

ELIMINATING WASTE, FRAUD, AND ABUSE AT  
THE DEPARTMENT OF HOMELAND SECURITY:  
ADDRESSING THE BIDEN-HARRIS ADMINISTRA-  
TION'S FAILURES

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
OVERSIGHT, INVESTIGATIONS,  
AND ACCOUNTABILITY  
OF THE  
COMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED NINETEENTH CONGRESS

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## **ELIMINATING WASTE, FRAUD, AND ABUSE AT THE DEPARTMENT OF HOMELAND SECU- RITY: ADDRESSING THE BIDEN-HARRIS AD- MINISTRATION'S FAILURES**

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**Tuesday, March 11, 2025**

**U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS,  
AND ACCOUNTABILITY,  
Washington, DC.**

The subcommittee met, pursuant to notice, at 2:18 p.m., in room 310, Cannon House Office Building, Hon. Josh Brecheen (Chairman of the subcommittee) presiding.

Present: Representatives Brecheen, Greene, Strong, Ogles, Knott, Thanedar, Ramirez, and Thompson (ex officio).

Mr. BRECHEEN. The Committee on Homeland Security regarding Oversight, Investigations, and Accountability will come to order.

The purpose of today's hearing is to examine areas of rampant waste, fraud, abuse of taxpayer dollars by the Biden-Harris administration's Department of Homeland Security.

Without objection, the Chair is authorized to declare the committee in recess at any point.

I now recognize myself for an opening statement.

Again, welcome to the Subcommittee on Oversight, Investigations, and Accountability, our very first hearing of the 119th Congress, titled "Eliminating Waste, Fraud, and Abuse at the Department of Homeland Security: Addressing the Biden-Harris Administration Failures."

I'm honored to be the Chairman of the subcommittee, to be joined by my colleagues, distinguished guests, and experts.

I also congratulate Ranking Member Thanedar for his new role. There's a lot of work that we'll be doing in this Congress, and this subcommittee is excited to be on the forefront of assisting in the reformation of the Department of Homeland Security.

We'd also like to thank full committee Ranking Member Bennie Thompson for joining us today, who I know is not here. I don't see him, but he will be here shortly.

For too long, the Federal Government has spent money on programs, contracts, and grants that do not promote the interest of the American people. For 4 years, under the Biden-Harris administration, we've all watched taxpayer dollars entrusted with the Department of Homeland Security become subject to waste and abuse.

There is no doubt that inefficient, ineffective use of taxpayer resources undermined our national interests.

Under new leadership in the last 2 years in the House, under Republicans taking the Majority, this Oversight Subcommittee did press hard for transparency, offered the Biden-Harris administration solutions that fell on deaf ears.

The GAO, the Government Accountability Office, the Office of Inspector General have also remained, providing many recommendations, recommendations that could have saved taxpayer money and assist the Department in mission success.

For the last several years, nonprofit organizations, like The Heritage Foundation, America First Legal, the Council to Modernize Governance, who will join us today on the second panel of witnesses, had demanded transparency and accountability, but were consistently stonewalled by the Government.

Today, we will examine some of the rampant waste, fraud, and abuse at the Department of Homeland Security that occurred under the Biden-Harris administration and evaluate solutions. We must defend against such waste of hard-earned taxpayer resources.

Failures of the Biden-Harris administration are staggering. Because the previous administration refused to enforce immigration law, American sovereign borders have been in chaos. From 2021 to January 2025, a 4-year period, U.S. Customs and Border Protection encountered more than 11 million illegal aliens nationwide. Most of these 11 million illegal aliens were released and provided shelter, food, plane and bus tickets, cell phones, and cash by non-governmental organizations, known as NGO's, who receive billions of American taxpayer money.

One Office of the Inspector General report found that DHS, Department of Homeland Security, wasted under the Biden-Harris administration at least \$17 million paying one NGO for unused bed space for illegal aliens in a hotel. That \$17 million could have been spent on agent salaries, better equipment for Federal law enforcement, or improved training to help protect officers and keep communities safe.

In an attempt to shield the immigration crisis from the public, the Biden-Harris administration created a mass parole scheme to fly illegal aliens into the interior of the United States. These schemes were a clear abuse of power that left American citizens, vulnerable communities exposed to criminals, cartels, and potential terrorists. A notable component of this parole scheme was Operation Allies Welcome, used to bring Afghan nationals into the United States after President Biden's disastrous withdrawal from Afghanistan in 2021.

Multiple Inspector General reports found that DHS released Afghan nationals into the United States without adequate screening, without adequate vetting or monitoring, leaving our country vulnerable to a national security risk from those that were coming in.

In addition to the failure to protect America's borders, the Biden-Harris administration favored the use of the Federal Emergency Management Agency's, FEMA's agency's resource to support sanctuary cities and NGO's, nongovernmental organizations, for sheltering and caring for illegal aliens, monies that otherwise could be used elsewhere securing our Southern Border.

FEMA's crisis of focus has been worsened by its fragmented approach to disaster assistance, resulting in the Government Accountability Office, GAO, adding Federal disaster delivery to its 2025 high-risk list for waste, fraud, and abuse. I want to reiterate that. It resulted in the GAO adding Federal disaster delivery, FEMA's disaster aid to its 2025 high-risk list for waste, fraud, and abuse, which we will talk more about.

Another DHS component that experienced a crisis of focus under the Biden-Harris administration is the Cybersecurity and Infrastructure Security Agency, CISA. In the 118th Congress, this committee investigated and uncovered efforts by CISA to pressure social media companies to remove posts by Americans containing "mis-, dis-, and malinformation" related to the COVID-19 pandemic.

Republican lawmakers thankfully forced DHS to scuttle their attempts to stand up to this Disinformation Governance Board, as it's called, to further police the lawful speech of Americans on-line.

CISA's focus on censorship instead of its statutory mission to protect our critical infrastructure from cyber threats was misguided at best, nefarious at worst. Either way, the divergence from CISA's intended mission increased the risk to our cybersecurity. Over the last several years, the Office of Inspector General found severe cyber vulnerabilities in Homeland Security's networks, including TSA, ICE, and CBP.

President Trump has now augmented our efforts to return Americans to common sense on these policies. He's introduced Executive Orders to secure our borders, uphold the rule of law, defend against the waste of hard-earned taxpayer resources, and create transparency through the Executive branch.

On his first day in office, President Trump stated he would marshal all resources available to prevent unlawful entries across the borders of the United States, to pursue criminal charges against illegal alien criminals, and regain operational control of the border from cartels and smugglers.

President Trump also organized the FEMA Review Council to advise and report on potential reorganization of FEMA, leading to potentially, as the President has discussed, more State authority. Refocusing the Federal Government's disaster response efforts on helping Americans, including by vesting greater power in State governments to perform disaster response, is long overdue.

Finally, we must recognize that the Executive branch has acted swiftly in recent weeks to undo much of the Biden-Harris administration's waste of taxpayer dollars. The Department of Government Efficiency, or DOGE, has been instrumental in exposing and suspending, even within Department of Homeland Security, outlays on DEI programs, duplicative awards, and services for illegal immigrants.

Today, we'll examine how under the Biden-Harris administration DHS failed in its basic mission. We'll also explore opportunities for greater efficiency and cost savings in the Department of Homeland Security all across the Federal Government.

I welcome our Members, appreciate the important work ahead of us, and welcome our guests today. Thank you for joining us.

[The statement of Chairman Brecheen follows:]

## STATEMENT OF CHAIRMAN JOSH BRECHEEN

MARCH 11, 2025

Good afternoon and welcome to the Subcommittee on Oversight, Investigations, and Accountability's first hearing of the 119th Congress titled, "Eliminating Waste, Fraud, and Abuse at the Department of Homeland Security: Addressing the Biden-Harris Administration's Failures."

I am honored to be Chairman of this subcommittee, and to be joined by colleagues, distinguished guests, and experts. I also congratulate Ranking Member Thanedar on his new role. There's a lot of work to be done this Congress, and this subcommittee is excited to be at the forefront of assisting in the reformation of the Department of Homeland Security.

For too long, the Federal Government has spent money on programs, contracts, and grants that do not promote the interests of the American people. For 4 years under the Biden-Harris administration, I watched taxpayer dollars entrusted with the Department of Homeland Security become subject to waste, fraud, and abuse. There is no doubt that inefficient and ineffective use of taxpayer resources undermine the national interest.

Under Republican leadership in the last 2 years, this oversight subcommittee pressed hard for transparency and offered the Biden-Harris administration solutions that fell on deaf ears. The Government Accountability Office and the Office of Inspector General also have remaining open recommendations—recommendations that very well could save taxpayer money and assist the Department in mission success.

For the last several years, non-profit organizations like the Heritage Foundation, America First Legal, and the Council to Modernize Governance—who will join us today on the second panel of witnesses—have demanded transparency and accountability, but were consistently stonewalled by the Government.

Today, we will examine some of the rampant waste, fraud, and abuse at the Department of Homeland Security that occurred under the Biden-Harris administration to evaluate solutions. We must tirelessly defend against the waste of Americans' hard-earned resources entrusted to the Government.

The failures of the Biden-Harris administration are staggering. Because the previous administration refused to enforce immigration law, America's sovereign borders have been in chaos.

From February 2021 to January 2025, U.S. Customs and Border Protection encountered more than 11 million illegal aliens nationwide.

Most of those 11 million illegal aliens were released and provided shelter, food, plane and bus tickets, cell phones, and cash by non-governmental organizations—or NGO's—who received billions of taxpayer dollars.

One Office of the Inspector General report found that DHS wasted at least \$17 million dollars paying 1 NGO for unused bedspace for illegal aliens.

That's \$17 million dollars that could have been spent on agent salaries, better equipment for Federal law enforcement, or improved training to help protect officers and keep communities safe.

In an attempt to shield the immigration crisis from the public, the Biden-Harris administration created mass parole schemes to fly illegal aliens to the interior of the United States.

These schemes were a clear abuse of power that left American citizens and vulnerable communities exposed to criminals, cartels, and potential terrorists.

A notable component of this parole scheme was Operation Allies Welcome, used to bring Afghan nationals into the United States after President Biden's disastrous withdrawal from Afghanistan in 2021. Multiple Inspector General reports found that DHS released Afghan nationals into the United States without adequate screening, vetting, or monitoring, leaving our country vulnerable to national security risks.

In addition to their failure to protect America's borders, the Biden-Harris administration favored the use of the Federal Emergency Management Agency's resources to support sanctuary cities and NGO's for sheltering and caring for illegal aliens.

FEMA's crisis of focus has been worsened by its fragmented approach to disaster assistance, resulting in the Government Accountability Office, adding Federal disaster delivery to its 2025 high-risk list for waste, fraud, and abuse.

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CISA’s focus on censorship instead of its statutory mission to protect American critical infrastructure from cyber threats, was misguided at best, and nefarious at worst. Either way, the divergence from CISA’s intended mission increased the risks to our cyber security. Over the last several years, the OIG found severe cyber vulnerabilities in DHS networks, including at the TSA, ICE, and CBP.

President Trump has now augmented our efforts to return America to common-sense policies.

He introduced Executive Orders to secure our borders, uphold the rule of law, defend against the waste of hard-earned taxpayer resources, and create transparency throughout the Executive branch.

On his first day in office, President Trump stated that he would marshal all resources available to prevent unlawful entries across the borders of the United States, to pursue criminal charges against illegal alien criminals, and to regain operational control of the border from cartels and smugglers.

President Trump also organized the FEMA Review Council to advise and report on the potential reorganization of FEMA.

Refocusing the Federal Government’s disaster response efforts on helping Americans, including by vesting greater power in State governments to perform disaster response, is long overdue.

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The Department of Government Efficiency, or DOGE, has been instrumental in exposing and suspending DHS outlays on DEI programs, duplicative awards, and services for illegal immigrants.

Today, we’ll examine how under the Biden-Harris administration, DHS failed in its basic mission. We’ll also explore opportunities for greater efficiency and cost savings in the Department of Homeland Security and across the Federal Government.

I welcome our Members and appreciate the important work ahead of us. I also welcome our guests today. Thank you all for joining us.

**Mr. BRECHEEN.** I now recognize the Ranking Member, the gentleman from Michigan, Mr. Thanedar, for his opening statement.

**Mr. THANEDAR.** Good afternoon. I want to, first of all, congratulate Chairman Brecheen for his new role, and I’m delighted to be on this committee and work with you throughout the year in this Congress.

Also, welcome full committee Ranking Member Mr. Thompson to our committee here.

Good afternoon to all.

Look, waste, fraud, and abuse are not new. That’s why Congress established legitimate entities decades ago to help identify and root it out. Those experienced Government watchdogs are now being viciously attacked by President Trump and co-President Musk.

During his first week in office, Trump unlawfully fired 17 Inspectors General who defend against corruption and mismanagement in Government. Trump falsely claimed it is a very common thing to do, and pretended not to know the IGs he purged despite appointing many of them himself.

Those IGs saved taxpayers \$93 billion in fiscal year 2023 alone. Now, that is a \$26 return on every dollar spent.

Such savings are not—are only possible when IGs are truly independent from the administration they investigate. Such independence is also crucial for the Office of Special Counsel, which provides a safe place for Government employees to disclose wrongdoing. So it was no surprise when Trump unlawfully fired the head of OSC last month without cause.

Trump is purposefully gutting the watchdogs who can help check Presidential power and replacing them with a dangerous knock-off.

Musk's so-called Department of Government Efficiency, DOGE, has taken a chainsaw to the Federal Government, creating chaos and wreaking havoc.

DOGE has accessed highly-sensitive systems and information in a manner that makes it easier for our adversaries China and Russia to exploit. DOGE has purged the Government of dedicated civil servants, including thousands of national security employees who help collect intelligence and protect our country from terrorist attacks. DOGE has canceled contracts without regard to their purpose, including office leases, that enable the Government Accounting Office, Congress' own watchdog, to conduct reviews of national security programs.

Musk's DOGE is a national security nightmare that is eroding the Federal Government's ability to function effectively and efficiently, while the price of eggs skyrocket.

Let's not forget DOGE's disappearing receipts. Musk's financial savings claims are riddled with math errors, accidentally canceled contracts and contracts canceled by the Biden administration.

If this administration was serious about finding waste, fraud, and abuse, it would be supporting the legitimate independent agencies that exist for that sole purpose. It's time to end the failed DOGE experiment and restore power to the entity Congress entrusted to root out waste, fraud, and abuse.

With that, I yield back, Mr. Chair.

[The statement of Ranking Member Thanedar follows:]

STATEMENT OF RANKING MEMBER SHRI THANEDAR

MARCH 11, 2025

Waste, fraud, and abuse are not new. That's why Congress established legitimate entities decades ago to help identify and root it out.

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If this administration was serious about fighting waste, fraud, and abuse, it would be supporting the legitimate, independent agencies that exist for that sole purpose.

It's time to end the failed DOGE experiment and restore power to the entities Congress entrusted to root out waste, fraud, and abuse.

Mr. BRECHEEN. Thank you, Representative Thanedar.

I now recognize the full committee Ranking Member, the gentleman from Mississippi, Mr. Bennie Thompson, for his opening statement.

Mr. THOMPSON. Thank you very much, Mr. Chairman.

Mr. Chairman, my Republican colleagues are clearly obsessed with President Biden. They investigated him last Congress and turned up nothing. They tried to impeach him and turned up nothing. Now that he's out of office, they just can't get him out of their heads. Perhaps it's because the Musk-Trump co-Presidency and DOGE are unpopular. Musk and DOGE are so unpopular that my Republican colleagues are here today pretending that Joe Biden is still President so that they can have someone to beat up on for their failures.

But just in case my colleagues across the aisle don't get it, let me make it clear to you. Republicans are in charge here in the House. Republicans are in charge over in the Senate. Republicans appointed Justices who control the Supreme Court. Your "Orange Jesus" is in charge of the White House.

Republicans on this committee want to have a hearing to air their grievances about the Biden-Harris administration, because under the Trump-Musk administration, planes have been crashing out of the sky, the price of eggs has skyrocketed, tens of thousands of Americans have lost their jobs, and Russia and China are celebrating.

If Republicans really want to combat waste, fraud, and abuse, they should be laser-focused on overseeing Elon Musk's Department of Government Efficiency, which is a cheap knockoff of Congressionally-mandated watchdogs.

Elon Musk's DOGE not only is redundant but also is a direct threat to the homeland's security. It must be stopped.

Because Elon Musk's DOGE illegally dismantled USAID, food is rotting in the warehouses instead of feeding starving children overseas. That is waste. It is also a national security risk. Why? Because hungry nations won't go hungry for long. Our global adversary, China, will be right there to feed them, and China won't be there out of the goodness of their heart.

Elon Musk laughed during a Cabinet meeting as he described how DOGE accidentally cut Ebola funding, which is necessary to prevent the ravaging disease from becoming a pandemic and killing people here in the United States. Elon Musk froze Homeland Security grants that Congress authorized to help nonprofits prepare for a terrorist attack. Elon Musk's unvetted DOGE delinquents have accessed sensitive Federal information and fed sensitive data into unsecure artificial intelligence software that China and Russia are sure to exploit.

Pursuant to a demand from President Trump, the CIA shared the name of every single person hired at the intelligence agency over the last 2 years. The message went through an unsecured email address at OPM, the same agency that was previously hacked by China. At the same time, the Trump-Musk administration has fired thousands of Federal employees, including veterans,

people working in national security, and hundreds of DHS employees.

Who does that benefit? It surely doesn't make the United States safer.

Russian and Chinese spies are targeting recently-fired Federal workers with security clearances, and I can guarantee you that those foreign spies are targeting the young, inexperienced DOGE employees who have unfettered access to the Federal systems and classification information.

The Trump-Musk administration has created a national security nightmare, and my Republican colleagues are sleepwalking right into it. Make no mistake, Elon Musk's DOGE is a home-grown threat, and it's time for the other side to wake up.

Mr. Chair, I yield back.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

MARCH 11, 2025

My Republican colleagues are clearly obsessed with President Biden. They investigated him last Congress and turned up nothing. They tried to impeach him and turned up nothing. And now that he is out of office, they just can't get him out of their heads.

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Mr. BRECHEEN. Thank you, Ranking Member Thompson.

Other Members of the committee are reminded opening statements may be submitted for the record.

We are, as a committee, pleased to have a panel of Government witnesses before us today on this important topic.

I ask that our witnesses please rise and raise their right hand.  
[Witnesses sworn.]

Mr. BRECHEEN. Let the record reflect the witnesses answered in the affirmative.

Thank you, and please be seated.

I would now like to formally introduce our witnesses.

Mr. Chris Currie is the director of the homeland security and justice at the U.S. Government Accountability Office, GAO. Ms. Kristen Bernard is Department of Homeland Security's deputy inspector for audits. Ms. Erika Lang is the Department of Homeland Security's assistant inspector general for inspections and evaluations.

Thank you all as witnesses for being here today.

I want to now recognize Mr. Chris Currie for 5 minutes for his opening statement.

**STATEMENT OF CHRIS CURRIE, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE**

Mr. CURRIE. Thank you very much, Mr. Chairman, Ranking Member Thanedar, Ranking Member Thompson. It's an honor to be here today to talk about GAO's work on the Department of Homeland Security.

Since 2003 when DHS opened its doors, we've issued thousands of reports and just as many recommendations to improve the Department. There's been a lot of progress made over that 20-some-odd years, but there's a huge number of challenges that still remain. I can't cover them all in 5 minutes, but I just want to give you a snapshot of what I see as the biggest priorities.

Right now, there's 459 open recommendations that we have to the Department, but each year we send a letter to each Cabinet Secretary outlining those that are the highest priority.

Last year, we sent a letter outlining 37 open recommendations to the DHS Secretary, and these run across the gamut of the mission of the Department. For example, we've recommended they improve their IT procurement and acquisition processes, better training and hiring for Secret Service agents, simplifying disaster assistance, sharing cyber threat information across the Department and across agencies, and collecting better data on ICE detainees, just to give an example of a few of them.

Each year, we also identify areas of duplication, overlap, and fragmentation, and cost savings across the entire Federal Government. DHS has been a major part of that too. Since we've been doing that work, we've identified over \$19 billion in financial savings that the Department could save by making its programs more

efficient. Currently, there are many other areas, over 30 of them, that have still not been fully addressed by DHS.

Just to give a few examples of these, we have recommended that better procuring and streamlining its IT systems could save potentially hundreds of millions of dollars. Closing unnecessary Coast Guard boat stations that overlap with one another could save millions of dollars. DHS and the FBI could work together to better streamline the sharing and collection of terrorism information. Just to name a few.

I also want to discuss the DHS high-risk areas that are currently on our list. Every 2 years with a new Congress, GAO issues a high-risk report to Congress. There are currently over 30 issues across the Federal Government on there and many that affect DHS, but the 2 I want to highlight are, No. 1, DHS management at large. This has been on our high-risk list since 2003. It has been narrowed over the years as the Department has worked to create itself into one functioning department, but we still face a number of very difficult financial management and IT security issues.

For example, every year DHS's independent auditor identifies access controls and IT security problems with its systems, which clearly, as one of the Nation's foremost national security agencies, is a concern.

In financial management, DHS has a number of systems, including FEMA and ICE, which manage most of the Department's billions of dollars in resources, but some of these are over 25 years old. FEMA itself has 6 different procurement systems that can't talk to one another. So there are still some legacy challenges that have not been addressed in over 30 years since FEMA was first created.

Last, and you mentioned, Mr. Chairman, we just added a new area to the high-risk list this year, strengthening the delivery of Federal disaster assistance. There are over 30 different Federal agencies that are involved in disaster assistance of some kind. Since 2015, we as a Federal Government have spent close to half a trillion dollars on disaster assistance. There are a number of ways this program and these programs need to be streamlined. They are too complicated. We hear over and over again from survivors and State and local governments that they are too difficult, and oftentimes the assistance they get does not meet the expectation of what they think they're going to get.

