



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

March 24, 2023

The Honorable Dan Bishop
Committee on Homeland Security
Chairman, Subcommittee on Oversight,
Investigations, and Accountability
U.S. House of Representatives

The Honorable Glenn Ivey
Committee on Homeland Security
Ranking Member, Subcommittee
on Oversight, Investigations, and
Accountability
U.S. House of Representatives

Chairman Bishop and Ranking Member Ivey,

Thank you both for inviting myself and our fellow colleagues to join you all on this critical hearing to discuss America's northern border. I would also like to thank Congresswoman Stefanik, Congressman Stauber, and Congressman Higgins for their service and testimony today. Northern border security is an issue that has been ignored for far too long. I am so pleased to see the Committee giving our northern communities, northern border agents, and northern Members a voice in protecting all regions of our homeland.

I have had the distinct pleasure of representing Pennsylvania's Northwest communities in the U.S. House for the last twelve years. I have made it my mission to actively engage with all different sectors of our area: companies, schools, families, and hardworking Pennsylvanians. Among those hardworking Americans are our incredible Customs and Border Protection agents. We are blessed to have these brave men and women of the CBP Buffalo Sector patrolling the waters of Lake Erie, including the 40+ miles that I represent in Pennsylvania.

Throughout my twelve years serving the district, I have met with these agents to discuss their needs, priorities, and day-to-day operations out of their sector and station. Typically, our meetings are upbeat and swift. Reports are standard and the agents are optimistic. Last year, I once again visited the Erie station to chat with agents. This time was different. Agents had serious concerns. They were seeing a spike in drug and gun smuggling along their patrol area. At the same time, agents were forced to be inside at a desk doing digital processing work to assist with the influx of migrants in the south. Overall morale for these men and women was clearly low. This change in tone led to me and my team digging into what exactly was going on along the northern border.

Meanwhile down south, over the last two years, we have witnessed tragedies at our Southern border. Southern states have been overwhelmed with record illegal immigration, drug smuggling and crime that has continuously poured into the local communities. The Biden administration has sat back and watched these great states bear the brunt of disastrous and dangerous policies. Under the current administration, there seems to be no end in sight. Understandably, all the attention has been on the Southern border. At the same time, as we found out, America's Northern border has been ignored all while quietly facing its own crises.

According to Customs and Border Protection (CBP) data, in fiscal year 2022, US Border Patrol agents had 2,238 encounters at the northern border. Now, in just the first four months of FY23, encounters have skyrocketed to 2,856 and surpassed the total of last year's encounters. Agents continue to put themselves in harm's way to keep our communities safe, and this 475% increase in encounters from the first four months of FY22 is both unsustainable and symptomatic of this administration's broader failure to secure the border. As temperatures reach sub-zero levels and USBP agents conduct life-saving search and rescue missions, Secretary Mayorkas continues to insist that he is managing the border in a safe, orderly, and humane manner. However, our northern border is on track to see nearly 7,000 encounters in FY23, while the administration continues to downplay the threat posed by a wide-open northern border.

Specifically, the Swanton sector apprehended more undocumented immigrants in the previous four months than the last two fiscal years combined. In December 2022, a record 441 migrants from 19 different countries were apprehended attempting to cross into the U.S. through this sector. Further west, tragic stories, like an Indian family of four freezing to death as they attempted to cross into North Dakota, highlight the dangers DHS leaders have created for migrants and the brave men and women of USBP.

In addition to increases in illegal immigration, the northern border has seen a spike in drug smuggling. Excluding marijuana, drug smuggling seizure weight increased by nearly 600% along the northern border from FY21 to FY22. More specifically, khat increased 1,756%, ecstasy increased 1,736%, ketamine increased 663%, and methamphetamine increased 204%. Even more concerning, CBP seized 14 pounds of fentanyl in FY22 along the northern border; enough to kill an estimated 3.17 million people. The damage this lethal drug can do to a community has been well-documented over the years, notably across New England states. We cannot allow another avenue for fentanyl smuggling into our communities that are already inundated by the drug crisis down south.

As record levels of border encounters and drug smuggling continue to rise, USBP staffing on the northern border has remained relatively static. In between the 138 ports of entry in our northern states, only 2,019 USBP agents have been assigned to protect and monitor the 5,525 border miles. Along with being under-staffed, our northern border agents and DHS does not even have situational awareness of the crises. In a 2019 analysis, the U.S. Government Accountability

Office (GAO) stated DHS does not even have performance measures to assess security along the northern border. GAO concluded, “While CBP has performance measures...some of which include data from the Northern border, it does not have specific measures to assess its effectiveness at securing the Northern border between ports of entry.”

