used to manufacture illicit fentanyl and methamphetamine.

HSI Domestic Counternarcotics Efforts

The vast majority of the methamphetamines and fentanyl flooding American streets is smuggled across our border with Mexico. HSI special agents work every day with CBP officers to identify and investigate drug smuggling organizations attempting to introduce illicit contraband into the United States, and to seize such contraband. HSI's ability to conduct complex large-scale investigations represents one of DHS's best weapons for dismantling TCOs in a manner not possible solely through border interdiction efforts. Conducting criminal investigations resulting from arrests associated with border seizures is necessary for ensuring the rule of law; however, HSI's mandate is to turn these individual seizures into multi-jurisdictional, multi-defendant, complex investigations to disrupt, dismantle, and prosecute high-level members of TCOs.

CBP's expansion of non-intrusive inspection (NII) scanning at Southwest Border POEs is poised to increase the number of CBP-origin seizures HSI special agents are required to investigate. To keep pace, HSI will require additional staffing to support the investigation and prosecution of individuals associated with POE seizures. Recent HSI congressional appropriations tied to NII expansion represent an important, albeit limited, initial step. HSI is moving quickly to deploy these new resources to Southwest Border POEs receiving NII augmentation. Given the required NII expansion to all land border POEs, additional staffing will

be essential to ensure HSI retains adequate personnel to respond to these seizures and to conduct the complex investigations which degrade and remove TCO threats to the Homeland.

Border Enforcement Security Task Forces

The Jaime Zapata Border Enforcement Security Task Force (BEST) Act was signed into law in December 2012. The Act was named in honor of Jaime Zapata, an HSI special agent who, while working to combat violent drug cartels, was killed in the line of duty in Mexico. This law amended the Homeland Security Act of 2002 to formally establish the BEST program, with the primary mission of combating emerging and existing transnational organized crime by employing a threat-based/risk mitigation investigative task force model that recognizes the unique resources and capabilities of all participating law enforcement partners.

BESTs eliminate the barriers between federal and local investigations, close the gap with international partners in multinational criminal investigations, and create an environment that minimizes the vulnerabilities in our operations that TCOs have traditionally capitalized on to exploit our nation's borders. There are currently 86 BESTs located across the United States, including Puerto Rico and the U.S. Virgin Islands, comprising nearly 1,000 law enforcement officers and personnel representing federal, state, local, tribal, and international law enforcement agencies, and National Guard units. In FY 2022, BESTs initiated more than 5,300 investigations resulting in more than 6,000 criminal arrests and seizures of more than 317,000 pounds of narcotics, more than 480,000 pounds of precursor chemicals, and more than \$206 million of illicit proceeds and assets.

While much attention is given to the smuggling of narcotics across our southern border, illicit drugs continue to flow into the United States via international airports located throughout the United States. In addition to the use of drug couriers, TCOs continue to smuggle illicit narcotics destined for American communities concealed within express consignment and other parcels. In response, HSI established BEST units at international mail facilities (IMFs), express consignment hubs, and international airports acting as IMFs, as part of HSI's targeted response to the opioid crisis. The IMF and express consignment environments are a particularly significant avenue for the smuggling and transshipment of fentanyl, opioids, and other illicit narcotics. The placement of BEST units at IMFs enables the immediate application of investigative techniques on seized parcels, which aid in establishing the probable cause needed to effect enforcement actions in the United States and elsewhere on individuals associated with fentanyl and opioid-laden parcels.

Cyber-Related Efforts

Cyber Crimes Center

TCOs and their illicit drug clients are increasingly tech-savvy. Many have adopted emerging technologies to replace hand-to-hand drug sales with anonymous cryptocurrency purchases facilitated through dark-net marketplaces. These transactions may involve foreign vendors, but the result is the shipment of drugs to or within our country. To keep pace with rapidly evolving criminal techniques, HSI created the Cyber Crimes Center (C3) to provide investigative assistance, training, and equipment to support domestic and international

investigations of cyber-related crimes for DHS. C3 supports HSI's mission through the programmatic oversight and coordination of investigations of cyber-related criminal activity and provides a range of forensic, intelligence, and investigative support services across all HSI programmatic areas. C3 brings together highly technical assets dedicated to conducting trans-border criminal investigations of cyber-related crimes within the HSI transnational crime portfolio and authorities.