Then last, you mentioned some of the issues about FEMA's mission workload. FEMA is stretched too thin. They are managing over 600 major disaster declarations, some going back 20 years. They have too much of a workload and they can't keep up with it. They have challenges retaining and hiring the right number of workers with the right skills. As more and more is being added to their workload, they just get further and further behind.

This completes my prepared remarks, and I look forward to the discussion.

[The prepared statement of Mr. Currie follows:]

## PREPARED STATEMENT OF CHRIS CURRIE

TUESDAY, MARCH 11, 2025

## GAO HIGHLIGHTS

Highlights of GAO-25-108165, a testimony before the Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security, House of Representatives.

*Why GAO Did This Study*

DHS has a pivotal role in securing the border, strengthening cybersecurity, and preventing violent acts of domestic extremism, among other roles. DHS has an annual discretionary budget of about \$60 billion, plus additional funding for disaster assistance. Oversight remains critically important to ensure effectiveness and efficiency.

GAO has designated 2 DHS areas to its High-Risk List: *Improving the Delivery of Federal Disaster Assistance* (2025) and *Strengthening DHS IT and Financial Management Functions* (2003).

This statement discusses GAO's highest priority recommendations for DHS and areas on GAO's High-Risk List, among other things.

This statement is based on products GAO issued from May 2024 to February 2025. For this work, GAO analyzed DHS strategies and other documents related to the Department's efforts to address its high-risk areas and interviewed DHS officials, among other actions.

*What GAO Recommends*

As of March 2025, GAO has 459 recommendations to DHS that remain open. These recommendations are designed to address the various challenges discussed in this statement. DHS has taken steps to address some of these recommendations. GAO will continue to monitor DHS's efforts to determine if they fully address the challenges GAO has identified.

## DEPARTMENT OF HOMELAND SECURITY.—KEY AREAS FOR DHS ACTION AND CONGRESSIONAL OVERSIGHT

*What GAO Found*

GAO has issued numerous reports with thousands of recommendations to the Department of Homeland Security (DHS) over the Department's history. DHS has yet to fully address many recommendations that would help ensure effectiveness and efficiency, including dozens of the highest-priority recommendations. For example, implementing GAO's priority recommendations could help DHS address the increasing risk of catastrophic cyber incidents for U.S. critical infrastructure, better allocate billions of dollars used to procure goods and services, and build effective policy to address violent extremism. DHS's continued attention could lead to significant improvements in Government operations.

In addition, GAO is tracking 2 DHS high-risk areas:

- *Improving the delivery of Federal disaster assistance.*—Natural disasters have become costlier and more frequent (see figure). In the last 10 years, appropriations for disaster assistance, including to DHS, totaled at least \$448 billion, plus an additional \$110 billion in supplemental appropriations so far in fiscal year 2025. Recent disasters such as Hurricanes Helene and Milton and wildfires in California have demonstrated the need for Government-wide action to deliver assistance efficiently and effectively and reduce its fiscal exposure. In particular, attention is needed to improve processes for assisting survivors, invest in resilience, and strengthen the disaster workforce and capacity.



Source: GAO | GAO-25-108165

- *Strengthening DHS IT and financial management functions.*—DHS manages an annual discretionary budget of about \$60 billion, but it has faced difficulties with IT and financial management. More work remains for DHS to (1) strengthen its information security program, and (2) modernize its components' financial management systems and business processes. These security and modernization efforts are critical given the significant amount of money DHS manages for disasters as well as its sizable annual budget.

Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee: I am pleased to be here today to discuss key oversight areas for the Department of Homeland Security (DHS). Over 20 years ago, the September 11, 2001, terrorist attacks led to profound changes in Government agendas, policies, and structures to confront homeland security threats facing the Nation. Most notably, DHS began operations in 2003 with key missions that included preventing terrorist attacks from occurring in the United States, reducing the country's vulnerability to terrorism, and responding to and minimizing the damages from any attacks and natural disasters that may occur.

Given the constantly-evolving threat landscape, DHS's expansive missions, and its annual discretionary budget of about \$60 billion, oversight remains critically important to ensure effectiveness and efficiency. Over the Department's history, we have issued numerous reports with thousands of recommendations to DHS. In addition to our individual reports, we periodically highlight pressing issues through our High-Risk List,<sup>1</sup> duplication and cost savings series,<sup>2</sup> and priority recommendations letters.<sup>3</sup>

DHS has challenges in several high-risk areas. In particular, in our most recent High-Risk update in February 2025, we designated *Improving the Delivery of Federal Disaster Assistance* as a new high-risk area. We added this area in recognition of the need for DHS to deliver assistance as efficiently and effectively as possible, address the fragmented Federal approach to disaster recovery, and to reduce fiscal exposures from the increased cost and frequency of disasters and the fragmented Federal approach to disaster recovery. Additionally, *Strengthening DHS IT and Financial Management Functions* is a long-standing high-risk area with challenges that have persisted since the beginnings of the Department in 2003.

Our recommendations to DHS can assist Congress in identifying key areas for oversight that could result in significant improvements and benefits. In particular,

<sup>1</sup> At the beginning of each new Congress, we issue an update to our High-Risk series, which identifies Government operations with serious vulnerabilities to fraud, waste, abuse, and mismanagement, or in need of transformation. See GAO, *High-Risk Series: Heightened Attention Could Save Billions More and Improve Government Efficiency and Effectiveness*, GAO-25-107743 (Washington, DC: Feb. 25, 2025).

<sup>2</sup> Each year, we report on Federal programs with fragmented, overlapping, or duplicative goals or actions, and we have suggested hundreds of ways to address those problems, reduce costs, or boost revenue. See GAO, *2024 Annual Report: Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Billions of Dollars in Financial Benefits*, GAO-24-106915 (Washington, DC: May 15, 2024). We plan to issue the next report in spring 2025.

<sup>3</sup> Each year, we send letters to the heads of key departments and agencies, urging them to focus on priority recommendations. We highlight these recommendations because, upon implementation, they may significantly improve Government operations, for example, by realizing large dollar savings; eliminating mismanagement, fraud, and abuse; or making progress toward addressing a high-risk or duplication issue. See, for example, GAO, *Priority Open Recommendations: Department of Homeland Security*, GAO-24-107251 (Washington, DC: Aug. 19, 2024).

DHS has not yet fully addressed 36 recommendations that could better address fragmentation, duplication, and overlap. Further, we have also made additional priority recommendations that could significantly improve the efficiency of DHS operations.

My statement today is based on our prior work identifying these key areas for DHS oversight. For example, this statement includes information on our priority recommendations to DHS; our fragmentation, overlap, and duplication series; and our high-risk series, including our most recent high-risk update in February 2025.

For this work, we analyzed DHS strategies and other documents related to the Department's efforts to address its high-risk areas and interviewed DHS officials, among other actions. In addition, to perform our prior work, we reviewed and analyzed Federal law, agency guidance, and other agency documentation. More detailed information on the scope and methodology of our prior work can be found within each of the issued reports cited throughout this statement.

We conducted the work on which this statement is based in accordance with all sections of our Quality Assurance Framework that are relevant to our objectives. The framework requires that we plan and perform the engagement to obtain sufficient and appropriate evidence to meet our stated objectives and to discuss any limitations in our work. We believe that the information and data obtained, and the analysis conducted, provide a reasonable basis for any findings and conclusions in this product.

#### PRIORITY RECOMMENDATIONS TO DHS

As of March 2025, there are 459 open GAO recommendations across DHS's mission set that have not yet been fully addressed.<sup>4</sup> Fully implementing these open recommendations could significantly improve DHS operations. In addition, each year, GAO sends a letter to all Federal agencies identifying those recommendations that we deem as highest priority. In our 2024 DHS priority recommendations letter, we highlighted 37 priority recommendations.<sup>5</sup> DHS has since implemented 5 of these recommendations.

In general, our priority recommendations to DHS relate to emergency preparedness and response; border security and immigration; countering violent extremism and domestic terrorism; domestic intelligence and information sharing; information technology and cybersecurity; and infrastructure, acquisition, and management. DHS's continued attention to these issues could lead to significant improvements in Government operations. For example:

- *Cybersecurity*.—In June 2022, we recommended that the Cybersecurity and Infrastructure Security Agency work with the Federal Insurance Office to produce a joint assessment for Congress on the extent to which the risks to the Nation's critical infrastructure from catastrophic cyber attacks—and the potential financial exposures resulting from these risks—warrant a Federal insurance response.<sup>6</sup> As of March 2024, DHS had collaborated with the Department of the Treasury on identifying data needs for the agencies' joint assessment of the need for a Federal insurance response to address catastrophic cyber attacks and plans to continue collaborating on a joint cyber insurance assessment. We will continue to monitor DHS's progress. An assessment with DHS's analysis of the cyber risks facing critical infrastructure could inform Congress in its deliberations related to addressing the increasing risk of catastrophic cyber incidents for U.S. critical infrastructure.
- *Procurement management*.—In July 2021, we recommended that DHS ensure its chief procurement officer uses a balanced set of performance metrics to manage the Department's 10 procurement organizations, including outcome-oriented metrics to measure (a) cost savings/avoidance, (b) timeliness of deliveries, (c) quality of deliverables, and (d) end-user satisfaction.<sup>7</sup> In February 2024, DHS showed that in fiscal year 2023, the Department used category management activities for about 80 percent of its common goods and services expenditures (\$18

<sup>4</sup> In November 2024, we reported that, on a Government-wide basis, 70 percent of our recommendations made 4 years ago were implemented. See GAO, *Performance and Accountability Report, Fiscal Year 2024*, GAO-25-900570 (Washington, DC: Nov. 15, 2024). DHS's recommendation implementation rate was 84 percent.

<sup>5</sup> GAO-24-107251. We plan to issue our next priority recommendations update in spring 2025.

<sup>6</sup> GAO, *Cyber Insurance: Action Needed to Assess Potential Federal Response to Catastrophic Attacks*, GAO-22-104256 (Washington, DC: June 21, 2022).

<sup>7</sup> GAO, *Federal Contracting: Senior Leaders Should Use Leading Companies' Key Practices to Improve Performance*, GAO-21-491 (Washington, DC: July 27, 2021).

billion of \$22.5 billion) and had tracked savings of \$502 million.<sup>8</sup> We will continue to monitor DHS's progress. Using a balanced set of performance metrics would help DHS better identify improvement opportunities, set priorities, and allocate resources.

- *Targeted violence.*—In July 2021, we recommended that DHS, in consultation with affected offices and components, establish common terminology for targeted violence.<sup>9</sup> As of February 2025, DHS officials stated that the draft terminology was still under review and anticipated that the definition would be finalized and published by September 2025. Without a common definition for targeted violence, it will be difficult for DHS to assess threats, track trends, and build effective policy within DHS and the stakeholder community. We will continue to monitor DHS's progress.
- *Southwest Border security.*—In February 2020, we recommended that DHS, together with the Department of Health and Human Services (HHS), collaborate to address information-sharing gaps to ensure that HHS's Office of Refugee Resettlement receives information needed to make decisions for unaccompanied alien children, including those apprehended with an adult.<sup>10</sup> In fall 2023, DHS and HHS reported that they were working on a new interagency agreement to govern information sharing. As of February 2025, DHS and HHS have not finalized the new agreement, but DHS officials stated they expect to finalize it in spring 2025. We will continue to monitor DHS's progress. Finalizing an information-sharing agreement that addresses information-sharing gaps we identified would enable HHS to make more informed and timely decisions for unaccompanied children.
- *Secret Service training.*—In May 2019, we recommended that the U.S. Secret Service develop and implement a plan to ensure that special agents assigned to Presidential Protective Division and Vice Presidential Protective Division reach annual training targets given current and planned staffing levels.<sup>11</sup> In February 2025, Secret Service officials told us—due to events involving the Secret Service during the 2024 Presidential Campaign and recently enacted legislation—they are revising training targets and staffing levels. We will continue to monitor the Secret Service's progress. Developing and implementing a plan for meeting protection-related training targets would better prepare special agents to effectively respond to the security threats faced by the President and other protectees.

#### OPPORTUNITIES TO ADDRESS FRAGMENTATION, OVERLAP, AND DUPLICATION AND ACHIEVE FINANCIAL BENEFITS

Since 2011, we have made dozens of recommendations to DHS that address duplication, overlap, and fragmentation, which could save taxpayers millions of dollars.<sup>12</sup> DHS has implemented some of these recommendations and has realized significant benefits. As of July 2024, we had identified 83 instances of financial benefits totaling \$19.5 billion as a result of implementing our recommendations where DHS was a contributing agency.<sup>13</sup> For example, in response to our 2017 recommendations that the Coast Guard address 18 unnecessarily duplicative boat stations, which, if permanently closed, would reduce costs by \$290 million over 20 years. DHS has directed the consolidation of 5 stations and saved about \$10 million as of February

<sup>8</sup> Category management is an acquisition approach intended to help the Federal Government better manage categories of spending for commonly-purchased products and services.

<sup>9</sup> According to DHS's *Strategic Framework for Countering Terrorism and Targeted Violence* and implementation plans, DHS generally uses the term targeted violence to refer to any incident of violence that implicates homeland security and/or DHS activities in which a known or knowable attacker selects a particular target prior to the violent attack. However, the strategy states that this use of the term is unduly broad, and it indicates that it does not help the agency or stakeholders have a common understanding of the threat posed by targeted violence. This contributed to our recommendation for establishing common terminology. See GAO, *Countering Violent Extremism: DHS Can Further Enhance Its Strategic Planning and Data Governance Efforts*, GAO-21-507 (Washington, DC: July 20, 2021).

<sup>10</sup> GAO, *Southwest Border: Actions Needed to Improve DHS Processing of Families and Coordination between DHS and HHS*, GAO-20-245 (Washington, DC: Feb. 19, 2020).

<sup>11</sup> GAO, *U.S. Secret Service: Further Actions Needed to Fully Address Protective Mission Panel Recommendations*, GAO-19-415 (Washington, DC: May 22, 2019).

<sup>12</sup> GAO-24-106915.

<sup>13</sup> This financial benefit amount reflects benefits from all contributing agencies to these accomplishments, and therefore exceeds benefits attributable to actions by DHS. See GAO, *Open GAO Recommendations: Financial Benefits Could Be Between \$106 Billion and \$208 Billion*, GAO-24-107146 (Washington, DC: July 11, 2024).

2025.<sup>14</sup> Additional boat stations may be considered for closure in the future, which could result in additional cost savings.

As of May 2024, DHS had not yet fully implemented 36 of our recommendations aimed at addressing fragmentation, overlap, and duplication or achieving financial benefits.<sup>15</sup> For example:

- *Critical infrastructure protection.*—In March 2024, we recommended that DHS's Cybersecurity and Infrastructure Security Agency implement guidance to better manage fragmentation and improve its interagency collaboration efforts aimed at addressing risks to operational technology used in operating critical infrastructure, such as oil and gas distribution.<sup>16</sup> DHS concurred with this recommendation. DHS has taken some steps to address this recommendation but has not completed its efforts to determine how its products and services are performing to make improvements to such products and services.
- *Coast Guard housing.*—In February 2024, we recommended that the Coast Guard assess the potential benefits of certain housing authorities and develop a legislative proposal, if appropriate, to better manage its housing program costs.<sup>17</sup> As of fiscal year 2023, for example, the Coast Guard was managing about \$4.6 billion in Government-owned housing and 37 percent of these assets were beyond their service life. DHS concurred with this recommendation. The Coast Guard has taken some actions to address this recommendation and anticipates completing its assessment in June 2025.
- *Countering domestic terrorism.*—In February 2023, we recommended that the DHS under secretary for intelligence and analysis, in collaboration with the director of the Federal Bureau of Investigation, assess existing formal agreements to determine if they fully articulate a joint process for working together to counter domestic terrorism threats and sharing relevant domestic terrorism-related information and update and revise accordingly.<sup>18</sup> DHS concurred with this recommendation. As of February 2025, DHS has taken some steps to implement this recommendation by reviewing its formal agreements with the Federal Bureau of Investigation and reaching one new agreement to assign a Federal Bureau of Investigation staff member to a DHS counterterrorism office to better facilitate information sharing.

In addition to recommendations to DHS, we have also identified matters for Congressional consideration that could help address fragmentation, overlap, or duplication or realize financial benefits.<sup>19</sup> For example:

- *Disaster recovery.*—Congress should consider establishing an independent commission to recommend reforms to the Federal Government's approach to disaster recovery.<sup>20</sup> In January 2025, a bill was introduced in the U.S. Senate that would establish a Commission on Federal Natural Disaster Resilience and Recovery to examine and recommend reforms to improve the efficiency and effectiveness of the Federal Government's approach to natural disaster resilience and recovery, and for other purposes. We will continue to monitor the progress of this bill.
- *Interagency communication.*—Congress may wish to consider requiring the Departments of Justice, Homeland Security, and Treasury to collaborate on the development and implementation of a joint radio communications solution.<sup>21</sup> As

<sup>14</sup> GAO, *Coast Guard: Actions Needed to Close Stations Identified as Overlapping and Unnecessarily Duplicate*, GAO-18-9 (Washington, DC: Oct. 26, 2017).

<sup>15</sup> GAO-24-106915.

<sup>16</sup> GAO, *Cybersecurity: Improvements Needed in Addressing Risks to Operational Technology*, GAO-24-106576 (Washington, DC: Mar. 7, 2024).

<sup>17</sup> GAO, *Coast Guard: Better Feedback Collection and Information Could Enhance Housing Program*, GAO-24-106388 (Washington, DC: Feb. 5, 2024).

<sup>18</sup> GAO, *Domestic Terrorism: Further Actions Needed to Strengthen FBI and DHS Collaboration to Counter Threats*, GAO-23-104720 (Washington, DC: Feb. 22, 2023).

<sup>19</sup> GAO-24-106915.

<sup>20</sup> GAO-23-104956.

<sup>21</sup> Specifically, Congress may wish to consider requiring the departments to (1) establish an effective governance structure that includes a formal process for making decisions and resolving disputes, (2) define and articulate a common outcome for this joint effort, and (3) develop a joint strategy for improving radio communications. See GAO, *Radio Communications: Congressional Action Needed to Ensure Agencies Collaborate to Develop a Joint Solution*, GAO-09-133 (Washington, DC: Dec. 12, 2008). Legislation has been enacted to provide funding for, among other things, the development of a nationwide, interoperable broadband network that is aimed at improving interoperable radio communications among public safety officials. However, the use of the broadband network by public safety users is voluntary. In addition, as of January 2025, officials from the Departments of Justice, Homeland Security, and the Treasury stated that they currently do not expect to use the nationwide public safety broadband network to fully support

Continued

of February 3, 2025, there has been no legislative action taken that would require these departments to (1) collaborate on the development and implementation of an interoperable radio communications solution or (2) commit to using the nationwide public safety broadband network to fully support their mission-critical voice operations.

We continue to monitor DHS and Congressional actions and will provide updated information in our annual report in spring 2025.<sup>22</sup>

#### HIGH-RISK AREA: IMPROVING THE DELIVERY OF FEDERAL DISASTER ASSISTANCE

In February 2025, we added *Improving the Delivery of Federal Disaster Assistance* to our High-Risk List. Given the rise in the number and cost of disasters and increasing programmatic challenges related to the delivery of Federal disaster assistance identified in our work, disaster assistance merited a high-risk designation.<sup>23</sup> In 2018, the National Oceanic and Atmospheric Administration calculated that the United States experienced 14 disasters that each cost more than \$1 billion in total economic damages. By 2024, the number of disasters costing at least \$1 billion almost doubled to 27. That same year at least 568 people died, directly or indirectly, as a result of those disasters. In addition to natural disasters, the COVID-19 pandemic—which was a Federally-declared disaster—tested Federal agencies' capacity to mount an effective and equitable nationwide response.

Recent disasters demonstrate the need for the Federal Government to take Government-wide action to deliver assistance efficiently and effectively and reduce its fiscal exposure.

- Hurricanes Helene and Milton occurred within 2 weeks of one another in 2024 and affected some of the same areas in the Southeast (see fig. 1). These two disasters resulted in over 200 deaths and are expected to cost over \$50 billion, according to the National Oceanic and Atmospheric Administration.
- On January 8, 2025, the President approved a major disaster declaration for historic wildfires in Los Angeles County, California. The wildfires were unprecedented in their size, scope, and the damage they caused. The Palisades and Eaton fires resulted in 29 deaths and the expected financial cost is still unknown as of March 2025.

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their mission-critical voice operations. As a result, this legislation will not remedy these agencies' fragmented approaches to improving interoperable radio communications.

<sup>22</sup>In between annual updates, GAO's Duplication and Cost Savings website is a publicly accessible resource that allows Congress, agencies, and the public to track the Federal Government's progress in addressing the issues we have identified.

<sup>23</sup>GAO-25-107743.