Not only do our states in the north face an ever-growing border concern, but we have firsthand knowledge and real-life experience of the broken immigration system. The Biden administration spent much of the last two years covertly dropping groups of migrants into communities across the country. This hit home when Health and Human Services shipped 144 unaccompanied migrant children to an emergency intake site in Erie, Pennsylvania. There was no notification or alert given to local leaders, the people of Erie, and myself. For months, we tried to get information regarding the situation – why was the Erie site chosen, what was the amount of taxpayer money spent, and where were these children taken following Erie? It took 17 months to get an answer from HHS and Secretary Becerra. Time after time, it has become clear to me that this administration is fine with security issues along our border and within our country as long as the headlines do not follow.

Once we understood the increasing issues along our northern border, we knew attention had to be brought to the problems. I circled up with fellow northern border members, such as Rep. Stefanik and Rep. Ryan Zinke. I thought I would be introducing them to these issues, but they were more than aware, bringing along stories of migrants freezing to death in the cold New York winters and deputized posses patrolling the Montana mountainside to combat drug traffickers.

We all agreed the Biden administration had to be held accountable for their neglect to our northern border and that is why we introduced the Northern Border Security Caucus. The caucus is a coalition of 29 members of Congress who share the vision of securing all of America’s borders and ensuring that the 13 border states and five Great Lakes in the north are receiving the attention and resources they deserve. Through the work of our new caucus, and that of House Republicans at large, we plan to show the Biden administration that our broken immigration system isn’t simply a talking point: it’s a critical issue that affects our entire country.

By calling attention to the northern border, we do not want to minimize the record illegal immigration, drug smuggling and crime that have ravaged communities along the U.S.-Mexico border. Instead, we are amplifying that message. More must be done to secure all of our borders; to protect our communities from deadly drugs; and to give leaders from northern states a greater voice in solving our nation’s troubled immigration system.

Although we serve on House committees that address policies other than immigration, like so many in Congress, this issue found us. Members of Congress from both the north and the south have practical solutions to the joint border crises at hand. We plan to give a greater voice to the American people who, until now, have been left out of the conversation. I once again thank the

Committee for welcoming myself and my fellow colleagues to testify on the issues facing America's northern border.

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Thank you, Chairman Green, Ranking Member Payne, Members of the Oversight, Investigations, and Accountability Subcommittee, for the opportunity to appear before you all today and testify on the crisis on our Northern Border.

While a lot of attention, rightfully so, has been paid to our Southern Border, our Northern Border is also facing a crisis. The U.S.-Canada border is the longest international border between two countries in the world. Recent news reports, along with data compiled over the past two years, show a surge in illegal migrant crossings and drug trafficking across the Northern border. Specifically, in the North Country sector of the border, which I partially represent, there has been an 846% increase in illegal border crossings. As the national security threat at our Northern Border continues to grow exponentially, there has been no corresponding increase in U.S. Border Patrol staffing, which is still at the same level as it was in Fiscal Year 2009.

I am honored to represent New York's 24th Congressional District, which runs along our Northern Border with Canada across Lake Ontario and the St. Lawrence River. This crisis is directly harming my constituents, as drugs and illegal aliens are trafficked along the border.

Under President Biden's failed leadership, our borders are less secure and our communities are at risk. It is critical now more than ever for members of Congress to come together with one voice to advocate against President Biden and Secretary of Homeland Security Alejandro Mayorkas' reckless policies and to focus on delivering the resources needed for our brave Border Patrol agents at our Northern Border to do their jobs effectively.

Since President Biden has taken office there has been an almost 15 times increase in Northern land border encounters. There were only 997 Northern land border encounters in January 2021. But that number has increased each month since. In the month of October 2022, there were 15,938 Northern land border encounters. In FY2020, there were 32,376 border encounters. In FY2022, there were 109,535 encounters. Under the Biden administration, drug smuggling has increased by 596% along the Northern border, including a 26% increase in fentanyl.

Border Patrol staffing has remained flat since Fiscal Year 2009. Since Fiscal Year 2009, staffing levels along the Northern border sectors have been between 1,887 and 2,263 personnel. FY2020 Northern border sector staffing was 2,019. The longest international border in the world, measuring 5,525 miles, the U.S. Northern border has only 115 ports of entry with no performance measures to assess security between ports. This is especially important in my district, which shares a considerable border with Canada across Lake Ontario. Numerous traffickers utilize this large expanse of water to bypass more heavily guarded sections of the border, funneling drugs into our communities.