C3 performs an essential role in detecting, investigating, and preventing the sale and distribution of opioids and other illicit drugs on the dark web. With specialized capabilities, cyber analytics, and trained cyber investigators and analysts, C3 supports HSI online undercover investigations targeting market site operators, vendors, and prolific buyers of opioids and other contraband on the dark-net. C3 also provides critical support on tracing and identifying illicit proceeds derived from criminal activity on the dark web and investigating the subsequent money laundering activities. Additionally, C3's Computer Forensics Unit and the HSI Computer Forensic Program are critical tools in combating the flow of drugs into the United States. From the efforts of our computer forensic agents and analysts in the field to seize, process, and analyze digital evidence, through the advanced technical solutions, such as decryption and accessing secure data, digital forensics play an ever-increasing role in investigating complex multinational narcotics organizations. C3's Computer Forensic Unit also provides forensic training and support to our state, local, tribal, federal, and international law enforcement partners.

A top priority for HSI is to improve collective law enforcement capabilities by providing training to partner law enforcement agencies. In response to initiatives to reduce opioid demand in the United States, C3 developed a cyber-training curriculum with a focus on dark-net investigations and illicit payment networks associated with opioid smuggling and distribution. This training has been successful in improving law enforcement capabilities against online marketplaces and tools for illicit trafficking. Since 2017, HSI has delivered this training course in over 70 locations worldwide to more than 12,000 state, local, federal, and international law enforcement personnel.

Illicit Finance – Following the Money

Illicit drug sales in the United States continue to net tens of billions of dollars in illicit proceeds annually. One of the most effective methods for dismantling TCOs engaged in narcotics trafficking is to attack the criminal financial networks that are the lifeblood of their operations. HSI special agents identify and seize the illicit proceeds and instrumentalities of crime and target financial networks that transport, launder, and hide ill-gotten proceeds. As a customs agency with significant access to financial and trade data, HSI is uniquely positioned to identify TCO schemes to hide illicit drug proceeds within the stream of legitimate commerce; on vehicles, vessels, and persons departing the United States; or when crossing a digital border, such as the movement of funds electronically, including in the form of virtual assets like cryptocurrency. HSI's financial efforts in FY 2022 resulted in 2,607 arrests; 1,600 criminal indictments; 1,028 convictions; and the seizure of more than \$4.2 billion in illicit currency and other assets (at the time of seizure).

National Bulk Cash Smuggling Center

Despite the rise of alternative stores of value, such as virtual assets, bulk cash smuggling remains a key mechanism for TCO repatriation of drug proceeds. Criminal actors often avoid traditional financial institutions, which must comply with Bank Secrecy Act reporting requirements, instead repatriating their illicit proceeds through conveyances such as commercial and private aircraft, passenger and commercial vehicles, and maritime vessels, and via pedestrian crossings at our land borders.

Established in 2009, HSI's National Bulk Cash Smuggling Center (BCSC) is a critical component of the agency's and overall U.S. Government's efforts to combat bulk cash smuggling by TCOs. The BCSC operates strategic programs that leverage advanced data analytics, interagency partnerships, and law enforcement technology systems to identify complex money laundering networks and provide support for HSI financial investigations. The criminal intelligence functions of the BCSC provide operational analysis in support of HSI-led interdiction efforts, including port profiles highlighting cash flow activity at targeted POEs and corridor analyses to assist in planning the timing, location, and strategy for interdiction operations. The BCSC also administers a targeted, investigation-focused license plate reader program to identify larger criminal networks and a warrant-based GPS tracking program that provides valuable intelligence on the behaviors of criminal groups engaged in bulk cash smuggling. Since its inception through FY 2022, the BCSC has initiated or substantially contributed to the seizure of bulk cash totaling over \$1.73 billion.

TCOs are increasingly augmenting bulk currency smuggling with use of alternate value platforms in response to financial regulations and law enforcement efforts to identify money laundering networks. A single movement of TCO proceeds may involve bulk cash, stored value cards, money orders, cryptocurrency, wire transfers, funnel accounts, and trade-based money laundering (TBML). HSI adapts to evolving criminal methodologies by leveraging new law enforcement technologies to identify money laundering activity through these emerging alternate value platforms and seize criminal assets.