Figure 1: Debris from Damaged Homes Following Hurricanes Helene and Milton, 2024, Florida



Source: GAO. | GAO-25-108165

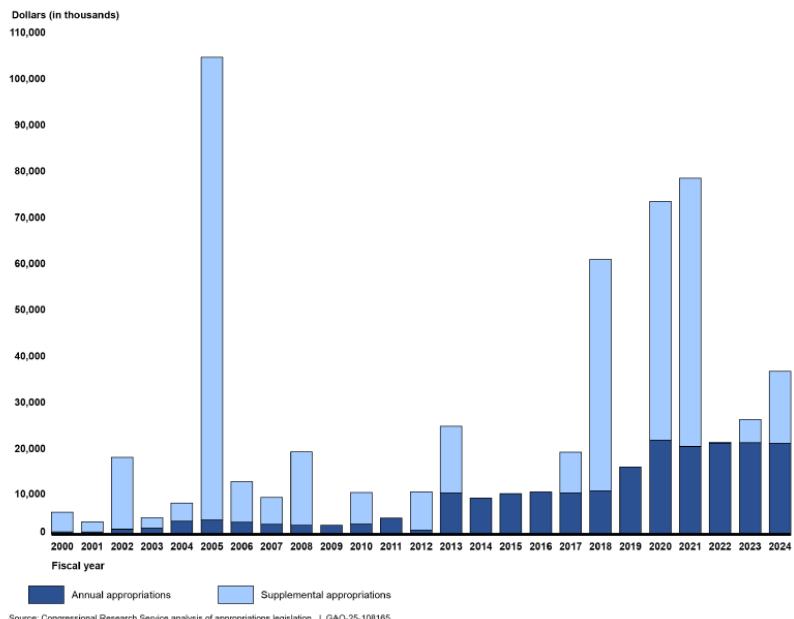
Disaster assistance includes providing support to communities and survivors for response to, recovery from, and resilience to man-made and natural disasters. For fiscal years 2015 through 2024, appropriations for disaster assistance totaled at least \$448 billion.<sup>24</sup> In total, the Federal Emergency Management Agency (FEMA) provided assistance to over 2 million households for Federal disaster assistance in 2024.

The Disaster Relief Fund, administered by FEMA, pays for several key disaster response, recovery, and mitigation programs that assist communities impacted by Federally-declared emergencies and major disasters.<sup>25</sup> Annual appropriations to this fund have varied but generally increased from fiscal year 2000 to fiscal year 2024, as shown in figure 2.

<sup>24</sup> This total includes \$312 billion in selected supplemental appropriations to Federal agencies for disaster assistance and approximately \$136 billion in annual appropriations to the Disaster Relief Fund for fiscal years 2015 through 2024. It does not include other annual appropriations to Federal agencies for disaster assistance. Of the supplemental appropriations, \$97 billion was included in supplemental appropriations acts that were enacted primarily in response to the COVID-19 pandemic. Additionally, in December 2024, the Disaster Relief Supplemental Appropriations Act, 2025, appropriated \$110 billion in supplemental appropriations for disaster assistance. Pub. L. No. 118-158, div. B, 138 Stat. 1722 (2024).

<sup>25</sup> Other Federal agencies have specific authorities and resources outside of the Disaster Relief Fund to support certain disaster response and recovery efforts.

Figure 2: Disaster Relief Fund Appropriations in Fiscal Year 2023 Dollars, Fiscal Year 2000 to Fiscal Year 2024



Note: Fiscal year 2013 numbers do not reflect the impact of sequestration. Supplemental data include contingent appropriations and all appropriations under the heading of "Disaster Relief" or "Disaster Relief Fund" including the language "for an additional amount." Appropriations do not account for transfers and rescissions. Deflator used was drawn from the FY2024 Budget of the United States Government, "Historical Tables," Table 1.3—Summary of Receipts, Outlays, and Surpluses or Deficits (—) in Current Dollars, Constant (FY2012) Dollars, and as Percentages of GDP: 1940—2028.<sup>26</sup>

There are about 60 open recommendations related to this new high-risk area, as of March 2025. In addition, there are 4 matters for Congressional consideration to help address the Nation's delivery of disaster assistance.

FEMA and other Federal entities—including Congress—need to address the Nation's fragmented Federal approach to disaster recovery. Attention is also needed to strengthen FEMA's disaster workforce and capacity and invest in resilience.

- *Reducing Fragmentation of the Federal Approach to Disaster Assistance.*—The Federal approach to disaster recovery is fragmented across more than 30 Federal entities, making it harder for survivors and communities to successfully navigate the disaster assistance process. The Federal entities involved have multiple programs and authorities that have differing requirements and time frames. Moreover, data sharing across entities is limited. As administrator of several disaster recovery programs, FEMA should also take steps to better manage fragmentation across its own programs, as we recommended.<sup>26</sup> Such actions could make the programs simpler, more accessible and user-friendly, and improve the effectiveness of Federal disaster recovery efforts. Reforming the Federal Government's approach to disaster recovery and reducing fragmentation could improve service delivery to disaster survivors and communities and improve the effectiveness of recovery efforts. In response to our recommendations, as of February 2024, FEMA had taken steps to streamline the applications for 2 of its recovery programs.<sup>27</sup> However, FEMA will need to demonstrate that it has thoroughly considered available options to (1) better manage fragmentation across its own programs, (2) identify which changes FEMA intends to implement to its recovery programs, and (3) take steps to fully implement this recommendation.

<sup>26</sup> GAO, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, GAO-23-104956 (Washington, DC: Nov. 15, 2022).

<sup>27</sup> GAO-23-104956.

- *Strengthening FEMA's Disaster Workforce.*—FEMA's staffing levels and workforce challenges have limited its capacity to provide effective disaster assistance. In recent years, the increasing frequency and costs of disasters, the COVID-19 pandemic, and other responsibilities have placed additional pressures on FEMA.

In January 2022, we reported that FEMA has faced challenges with deploying staff with the right qualifications and skills to meet disaster needs.<sup>28</sup> We recommended that FEMA develop a plan to address challenges in providing quality information to field leaders about staff qualifications. FEMA officials told us that the actions in the plan enhance reliability of FEMA workforce qualifications and increases field leadership accessibility of workforce information. Such actions could better enable the agency to use its disaster workforce flexibility as effectively as possible to meet mission needs in the field.

In May 2023, we reported that FEMA uses different processes under various statutory authorities to hire full-time employees and temporary reservists.<sup>29</sup> We found that FEMA had an overall staffing gap of approximately 35 percent across different positions at the beginning of fiscal year 2022. While the gaps varied across different positions, Public Assistance, Hazard Mitigation, and Logistics generally had lower percentages of staffing targets filled—between 44 and 60 percent at the beginning of fiscal year 2022. These positions serve important functions, including administering assistance to State and local governments, creating safer communities by managing risk reduction activities, and coordinating all aspects of resource planning and movement during a disaster. FEMA only had 9 percent of its disaster-response workforce available for Hurricane Milton response as staff were deployed to other disasters such as Hurricane Helene in the southeast and flooding in Vermont.<sup>30</sup> In addition, FEMA only had 20 percent of its disaster-response workforce available for Los Angeles fire response.<sup>31</sup> We have made numerous recommendations to help FEMA better manage catastrophic or concurrent disasters.

- *Investing in Resilience.*—Disaster resilience can reduce the need for more costly future recovery assistance. In our *Disaster Resilience Framework*, we reported that the reactive and fragmented Federal approach to disaster risk reduction limits the Federal Government's ability to facilitate significant reduction in the Nation's overall disaster risk.<sup>32</sup>

FEMA's hazard mitigation assistance programs provide assistance for eligible long-term solutions that reduce the impact of future disasters, thereby increasing disaster resilience. However, we have reported that there are areas in which FEMA can improve its hazard mitigation assistance grant programs.

For example, the Safeguarding Tomorrow through Ongoing Risk Mitigation Act of 2021 authorized FEMA to award capitalization grants—seed funding—to help eligible States, territories, Tribes, and the District of Columbia establish revolving loan funds for mitigation assistance.<sup>33</sup> In response, FEMA established the Safeguarding Tomorrow Revolving Loan Fund grant program in 2022. In February 2025, we found that while FEMA has identified some tools to collect information on the Revolving Loan Fund program, FEMA does not have a process for systematically collecting and evaluating the information to assess program effectiveness across all phases of the program.<sup>34</sup> We recommended that FEMA document and implement a process to regularly assess program effectiveness using evidence-based decision-making practices to help instill confidence in program participants and better ensure the long-term sustainability and success of the program.

#### HIGH-RISK AREA: STRENGTHENING DHS IT AND FINANCIAL MANAGEMENT FUNCTIONS

Shortly after DHS was formed, we designated *Implementing and Transforming DHS* as a high-risk area in January 2003 because it had to transform 22 agencies—

<sup>28</sup> GAO, *FEMA Workforce: Long-Standing and New Challenges Could Affect Mission Success*, GAO-22-105631 (Washington, DC: Jan. 20, 2022).

<sup>29</sup> GAO, *FEMA Disaster Workforce: Actions Needed to Improve Hiring Data and Address Staffing Gaps*, GAO-23-105663 (Washington, DC: May 2, 2023).

<sup>30</sup> FEMA, National Watch Center, *National Situation Report* (Oct. 8, 2024).

<sup>31</sup> FEMA, National Watch Center, *Daily Operations Briefing* (Jan. 8, 2025).

<sup>32</sup> GAO, *Disaster Resilience Framework: Principles for Analyzing Federal Efforts to Facilitate and Promote Resilience to Natural Disasters*, GAO-20-100SP (Washington, DC: Oct. 23, 2019).

<sup>33</sup> Pub. L. No. 116-284, 134 Stat. 4869 (2021) (codified at 42 U.S.C. § 5135).

<sup>34</sup> GAO, *Disaster Resilience: FEMA Should Improve Guidance and Assessment of Its Revolving Loan Fund Program*, GAO-25-107331 (Washington, DC: Feb. 24, 2025).

several with major management challenges—into one department.<sup>35</sup> This high-risk area has evolved over time to reflect DHS's progress and now focuses on *Strengthening DHS IT and Financial Management Functions*.

As we reported in our latest high-risk update, DHS has faced difficulties securing Federal IT systems and information and continues to face significant challenges with its financial management systems, processes, controls, and reporting.<sup>36</sup> Among other things, DHS's progress depends on addressing challenges identified by DHS's Office of Inspector General (OIG) and its financial statement auditor.

- *IT Management*.—DHS has made progress implementing recommendations from DHS's OIG related to IT security weaknesses. However, more work remains for DHS to strengthen its information security program. In fiscal year 2023, the DHS OIG reported 6 deficiencies in the information security program. For example, the OIG reported that not all vulnerabilities were promptly mitigated, nor did DHS create the plans of action and milestones for all information security weaknesses. These actions include enforcing requirements for components to obtain authority to operate, resolving critical and high-risk vulnerabilities, and applying sufficient resources to mitigate security weaknesses. Further, in 2024, DHS's financial statement auditor continued to designate deficiencies in IT controls and information systems as a material weakness for financial reporting purposes. These deficiencies included ineffective design and implementation of controls to address areas such as system changes and access controls at several DHS components. DHS has identified planned steps and projects to achieve an opinion on internal controls over financial reporting for 2 consecutive years with no material control weaknesses by November 2029. Until DHS addresses these deficiencies, the data and systems will continue to remain at risk of disruption. Ineffective security controls to protect these systems and data could significantly affect a broad array of agency operations and assets.
- *Financial Management*.—DHS has received an unmodified (clean) audit opinion on its consolidated financial statements for 12 consecutive years, from fiscal years 2013 through 2024. However, during those same 12 years, DHS did not receive a clean opinion on its internal controls over financial reporting because it did not design and fully implement control activities to provide reasonable assurance that its systems will reliably report financial information.

First, the financial statement auditor found that DHS did not design, implement, or effectively operate information technology general controls to help prevent unauthorized access to programs and data; document, authorize, or monitor system changes; and control access to systems that were commensurate with job responsibilities. Second, DHS did not effectively design, implement, or operate controls over the financial reporting process in the following areas: appropriate level of supervisory review of journal entries and preparation of disclosures; monitoring of automated and manual control environments, including service providers; and establishing an organizational structure and internal communication to plan and execute controls at the Coast Guard.

Much work also remains to modernize DHS components' financial management systems and business processes. For example, FEMA currently uses 6 segregated systems for financial management and procurement. FEMA plans to include the functionality of these systems under one financial system modernization effort. This modernization effort is critical given the significant amount of money FEMA manages for disasters.

DHS's financial statement auditor also continued to report that agency financial management systems did not comply with requirements of the Federal Financial Management Improvement Act of 1996.<sup>37</sup> Specifically, DHS does not comply with applicable Federal accounting standards in certain instances, Federal financial management system requirements, and the U.S. Standard General Ledger at the transaction level.<sup>38</sup> Without implementing modernized systems with fully effective controls that comply substantially with these requirements,

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<sup>35</sup> GAO, *Major Management Challenges and Program Risks: Department of Homeland Security*, GAO-03-102 (Washington, DC: January 2003).

<sup>36</sup> GAO-25-107743.

<sup>37</sup> Pub. L. No. 104-208, tit. VII, 110 Stat. 3009, 3009-389 (1996).

<sup>38</sup> DHS Office of Inspector General, *Independent Auditors' Report on the Department of Homeland Security's Fiscal Years 2024 and 2023 Consolidated Financial Statements and Internal Control over Financial Reporting*, OIG-25-05 (Washington, DC: Nov. 15, 2024).

DHS is at an increased risk of errors and inconsistent or incomplete financial information.

In conclusion, given the constantly-evolving threat landscape, DHS's expansive missions, and its annual discretionary budget of about \$60 billion, oversight remains critically important to ensure effectiveness and efficiency. Our recommendations to DHS can assist Congress in identifying key areas for oversight that could result in significant improvements and benefits. We continue to monitor DHS and Congressional actions.

Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

Mr. BRECHEEN. Thank you very much, Mr. Currie.

I now recognize Ms. Kristen Bernard for 5 minutes for an opening statement.

**STATEMENT OF KRISTEN D. BERNARD, DEPUTY INSPECTOR GENERAL, OFFICE OF AUDITS, OFFICE OF THE INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY**

Ms. BERNARD. Thank you so much, Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee. Thank you for inviting me here today to discuss our oversight work that improves DHS's execution of its mission operations, while preventing fraud and abuse in its programs. My testimony today will highlight long-standing and systemic weaknesses that pertain to border security and immigration enforcement, cybersecurity, and emergency management.

First, DHS faces challenges executing its day-to-day border security and immigration operations. We've issued numerous reports highlighting recurring problems in tracking and accounting for migrants entering and being released into the country.

For example, we recently reported ICE was unable to monitor the location and status of all unaccompanied children once released or transferred from DHS custody. We also reported DHS could not locate migrants once released due to missing or invalid addresses, as well as the reliance on manual ad hoc methods for border apprehension and detention processing.

Each of these deficiencies point to the absence of fundamental practices necessary for maintaining operational control of the border.

The root cause of these issues stem from DHS's lack of strategic focus for cross-component collaboration. Automation and consistency would better enable CBP and ICE to keep pace with the fluctuating volume of migrants apprehended. Until these issues are addressed, DHS will be unable to maintain awareness of all migrants' locations once released from DHS custody, which may hinder immigration enforcement operations.

Second, DHS's inability to consistently secure systems, networks, and data across its 22 components may weaken its overall defense against potential cyber attacks.

Our recent audits of access controls, which is an essential cybersecurity practice, revealed hundreds of personnel who had either left DHS or transferred to a new position, but they continued to have access. We also identified hundreds of users with elevated privileges and access. Similarly, our audits of mobile devices identified thousands of prohibited and high-risk applications and thousands of devices that were not adequately secured.

Last, our recurring testing of critical systems across DHS has revealed hundreds of workstations that were not receiving security patches or operating with the right settings. Collectively, our oversight has identified more than 4,000 security vulnerabilities over the past 3 years.

But I will note our recommendations have prompted swift action by DHS in the area of their cybersecurity posture. They've made continuous improvements and quickly remediated vulnerabilities. I credit this to our in-house automated testing capabilities and methodologies that enable us to provide results before the audit concludes, as well as to our strong partnership with DHS officials who are responsible for implementing and overseeing cybersecurity practices.

Third and finally, I will highlight our continued work to help improve FEMA's administration of disaster programs. While FEMA has certainly faced an unprecedented number of natural disasters and a global pandemic, it continues to operate in a manner that is not conducive to the scale or complexity of its current environment.

We continue to identify astronomical amounts of questioned costs totaling \$12 billion in the last 3 years. Earlier this year, in fact, we notified FEMA and Congress of our findings totaling \$7 billion in funds that could have been put to better use due to the delays in closing out disaster programs.

The results of our work demonstrate our dedication to promoting the integrity, efficiency, and effectiveness of DHS programs and operations. But we do remain concerned that until the Department fully addresses recommendations for improvement, its components may be hindered to achieve these essential mission functions that our national security and prosperity rely upon.

DHS OIG remains committed to working with this subcommittee and DHS leadership and other stakeholders to promote transparency, efficiency, and accountability.

Thank you for the opportunity to discuss our critical work. Thank you for Congress' support in enhancing our ability to promote accountability and deter fraud against DHS programs and operations.

This concludes my testimony. I'm happy to answer any questions you have.

[The joint prepared statement of Ms. Bernard and Ms. Lang follows:]

JOINT PREPARED STATEMENT OF KRISTEN D. BERNARD AND ERIKA LANG

MARCH 11, 2025

Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee, thank you for the opportunity to discuss the Department of Homeland Security (DHS), Office of Inspector General's (OIG) efforts to combat fraud, waste, and abuse in the Department of Homeland Security.

DHS is tasked with safeguarding our Nation from diverse and evolving threats; it operates with over 260,000 personnel and annual total budget authority of over \$100 billion. OIG's mission is to promote excellence, integrity, efficiency, and accountability across the vast DHS enterprise. OIG does this by conducting independent oversight through audits, inspections, evaluations, and investigations that identify and prevent fraud, waste, abuse, and mismanagement in DHS's programs and operations.

In fiscal year 2024, DHS OIG identified over \$7 billion in funds put to better use, over \$19 million in funds recovered or deobligated through audit work, and over \$53

million in recoveries, fines, restitution, and asset forfeiture from OIG investigations. We issued nearly 200 recommendations to DHS, evaluated nearly 25,000 hotline complaints, made 110 arrests, and referred over 200 cases for criminal prosecution. OIG provides a remarkable return on investment for the American taxpayer. For every taxpayer dollar invested in DHS OIG, our work returns \$18.63<sup>1</sup> in questioned costs, funds put to better use, funds recovered or deobligated, fines, and restitutions.

As the main oversight agency for DHS, OIG has identified systemic weaknesses in border security and immigration enforcement, cybersecurity, and emergency management. Our recent audits, inspections, and investigations have exposed inadequate internal controls, insufficient program management, and inefficient resource allocation that resulted in operational vulnerabilities and financial losses.

In this testimony, OIG highlights key findings from recent reports on border security operations, cybersecurity protections, and emergency management programs that reveal significant challenges and opportunities to improve the integrity, efficiency, and effectiveness of DHS programs.

#### DHS BORDER SECURITY AND IMMIGRATION CHALLENGES

OIG has allocated significant resources to border security and immigration oversight. In fiscal years 2022–24, OIG issued 86 reports about DHS's border security challenges, including 297 recommendations to improve the ability of DHS operational components<sup>2</sup> to secure the Nation's borders and enforce immigration laws. As of today, 222 recommendations (nearly 75 percent) are closed and 75 remain open.

Below, we highlight information from 7 key reports issued during this period that specifically assessed U.S. Customs and Border Protection's (CBP) ability to prevent noncitizens from entering the United States, as well as Immigration and Customs Enforcement's (ICE) capacity to safely detain, transport, and track migrants. Based on the volume of migrants that entered the United States, our oversight work in this area focused primarily on DHS's ability to screen, manage, and track all non-citizens crossing the border at and between ports of entry. OIG's work revealed two major areas of weakness:

*DHS Screening and Holding Noncitizens Entering the Country Through Ports of Entry*

- OIG examined whether DHS had the ability to effectively screen and vet persons seeking admission through ports of entry. Although OIG found that DHS has technology to screen travelers at airports, DHS faced operational challenges in executing day-to-day screening operations. For example, in 2024 OIG reported<sup>2</sup> CBP could not biometrically confirm the identity of all persons seeking entry in vehicles at land ports of entry, nor did CBP maintain consistency in operational procedures to screen all vehicle passengers. We found multiple instances where CBP did not query all individuals at land ports of entry for derogatory information prior to allowing these non-U.S. citizens into the country.
- OIG also assessed DHS's actions<sup>3</sup> related to the screening process of a suspected terrorist, and the timing of an arrest after the suspected terrorist's release into the United States. In 2022, CBP missed multiple opportunities to verify that an apprehended migrant was a positive match for the terrorist watch list before releasing the migrant into the community. This included not providing information requested by the FBI's Terrorist Screening Center, which would have confirmed the positive match. This occurred because of CBP's ineffective practices and processes for resolving inconclusive matches with the watch list. Days later when the migrant boarded a domestic U.S. flight, the Transportation Security Administration's normal screening resulted in an alert to the Terrorist Screening Center, leading to ICE being notified to effectuate the migrant's arrest. However, ICE faced multiple challenges planning and conducting the migrant's arrest, including delays in transferring documentation and difficulties obtaining GPS data while conducting the arrest. We issued 3 recommendations, which are now all closed.

<sup>1</sup> Five-year average return on investment for fiscal year 2020–24.

<sup>2</sup> (OIG-24-27), *DHS Needs to Improve Its Screening and Vetting of Asylum Seekers and Non-citizens Applying for Admission into the United States* (REDACTED), June 7, 2024.

<sup>3</sup> (OIG-23-31), *CBP Released a Migrant on a Terrorist Watchlist, and ICE Faced Information Sharing Challenges Planning and Conducting the Arrest* (REDACTED), June 28, 2023.

- While examining DHS's ability<sup>4</sup> to assess risks associated with releasing non-citizens without identification into the country and allowing them to travel on domestic flights, OIG determined that CBP and ICE accepted noncitizens' self-reported biographical information in the absence of acceptable forms of identification. CBP and ICE could not provide data about how many noncitizens without identification were released into the country. We issued 3 recommendations—including for CBP and ICE to conduct a comprehensive analysis of the risks associated with releasing noncitizens into the country without proper identification and take steps to mitigate those risks—with which the Department concurred; the recommendations remain resolved and open.