Just a few weeks ago I had the opportunity to meet with our Buffalo Border Patrol agents, and they discussed the many issues they are facing. However, by far, the biggest challenge these public servants face is the lack of resources and assistance to effectively do their jobs. For example, under Secretary Mayorkas, each border sector must individually apply and receive permission to perform counter-Unmanned Aerial Systems (C-UAS) operations. It took Secretary Mayorkas roughly three weeks to approve the Buffalo Border Sector to perform C-UAS operations. During this time, drug smugglers continued to use UAS to traffic fentanyl and other drugs across the border that directly harms our communities.

Once again, I appreciate the opportunity to testify in front of the committee and I am glad to see the Northern Border crisis finally getting the attention it deserves.

Testimony of Congressman Brian Higgins before the Committee on Homeland Security

Thank you, Chair Bishop, and Ranking Member Ivey, for allowing me to testify. I served on this Committee for three terms. It is good to be back.

My name is Brian Higgins and I represent Buffalo, Niagara Falls, and Western New York in the House. It is good that you are having a hearing on the Northern Border today.

The United States and Canada have a unique and special relationship. We enjoy a shared border and shared values. I am a lifelong resident of Buffalo, New York. I have lived at the Northern Border my entire life.

My district is economically integrated with Southern Ontario. Buffalo is home to the Buffalo Bills football team and the Buffalo Sabres hockey team. Our community could not sustain them without Canadian season ticket holders. Nearly 4,000 United Auto Workers work at General Motors and Ford plants in Western New York. These plants - which help make combustion engine and electric vehicles - are in the stream of commerce with plants in Ontario.

The Buffalo airport has attracted low-cost airlines like JetBlue and Southwest because of proximity to the rapidly growing Toronto market. Western New Yorkers travel to Ikea in Ontario to furnish their homes. Canadian cars fill the parking lots at the Walden Galleria Mall in Cheektowaga, New York many weekends. Americans have owned cottages along Lake Erie in Bay Beach, Crystal Beach, and Sherkston for generations. Canadians ski at Ellicottville, New York. This productivity and life quality is possible because our Customs agents work every day to enforce and uphold our laws.

My district includes 4 land ports of entry and one rail crossing. They operate under treaties between the U.S. and Canada. At the bridges, our officers enforce our laws with great success.

Customs and Border Protection last year seized 60,000 pounds of drugs at our northern border, 98% of which were at our ports of entry. Our country asks a lot of these professionals. They did not sign up to be public health managers during the pandemic, but they have been forced to interpret confusing and inconsistent travel rules. And they are stretched too thin.

I oppose efforts to expand temporary duty travel. These assignments take officers away from their families and community for extended periods of time. I support the agreement that President Biden and Prime Minister Trudeau announced last week to address irregular migration. This collaboration shows we can work through challenges.

A lot more must be done. I have long publicly argued that our federal government does too little to support Northern Border communities. There should be a dedicated northern border infrastructure fund to pay for improvements to land ports of entry. By failing to invest, we have lost out on economic activity. There should be greater support for Sector Buffalo Coast Guard stations, something I have been advocating for since 2005 and is proceeding much too slowly.

Congress must also ensure that working conditions for border agents are optimal. This means funding an 8.6% cost of living increase in pay this year. We can also alleviate the strain of this work by increasing the number of officers, building on support from last year. It means funding for training – like expediting construction of a training facility in the Town of Lockport, New York and for resources to cope with mental health challenges. My community also needs more access to pre-clearance programs.

I urge you to push the Department to work with Canada to end the NEXUS backlogs that have piled up due to bureaucracy. You should also support my legislation to allow for more remote interviews – bringing trusted traveler programs into the 21st century. And we need your help pushing for pre-clearance at Niagara Falls train station and other settings.

I hope that this hearing can discuss these many challenges and think about practical solutions. In the last census, the population of the City of Buffalo increased for the first time in many decades. That increase was credited to the settlement of thousands of asylum seekers. Fleeing instability in far-away places, they have settled in Buffalo to make a new life. They are the latest generation to do so. I am the descendant of Irish immigrants whose predicament was not unlike these newcomers. I would say that many in this room may have a similar story in their histories as well.

As you conduct this hearing today, I hope we can all remember that shared humanity. Thank you.