Trade-Based Money Laundering

TBML is the process of disguising criminal proceeds through international trade to hide their illicit origins. As the primary law enforcement agency that investigates TBML, HSI utilizes data resources, maintained by DHS encompassing trade, travel, and financial information, to identify TBML schemes. HSI has established several national initiatives that target specific TBML schemes and provides subject matter expertise, analytical support, and enforcement related support to HSI special agents. Specifically, HSI has the ability to intercept and interdict trade and individuals associated with TBML that have a nexus to the borders of the United States and provide the necessary information to initiate criminal investigations targeting this activity.

An integral part of combating TBML is the HSI-established Trade Transparency Units (TTUs), which combat the growing threat of international money laundering by TCOs via TBML. The TTUs accomplish this mission using partner country data sharing programs and the Data Analysis & Research for Trade Transparency Systems program. Through established partnerships, the TTUs have access to foreign trade, travel, and financial information used to

support ongoing criminal investigations and to address TBML on a global scale. These partnerships are based on bilateral agreements with the United States and 19 partner countries for the sharing of trade and financial information. Through the TTUs, HSI field offices can request information pertaining to companies and individuals that would otherwise be unavailable without the bilateral agreements.

Cryptocurrency

Cryptocurrencies are increasingly used to facilitate domestic and cross-border crime. HSI has seen nefarious actors use cryptocurrency in furtherance of a wide array of crimes HSI investigates. From individual actors to large scale TCOs, cryptocurrency can be exploited by any criminal organization engaged in almost any type of illicit activity, and this is especially true as it pertains to the use of cryptocurrencies to facilitate online distribution of fentanyl, methamphetamine, and other dangerous drugs. Both at home and abroad, cryptocurrencies are being used to purchase illicit items such as drugs on dark-net marketplaces and to launder criminally-derived proceeds. Cryptocurrencies are attractive to TCOs because they offer a relatively fast, inexpensive, and pseudonymous system of transactions as compared to more traditional financial transactions. As such, HSI investigations related to cryptocurrency have risen from one criminal investigation in 2011 to over 230 criminal investigations in FY 2021. In FY 2022, HSI seized nearly \$4 billion in cryptocurrency (at the time of seizure). This substantial increase signifies growing confidence in cryptocurrency use by criminals and criminal networks.

Southwest Border Weapons Smuggling

Another critical part of HSI's multi-discipline approach to combating the flow of illicit drugs into the United States includes combating the flow of illicit firearms and ammunition into Mexico. TCOs use corresponding southbound pathways to repatriate cash proceeds from illegal activities and secure sufficient armaments to remain a persistent threat to Mexican security forces.

Firearms smuggled from the United States into Mexico allow the TCOs to continue their deadly operations against our Mexican law enforcement partners and the local populace. In 2021, the Government of Mexico estimated at least 342,000 U.S.-sourced firearms are illegally smuggled into Mexico every year. Mexico's National Public Security System reported 34,515 intentional homicides with 70 percent involving firearms in 2020. During this period, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) performed traces on 19,762 firearms recovered in Mexico. ATF checks determined at least 67.7 percent were sourced from the United States with over half traced to a retail purchase.

Operation Without a Trace

HSI uses its customs authorities to target procurement networks responsible for smuggling U.S.-origin weapons into Mexico. This includes Operation Without a Trace (WaT), a unified DHS effort to fight the illegal trafficking of firearms and ammunition from the United States into Mexico. WaT is a federal partnership among HSI, CBP, ATF, and the Government of Mexico focused on the illicit purchase, transport, and distribution of firearms, firearms components, and ammunition from the United States to Mexico. WaT is a whole-of-government

effort recognized by the National Security Council to combat this threat. WaT's three-pronged approach leverages intelligence, interdiction, and investigative assets to identify, disrupt, and dismantle TCOs trafficking firearms. In FY 2022, WaT partners initiated 272 criminal investigations resulting in 302 arrests, and the seizure of 514 firearms, 1,019 magazines and more than 284,175 rounds of ammunition, all destined to TCOs in Mexico.

Conclusion

HSI's unique border authorities and dynamic, multi-tiered, multi-pronged strategies to combatting TCOs allows us to pursue impactful investigations to attack all aspects of these organizations. While our collective efforts are executed with diligence and a commitment to public safety, work remains at all levels – internationally, at the border, and throughout the United States. It is imperative HSI has the resources necessary to continue to remain at the forefront of the fight against transnational criminal organizations and their illicit activities.