*DHS Could Not Track All Migrants Released into the Country*

- Between fiscal years 2022–24, the U.S. Border Patrol (USBP) apprehended more than 5.7 million migrants who illegally entered the United States.<sup>5</sup> Given this volume, OIG sought to determine whether DHS had sufficient capabilities to account for all migrants once apprehended. Over a series of 4 reports, OIG found that DHS did not have the systems or infrastructure to process the influx of migrants who illegally crossed the border between ports of entry. For example, in 2022 we identified<sup>6</sup> shortcomings with technology systems that resulted in manual methods to transfer and track migrants, which prevented DHS from having digital access to records from the point of apprehension to release or transfer. Given that thousands of migrants are transferred daily, this gap in functionality adversely affects DHS's ability to manage the high volume of apprehensions and timely transfer individuals from USBP custody. OIG also determined DHS shared information manually with the Department of Justice because systems lacked integration, and DHS personnel faced challenges from inconsistent or missing data in DHS's systems of record.
- Similarly, in 2023, we reported<sup>7</sup> DHS had limited ability to track migrants' post-release addresses, as more than 177,000 illegal migrant records were either missing, invalid for delivery, or not legitimate residential locations. In 2024, we reported<sup>8</sup> ICE was unable to locate more than 32,000 unaccompanied migrant children (UCs) who did not appear as scheduled for immigration court proceedings, nor did ICE always inform the U.S. Department of Health & Human Services' Office of Refugee Resettlement when UCs failed to appear in court. OIG found that ICE did not serve a Notice to Appear on more than 291,000 UCs.
- Finally, OIG assessed<sup>9</sup> CBP and ICE processes for detaining and removing inadmissible travelers arriving at a particular international airport. Between fiscal years 2021–23, CBP released at least 383 inadmissible travelers from custody at the international airport because it could not transfer them to ICE, detain them at the airport, or fly them to another airport. CBP also did not have an effective process to determine which inadmissible travelers failed to return for their removal flights—a population that constituted 44 percent (168) of inadmissible travelers—and thus did not consistently transfer their cases to ICE for removal proceedings. We made 3 recommendations, which are all now closed.

*DHS Border Security Operations During Operation Allies Welcome*

The scope of our border security audit and inspection work has expanded in recent years to include potential vulnerabilities due to exigent circumstances. For example, OIG published 6 reports related to the resettlement of individuals evacuated from Afghanistan as part of Operation Allies Welcome (OAW); this involved the resettlement of approximately 97,000 evacuees in American communities beginning in September 2021.

<sup>4</sup>(OIG-24-65), *CBP, ICE, and TSA Did Not Fully Assess Risks Associated with Releasing Non-citizens without Identification into the United States and Allowing Them to Travel on Domestic Flights* (REDACTED), September 30, 2024.

<sup>5</sup><https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>, filtered for fiscal year 2022, 2023, 2024 and U.S. Border Patrol.

<sup>6</sup>(OIG-22-66), *DHS Technology Systems Do Not Effectively Support Migrant Tracking at the Southwest Border*, September 9, 2022.

<sup>7</sup>(OIG-23-47), *DHS Does Not Have Assurance That All Migrants Can be Located Once Released into the United States* (REDACTED), September 6, 2023.

<sup>8</sup>(OIG-24-46), *Management Alert—ICE Cannot Monitor All Unaccompanied Migrant Children Released from DHS and U.S. Department of Health and Human Services' Custody*, August 19, 2024.

<sup>9</sup>(OIG-24-30), *CBP and ICE Did Not Have an Effective Process for Detaining and Removing Inadmissible Travelers at an International Airport* (REDACTED), June 12, 2024.

- OIG assessed<sup>10</sup> the extent to which DHS screened, vetted, and inspected evacuees arriving as part of OAW and determined CBP did not always have critical data to properly vet Afghan evacuees. Information used to vet evacuees in Government databases was sometimes inaccurate, incomplete, or missing. In addition, CBP permitted 35 Afghan evacuees to board a flight without being cleared to travel and did not collect biometrics from 1,299 evacuees prior to their travel to the United States. As a result, DHS paroled at least 2 evacuees into the United States who posed a risk to national security and the safety of local communities and may have admitted or paroled more individuals of concern.
- OIG reviewed<sup>11</sup> DHS's efforts to track evacuees who independently departed U.S. military bases and how these "independent departures" affected immigration status.
- Approximately 11,700 Afghan evacuees departed U.S. military bases, or safe havens, without assistance from resettlement agencies. OIG's review found the Unified Coordination Group (UCG)—the entity tasked with coordinating resettlement efforts—struggled to track OAW independent departures evacuees and had difficulties documenting when independent departures occurred. Finally, the UCG did not attempt to locate all evacuees who independently departed safe havens to verify their compliance with parole conditions.
- In assessing<sup>12</sup> DHS's identification and resolution of potentially derogatory records for OAW parolees, OIG found that CBP, U.S. Citizenship and Immigration Services (USCIS), and ICE's interconnected processes for identifying and resolving derogatory information for OAW parolees was fragmented. OIG identified USCIS enforcement action gaps for parolees who were denied immigration benefits; specifically, USCIS would not initiate removal proceedings against an OAW parolee or terminate parole when it denied a benefit application due to derogatory information. OIG also determined that no one in DHS had responsibility for monitoring parole expiration for OAW parolees or taking any related action, such as initiating removal proceedings, when derogatory information about a parolee was discovered.
- OIG also reviewed DHS's overall management of OAW to determine if there were any deficiencies or best practices. We found that DHS met processing time lines<sup>13</sup> for the limited number of asylum applicants from the OAW population. However, DHS did not have a structure to support its own volunteers for unfunded operations such as OAW,<sup>14</sup> and the lack of direct funding and absence of clear authority for UCG leadership affected the UCG's coordination of the OAW resettlement process.<sup>15</sup> In total, DHS OIG made 14 recommendations related to OAW. Currently, 5 recommendations are closed, 8 recommendations are resolved and open, and one recommendation, with which the Department did not concur, remains unresolved and open.

#### *Unannounced Inspections of CBP and ICE Facilities*

OIG continues to conduct unannounced inspections of both CBP short-term holding facilities and ICE detention facilities, as mandated by Congress in 2019. CBP is responsible for apprehending migrants and detaining them for a short period, typically not to exceed 72 hours, while ICE is responsible for long-term detention. OIG's inspections of CBP and ICE facilities evaluate the Department's compliance with applicable detention standards to ensure they meet Federal requirements regarding the safety, well-being, and care of detainees in custody. We use a risk-based, data-driven methodology to determine which facilities to inspect, based on prior inspections, location, size, facility type, DHS OIG Hotline complaints, and historical and current apprehension numbers. Our inspections help ensure facilities comply with standards; improve the efficiency of detention operations; and mitigate risks to the health, welfare, and safety of detainees and DHS personnel.

<sup>10</sup>(OIG-22-64), *DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis* (REDACTED), September 6, 2022.

<sup>11</sup>(OIG-22-79), *The Unified Coordination Group Struggled to Track Afghan Evacuees Independently Departing U.S. Military Bases*, September 29, 2022.

<sup>12</sup>(OIG-24-24), *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees*, May 6, 2024.

<sup>13</sup>(OIG-23-40), *USCIS Has Generally Met Statutory Requirements to Adjudicate Asylum Applications from Paroled Afghan Evacuees*, August 18, 2023.

<sup>14</sup>(OIG-22-54), *DHS Did Not Adequately or Efficiently Deploy Its Employees to U.S. Military Installations in Support of Operation Allies Welcome*, July 27, 2022.

<sup>15</sup>(OIG-22-78), *The DHS Unified Coordination Group for Operation Allies Welcome Coordinated Afghan Resettlement but Faced Challenges in Funding And Authority*, September 29, 2022.

- OIG issued 16 reports regarding CBP short-term holding facilities from fiscal years 2022–24, covering 93 USBP and Office of Field Operations facilities. Within those 16 reports, OIG made 39 recommendations to improve the conditions of detainees in detention. Some of OIG's most significant recommendations have addressed meeting standards for time in custody, overcrowding, managing detainees with contagious diseases, and handling detainee property. DHS has taken corrective action to close 36 of the 39 recommendations.
- In the same period, OIG issued 13 reports and one management alert related to 13 ICE detention facilities. Within those 14 reports, we made 111 recommendations to improve the conditions of detainees in detention. Generally, areas of non-compliance included environmental health and safety, the use of special management units, staff-detainee communication, dental and chronic care, medical staffing shortages, and grievance systems. We also found that ICE paid approximately \$86 million for unused bedspace under contracts in which ICE guarantees minimum payments to detention facility contractors or State and local governments, paying for bed space regardless of use. ICE has taken corrective action to close 106 of the 111 recommendations.

#### CYBERSECURITY OVERSIGHT

Cyber space has become the most active threat domain in the world and a dynamic threat to U.S. security. In 2023, Federal agencies reported nearly a 10 percent increase of cybersecurity incidents with over 32,000 total incidents Federal Government-wide.<sup>16</sup> DHS's vast and complex information technology (IT) environment includes more than 800 unique IT systems that process and maintain critical and sensitive mission-related data pertaining to counterterrorism, border security, law enforcement, and critical infrastructure, among other areas. This scale and level of potential exposure requires continuous monitoring and action to ensure cybersecurity threats are identified and remediated timely. Such protections are vital to secure the Departments' systems and information from domestic and foreign adversaries who may wish to exploit vulnerabilities to gain access.

OIG's role is to ensure DHS cyber defenses are adequate to identify, prevent, and mitigate threats. OIG uses a multidisciplinary IT oversight approach with IT auditors leading assessments of management controls, cybersecurity experts providing targeted technical expertise, and technical testing tools to perform real-time assessments of system controls to detect weaknesses. OIG's technical testing tools include vulnerability and configuration scans of component workstations, servers, domain controllers, databases, and applications to identify system vulnerabilities and verify settings are correctly implemented.

OIG collaborates closely with DHS officials to maintain awareness of key cybersecurity challenges and priorities, which informs our risk-based approach for selecting the audits to address the Department's most pressing cybersecurity risks and challenges. DHS OIG adds value to the Department by sharing the results of its technical testing to uncover IT security vulnerabilities in real time. Over the past 3 years, OIG has identified more than 4,000 security vulnerabilities, allowing DHS to quickly address vulnerabilities and weaknesses that could potentially be exploited by adversaries.

Since fiscal year 2021, OIG has issued 16 reports containing a total of 99 recommendations aimed at bolstering the Department's cybersecurity protections for systems, networks, and mobile device security.

#### *System and Mobile Device Security Oversight Work*

We conducted technical assessments<sup>17</sup> to test security controls of several mission-critical systems across CBP, ICE, FEMA, and TSA, finding that additional steps are needed to ensure these sensitive systems are adequately secured. For example, we identified hundreds of workstations that were not receiving security patches to address critical and high vulnerabilities for more than 6 months and those that were missing the DHS required settings needed to ensure effective system security.

<sup>16</sup>(FY23-FISMA-Report), Office of Management and Budget, Federal Information Security Modernization Act of 2014 Annual Report Fiscal Year 2023.

<sup>17</sup>(OIG-23-43), *CBP Implemented Effective Technical Controls to Secure a Selected Tier 1 High Value Asset*, August 23, 2023; (OIG-23-44), *Cybersecurity System Review of the Transportation Security Administration's Selected High Value Asset*, August 28, 2023; (OIG-24-53), *ICE Did Not Fully Implement Effective Security Controls on Selected High Value Asset Systems*, September 17, 2024; (OIG-25-08), *Cybersecurity System Review of a Selected High Value Asset at CISA*, January 15, 2025.

We found significant shortcomings at each of the 3 DHS components—USCIS, FEMA, and ICE—we assessed for proper controls<sup>18</sup> to prevent unauthorized access to data and systems. Based on our test samples across these audits, on average 64 percent of the personnel who had either left DHS or transferred to a new position continued to have access to Department systems and information beyond their last day. We also identified hundreds of users who held inappropriate access to privileged accounts—such as administrators with broad and/or special access to system data—with no mission need for their level of access.

OIG completed assessments of mobile device security practices at ICE and FEMA,<sup>19</sup> in which we found weak security practices such as employees installing high-risk applications from companies banned by the Government and mobile devices that were not wiped even though they were lost, stolen, or taken abroad without appropriate permission. As a result, mobile devices and the sensitive information they contain may be at a higher risk of unauthorized access and more susceptible to cyber attacks.

As we plan our work for fiscal year 2026 and beyond, DHS OIG will utilize red team and penetration testing—methods in which OIG conducts a simulated and nondestructive cyber attack—to further enhance our oversight work. We will also employ penetration testing attack methods such as phishing exercises, password cracking, theft of credentials, attempted unauthorized logins, unauthorized input attacks from external sources, malicious payload deployment, identity spoofing to gain trusted access to networks and devices, and unauthorized privilege escalation to continue to ensure DHS has the necessary cybersecurity posture to prevent threats.

#### FEDERAL EMERGENCY AND DISASTER MANAGEMENT

The past several years has been marked by record-breaking catastrophic disasters for management by FEMA, including unprecedented natural disasters and a global pandemic. FEMA has declared 238 major disaster declarations from fiscal year 2022 through the present, such as hurricanes, floods, tornadoes, and wildfires. OIG conducted nearly 40 audits on FEMA, identifying overpayments, ineligible payments, and unsupported payments totaling approximately \$12 billion. We have also identified inadequate oversight leading to \$9 billion in funds put to better use. Collectively, OIG found that FEMA continues to face significant challenges in 3 key areas: COVID-19 pandemic response, natural disaster response, and management of other grants.

##### *FEMA COVID-19 Pandemic Response*

Given the unprecedented level of funding provided to FEMA for America's COVID-19 response, most of OIG's FEMA audit work over the past years has related to the pandemic. As of September 2021, FEMA had received nearly \$100 billion to assist the Nation in addressing the challenges of the pandemic. The size of these appropriations, coupled with the need to quickly distribute funds, signal an environment ripe for fraud.

OIG has taken a technology-enabled joint audit and investigative approach to overseeing FEMA's COVID funds and programs. OIG auditors were able to quickly identify areas of fraud, waste, and abuse for several specific programs. OIG criminal investigators led the charge against fraud by sharing information on known fraud schemes for similar programs, such as COVID-19 unemployment insurance fraud. OIG's data scientists obtained data sets from partner agencies to conduct in-depth computer matching efforts to support audits.

OIG conducted robust oversight on FEMA's management of COVID-19 assistance programs across 14 audit reports over the past 3 years. We highlight reports below to illustrate some of the weaknesses in FEMA's management of COVID-19 funding which led to \$12 billion in questioned costs and \$1.5 billion in funds put to better use.

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<sup>18</sup>(OIG-22-65), *USCIS Should Improve Controls to Restrict Unauthorized Access to Its Systems and Information*, September 7, 2022; (OIG-23-16), *FEMA Should Improve Controls to Restrict Unauthorized Access to Its Systems and Information*, February 15, 2023; (OIG-23-33), *ICE Should Improve Controls to Restrict Unauthorized Access to Its Systems and Information*, July 19, 2023.

<sup>19</sup>(OIG-24-61), *ICE Did Not Always Manage and Secure Mobile Devices to Prevent Unauthorized Access to Sensitive Information*, September 26, 2024; (OIG-23-32), *FEMA Did Not Always Secure Information Stored on Mobile Devices to Prevent Unauthorized Access*, July 7, 2023.

- In 2022, OIG found that FEMA's Lost Wage Assistance (LWA) program<sup>20</sup> launched the program for State workforce agencies to provide unemployment insurance without first setting clear guidance or controls to mitigate the risk of improper payments. Instead, FEMA relied on State insurance programs to determine eligibility and distribute the funding, resulting in more than \$3.7 billion in improper payments. We issued a management alert and 2 audit reports on this subject containing a total of 15 recommendations to improve FEMA's management of its Federal assistance programs and to recover improper payments; 5 recommendations remain open and unresolved.
- OIG in 2022 also found<sup>21</sup> that FEMA did not have effective controls over the Funeral Assistance Program, resulting in over \$26 million in ineligible or unallowable funeral expenses. We issued an alert to recommend FEMA immediately establish guardrails for reimbursement expenses and cost exceptions and later issued a final report including 6 recommendations to improve FEMA's oversight of the funeral assistance program. Two recommendations are open; 1 is unresolved.
- In 2023, OIG assessed FEMA's oversight of the distribution of COVID-19 medical supplies and equipment. We found<sup>22</sup> that FEMA did not effectively manage the distribution process, nor did it provide sufficient oversight of Project Airbridge, a COVID-19 initiative to reduce shipping times. As a result, FEMA did not have full visibility into the resources shipped and received, hindering its ability to make informed decisions. FEMA may have also paid unnecessary transportation costs and the projects \$238 million may have been better spent on COVID-19 initiative. We issued 5 recommendations to improve FEMA's oversight of future public/private partnerships, all are open and resolved.
- In January 2025, we reported<sup>23</sup> FEMA did not have sufficient oversight over COVID-19 emergency protective measures public assistance funding. FEMA over-obligated at least \$1.5 billion in funds for 1 State's medical staffing grant and did not determine the cost allowability of the \$8.1 billion in funds drawn down by the State. Additionally, we reviewed a sample of 20 other grants and identified approximately \$32.8 million in improper payments. We issued 7 recommendations for FEMA to improve oversight, 4 remain open and resolved.

#### *COVID-19 Fraud Investigations*

In 2021, OIG established a dedicated COVID-19 Fraud Unit (CFU) to focus solely on identifying and investigating fraud related to COVID-19. Due to the large scope of the potential fraud, OIG utilized data analytics to identify large, organized fraud schemes—some of which resulted in millions of dollars being distributed to fraudsters. Our investigations have identified instances in which recipients, through fraud, received payments that they were not eligible for under the Disaster Relief Fund.

Since the beginning of the pandemic, OIG has received over 8,800 complaints and opened over 600 investigations into COVID-19 fraud. To date, our investigations have resulted in more than 200 indictments, 50 criminal Bills of Information, 162 convictions, and nearly \$49 million in recoveries. A sample of OIG significant cases in this area include:

- A New Jersey man was sentenced to 6 years and 9 months in prison and was ordered to pay \$4.2 million in restitution for 2 related COVID-19 fraud cases; one case alleged wire fraud and aggravated identity theft in California and the other case alleged wire fraud in New Jersey. The perpetrator executed a scheme to defraud the California Employment Development Department (EDD) by filing at least 78 fraudulent unemployment insurance claims with EDD, seeking Pandemic Unemployment Assistance and other benefits under the CARES Act. The scheme sought over \$2.5 million in unemployment insurance benefits and

<sup>20</sup>(OIG-22-28), *Management Alert—Reporting Suspected Fraud of Lost Wages Assistance*, February 28, 2022; (OIG-22-69), *FEMA Did Not Implement Controls to Prevent More than \$3.7 Billion in Improper Payments from the Lost Wages Assistance Program*, September 16, 2022; (OIG-22-73), *More than \$2.6 Million in Potentially Fraudulent LWA Payments Were Linked to DHS Employees' Identities*, September 27, 2022.

<sup>21</sup>(OIG-22-36), *Management Alert—FEMA's COVID-19 Funeral Assistance Operating Procedures Are Inconsistent with Previous Interpretation of Long-Standing Regulations for Eligible Funeral Expenses*, April 13, 2022; (OIG-23-42), *Ineffective Controls Over COVID-19 Funeral Assistance Leave the Program Susceptible to Waste and Abuse*, August 22, 2023.

<sup>22</sup>(OIG-23-14), *FEMA Did Not Provide Sufficient Oversight of Project Airbridge*, February 7, 2023; (OIG 23-34), *FEMA Did Not Effectively Manage the Distribution of COVID-19 Medical Supplies and Equipment*, July 19, 2023.

<sup>23</sup>(OIG-25-13), *FEMA's Insufficient Oversight of COVID-19 Emergency Protective Measures Grants Led to Over \$8.1 Billion in Questioned Costs and \$1.5 Billion in Over-obligated Funds*, January 30, 2025.

caused EDD and the United States to incur actual losses exceeding \$900,000. The perpetrator also executed a scheme to defraud the Small Business Administration by fraudulently receiving \$1.28 million in Economic Injury Disaster Loans funds and withdrawing over \$777,000.

- A Georgia woman was sentenced to 12 years in prison for her role in a scheme to defraud the Georgia Department of Labor (GaDOL) out of tens of millions of dollars in benefits meant to assist unemployed individuals during the COVID-19 pandemic. The scammer and her co-conspirators caused more than 5,000 fraudulent unemployment insurance claims to be filed with GaDOL, resulting in at least \$30 million in stolen benefits.
- DHS OIG and FBI Phoenix's Violent Street Gang Task Force investigated the Arizona Mexican Mafia (AMM) for COVID pandemic unemployment assistance (PUA) fraud after developing information that AMM prison inmates were engaged in PUA fraud along with other criminal activities, e.g., illegal drugs and stolen property. The AMM is one of the most violent street gangs in Arizona; it exerts significant influence over most Arizona Department of Corrections prison yards. The estimated fraud loss included over \$1 million in unemployment benefit payments and nearly \$2 million in money-laundering activities. Thirty members and/or associates of the gang were indicted on multiple felony charges including fraudulent schemes, conspiracy, money laundering, and participating in a criminal syndicate.

#### *FEMA Management of Disaster Response Programs*

DHS OIG will continue robust oversight of FEMA's management of disaster response programs, including the individual assistance program, disaster closeout process, and Puerto Rico's recovery to Hurricane Maria. Over the past 3 years, 10 audits resulted in nearly \$500,000 in questioned costs and over \$7 billion in funds put to better use.