House Homeland Security Committee
Subcommittee on Oversight, Investigations, and Accountability
“Biden’s Growing Border Crisis: Death, Drugs, and Disorder on the Northern Border
March 28, 2023

Testimony of Rep. Pete Stauber (R-MN)

Chairman Bishop, Ranking Member Ivey, and Members of the Subcommittee, I would like to thank you for convening this very important hearing, as well as for allowing me the opportunity to testify today on behalf of the people of Northern Minnesota.

I am proud to represent Minnesota’s 8th Congressional District, which contains a large portion of Minnesota’s nearly 550-mile-long border with Canada, including important crossings like the Northwest Angle, Grand Portage, and International Falls. Throughout the 8th District, cross-border traffic, commerce, recreation, and tourism play an incredibly important role. However, rather than benefiting the lives of my constituents the proximity to our unsecured Northern border with Canada is increasingly becoming a liability, as the effects of the Biden Administration’s disastrous immigration and border security policies become a part of my constituents’ everyday lives. As this Administration fails to properly address our growing crisis at our Southern border, the consequences are echoing throughout communities across the United States—particularly in our northern border communities.

As I visit with the hardworking Customs and Border Protection Agents in my district, I hear their concerns about staffing levels and the lack of focus to the north. According to agency data, CBP staffing levels along our Northern border have remained stagnant over the past decade, even as threats have increased. Agents in my district are being pulled away from their patrols, either being dispatched to patrol our Southern border, or being relegated to sit in their offices to process paperwork related to illegal crossings at the Southern border. On average, there is now only one officer on duty for every 275 miles of border in my district. Every minute that these officers’ attention is focused elsewhere, we are leaving our Northern border vulnerable to illicit activity, whether it be illegal crossings by individuals or trafficking of dangerous drugs. Drug smugglers and human traffickers are taking notice of the lax enforcement and growing vulnerability at the Northern border and are using it to their advantage.

As some of my colleagues have shared, drug trafficking along the Northern border is increasing exponentially. According to Customs and Border Protection data, drug smuggling across the Northern border has increased by nearly 600% since Fiscal Year 2021. These drugs are pouring over the Northern border and flowing directly into our communities, killing our citizens.

The communities in my district are being ravaged by the influx of lethal fentanyl. Today, fentanyl is the leading cause of death among adults in the United States, taking more lives each year than car accidents, suicide, heart disease, or cancer. In 2021, nearly 1,300 Minnesotans died of fentanyl overdose—a staggering 22% increase from the previous year.

Just last week, law enforcement officials in Hennepin County, MN charged six individuals for possession of 34 pounds of fentanyl, 14 pounds of methamphetamine, and nearly two pounds of cocaine. As many of us in this room have unfortunately learned in recent years, it takes only two milligrams of fentanyl to kill an adult. Last week's seizure—those 34 pounds of fentanyl—would have been enough to kill 7.8 million individuals, or enough to kill every Minnesotan nearly 1.5 times over.

During my twenty-three years working as a law enforcement officer in Duluth, MN, I worked tirelessly to keep illegal drugs off the streets and out of the hands of our young children. You do not know pain until you have to give a death notification to an unsuspecting parent, as I have had to do too many times. The drug crisis in this country has grown out of control, taking the lives of countless Americans from all walks of life each and every day. We will never be able to overcome this epidemic until we address this nation's porous borders and stop the flow of these drugs into our country.

Over Memorial Day weekend in 2022, resort owners along the border in my district encountered individuals trying to cross the northern border illegally by boat. When the resort owners went to call Customs and Border Patrol, no one answered their call. In fact, the voicemail said they were closed through the holiday. Unfortunately, illegal immigrants do not observe federal holidays, and five illegal immigrants escaped into our country.

This is just one of countless examples. In Fiscal Year 2022, we saw nearly 110,000 apprehensions of illegal immigrants across our entire Northern Border. So far, this year we are on track to see well over

150,000 apprehensions, according to the latest CBP data. In Minnesota, we are currently on track to see the number of apprehensions double year-over-year. And, keep in mind, these numbers only reflect the ones who got caught.

As Members of Congress, we have a duty to deliver results for the American people. The crisis at our Southern border, and increasingly the growing threat at our Northern border, is affecting the lives of Americans across the United States. We must act. Accordingly, I want to thank the Members of the Homeland Security Committee for taking on this issue. I stand ready to work with each of you to push back against the Biden Administration's disastrous open borders policies and once and for all address our growing, dual border crisis.

Thank you.