Thank you again for the opportunity to appear before you today and for your continued support of HSI and our enduring efforts to dismantle TCOs throughout the world. I look forward to your questions.

**Testimony of Chris Cabrera
On behalf of the
National Border Patrol Council**

Background

Chairman Green and Ranking Member Thompson, thank you for providing me the opportunity to testify on behalf of the National Border Patrol Council (NBPC).

The NBPC represents the interests of 16,000 front line Agents at the Border Patrol and my name is Chris Cabrera. I joined the Border Patrol in 2003, after serving 4 years in the U.S. Army as a paratrooper. I have spent my entire Border Patrol career here in the Rio Grande Valley Sector of Texas.

In FY 2022 the Border Patrol made an unprecedented 2.2 million apprehensions. This figure is approximately 5 times the number of apprehensions made in the last year of the Trump Administration and a clear sign of how the border policies of the Biden Administration are failing.

Approximately half of the individuals we arrested last year were expelled under Title 42. As you know, this authority will cease to exist after May of this year. What happened to the other million that were not expelled? The vast majority were released into this country under either a Notice to Appear (NTA) or paroled.

In addition to the apprehensions we made, there were well over 1.2 million confirmed illegal immigrants that evaded capture in the last two years. They got away simply because we did not have enough agents to apprehend them. To put this in perspective, right now we are in the Rio Grande Valley which has a population is 1.3 million people. We had almost the entire population of this portion of South Texas walk right into this country illegally because we lacked the manpower to stop them. If that is not the definition of a problem, I don't know what is.

Issues

If we are going to address the chaos on the border, we need two things. First and foremost, we must end catch and release. Winston Churchill once famously said Americans always do the right thing, only after they have tried everything else. When it comes to catch and release, I feel like Winston Churchill was right. The first time I testified before Congress was before the Senate Homeland Security Committee in 2015. I told the Senate then and I will tell you today, as long as we continue to release illegal immigrants into this country, they will continue to come. It is that simple.

Ending catch and release not only makes common sense – it is also the law. Section 235(b) of the Immigration and Nationality Act requires Homeland Security to detain all migrants apprehended entering illegally. Homeland Security may, I emphasize may, parole individuals on a case-by-case basis for urgent humanitarian reasons or significant public benefit. That is not

what the Biden Administration has been doing the past two years and a federal judge just vacated the Administration's parole policy which is just catch and release by a different name.

The second issue is Congress's responsibility, and you need to resource Border Patrol to accomplish our mission of securing the border. Border Patrol staffing currently hovers around 19,300 agents and Tucson Sector Chief Joe Modlin testified in February before the House Oversight Committee that Border Patrol needs at least 22,000 agents to deal with the current crisis.

Increasing net manpower by 2,700 agents is going to take a tremendous effort that will require us to do two things simultaneously. First, we need to keep the agents we already have and recruit more agents. Sounds simple, but we have a problem. Border Patrol's attrition rate is currently 6.9 percent which is 72 percent higher than the Office of Field Operations. Worse news is that our attrition rate is expected to climb to over 9 percent by 2028.

The primary reason we cannot recruit and retain agents is that we lack pay parity with other federal law enforcement. I have spent most of my adult life protecting this country – first in the Army and for the last 20 years with Border Patrol. I love my job, and as I often tell my wife, you don't join the military or Border Patrol to get rich. However, I would make about \$15,000 more per year if I left Border Patrol. For many agents with young families the extra money and better work-life balance these other agencies offer makes the decision for them.

Let me be blunt, if we continue to hemorrhage personnel there is no way we will secure the border. We have spent billions on fencing, aircraft, and technology over the course of my career. All of these investments are important - and I want to thank you for it. However, we have not sufficiently invested in our agents, which are the most important element in border security.

Last Congress Senators Portman, Sinema, and Lankford introduced S. 4775 which has a provision, section 4, to address our recruitment and retention issues. I know the Committee is working on comprehensive legislation to address the crisis. I appreciate your efforts and the fact you came all the way down here to have this hearing to learn what we need. Now that you know what we need, I respectfully ask that you take action and that action must include addressing our recruitment and retention issues.

Thank you for the opportunity to testify and I will happily answer any questions you might have.