- OIG reported in 2022<sup>24</sup> that FEMA did not effectively manage the Individual Assistance Disaster Case Management Program following Hurricane Maria. FEMA did not properly monitor cooperative agreements to ensure non-profit organization were using accounting methods in accordance with Federal requirements. FEMA made advance payments totaling \$6.4 million to 6 nonprofit organizations based on estimates, without reconciling the payments with actual costs. Additionally, FEMA lacked supporting documentation for 8 nonprofit organizations totaling \$10.7 million. These reports contained 3 recommendations to improve the programs and management of funds; 1 is open and resolved and 2 are closed.
- We recently reported<sup>25</sup> on FEMA's efficiency in closing out disaster declarations for grant programs awarded in 2012 or earlier. We identified 26 programs that remained open beyond their period of performance, totaling nearly \$9.4 million in unliquidated funds. FEMA also extended 41 program periods of performance or closeout liquidation periods without detailed and documented justification, delaying project closures by up to 16 years. The 41 programs represent more than \$7 billion in unliquidated funds that could potentially be returned to the Disaster Relief Fund. The report contained 2 recommendations to improve FEMA's closeout of declared disasters, both remain open with 1 resolved and the other unresolved.

#### *FEMA Grants Management*

OIG continues to oversee FEMA's management of its grants and programs. We issued 10 audit reports on these topics, including a review of Humanitarian Relief Funds, the Hazard Mitigation Grant Program, and information technology. Our work assessing FEMA's grants management led to \$26 million in questioned costs and \$180 million in funds put to better use.

- In 2022 we looked at FEMA's oversight of its Hazard Mitigation Grant program (HMGP) property acquisitions and reported<sup>26</sup> FEMA did not provide assurance that projects were awarded equitably. Grant program officials regularly granted States more funds than needed to complete projects, did not always deobligate unused funds promptly, and did not use Strategic Funds Management, an incremental funding process, as required. We estimate that FEMA could put about \$135 million to better use if it strengthens its HMGP project management. We

<sup>24</sup>(OIG-22-77), *FEMA Did Not Effectively Manage Disaster Case Management Program Funds in Support of Hurricane Maria Recovery Services*, September 29, 2022.

<sup>25</sup>(OIG-24-45), *FEMA's Inadequate Oversight Led to Delays in Closing Out Declared Disasters*, August 14, 2024.

<sup>26</sup>(OIG-22-46), *FEMA Needs to Improve Oversight and Management of Hazard Mitigation Grant Program Property Acquisitions*, June 22, 2022.

made 4 recommendations to strengthen FEMA's property acquisition activities, and all recommendations are open and resolved.

- Also in 2022, we reported<sup>27</sup> on improvements FEMA could implement to better manage the Emergency Food and Shelter Program to ensure individuals receive aid in a timely manner and that program funding is used in accordance with Federal requirements. From fiscal years 2017–2020, the Board did not spend about \$58 million of the \$560 million (10.4 percent) in appropriated grant funds. We made 10 recommendations to improve oversight of the Emergency Food and Shelter Program. FEMA nonconcurred with 3 recommendations. Of those recommendations, 5 are closed and 5 are open and resolved.
- Finally, in 2023 we reported<sup>28</sup> that FEMA should increase oversight to prevent misuse of humanitarian relief funds. We reviewed \$12.9 million from 18 local recipient organizations and determined FEMA did not support the \$7.4 million in funding provided to them. Additionally, FEMA was unable to provide documentation for families and individuals to whom they provided services. We made 2 recommendations to improve oversight and enforcement for similar future appropriations. One recommendation is closed, and 1 is open but resolved.

OIG continues to monitor FEMA's disaster response operations and has on-going audit work to evaluate FEMA's management of claims for the Hermit's Peak/Calf Canyon fires, and adherence to applicable policies when determining community trends that impact disaster survivor assistance for Hurricanes Irene and Milton. We also have work planned to assess FEMA's response to the 2023 wildfire in Lahaina, Hawaii, and recent wildfires in Southern California.

#### ACCESS TO INFORMATION

The Inspector General Act of 1978, as amended, established Offices of Inspector General as "independent and objective" units in departments and large agencies. The Inspector General Empowerment Act of 2016 further protected Inspectors General by confirming that all IGs are entitled to "full and prompt access to agency records" to ensure IGs can conduct their reviews in an efficient manner. This law also allowed IGs to match data across agencies to help uncover wasteful spending and enhance the public's access to information about misconduct among senior Government employees.

Beginning with OIG's Semi-Annual Report to Congress (SAR) for the period ending September 30, 2021, and continuing with every subsequent SAR, OIG has documented DHS delays or denials in providing requested information in accordance with the law. These delays and denials have adversely impacted our ability to provide Congress and the public objective and timely oversight of the Department's operations and programs.

Since 2021, OIG has reported 33 delays and 35 denials of access to information by the Department. Examples include:

- CBP on 3 occasions denied OIG access to BorderStat, citing concerns that the OIG would have access to data outside the scope of the announced audit. BorderStat contains data from multiple data sources, such as anti-terrorism matches, cargo processing rates, and passenger processing rates. Most recently, CBP denied our request despite being unable to provide the OIG with a complete set of data to support an on-going audit.
- FEMA routinely denies OIG requests for access to certain databases citing similar concerns regarding scope. In a recent audit, the FEMA data analytics team was unable to provide the OIG with complete datasets due to the complexity of the FEMA GO database, forcing the OIG to make multiple requests for data extracts. This resulted in a 114-calendar day delay before the OIG received complete data.
- For over 3 years OIG has been denied access to the DHS Integrated Security Management System (ISMS), run by the Office of the Chief Security Officer, which houses key information on DHS personnel (contractors and staff) related to security processing, such as background and clearance information. Because this is a system of record for key data elements that do not exist elsewhere in DHS, its data is critical for several on-going OIG reviews. Additionally, access to ISMS is necessary for OIG to perform adequate oversight of DHS's security clearance and adjudication processes, which are integral to the safe, effective functioning of the Department.

<sup>27</sup>(OIG-22-56), *FEMA Needs to Improve Its Oversight of the Emergency Food and Shelter Program*, August 10, 2022.

<sup>28</sup>(OIG-23-20), *FEMA Should Increase Oversight to Prevent Misuse of Humanitarian Relief Funds*, March 28, 2023.

## CONCLUSION

Eliminating fraud, waste, and abuse is not just about recovering lost funds; it is about ensuring that taxpayer dollars are used effectively in the first place. As evidenced through the robust portfolio of reports and investigations highlighted in this testimony, OIG has worked diligently to improve efficiency and effectiveness of the Department of Homeland Security.

OIG can perform this important work due to its independent posture; we conduct objective, non-partisan, and credible oversight, that has identified critical vulnerabilities within the Department, resulted in the recovery of millions of taxpayer dollars, and yielded actionable recommendations to strengthen accountability and efficiency in DHS programs and operations.

We appreciate your support and remain committed to working with Congress, this subcommittee, DHS leadership, and other stakeholders to promote transparency, efficiency, and accountability throughout the Department.

Mr. BRECHEEN. Thank you, Ms. Bernard.

I now recognize Ms. Erika Lang for her 5 minutes of opening statement.

**STATEMENT OF ERIKA LANG, ASSISTANT INSPECTOR GENERAL, OFFICE OF INSPECTIONS AND EVALUATIONS, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF THE INSPECTOR GENERAL**

Ms. LANG. Good afternoon, Chairman Brecheen, Ranking Member Thanedar, and esteemed Members of the subcommittee. Thank you for the opportunity to discuss the Office of Inspector General's independent oversight of Homeland Security programs and operations. As you've heard from my colleague, our vital work ensures DHS is effective and efficient, while safeguarding American security and taxpayer dollars. My testimony today will focus on my office's oversight of DHS's efforts regarding border security and immigration enforcement.

First, I want to highlight OIG's body of work related to the resettlement of approximately 97,000 Afghan evacuees into American communities in 2021. We determined that approximately 11,700 Afghan evacuees independently departed U.S. military bases without assistance from resettlement agencies.

Our review found DHS struggled to track who independently departed and when these independent departures occurred. DHS also did not attempt to locate all evacuees who independently departed the bases to verify their compliance with parole conditions.

We also examined DHS's processes for identifying and resolving potentially derogatory records of Afghan parolees and found this process was fragmented. Ultimately, the Department did not have a process for monitoring parole expiration for individual Afghan parolees and had not designated a single component to monitor this parole expiration.

Finally, we reviewed DHS's overall management of the evacuation efforts. We found the Department met processing time lines for the limited number of asylum applicants from the Afghan population. However, it did not have a structure to support DHS volunteers for the effort, and the lack of direct funding and absence of clear authority affected the coordination of the resettlement process.

I also want to discuss 2 key reports that point to specific weaknesses in the Department's ability to maintain effective border security.

First, in 2022, CBP apprehended and released an alien without providing information requested by the FBI's Terrorist Screening Center that would have confirmed the individual was a positive match for the terrorist watch list. This occurred because of CBP's ineffective processes for resolving inconclusive matches with the watch list. We determined that ICE also faced multiple challenges planning and conducting the alien's arrest.

Second, we examined CBP's and ICE's processes for detaining and removing inadmissible travelers from a particular international airport. Between fiscal years 2021 and 2023, CBP released at least 383 inadmissible travelers from custody at that airport. Forty-four percent of them did not return for their removal flight. We found CBP did not have an effective process to track who failed to return for their flights and did not consistently transfer their cases to ICE for removal proceedings.

Our findings that I've just shared point to weaknesses in processes, information sharing, resources, and technologies that affect the Department's ability to effectively secure its borders and enforce immigration laws.

Last, we continue to conduct Congressionally-mandated unannounced inspections of both CBP holding facilities and ICE detention facilities to ensure the facilities comply with Federal detention standards. We have issued 16 reports regarding CBP's short-term holding facilities from fiscal year 2022 through 2024. Our most significant recommendations address meeting national standards for time in custody as well as overcrowding.

During the same time, we issued 14 reports related to ICE detention facilities and made multiple recommendations to improve the conditions of those in detention.

These unannounced inspections help ensure the Department complies with applicable detention standards to maintain the required conditions of detainees in custody and mitigates risks to the health and safety of DHS personnel.

As my colleague and I have described, DHS OIG's comprehensive body of work demonstrates our commitment to improving the Department's effectiveness in its many mission areas.

The independence of Inspectors General ensures necessary oversight, accountability, and transparency in the Federal Government. It allows us to make objective, actionable recommendations. We appreciate Congress' on-going support of our independent oversight.

This concludes my testimony, and I'm happy to answer any questions. Thank you.

Mr. BRECHEEN. Thank you, Ms. Lang.

Members will be recognized by order of seniority for their 5 minutes of questioning our witnesses, and additional rounds of questioning may be called after all Members have been recognized.

I now recognize myself for 5 minutes of questioning.

Mr. Currie, starting in 2011, GAO made 83 recommendations—you pointed this out in your opening statement—implicating \$19 billion in savings. So from 2011 to date, recommendations from your organization proved \$19 billion in savings for the taxpayer.

In March 2025, there remains 459 open recommendations that the GAO has made specific, and you mentioned 37 of those are high-priority recommendations, with only 5 of those recommenda-

tions for efficiency being implemented. You mentioned the 2 high-priority areas, one of which included FEMA, which our President has been talking about, we have Members of Congress talking about.

To what extent does the high number of recommendations from GAO relative to the Department of Homeland Security, 37, 2 of them specifically that remain unaddressed, implicate major duplications, cost-saving potential?

Mr. CURRIE. Well, definitely all of them relate to streamlining or improving the efficiency, if not directly finding overlapping programs. So, certainly, you can translate those recommendations that, if implemented, you would save millions if not billions of dollars.

Mr. BRECHEEN. So I want you to, again, please highlight the 2 areas specific to this high-risk category, Federal Government-wide, correct? The 2 areas specific to this committee's jurisdiction, what are those 2 areas again, just for simplicity?

Mr. CURRIE. Sure. One is DHS IT security and financial management, also improving the delivery of Federal disaster assistance. Actually, there's one more I didn't mention today, which is the cybersecurity of the Nation is a high-risk area as well in DHS.

Mr. BRECHEEN. Which OIG has also indicated.

So one area that showcases the significant growth, waste, as you just said, is the FEMA's disaster recovery efforts. It is more than justified what our President has been discussing when he's talking about what we can do to change the status quo.

So I've asked staff to provide this chart. Visuals are always good. I don't know—we may have to raise that up. Can you all see the red lines from your seated position, the red lines at the bottom? Are you able to see that?

That's the rate of inflation. That is the rate of inflation. Starting in 2000, at the side bar here, far left, the dark blue at the bottom is the base for disaster recovery. Then the light blue is the supplementals that Congress comes in and brings about.

So the bottom red line represents just the base growth every year appropriated by Congress. The upper red line represents what would be if we had grown at the rate of inflation supplementals added.

So go back to 2000. At the rate of inflation, what we will see is base disaster aid annually appropriated. If it had just grown at the rate of inflation, it would be almost 2 times greater. Bottom left number, \$2.5 billion, today at the rate of inflation that base number would be \$4.2 billion. That's the bottom red line. You can see very slow growth.

The upper red line, again, indicative of the supplementals. If we go back, middle number on the left side, \$4.2 billion in 2000 was the total, adding in the supplemental cost. If you rise at the rate of inflation, that would put us at \$8.2 billion.

But you notice where those red lines track on the right side of this graph, way short of where we actually are. You have to—instead of a multiplier of 200, you have to put a multiplier of 800 percent. That is the rate of growth, whether it's the base 800 percent growth relative what would be the rate of inflation or supplemental 800 percent growth. Then you see a few years before.

I want to dismantle quickly. I don't have the time to go through the stats. I've done this in committee before. Anyone who says this is climate-related, more climate, you've got a United Nations Climate Panel, the United Nations, not known to be right of center, saying that there is no correlation between frequency of hurricanes and drought and wildfires relative to climate change. So that argument, even the United Nations dispels. We've got a waste problem. We've got an inefficiency problem.

All right. GAO added improving FEMA's disaster recovery assistance to its high-risk. Annual appropriations to that fund have greatly outpaced inflation, as I just showed.

Mr. Currie, what does it mean to be on the high-risk list and how that—given the increased appropriations the DRF has continued to receive, what should policy makers be concerned about when it comes to them remaining on that list, especially given these numbers?

Mr. CURRIE. To be on the high-risk list means that the program is vulnerable to waste, fraud, and abuse, and mismanagement or inefficiency. One of the main reasons we added this to our list this year is—actually, your chart shows FEMA dollars. If you were to add the rest of the Federal Government, it would go through the ceiling pretty much.

So what's happened over time is that this process and this assistance has just gotten too fragmented and too large, and it's just not well-coordinated. We hear this over and over again when we go around the country and talk to survivors and State and local governments.

So I think there's just a tremendous amount of efficiency that can be gained by better streamlining these programs.

Mr. BRECHEEN. Thank you.

I want to now, for his 5 minutes of questioning, recognize Mr. Thanedar. You are recognized.

Mr. THANEDAR. Thank you, Chair. Thank you to our guests here.

The Inspector Generals play a crucial role in combating waste, fraud, and abuse, and promoting efficiency and effectiveness in Government programs and operations. However, they must adhere to integrity, objectivity, and independent standards.

Previously, GAO found that a lack of transparency in DHS OIG's selection of work topics called into question the independence of the organization.

What changes—this is a question for Ms. Bernard and Ms. Lang. What changes has the OIG made to ensure transparency when selecting work proposals, and how does the agency ensure it is targeting the highest-risk areas at DHS?

Ms. BERNARD. Thank you so much for the question, and thank you for recognizing the importance of inspectors general.

At DHS OIG, that is very important for us. We always want to make sure we're allocating our resources very wisely, especially recognizing we are overseeing a department with 22 components, over 260,000 employees worldwide. It's very important that we allocate our resources to address the highest risk.

So I am really proud of our risk-based approach to make sure we are helping DHS accomplish its most critical mission areas and its most critical challenges. So we do have a recurring and repeatable

framework for that. It encourages staff to consider project ideas from multiple sources internally and externally.

Mr. THANEDAR. My question here, of course, is really coming to comment that the OIG's audits, evaluations, and investigations of the Trump administration will meet integrity, objectivity, and independent standards and help ensure DHS operates within the law.

Ms. BERNARD. Yes, I can assure you we will continue conducting our oversight work in accordance with our statutory authority. We will remain independent and objective and will continue to follow our auditing standards. Our work continues unabated as we currently are still working under our inspector general, Dr. Cuffari.

Mr. THANEDAR. Thank you.

My question to Mr. Currie is, for over 100 years GAO has played a crucial role in enhancing the effectiveness of Government programs and ensuring taxpayer money is well spent. Over the past 20 years, GAO's work has resulted in about \$1.45 trillion in financial benefits and over 30,000 programs and operational benefits.

Through its high-risk list, GAO focused attention on the most significant challenges facing the Government. One such challenge is human capital, including skill shortage, a challenge DOGE does not seem to appreciate as it purges civil servants.

What are the consequences of reducing the Federal work force using a sledgehammer rather than a scalpel?

Mr. CURRIE. Well, you're correct. Many of the high-risk areas—and there's over 30 of them across all of the Federal Government that we've identified—are on the list because of some sort of staffing or capacity challenge. That means that either they don't have the right number of people to perform the mission or they don't have the right skills.

So, typically, what you do is you figure out what you want the Government or the agencies to do and how you want them to do it, then you figure out what sort of staff you need to do it. So, obviously, it's going to have some implications but, you know, we don't know yet what exactly those will be.

Mr. THANEDAR. Thank you.

Ms. Lang, I didn't give you any time to respond, so if you want to take 30 seconds, if you like.

Ms. LANG. No, thank you. I think my colleague covered everything. Thank you.

Mr. THANEDAR. All right.

Thank you, Chair, and I yield back.

Mr. BRECHEEN. The gentleman yields back.

I now would like to recognize the gentleman from Tennessee for his 5 minutes of questioning, Mr. Ogles.

Mr. OGLES. Thank you, Mr. Chairman.

Ms. Lang, after the Biden administration's disastrous withdrawal from Afghanistan, Biden offered tens of thousands of Afghans passage into the United States. We all understand the desire to get known trusted partners to the United States, perhaps, safely after withdrawal. But there are also many hostile, violent people in Afghanistan.

Did the Biden administration adequately vet Afghans before granting them parole? Ms. Lang.

Ms. LANG. Thank you for that question. The screening and vetting of Afghan evacuees at the time was a subject of one of our reports. Kristen—I would like to—it was part of my colleague—

Mr. OGLES. Ms. Bernard? Fine.

Ms. BERNARD. Sure, yes, I can take that. We did do an audit in 2022 to look at the screening and vetting of the Afghan withdrawals. We did—in our population, we did find that I believe it was 35 who were allowed to board a flight that hadn't been fully screened.

Generally, we found that CBP did not always have accurate and complete data for conducting the screening of those evacuees. In some cases, they were just missing their identification. So, you know, we didn't even have biographic information to screen.

Since that time, the Department has provided documentation that all of the evacuees have been screened, and that's something that we're still looking at now to validate.

Mr. OGLES. So, to be clear, at the time that they were granted parole, we did not have the entire picture of who these individuals were. In some cases, we did not have their identifications.

I think it's safe to say that some of the very people that have torn that country apart, some of the very folks from Afghanistan that we might otherwise allow to be here, they allowed the folks they're running from to come with them.

This is a disaster. This is a recipe for disaster. Also keep in mind that little event called 9/11 was planned in Afghanistan. So we have folks in this country, that country, that don't like the United States of America. We've seen it on full display for decades now. The botched withdrawal, the failed policies of the Biden administration, and allowing folks from a hostile nation to come here unvetted makes America less safe.

To be clear, we know that we've let individuals on the terror watch list into this Nation, some through the parole program, some have walked through our Southern Border. This is a failure of the Biden administration. Enough is enough.

So as you see President Trump going through the process of closing the border, as you see the mechanism where we're deporting individuals, this is our country. These are our borders. If you're not from here, you are a guest. We can get to decide who comes in and who has to leave.

The way forward as we face the barreling debt this country has in our future is we get to decide. The average immigrant family that comes here illegally will cost the American taxpayer a million dollars. A million dollars. Where's that money coming from? It's coming from you. It's coming from me. It's coming from hard-working Americans.

It's time that we do the hard thing, that we admit that the Biden administration or, for that matter, any administration who allowed folks to be here that shouldn't be here, that we send them home, that we give them the opportunity to go back home.

Look, I don't blame anyone for wanting to come here. I have 3 children. My wife and I, we have 3 children. You walk through fire and over glass to give them a better life. But if you want to come to this country, our country, you can do it the right way. You're

going to follow our rules and our laws. If you don't like it, you can leave.

I'm not going to be apologetic for a President or for myself or for my colleagues who understand and respect the rule of law and expect everyone—citizen, noncitizen, guest, illegal—are going to follow our laws. If you're here illegally, you need to get out.

Mr. Chairman, I yield back.

Mr. BRECHEEN. The gentleman yields.

I now recognize Ranking Member Thompson for his 5 minutes.

Mr. THOMPSON. Thank you very much, Mr. Chairman.

Mr. Currie, how long have you been with the GAO?

Mr. CURRIE. Be 23 years in June.

Mr. THOMPSON. I compliment you on that.

How long have you been looking at DHS and its programs?

Mr. CURRIE. About 22 of those years.

Mr. THOMPSON. OK. Thank you.

So if you looked at DHS at this point and there had to be a reduction in force, what would you expect, how would that process play out?

Mr. CURRIE. Well, it's a challenge because there's not a mission in DHS that's not critical, which is very unique. I think it would be hard to balance between is cybersecurity more important than disaster assistance, and it's not. Each of their missions is critical.

So I think that what you'd have to look at is, what are the agencies expected to do and what are they expected to deliver? So, for example, with FEMA, 100 or more disasters a year, 600 total disasters they're managing. What do our communities and our survivors expect from them, and then what sort of numbers of people do we need to deliver that assistance. Right now, for example, with FEMA, they can't keep their head above water with delivering what we expect them to deliver.

Mr. THOMPSON. Well, thank you.

You mentioned FEMA, and what's the other agency? You mentioned 2.

Mr. CURRIE. Oh, I think cybersecurity, CISA.

Mr. THOMPSON. OK. So if I told you that there have been hundreds of FEMA employees and CISA employees summarily told to leave, without evaluation, without a plan or anything of that nature, have you seen that?

Mr. CURRIE. Well, we know that there have been dismissals of employees, yes.

Mr. THOMPSON. So are you aware of any kind of a reduction in force plan or dismissal plan for the employees that are currently being discharged at FEMA or CISA?

Mr. CURRIE. I haven't seen any plan like that. I do know that some of these reductions have been based on for new or probationary employees. That's about the extent of the grouping that I am aware of.

Mr. THOMPSON. Well, when you say probationary employees, define that for the committee.

Mr. CURRIE. Well, that could be—that could be people that are new to FEMA or it could be people that are new to their particular position.

Mr. THOMPSON. If I told you that there were employees who've been with the agency for 10 years, got promoted to another position, and all of a sudden they are considered probationary, is that consistent with normal personnel policies and procedures?

Mr. CURRIE. Not normally. I'd want to know, you know, where they work and what their—what their actual performance was. That's an important part, their performance every year. Then also, what specific area they work in to know whether that is something that would have an impact on the mission or not.

Mr. THOMPSON. So if I told you there are hundreds of employees at FEMA and CISA who have been discharged whose evaluations say they've been excellent employees.

Mr. CURRIE. Yes. I mean, I would have concerns over that. Not just from the immediate mission but, you know, hiring new employees as well, because, you know, whatever reductions are made, there is going to have to be some people, Federal employees that deliver the services.

So I'm concerned that—I'm concerned mostly with FEMA being able to deliver the mission that we expect it to deliver.

Mr. THOMPSON. Yes. If I told you that CISA employees have a critical mission. They have to maintain, basically, our cyber hygiene for Government and that we have people who are being discharged, and now those—that agency is losing its capacity to do what its mission calls for, that that creates a vulnerability by letting those people go. I mean—

Mr. CURRIE. Yes. In the area of cybersecurity, particularly in CISA, you know, we've spent the last 10 years trying to get DHS the authorities it needs to bring on board people with those skill sets, because they don't always want to work for Government. They can make a lot more money outside.

So with regard to cybersecurity specialists, yes, I'm concerned about losing that talent and then being able to recruit the talent we need to address the threat we face.

Mr. THOMPSON. I yield back, Mr. Chairman.

Mr. BRECHEEN. The gentleman yields.

I now recognize the Representative from Georgia, Ms. Greene.

Ms. GREENE. Thank you, Mr. Chairman.

I can assure everyone the threat we face is millions of people that came into our country under the Biden administration and full Democrat control under the past 4 years.

In Joe Biden's first few days and months as President, in full Democrat control of this country, the Biden administration stopped construction of the border wall, unlawfully granted mass parole—that means he let thousands and thousands of people in this country every single day—expanded the grounds for claiming asylum to pretty much anybody and everyone, implemented catch-and-release.

Oh, if they caught them, they just release them in with here's some paperwork. Here's a free flight. Here's a bus ticket. If you make it to New York City, taxpayers in New York and other sanctuary cities will pay for you to stay.

He terminated cooperative agreements and took just about every action possible to facilitate the largest invasion of our country and

create the highest national security threat in our homeland that our country has ever faced.

Ask any angel parent how they feel today about Federal workers losing their jobs. You know what they're going to say? They're going to say the U.S. Government failed our family because our child or family member were murdered by an illegal alien that shouldn't have been in this country. Ask Laken Riley's mother how she feels about that.

Ms. Bernard and Ms. Lang, in your testimony, you stated that in a 2024 OIG report, CBP could not biometrically confirm the identity of all persons seeking entry in vehicles, at land ports of entry, nor did CBP maintain consistency in operational procedures to screen all vehicle passengers prior to allowing these noncitizens into the country.

We knew that CBP wasn't verifying the identities of people crossing the border in between ports of entry, but they weren't even able to fully identify people at ports of entry in cars. That would be like us opening up our doors to our house, opening up our windows, and not checking to see who's coming in with our children in our house.

You also testified that OIG assessed DHS's actions related to the screening process of suspected terrorists, and in 2022, CBP missed multiple opportunities to verify that an apprehended alien was a positive match for the terrorist watch list before releasing the migrants into the community. Terrorist watch list, ladies and gentlemen. This included not providing information requested by the FBI's Terrorist Screening Center, which would have confirmed a positive match.

Ms. Bernard and Ms. Lang, why did these failures occur under the Biden administration? Ms. Bernard.

Ms. BERNARD. Thank you. This is a critical area for us. We've done a lot of work to look at border security. In that particular project that you mentioned, we were looking specifically at how CBP was conducting screening and vetting at ports of entry.

Our focus was on the technological capabilities, resources, and processes that they were using. Yes, we did find challenges in biometric screening capabilities. One was that biometric capabilities are not available at all land border crossing lanes. The second was that, on occasion, they would forego screening passengers. So if there was a backlog of a high volume of travelers coming across the port of entry, they may waive the screening of the passenger and only do the driver.

Ms. GREENE. So to increase people coming in, let's move the traffic along. Yes, that's a complete failure.

Ms. Lang, can you explain?

Ms. LANG. I can speak to the release of the individual who was a match for the watch list. We found that that happened because of weaknesses that we see across DHS, which is ineffective practices, poor information sharing within CBP itself, staffing constraints on the part of CBP. Really, it was paper processes, relying on paper files, moving them across the country.

So if these vulnerabilities can be addressed. We did make one recommendation to the Department about this particular case, but the recommendation can be used more broadly across their processes.

Ms. GREENE. Right. So these were the policies of the Biden administration, just to be clear. The Democrats had full control, and they allowed millions of people in the country.

Mr. Chairman, President Trump and his administration is doing a great job. Tom Homan is leading as border czar and has reduced the crossings from thousands every single day to less than 300.

This isn't about resources. This isn't about how many Federal employees we have. This is a difference in an election, and this is what the American people voted for, border security and the promises that President Trump made.

Thank you, Mr. Chairman, I yield back.

Mr. BRECHEEN. The gentlelady yields.

The Chair now recognizes the Representative from Illinois, Mrs. Ramirez, for her 5 minutes.

Mrs. RAMIREZ. Thank you, Chairman, and thank you, Ranking Member.

You know, it's our first Oversight Subcommittee hearing this Congress, very first one, and I find it really ironic that we're discussing waste, fraud, and abuse when you have a unelected civilian like Musk, and Trump, who are getting—who are actually gutting every single tool that DHS has to actually address waste, fraud, and abuse.

I mean, just think about it. One of the very first actions from this administration—this administration that the gentlelady from Georgia loves to brag about—was to fire 17 inspector generals. Since many of my colleagues seem to be confused about the role of an inspector general, well, let me go ahead and remind them. Their mission is to provide objective oversight to promote the economy, efficiency, and effectiveness, and integrity of our agencies.

Since those firings, the administration has been on a rampage of terminations and fork-in-the-road emails to gut the Federal work force. Their objective, let me be clear, replace impartial independent Federal employees with Musk—it has to be Musk-first—Trump loyalists.

On top of all that, Trump puts a billionaire, who, by the way, gets \$8 million a day in Government contracts—significant conflict of interest, I'd say—and numerous complaints and open investigations, in charge of waste, fraud, and abuse. Come on, you all. It's the fox guarding the henhouse.

Then you add illegal impoundment, funding freezes, extreme budget cuts, and you have a recipe for more abuse. Trump's billionaire friends getting contracts and payouts on the back of working families and veterans that we all represent.

So you see how it's hard for me to reconcile that the chaos of illegal firings, the irresponsible handling of conflict, the defunding of Congressionally-authorized services is a credible way to approach handling waste, fraud, and abuse. You see, I too want to see an end to the misuse of funding and abuse of our agencies, especially within Homeland under this Secretary. But from where I'm sitting, the biggest culprits of waste, fraud, and abuse are sitting at DOGE and in the White House.

So, Ms. Bernard and Ms. Lang, do you believe that the Office of Inspector General plays a critical role in safeguarding the agency from waste, from fraud and abuse, yes or no? Ms. Bernard.

Ms. BERNARD. Yes.

Mrs. RAMIREZ. Thank you.

Ms. Lang.

Ms. LANG. Yes. Thank you.

Mrs. RAMIREZ. Thank you.

My follow-up question. Ms. Bernard and Ms. Lang, I want to ask you, in your opinion, is maintaining a sufficient Federal work force imperative to the success of the agency, yes or no? Ms. Lang.

Ms. LANG. Yes.

Mrs. RAMIREZ. Ms. Bernard.

Ms. BERNARD. Yes.

Mrs. RAMIREZ. Ms. Bernard and Ms. Lang, I have another question. Is there a replacement for the Office of Inspector General or an office or department that can do the same work, yes or no?

Ms. LANG. No.

Mrs. RAMIREZ. Ms. Bernard.

Ms. BERNARD. Not that I'm aware of that has the same statutory function, no.

Mrs. RAMIREZ. Yes. I figured you'd say that.

The reality is that we need our inspector generals, but this administration overnight sends them an email at 7 p.m. and tells them you are fired. Thank you for your service. This is the same administration that wants to talk about accountability.

So I want to pivot quickly to the importance of maintaining a sufficient Federal work force.

Mr. Currie, the GAO's testimony states that you found that FEMA had an overall staffing gap of about 35 percent across different positions at the fiscal year of 2022. What are the possible consequences if DHS does not properly staff up instances like disaster recovery and resilience?

Mr. CURRIE. Well, quite simply, if the workload remains the same, which I think it will, or increase moving forward, they're not going to have enough people to do the job that they're asked to do right now, unless they are, you know—their mission or their authorities are reduced in some way.

Mrs. RAMIREZ. So, Mr. Currie, we here say that we care deeply about the American people, our constituents. I have colleagues up here that do everything they can to go after immigrants. But the reality is that this administration here is talking about cuts when we know that we need these funds for disaster recovery and resilience, and not having the work force actually makes it impossible for us to be able to deliver those services.

Let me close by saying this. As a Member of this committee, especially this subcommittee, my responsibility is to ensure that we are, in fact, conducting oversight, and the reality that—is that Trump is the President right now, that the Republicans have the House and the Senate, and so, therefore, we're going to have to do some internal assessment of how you are functioning, and especially today given the unethical and illegal actions coming from billionaire bosses. Because I'm clear that maintaining independent oversight and accountability tools are critical for the health and success of our agencies and for the American people. I want that to be on the record.

With that, Mr. Chairman, I yield back.

Mr. BRECHEEN. The Representative yields.

I would now like to recognize for 5 minutes of questioning the gentleman from North Carolina, Mr. Knott.

Mr. KNOTT. Thank you, Chairman.

Witnesses, thank you all for being here.

Rather than take up most the time with speaking, I would love to go in and ask some questions about the previous 4 years and the border disaster that I saw first-hand.

I want to start with Ms. Lang. One of the OIG reports under the Biden administration described the screening and the vetting implementation as soiled.

Are you familiar with that report or the vetting procedures that seem to have been, I would say, deficient during the previous administration?

Ms. LANG. I'm going to defer to my colleague, Ms. Bernard, for screening and vetting.

Mr. KNOTT. Ms. Bernard.

Ms. BERNARD. If that is referring to our 2023 report, and I'm guessing that it is, on port of entry screening and vetting, yes.

Mr. KNOTT. Are you familiar—why—what led to that conclusion?

Ms. BERNARD. So, you know, in that particular report, like I said a moment ago, we were looking at the technology and the processes that CBP and ICE are using at ports of entry. You know, one common theme that we see in that report and time and time again is just the lack of situational awareness. There's a lot of—as Ms. Lang pointed to earlier, there's a lot of manual procedures, data inaccuracies, and other lags in getting information from partners that can just reduce situational awareness. Every land port of entry is different, has different technological capabilities and infrastructure, so our—

Mr. KNOTT. Is there a system—is there a system that could have facilitated appropriate screening of 11 million encounters at the border?

Ms. BERNARD. I think there's a lot of nuances to that question, but it all goes back to volume, right, and DHS has certainly struggled to keep pace with the volume.

Mr. KNOTT. Do you know where the decisions were made to allow or to facilitate the number of illegal immigrants at the border, to admit them? Was that in the White House? Was it the DHS boss? Who made those decisions?

Ms. BERNARD. I think that would be a combination of DHS guidance and Federal regulations at the time.

Mr. KNOTT. OK. Was there ever any discussion about limiting the number of inflow so that we could vet them more thoroughly?

Ms. BERNARD. We wouldn't get involved in those policy decisions at the inspector general's office. That would be for DHS.

Mr. KNOTT. OK. Ms. Lang, were you familiar with any discussions that went on about limiting the number of people who were coming into the country?

Ms. LANG. No, I'm not familiar with that. Thank you.

Mr. KNOTT. OK. Mr. Currie, in regards to your role in identifying how the Department functions most, I would say with the highest level of functionality, were you aware of any discussions with leadership, the White House under the Biden administration, about

limiting the number of illegal immigrants who were coming into the country?

Mr. CURRIE. No, sir.

Mr. KNOTT. OK. Were there any concerns that were relayed to the administration about, you know, we have terrorists coming in, we have drug dealers coming in, we have human traffickers coming in, there are people that want to harm this country coming in, because of the sheer volume we'd miss some of them? Were those concerns relayed to your superiors and to the folks in the White House?

Mr. CURRIE. Well, in our work, I mean, we've certainly done a lot of work over the last 4 to 5 years on CBP's role at the border and the processing. Certainly, the influx has had an impact on CBP's mission and the number—for example, the number of staff they need to process all those people. So from that standpoint, we've assessed those aspects of it.

Mr. KNOTT. Can CBP process 11 million people, known encounters? I mean, I submit there's more than 11 million people that crossed over, but is that a feasible ask to say, CBP, we—you need to process 11 million people in 4 years?

Mr. CURRIE. Well, traditionally, they've been very short-staffed, and they've struggled with hiring, for example. It's been a big problem to meet the numbers they need in general, so it's been a huge challenge.

Mr. KNOTT. So is the agency able to facilitate 11 million people coming into the country? Can you facilitate vetting? Can you know with confidence these people are not a threat to the country?

Mr. CURRIE. Well, I'm not—honestly, I'm not sure about the exact number of 11 million and what they could do. I can just tell you that, based on our work, that we know that they've—they—they've struggled to meet their mission for a long time and hire the number of people they need in regular times, let alone when there's a surge.

Mr. KNOTT. In regards to the number of employees that you think CBP needs to secure the border and to effectively protect the homeland, how many more people do you think you need?

Mr. CURRIE. I don't have the exact hiring targets at the tip of my tongue right now. They actually—CBP does set a target of what they need, and I know that they've had challenges meeting that and hiring enough agents. We've done a lot of work on that. Part of the problem is—is the process.

Mr. KNOTT. Yep.

Mr. CURRIE. It's like a multi-year process, 2 to 3—

Mr. KNOTT. To hire somebody?

Mr. CURRIE. Yes, at CBP, it's particularly challenging, and that's been something DHS has been trying to address for quite some time.

Mr. KNOTT. OK. Mr. Chairman, I yield back.

Mr. BRECHEEN. The gentleman—if it's OK with the committee, can he ask a follow-up?

Mr. THANEDAR. Yes.

Mr. KNOTT. A few extra questions?

Mr. BRECHEEN. Yes.

Mr. KNOTT. In regards to the—going to the portion of disaster relief to the States. Mr. Currie, is there anything that GAO can do to assist the President's counsel in terms of research on returning power to the States in disaster recovery? He's mentioned block grants. He's mentioned giving money more efficiently to the States. Is that something that you would have interest in doing, and, if so, what kind of recommendations would you give us to assist in that regard?

Mr. CURRIE. Yes, we haven't been contacted by the counsel yet, but we've been reporting on this for a number of years. We did a report a couple years ago. We had 10 major options for reforming this system, which, by the way, has been a problem for many years.

Mr. KNOTT. When you say this system, what—

Mr. CURRIE. The disaster recovery system. I call it "the system" because it's 30 Federal agencies, including FEMA. It's this big, large bureaucratic sort-of soup of agencies that all provide assistance. What we've found over the years is that it's just—it's too complicated is the bottom line.

Mr. KNOTT. Yes.

Mr. CURRIE. So for—yes, we have a number of options we've laid out. For example, one is Federal Government providing less assistance and getting involved in—maybe not getting involved in the medium and smaller disasters and letting the States manage those.

Another is changing the grant structure. Right now, we have—FEMA's grants are some of the most complicated in all of Government. You know, like I said, some of these disasters of 20 years—Hurricane Katrina is still an open disaster. FEMA is still writing checks and obligating funds for Hurricane Katrina. So getting out of the business of that so they can focus on response near-term is another option, so—but there's many other options too.

Mr. KNOTT. Is one of the perverse incentives of FEMA and your department is, I would think is, it disincentivizes States and local governments from having their own types of creativity or outlets in terms of dealing with disasters? Is that fair?

Mr. CURRIE. Absolutely. I mean, they know they can rely on the Federal Government. For example, a few years ago, we looked at the States—how many States have a rainy day fund for disasters, and very few do, because they base—they told us outright that if something is a bad—it's bad, then they'll just—they'll have the Federal Government pay for it. So—

Mr. KNOTT. Right.

Mr. CURRIE [continuing]. For sure.

Mr. KNOTT. I would just go down the list. If you all have any suggestions about how to more efficiently and effectively respond, I'd love to hear it from you, Ms. Bernard or Ms. Lang.

Ms. BERNARD. Yes. I would just add to what Mr. Currie said. There is a lot of bureaucracy in FEMA, and something that we've seen over, not just the last 4 years but certainly in the 20 years I've been here, is FEMA really struggles with operational efficiency. There are a lot of partners involved. They also struggle with just making sure that they're collecting sufficient documentation. It's a heroic effort to review just the sheer volume of transactions that they're dealing with. So they have a lot of different options for

reviewing payments as they go along or reviewing a sample of payments, and that's just something we see time and again. It's—the more transactions they're dealing with, the more opportunities there are for potential fraud or just misspent funds.

Mr. KNOTT. What's the source of the inefficiency? Is it the workload? Is it the work force? Is it the process?

Ms. BERNARD. I think it's definitely all 3. Yes, all 3.

Mr. KNOTT. Mr. Chairman, I think my time's up. I yield back.

Mr. BRECHEEN. I thank the—

Mr. THANEDAR. Mr. Chair.

Mr. BRECHEEN. I thank the gentleman.

Go ahead.

Mr. THANEDAR. I'd like to ask for unanimous consent to enter a statement for the record from the Council of Inspectors General on Integrity and Efficiency that speaks to the value of the IG community.

Mr. BRECHEEN. Without objection, so ordered.

[The information follows:]

STATEMENT OF TAMMY L. HULL, ACTING CHAIRPERSON, COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY, AND INSPECTOR GENERAL, U.S. POSTAL SERVICE

MARCH 11, 2025

The Council of the Inspectors General on Integrity and Efficiency (CIGIE) appreciates the opportunity to provide statement to the House Committee on Homeland Security, Subcommittee on Oversight Investigations, and Accountability.

Federal Offices of Inspector General (OIGs) have promoted economy, efficiency, and effectiveness in Government operations and helped detect and deter fraud, waste, abuse, and mismanagement since the Inspector General Act (IG Act) was passed on a bipartisan basis in 1978. IGs have a nearly 50-year history of working in a nonpartisan way with Members of Congress and administrations of both parties, on behalf of all Americans.

More specifically, the objective and independent work performed by the IG community touches every aspect of American society:

- We promote trust in our Government leaders by holding them accountable.
- We protect taxpayer dollars by making sure they are given to the intended recipients and used for the intended purposes.
- We protect health and welfare of Americans in so many ways—We help ensure that:
  - public transportation and infrastructure are safe,
  - veterans and the elderly have the medical care they need and deserve, and
  - even astronauts in outer space are protected by orbital debris.
- And, when we see problems, we identify them so that the agencies we oversee can take corrective action.
- We help protect whistleblowers who are just trying to do the right thing.
- We help protect against threats to the Government—from hackers to terrorists—by identifying weaknesses and vulnerabilities and offering solutions.

The IG community's effectiveness is reflected in its results. In fiscal year 2024, the work of skilled and dedicated employees across 73 OIGs resulted in potential savings totaling \$71.1 billion:

- \$52.7 billion from audit recommendations, and
- \$18.4 billion from investigative receivables and recoveries.

With the IG community's aggregate fiscal year 2024 budget of approximately \$3.9 billion,<sup>1</sup> these potential savings represent an approximate return of \$18 for every dollar invested in OIGs through their appropriations.

In fiscal year 2024, OIGs also helped to strengthen programs across the Federal Government through:

- 2,042 audit, inspection, and evaluation reports issued;

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<sup>1</sup>This total does not include amounts associated with the intelligence community OIGs due to the Classified nature of their budgets.

- 20,968 investigations closed;
- 3,917 indictments and criminal informations;
- 3,675 successful prosecutions;
- 1,015 successful civil actions;
- 4,127 suspensions or debarments; and
- 3,037 personnel actions in response to OIG findings.

Core to the IGs' ability to effectively conduct this critical oversight is that IGs operate in a strictly non-partisan manner. IGs are appointed, by law, without regard to their political affiliation and, during their tenures, they perform necessary oversight without regard to political party.

Further, over the years, Congress has strengthened IGs' ability to conduct effective oversight through bipartisan legislation. Specifically, with the passage of the Inspector General Reform Act of 2008 (Pub. L. No. 110–409), the Inspector General Empowerment Act of 2016 (Pub. L. No. 114–317) and the fiscal year 2023 National Defense Authorization Act (Title LII of Pub. L. No. 117–263), Congress enacted provisions to safeguard the independence of IGs, including requirements for the removal of IGs and the filling of vacancies. Since January 24, 2025, however, more than half of the Presidentially-appointed, Senate-confirmed IGs—who led some of the largest and most critical OIGs in Government oversight—have received termination notices, without the required notice and reasons for termination that Congress put in place in 2022.

It is critical that the independent nature of IGs' work, which is necessary to preserving the value of this nearly 50-year investment in the integrity of our Government, continues. It is equally important that the individuals who are temporarily acting in these IG positions remain nonpolitical, and that the administration nominate, and the Senate confirm, individuals who are similarly committed to leading objective oversight and carrying out their OIG's statutory mission.

The value of the IG community is as critical as it has ever been. We appreciate Congress's unwavering support for the nonpartisan work of our offices, and we are committed to meeting our shared goal of addressing integrity, economy, and effectiveness issues across Government agencies. Our longstanding partnership ultimately benefits the American public by promoting responsive, accountable, and transparent Government programs and operations.

In addition to this statement, CIGIE is providing to the subcommittee 3 fact sheets that highlight IG-community efforts to improve Government efficiency, identify challenges with information technology modernization, and fight fraud.

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#### INSPECTORS GENERAL IDENTIFY TECHNOLOGY MODERNIZATION CHALLENGES

Information Technology (IT) modernization has the potential to enable seamless communication and collaboration between agencies, foster innovation, empower data-driven decision making through advanced analytics, provide taxpayers improved return on investment, improve national security, and create user-friendly digital platforms to enhance citizen services.

Still, IGs have found IT modernization as a key area of concern facing multiple Federal agencies, and have identified an array of challenges agencies face in realizing this potential, such as:

- *Failure to Keep Pace.*—Cloud computing policies and guidelines established by the Department of State were outdated and obsolete and had not kept pace with the quickly evolving cloud computing landscape.
- *Lack of Strategy.*—The Social Security Administration did not have an approved strategy or guidance for defining and implementing plans to modernize, replace, or retire its legacy IT systems.
- *Increased Costs.*—The IRS did not have an enterprise-wide program to identify, prioritize, and execute the updating, replacing, or retiring of legacy IT systems. Until most of these systems are decommissioned, costs to maintain them will likely continue to increase.
- *Poor Project Management.*—VA needs to improve its oversight of its initial claims automation project, which focused on automating hypertension claims, to ensure accurate and consistent decisions for veterans while improving claims processing timeliness and minimizing manual processes. Failure to do so may result in veterans not receiving benefits to which they are entitled to and VA investing in a process and technology that does not deliver the intended outcomes.
- *Lack of Governance.*—The Small Business Administration faced challenges in establishing an effective IT investment governance framework, despite 6 years

of Inspector General findings on significant IT investment internal control issues.

- *Ineffective Planning.*—The Railroad Retirement Board could not provide detailed project plans to expend approximately \$26.5 million in IT modernization funding and spent \$6.6 million in obligated funds on non-IT modernization projects.

Most OIG reports/activities referenced are from fiscal year 2024.

#### INSPECTORS GENERAL FOCUS ON GOVERNMENT EFFICIENCY

##### \$693 BILLION IN POTENTIAL SAVINGS

Over the course of the last decade, IGs have had a cumulative impact on the United States Government of identifying \$693 billion in potential savings. However, over 13,000 recommendations made by IGs have yet to be implemented—many of which could result in substantial savings to taxpayers. To highlight these potential savings, the following 7 IG reports included recommendations that could result in approximately \$62 billion in funds being used more efficiently, including:

- \$45.6 billion in potentially fraudulent pandemic unemployment insurance (UI) payments
- \$7.2 billion in Supplemental Security Income (SSI) overpayment errors
- \$4.9 billion in unused funding available for reimbursement of regular UI benefits, held in States' Federal Unemployment Accounts
- \$1.8 billion in potentially erroneous Employee Retention Credit claims paid by the IRS
- \$1.2 billion in SSI payments made to someone other than the documented representative payees
- Over \$727 million over 4 years, if the DoD addressed the recommendations and expedited the retirement of 24 outdated DoD financial management systems
- \$694 million in Medicare costs over 3 years by expanding the hospital transfer policy for discharges to post-acute care

#### INSPECTORS GENERAL FIGHT FRAUD

IGs play a significant role in detecting and deterring fraud, waste, and abuse. In fiscal year 2024 alone, IG investigative work resulted in approximately:

- 3,675 successful criminal prosecutions,
- 1,015 successful civil actions, and
- \$18.4 billion in recoveries.
- The Pandemic Response Accountability Committee (PRAC) and its data analytics center identified \$5.4 billion in potentially fraudulent pandemic loans obtained using over 69,000 questionable Social Security Numbers.
- The Treasury Inspector General for Tax Administration identified a fraud scheme and alerted the Internal Revenue Service to prevent \$3.5 billion of potentially improper Employee Retention Credits and Sick and Family Leave Credits.
- A joint criminal investigation involving 5 IGs (HHS OIG, VA OIG, OPM OIG, DoD OIG, and Amtrak OIG) and their law enforcement partners (FDA OCI, FBI, DEA, and DOJ) resulted in an opioid manufacturer being ordered to pay more than \$1.5 billion in criminal fines and forfeiture for distributing misbranded opioid medication.
- The Department of State OIG found that a business owner fraudulently induced U.S. Government agencies to pay his company more than \$125 million and paid bribes to a Government insider.
- A Pension Benefit Guaranty Corporation OIG evaluation, in a partnership with the PRAC and its data analytics center, identified Special Financial Assistance Program approved and paid applications included erroneous calculations due to the inclusion of deceased participant data. Based on this evaluation, PBGC has adjusted its approval process for applications which will result in an estimated \$125 million of taxpayer dollars being put to better use. Additionally, the PBGC is performing retrospective audits of all previously-paid plans, resulting in the return of approximately \$164 million to the U.S. Treasury since December 2024.
- The Department of Housing and Urban Development OIG and the PRAC partnered to build an inventory of potential fraud schemes in HUD programs that were previously unknown to the agency. Some of those schemes were found

\* Most OIG reports/activities referenced are from FY 2024.

in an investigation by HUD OIG and partners (DOI, HSI, DOJ, and DOL OIG) into New York City Housing Authority that resulted in the largest single-day total of bribery charges in the Department of Justice's history.

Mr. BRECHEEN. I thank the witnesses for their valuable testimony; Members, for your questions.

The Members of the subcommittee may have some additional questions for the witnesses. We ask the witnesses to respond in writing.

Pursuant to committee rule VII(E), the hearing record will be open for 10 days.

The witnesses are dismissed, and the committee will be in recess for 5 minutes.

[Recess.]

Mr. BRECHEEN. The Committee on Homeland Security, Subcommittee on Oversight Investigations and Accountability, will come to order.

I'm pleased to have our second panel of distinguished witnesses before us today to speak on this important topic.

I ask the witnesses please rise and raise your right hand.

[Witnesses sworn.]

Mr. BRECHEEN. Let the record reflect the witnesses answered in the affirmative. Thank you.

I would now like to formally introduce our witnesses.

Mr. Curtis Schube is the executive director of the Council to Modernize Governance.

Mr. Schube, I am so glad, that's like my last name. Someone helped me pronounce that in my notes. You and I share a commonality there, right? Tough last names.

Mr. Mike Howell is the executive director of the Oversight Project, The Heritage Foundation. Mr. John Roth is a former inspector general for the Department of Homeland Security. Mr. Andrew Block is a senior counsel at the America First Legal Foundation.

I thank all of you as witnesses for being here today, and I value your time.

I now recognize Mr. Curtis Schube for 5 minutes for his opening statement.

**STATEMENT OF CURTIS M. SCHUBE, EXECUTIVE DIRECTOR,  
COUNCIL TO MODERNIZE GOVERNANCE**

Mr. SCHUBE. Chairman, Ranking Member, and to the Members of this committee, thank you for having me here today. My name is Curtis Schube. I am the executive director of Council to Modernize Governance. We're a nonprofit, and our overall mission is to reduce the power of the administrative state and ultimately return that power back to both the Congress and the people.

I'm here today to talk about internet censorship and Homeland Security's involvement in it. Now, the overarching principle that I'd like this committee to keep in mind today as I speak is this: The answer to wrong speech is more speech, not less. Giving Government the power to determine what is true and what is not and the power to determine what narratives can be spoken and what cannot and giving the power to silence the dissenting voice is opening the door to tyranny.

Now, I submitted some written testimony for this committee. I'd like to just give some of the highlights.

We all remember back in 2020, election and COVID-related content was routinely marked as misinformation or malinformation or disinformation on social media. Sometimes it was given that little moniker saying that this is disinformation, sometimes it was deleted, and sometimes the person who spoke even was removed from social media.

Now, in a time when 54 percent of Americans say at least sometimes they get their news from social media, this is a very significant development. It means that some messages are able to get to a significant portion of the American populous and some messages are not.

Now, we've come to find out that there were specific NGO's who were driving this effort. They had determined what messages were constituted MDM—misinformation, disinformation, or malinformation—and they would funnel that off into social media companies who would in turn delete that content. We've also come to find out that some Government employees were involved in that during 2020, but as far as we can tell, leadership was not, until President Biden took over.

So I want to talk about CISA, which we think was one of the more abusive subagencies within this effort. So what CISA did—it was created in 2018. It was created to oversee American infrastructure with regard to cybersecurity. But it took the term that was given in the statutory mandate, quote, "critical infrastructure," and took that to mean cognitive infrastructure. So something that was meant for us, the U.S. Government, to oversee the tangible elements of our cybersecurity, they took that to mean it can censor American thought.

Now, if CISA had begun to itself routinely identify content and report it itself, American—the American public would've had an outcry, because we intuitively know that that would violate the First Amendment. What it did instead is it began to fund these NGO's that had been driving this effort in the form of grants. The plan was to have the NGO's do the dirty work. The NGO would be the one to identify the content. The NGO would be the one to contact social media, and the Government would have less of a hand in it.

CISA spent a lot of money in this endeavor. The Center for Internet Security, for example, received \$107 million in DHS grants in the last 3 years. Other parts of the Department of Homeland Security, like FEMA, were also involved in these type of efforts.

This is all by design. Again, the Government knows that social media has protections under section 230 and other legal precedents, so the Government can claim, hey, we didn't remove any of this content, you know, Facebook did it. Then Facebook in turn can say, well, we had protections under section 230 and other versions of the law, and then there's no legal recourse for the censored party there either.

This is exactly what happened last year in *Murthy v. Missouri*, when the Supreme Court upheld the dismissal of censored Americans' lawsuits because they supposedly did not have standing.

So, Members, misinterpreting statutes and finding legal loopholes to avoid the protections given to all Americans under the First Amendment is abuse. Funding that effort is waste. The Government knows that it should not and cannot censor the speech of American citizens, so under President Biden's leadership, it found that loophole and this must be fixed.

Fortunately, there are some opportunities for Congress to fix this. It could pass laws that better define what the term "critical infrastructure" is to keep CISA under control. It can also pass laws that would prevent any funding of—excuse me, any Government funding of an NGO over the other private party who was involved in censorship efforts. Third, it can pass a law that would give citizens standing to have legal recourse when the types of activities described herein today were to occur.

Thank you for having me today, and I look forward to any questions you may have.

[The prepared statement of Mr. Schube follows:]

PREPARED STATEMENT OF CURTIS M. SCHUBE

TUESDAY, MARCH 11, 2025

Mr. Chairman, Mr. Ranking Member, and Members of the committee, thank you for the opportunity to testify.

I. INTRODUCTION

*"Freedom of speech is a principal pillar of a free government: When this support is taken away, the constitution of a free society is dissolved, and tyranny is erected on its ruins."*—Benjamin Franklin, U.S. Founding Father.<sup>1</sup>

The answer to so-called "wrong" speech is more speech. The moment that speech is limited, so too is freedom. To give Government, or any specific party, the power to determine what is true, and what is not, is to give extraordinary power to that party. It is a slippery slope. This is where tyranny begins.

Free speech has been under assault in recent years. Social media companies like Facebook and the formerly named Twitter have worked with Government, or non-profits funded by Government, to identify speech that they disagree with and not only remove the content, but also sometimes remove the speaker communicating this content altogether. Unfortunately, the views censored consistently leaned one way.

Social media is the new vehicle for news. Fifty-four percent of adults say that they at least sometimes get their news from social media.<sup>2</sup> Understandably, if certain viewpoints are prohibited from having access to a source that such a significant portion of people use to access information, the ability to arrive at the truth is severely suppressed.

Now imagine that social media and the Government become ideologically aligned. If Government and social media coordinate, or if Government coerces social media, Government becomes infinitely more powerful.

Unfortunately, this is not imaginary, but in fact it is exactly where we found ourselves for the last 4 years. In the run-up to the 2020 election, efforts to label, discredit, and ban so-called "dis-, mis-, and mal-information" effectively became official policy at many social media companies and supported by NGO's. But with the Biden administration, the Government's involvement was formalized. The administration

<sup>1</sup>Jared Sparks, *The Works of Benjamin Franklin*, (Boston: Hilliard, Gray, and Company, 1840), available at [<sup>2</sup>"Social Media and News Fact Sheet," Pew Research Center, September 17, 2024, <https://www.pewresearch.org/journalism/fact-sheet/social-media-and-news-fact-sheet/>.](https://books.google.com/books?id=qXQUhWz2rQC&pg=PA285&lpg=PA285&dq=%E2%80%9CFreedom+of+speech+is+a+principal+pillar+of+a+free+government+When+this+support+is+taken+away,+the+constitution+of+a+free+society+is+dissolved,%E2%80%9D&source=bl&ots=JTqQQGNuLis&sig=Q3og_EfuuQ0lruF4d0NGMlbE&hl=en&sa=X&ved=0ahUKEwi98PHJ6s_NAHXbZoKHSDbDd04ChDoAQgbMAA#v=onepage&q=%E2%80%9CFreedom%20of%20speech%20is%20a%20principal%20pillar%20of%20a%20free%20-government%3A%20When%20this%20support%20is%20taken%20away%20a%20the%20-constitution%20a%20free%20society%20is%20dissolved%2C%E2%80%9D&f=false.</p>
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gave grants to outside organizations to censor speech—something the First Amendment prohibited the administration from directly doing itself.

This should be alarming for all Americans. Anyone should be able to understand that Government should never be involved in moderating content of Americans. That violates the very principle that the First Amendment rests upon. By combining forces with platforms in order to moderate content is simply the Government doing indirectly what the Constitution prohibits it from doing directly.

## II. BIDEN'S ADMINISTRATION'S ABUSES, INCLUDING HIS DEPARTMENT OF HOMELAND SECURITY

Before detailing the efforts made during the Biden years, it is important to first lay the groundwork for how internet censorship has been conducted. Censors use 3 different categories of speech violations when reviewing social media: dis-, mis-, and mal-information.<sup>3</sup> Disinformation is deliberately false speech created to mislead, harm, or manipulate. Misinformation is factually false, but not created or shared with the intent to harm. Malinformation is defined as factually correct speech that has been taken out of or presented without context.<sup>4</sup>

Of course, there may be bad actors who want to intentionally spread false information for various nefarious reasons. But the problem with regulating categories of speech is this: who decides? Regulation of speech first requires someone to determine what is true, and what is not. And, as seen by our weekly news cycle for years now, the perception of what is true and what is not frequently differs, and may evolve over time as the amount and quality of information improves. Even those who live in the same communities may perceive truth differently.

Giving the power to define and fix what is “true” to the Government, social media, or anyone else, is dangerous. With regard to Government, it inverts the balance of power that the framers of our Constitution intended: that the Government serves the people. Government is not meant to pick sides. It is not meant to punish those who disagree simply for disagreeing.

Second, Government is ultimately a human institution. It is susceptible to human sins that come with power. And, even if righteously motivated, those humans can make mistakes and be wrong.

It is for these reasons that the overarching premise of this testimony is this: the antidote to mis-, dis-, and mal-information is more speech, not less. Government should provide facts, data, and information to the public in support of policy decisions. But Government should never silence, punish, or vilify those who disagree with those decisions. Nor should it provide resources to those who do.

### A. DHS Censorship Efforts

The Cyber Security and Infrastructure Security Agency (CISA), housed within the DHS, has been actively involved in censorship. The agency, created in 2018, has a mission of “lead[ing] cybersecurity and critical infrastructure security programs, operations, and associated policy.”<sup>5</sup> “Critical infrastructure,” as defined in 2003 by Homeland Security Presidential Directive—7, meant “information technology; telecommunications; chemical; transportation systems, including mass transit, aviation, maritime, ground/surface, and rail and pipeline systems; emergency services; and postal and shipping.”<sup>6</sup>

These items intuitively align with “infrastructure.” The dictionary definition means “the resources (such as personnel, buildings, or equipment) required for an activity.”<sup>7</sup> The word itself denotes tangible structures.

Yet, beginning in 2021, under the direction of Jen Easterly, the Biden-era CISA interpreted critical infrastructure to include thought. She remarked that “The most

<sup>3</sup> Curtis M. Schube and Gary Lawkowski, “Restoring Online Free Speech and Shutting Down the Censorship Industrial Complex,” December 2023, 3, <https://modernizegovernance.org/wp-content/uploads/2023/12/Censorship.pdf>.

<sup>4</sup> Ibid.

<sup>5</sup> 6 U.S.C. § 652.

<sup>6</sup> U.S. House of Representatives, Committee on the Judiciary, *The Weaponization of CISA: How a “Cybersecurity” Agency Colluded with Big Tech and “Disinformation” Partners to Censor Americans*, June 26, 2023, 5, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/cisa-staff-report6-26-23.pdf>, (“House Judiciary Report”) citing Homeland Sec. Presidential Directive 7, 2. Pub. Papers 1739 (Dec. 17, 2003).

<sup>7</sup> “Infrastructure,” Merriam-Webster, accessed March 5, 2025, <https://www.merriam-webster.com/dictionary/infrastructure>.

critical infrastructure is our cognitive infrastructure, so building that resilience to misinformation and disinformation, I think is incredibly important.”<sup>8</sup>

CISA also actively employed people with social media ties to help it in its efforts. One example is Vijaya Gadde, who joined an advisory committee with CISA from Twitter<sup>9</sup> for, among other things, to “combat[] misinformation and disinformation impacting the security of critical infrastructure.”<sup>10</sup> In June 2021, she then, along with her committee, drafted an “information ecosystem” report, which called for censoring not only citizens, but the press too, through the monitoring of “social media platforms of all sizes, mainstream media, cable news, hyper partisan media, talk radio and other on-line resources.”<sup>11</sup> The resource she promoted<sup>12</sup> using is the Global Disinformation Index (GDI), an NGO dedicated to “identifying disinformation” with a focus on “at-risk groups” that include “immigrants, to protected classes like women, persecuted minorities, people of colour [sic], the LGBTQ+ community, children, etc.”<sup>13</sup>

In January 2021, soon after President Biden took office, CISA changed its focus. Even one of its task forces, named “Countering Foreign Influence Task Force,” was renamed the “Mis-, Dis- and Malinformation” (MDM) task force.<sup>14</sup> CISA acknowledged that its focus was no longer exclusively on “countering foreign influence,” but also MDM from domestic sources.<sup>15</sup> The topics were to include “the origins of the COVID-19 pandemic and the efficacy of COVID-19 vaccines, racial justice, U.S. withdrawal from Afghanistan, and the nature of the U.S. support to Ukraine.”<sup>16</sup>

This same “MDM”<sup>17</sup> committee also included a member from University of Washington’s Center for an Informed Public, Kate Starbird, another organization devoted to on-line censorship.<sup>18</sup> It is dedicated to “translate research about misinformation and disinformation into policy.”<sup>19</sup> Alongside Gadde and Starbird were Government representatives from CISA.

Perhaps scarier, CISA’s own definition of monitored activity included “malinformation,” which as noted above is “based on fact, but used out of context to mislead, harm, or manipulate.”<sup>20</sup> Now, even true information, merely interpreted to the Government’s disliking, was objectionable. CISA employed 15 people to dedicate themselves to this effort.<sup>21</sup>

CISA was actively involved in flagging content at the beginning. It flagged election-related content as far back as 2018.<sup>22</sup> However, once domestic speech was the focus, CISA had other organizations perform its bidding. Starbird emailed the sub-

<sup>8</sup> Maggie Miller, “Cyber Agency Beefing Up Disinformation, Misinformation Team,” The Hill, Nov. 10, 2021, <https://thehill.com/policy/cybersecurity/580990-cyber-agency-beefing-up-disinformationmisinformation-team>.

<sup>9</sup> Twitter was already known to actively censor for content-based messaging. See, for example, *O’Handley v. Padilla*, 579 F. Supp. 1163 (N.D. Cal. 2022).

<sup>10</sup> Department of Homeland Security-Cybersecurity & Infrastructure Security Agency, *CISA Names 23 Members to New Cybersecurity Advisory Committee*, December 1, 2021, <https://www.cisa.gov/news-events/news/cisa-names-23-members-new-cybersecurity-advisory-committee>.

<sup>11</sup> Jon Levine, “House Republicans Promise to Investigate Exec Vijaya Gadde’s role in Twitter Censorship,” New York Post, December 3, 2022, <https://nypost.com/2022/12/03/house-republicans-to-investigate-vijaya-gadde-role-in-twitter-censorship/>.

<sup>12</sup> Charlie McCarthy, “Ex-Twitter Exec Promoted to GDI to DHS Subcommittee,” Newsmax, July 12, 2023, <https://www.newsmax.com/newsfront/twitter-exec-gadde/2023/07/12/id/1126847/>.

<sup>13</sup> Global Disinformation Index, “How We Define Disinformation,” accessed March 6, 2025, <https://www.disinformationindex.org/mission>.

<sup>14</sup> CSC White Paper #6: Countering Disinformation in the United States at 14, U.S. Cybersecurity Solarium Commission (Dec. 2021), <https://www.hSDL.org/c/view?docid=863779> (“The Countering Foreign Influence Task Force, established in 2018 within CISA’s predecessor agency, became in 2021 the Mis-, Dis-, and Malinformation (MDM) team, which ‘work[s] in close coordination with interagency and private-sector partners, social media companies, academia, and international partners on a variety of projects to build resilience against malicious information activities.’”).

<sup>15</sup> House Judiciary Report 10.

<sup>16</sup> Aaron Kleigman, “DHS Agency Appears to be ‘Burying’ Evidence of Involvement with ‘Domestic Censorship Activities’: Expert,” March 7, 2023, <https://www.foxnews.com/politics/dhs-agency-appears-burying-evidence-involvement-domestic-censorship-activities-expert>.

<sup>17</sup> Standing for Mis-, Dis-, and Mal-Information.

<sup>18</sup> House Judiciary Report 6.

<sup>19</sup> University of Washington-Center for an Informed Public, About, accessed March 6, 2025, <https://www.cip.uw.edu/about/>.

<sup>20</sup> House Judiciary Report 10, citing CYBERSECURITY AND INFRASTRUCTURE SEC. AGENCY, MIS-, DIS-, AND MALINFORMATION PLANNING AND INCIDENT RESPONSE GUIDE FOR ELECTION OFFICIALS, at 1 (2022), [https://www.cisa.gov/sites/default/files/2022-11/mdi INCIDENT RESPONSE GUIDE\\_508.pdf](https://www.cisa.gov/sites/default/files/2022-11/mdi INCIDENT RESPONSE GUIDE_508.pdf).

<sup>21</sup> Ibid. 11.

<sup>22</sup> Ibid 12.

committee the recommendation that “CISA should also engage in content- and narrative-specific mitigation efforts . . . CISA should support these efforts . . . through funding outside organizations to assist this work.”<sup>23</sup>

#### *B. Federal Grants that Sponsored Censorship*

The Center for Internet Security (CIS), a nonprofit, was found to have served as a conduit for election officials to report alleged false or misleading content about the 2020 election.<sup>24</sup> CIS’s Elections Infrastructure Sharing and Analysis Center (“EI-ISAC”) was a “collaborative partnership between CIS, CISA, and the Election Infrastructure Subsector Government Coordinating Council.” It was CIS that would send the reports to social media platforms.<sup>25</sup> So while technically CISA did not report the content, it was in collaboration with those who did. While CISA proudly boasted that it did not engage in switchboarding for the 2022 election cycle, it actually had only transferred the “switchboard function” to EI-ISAC.<sup>26</sup> They have received \$107.9 million in DHS grants, which were paid out from 2022–2024.<sup>27</sup>

This was not the only non-profit/NGO benefiting financially from DHS for carrying out censorship activities at the behest of the Government. GDI, the British-based non-profit discussed previously, for example, received \$960,000 for its efforts.<sup>28</sup> In 2022, \$7 million went to a DHS media literacy campaign, which was to focus on “misinformation and disinformation.”<sup>29</sup> These funds went to what appear to be partisan NGO’s, such as The Carter Center, funded by President Jimmy Carter, who received \$99,372 in 2022. The University of Rhode Island received \$701,612 to combat disinformation, conspiracy theories, and propaganda. The Woodrow Wilson International Center for Scholars received \$750,000 to create a game to help students identify disinformation. The Urban Rural Action received \$769,190.<sup>30</sup> The DHS grant document provided that “Disinformation, conspiracy theories, and propaganda have become large-scale social problems, shaping the way citizens view facts, define truth, and make decisions.”<sup>31</sup>

FEMA also used grant money to combat alleged disinformation. Under its grants’ descriptions on FEMA’s website, under the category of “Domestic Violent Extremism,” it lists grants for “open-source analysis of misinformation campaigns . . . and online/social media-based threats.” It also provides grants for “training and awareness programs . . . to educate the public on misinformation and disinformation campaigns . . . ”<sup>32</sup>

#### *C. Blocking Legal Redress for Censorship—Hiding Behind Standing Doctrine*

Why would CISA, and other subagencies, send money to outside organizations to monitor on-line content and report it, rather than do that itself? The answer is because this would blatantly violate the First Amendment. “Content-based laws—those that target speech based on its communicative content—are presumptively unconstitutional . . . ”<sup>33</sup> It is content-based speech if the speech is regulated “because of the topic discussed or the idea or message expressed.”<sup>34</sup>

The Government, therefore, cannot regulate, and suppress, based upon content. But the Government knows that, as the law is applied now, private parties can suppress speech. In a case out of California that had very similar facts, where the State of California coordinated with an NGO, who then reported content to social media, the court found that there was no standing because “there is no allegation that the State had any contact with Twitter . . . nor is there any allegation that the State was involved in any of Twitter’s content moderation decisions.”<sup>35</sup> “Mere approval of

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<sup>23</sup> Ibid 21.

<sup>24</sup> Ibid. 7.

<sup>25</sup> Ibid.

<sup>26</sup> House Judiciary Report 22.

<sup>27</sup> Center for Internet Security, Inc., USASpending.gov, accessed March 6, 2025, <https://www.usaspending.gov/recipient/3fe5cc66-9042-5e94-dd7b-53e58329f4bf-R/latest>. While some of this grant was for 2019, the payments began in 2022.

<sup>28</sup> McCarthy.

<sup>29</sup> Corruption Chronicles, “Millions in DHS Terrorism Prevention Grants go to Promote Media Literacy, Combat Disinformation,” Judicial Watch, October 3, 2022, <https://www.judicialwatch.org/millions-in-dhs-prevention-grants/>.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Federal Emergency Management Agency, *Fiscal Year 2024 Homeland Security Grant Program Frequently Asked Questions*, April 16, 2024, <https://www.fema.gov/grants/preparedness/homeland-security/fy-24-fags>.

<sup>33</sup> *Reed v. Town of Gilbert*, 135 S.Ct. 2218, 2226 (2015).

<sup>34</sup> Ibid.

<sup>35</sup> O’Handley, 579 F.Supp. 3d at 1189.

or acquiescence in the initiatives of a private party is not sufficient to justify holding the State responsible for those initiatives.”<sup>36</sup> That case was dismissed as to Twitter too, likening their rights to a newspaper, giving it a “First Amendment right to moderate content disseminated on their platforms.”<sup>37</sup>

Thus, a censored party is in a catch-22. If they seek recourse against the Government, the Government simply points its finger at the social media company. The social media company simply says that it is protected by the ability to moderate content on its private social media business. There is no recourse.

This is exactly what the Department of Justice argued in *Murthy v. Missouri*. In *Murthy*, it was alleged that various agencies, including CISA, “coerced” or “significantly encouraged” social media platforms to moderate content.<sup>38</sup> In the Government’s brief, which cited O’Handley numerous times, it argued that the censored parties lacked standing “because they have not shown any cognizable injuries that are fairly traceable to the Government,” noting that the content moderation was performed by private parties.<sup>39</sup> The Supreme Court agreed, noting that “platforms had independent incentives to moderate content and often exercised their own judgment.”<sup>40</sup>

Thus, without some action by Congress changing this paradigm, agencies can creatively avoid consequences for their censorship efforts.

### III. SOLUTIONS

Congress could reduce a lot of these problems with some very simple, and common-sense solutions. First, Congress should prohibit any agency from funding non-governmental organizations whose purpose is to suppress political speech, dissent, or narratives that do not align with the Government’s chosen message.<sup>41</sup> No Government money should ever be used to suppress speech, regardless of whether the actor is Governmental or private.

Second, specific to the term “critical infrastructure,” Congress should define the term to prevent there from being any question that the term does not mean “cognitive.” Congress should also order agencies to review their policies to determine whether other statutory interpretations have led to the moderation of content online.

Third, Congress should explicitly grant standing to those who are targeted for internet censorship. As stated previously, the Government has hidden behind standing to get away with censorship and the Supreme Court has enabled that to continue. But if Congress were to explicitly create a cause of action for situations where Government coordinates with big tech, then citizens would have recourse. Creating personal liability and employment discipline would also deter Government employees from acting independent of agency policy.

### IV. CONCLUSION

The efforts of CISA, FEMA, and DHS as a whole, to participate in censorship activity by way of funding the censors is disturbing. It runs contrary to the spirit of the First Amendment, at the very least. But Congress has the power to prevent this behavior in the future. The simple solutions suggested within would disrupt this practice. Congress should do so.

**Mr. BRECHEEN. Thank you, Mr. Schube.**

I now recognize Mr. Mike Howell for 5 minutes for his opening statement.

<sup>36</sup>Ibid. 1181, quoting *Blum v. Yaretsky*, 457 U.S. 991, 1004–05 (1982).

<sup>37</sup>Ibid. 1187, quoting *Netchoice v. Paxton*, 573 F.Supp.3d 1092, 1106 (W.D. Tex. 2021).

<sup>38</sup>144 S.Ct. at 1984.

<sup>39</sup>Brief For the Petitioners, 13, *Murthy v. Missouri*, No. 23-411, available at [https://www.supremecourt.gov/DocketPDF/23/23-411/293780/20231219192259919\\_23-411ts%20-Murthy.pdf](https://www.supremecourt.gov/DocketPDF/23/23-411/293780/20231219192259919_23-411ts%20-Murthy.pdf).

<sup>40</sup>Murthy, 144 S.Ct. at 1987.

<sup>41</sup>Of course, exceptions should be made for legitimate law enforcement purposes. For example, if criminal activity is coordinated over social media platforms, Government should be permitted to identify and have removed that content. The same goes for other criminal content, such as child pornography.

**STATEMENT OF MIKE HOWELL, EXECUTIVE DIRECTOR,  
OVERSIGHT PROJECT, THE HERITAGE FOUNDATION**

Mr. HOWELL. Members of the subcommittee, thank you for the opportunity to testify about the role of NGO's, or nongovernmental organizations, in facilitating mass illegal immigration. I currently serve as the executive director of the Oversight Project, and previously was at DHS and on Capitol Hill conducting oversight of immigration matters.

The United States of America is still reeling from the worst border invasion in its history. This was an invasion that was planned, promoted, encouraged, funded, and sustained by radical elements of the previous administration. But this invasion could not have been accomplished without a colossal partnership with the NGO community. Simply put, the Government just did not have the capacity to get these—this many people in and around the country without the support of the nonprofits.

To that end, they gave them almost \$6 billion to a conglomerate of U.N. agencies and over 200 NGO's to do just that, according to statistics from the Center for Immigration Studies. The result was that Border Patrol became a daycare. It became Uber drivers just to shuttle illegals to the nonprofits to get them around the country.

Now, the Oversight Project has led the way in exposing what I call this border industrial complex. In December 2022, we did the first-of-its-kind study where we tracked illegal aliens by their cell phones as they went through these nonprofits at the border. In just a 1-month period in tracking 30,000 devices, so a very small subset of the 10 million that Biden had cross the border, we found out that the illegals went to nearly every single Congressional district in the United States. We proved that every town was indeed a border town.

That work informed the House of Representatives to pass H.R. 2, which notably contained a provision defunding the entirety of these NGO's.

Now, this is a landmark event. It was controversial even amongst politicians here in the District of Columbia, because the dirty secret is a lot of politicians have a very cozy relationship with these organizations. In fact, one Member went as far to say that that provision in H.R. 2 was un-Christian. Well, that's now common-sense principle for immigration policy today that we do not fund our own invasion. To that end, DHS pausing all money to these organizations is simply common-sense.

Now, really quickly on H.R. 2, because there's been a lot of confusion on this point, some of your colleagues last Congress over in the Senate introduced a bill to undercut H.R. 2 that would've mandated a new normal of illegal border crossings at over 5,000 a day. Now, I'm going to quote President Trump here from his State of the Union last week. People kept saying we needed new legislation to secure the border, "but it turned out all we needed is a new President." He was right. He is right.

In addition, the Oversight Project continues to lead the way in uncovering seedy behavior after behavior at NGO's. In New York, we found illegal aliens getting tax—or false residency documents. In Mexico, we found fliers at an illegal alien station camp encouraging illegals to vote for Biden. In Arizona, we found a former

Mexican consulate official at the Southside Worker Center in Tucson advising illegals how to lie to law enforcement and evade ICE. That's against the law. Additionally, we produced documentary evidence of noncitizens admitting on camera to being registered to vote in Georgia, North Carolina, Minnesota, Arizona.

So where are all the Government investigations? I am begging for someone to please join us. What about the DHS OIG? I see investigation after investigation into the conditions at ICE facilities. Where are the investigations of these nonprofits and the \$6 billion that flowed through them? It's time that we start treating the Biden border crisis like the crime scene that it is.

Now, this body funded it. I know a lot of Members here want nothing to do with it, but the money came from Congress to fund the Biden border invasion. So this body retains a responsibility and luckily the authority to figure out exactly how that money was spent and where these illegals ended up, and what NGO's, like the ones that helped facilitate the travel of Jose Ibarra, who ended up killing Laken Riley, what taxpayer dollars were involved in that.

One thing I want to leave you with, perhaps most importantly, is the left designed a sophisticated infrastructure to get this many people in the country. You all can do the same thing to get them out. I'm encouraging you to look at all available funding streams to help work with people outside the Government to educate illegals on how to leave, to help arrange or even pay for their travel home. I call this whole concept homeward bound. People need to go home.

It's time for a modernization of the immigration enforcement system writ large. This means we don't need to secure the border for just 2025 but forever, a renaissance in applying technology scientific advancements. The stovepipe system of various Federal agencies holding this data needs to be fixed. This is what border czar Tom Homan called for just a few weeks ago. Generally, we should give Tom Homan exactly what he needs to get this job done.

Finally, we've got to prepare for the cartels to fight back. These people made a lot of money and gained a lot of power during the Biden administration, and they're not going to take this lying down. We need to get ready for when they start launching drones, kinetic attacks, other asymmetrical warfare. They are not going to go quietly in the night.

With that, I thank the subcommittee for the opportunity to testify, and I look forward to answering all your questions.

[The prepared statement of Mr. Howell follows:]

PREPARED STATEMENT OF MIKE HOWELL

MARCH 11, 2025

Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee, thank you for the opportunity to testify about the role non-governmental organizations ("NGO's") play in facilitating mass illegal immigration. I currently serve as the executive director of the Oversight Project and have previously served at the Department of Homeland Security and on Capitol Hill conducting oversight of immigration matters. I appear today in my personal capacity.

The United States of America is still reeling from the consequences of the worst border invasion in its history. This was an invasion that was planned, promoted, encouraged, funded, and sustained by radical elements of the previous administration. This invasion could not have been accomplished without a colossal "partner-

ship" between the Government and NGO's. The Federal Government provided billions of dollars to NGO's to do the dirty work the Federal Government could not.

Simply put, under the Biden administration's open border policies, the Government could only do so much to facilitate mass illegal migration, welcome the illegal aliens to the United States, and move them around the country. It needed help and NGO's jumped at the opportunity to fill the void. The Biden administration repaid them by driving an estimated \$6 billion to a conglomerate of 15 U.N. agencies and 230 NGO's, as recently calculated by the Center for Immigration Studies, to do this work for them.<sup>1</sup>

In doing so, the Biden administration turned the Border Patrol into nothing more than a welcome center, a day care, and glorified Uber drivers that ferried illegal aliens to NGO's. In turn, the NGO's facilitated mass migration of illegal aliens throughout the interior of the United States.

The Oversight Project has led the way on exposing what I call the border industrial complex. In December 2022, we published a first-of-its-kind study tracking the movement of illegal aliens by their cell phones through NGO's at the border.<sup>2</sup>

Our investigation was simple.

We purchased the ad tech cell phone data of approximately 30,000 devices found at border NGO facilities and tracked the movement of those devices throughout the United States during the month of January 2022. The results were staggering. We found that these devices traveled to 431 different Congressional districts in the United States. Our research proved that indeed "every town is a border town."

Our work informed the House of Representatives' passage of H.R. 2 (118th Cong.), which notably contained a provision prohibiting DHS from providing funds to NGO's that facilitate or encourage illegal immigration or provide certain services such as lodging or legal services.<sup>3</sup>

This was a landmark shift for politicians in Washington, DC, with the dirty little secret being that many had a cozy relationship with these organizations and one even went as far as calling the bill "un-Christian" in order to advocate on NGO's behalf. Moving forward, prohibiting the funding of the invasion itself through NGO's should be a common-sense staple. To that end, DHS's freezing of such money only makes sense.

I pause for a moment to discuss the entire point of H.R. 2, which was to close the loopholes that the Biden administration weaponized to open the border and to prevent future administrations adverse to border security from doing the same. There has been much misinformation on this very point, with some of your colleagues in the Senate and the previous administration who united around a policy to maintain record numbers of illegal border crossings as a new normal. As President Trump said in his State of the Union last week, those people "kept saying we needed new legislation to secure the border—but it turned out that all we really needed was a new President." How right he is.

In addition, the Oversight Project has uncovered instance after instance of seedy behaviors at NGO's promoting illegal immigration. In New York, we discovered a taxpayer-funded shelter providing false residency documents to illegals. In Mexico, we discovered flyers at an illegal alien staging camp encouraging illegals to remember to vote for Biden when they got to the United States. In Arizona, we found a former Mexican consulate official at an Southside Worker Center in Tucson advising illegals to lie to law enforcement to evade ICE—a probable violation of 8 U.S.C. § 1324. Additionally, we have produced documentary evidence of noncitizens admitting, on camera, to being registered to vote in Georgia, North Carolina, Illinois, and New York.<sup>4</sup>

It is remarkable to me that law enforcement and policy makers haven't focused on similar investigations. Save for Attorney General Greg Abbott in Texas, there has not been much action. In the 117th Congress, when Democrats had complete control of Congress and the border crisis was spiraling out of control, a Senate subcommittee devoted a year-and-a-half investigating an ICE detention facility where there were allegations of a doctor performing forced hysterectomies on illegals. This was obviously false, and I said so at the time. The Senate subcommittee also found the allegations were false. Just recently, NBC Universal had to settle a defamation suit against the doctor at the center of these allegations for pushing this fake news on MSNBC in segments with Rachel Maddow, Chris Hayes, and Nicole Wallace. So

<sup>1</sup> <https://nypost.com/2025/02/01/opinion/how-us-taxpayers-funded-the-largest-illegal-migration-in-history/>.

<sup>2</sup> <https://www.heritage.org/the-oversight-project/securing-americas-borders/tracking-movement-illegal-alien-ngo-the-us>.

<sup>3</sup> <https://www.congress.gov/bill/118th-congress/house-bill/2>.

<sup>4</sup> <https://x.com/OversightPR/status/1836145827091210719>.

in effect, your Senate colleagues spent time investigating a fake “uterus collector” story during a very real border crisis.

In turn, the DHS Office of Inspector General releases report after report on the conditions in ICE facilities which are required to meet stringent standards of care for those who invade our country. In stark contrast, the non-governmental organizations shuttling illegals in and around the country are not required to meet such standards and have not been a sustained focus for the DHS OIG.

Where are the deep dives and accounting audits into the over \$6 billion spent by our Government to promote a border crisis? How is this not an epic scandal? To me, this represents a flagrant Constitutional abuse, perhaps the greatest in American history for its scale and just complete contradiction of the very duties of our own Government to secure our own borders and protect Americans. This body funded the NGO facilitation of Jose Ibarra's illegal entry into this country and multiple trips to New York and Georgia, where he killed Laken Riley.

They are the poster children for this fiscal negligence I encourage all of you on the subcommittee to commit to a deep dive investigation into the actions of these NGO's over the last few years, not to mention the troubling continuing trend of NGO's working against the national interest to assist illegals in evading ICE. This body funded them, and in doing so retains responsibility to the taxpayer to figure out who spent that money, how, and what information they retain about the illegals they moved and where.

But the one thing I want to leave you with, perhaps most importantly, is that it took immense organizational sophistication by Open Borders advocates to design a system where they could significantly augment the ability of the Government to get illegal aliens into the country. You can now do the same to get them out.

Now is the time to look at all available streams of funding to drive capacity toward those outside the Federal Government who can help get this done. Whether it is educating illegal that their free ride is over and deportation is in the offing, or helping arrange them travel home.

It is a time for a complete modernization of the immigration enforcement system and border security. We do not need to secure our country for just 2025, but for the future. This means a renaissance in applying technological and scientific advancements. Currently, the stove-piped systems of various Federal agencies holding different sets of critical information for enforcement are outdated. Don't take my word for it. Border Czar Tom Homan recently called for a new immigration enforcement life-cycle system. As a general matter, we should be giving Tom Homan what he wants. It is he who has the Herculean task and is in the arena.

We should also be preparing for the cartels to fight back. These transnational criminals made a lot of money in cooperation with the Biden administration. They aren't just going to give up territory and profit modes of human and drug trafficking. I encourage you all to think deeply about not just investing in traditional modes of border security and personnel, but about what it means to secure the border against drones, kinetic attacks, and evolving means of asymmetrical warfare. The events of October 7 in Israel should be instructive in this regard.

I thank the subcommittee for the opportunity to testify and I am happy to answer any questions.

Mr. BRECHEEN. Thank you, Mr. Howell.

I now recognize Mr. John Roth for 5 minutes for his opening statement.

**STATEMENT OF JOHN ROTH, PRIVATE CITIZEN, FORMER INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY**

Mr. ROTH. Thank you for the opportunity to testify here today. My testimony is going to focus on the crucial role of the inspector generals they play in fighting waste, fraud, and abuse, and the need for a sustained and thoughtful effort to identify and root out waste, and the false economy of large-scale, indiscriminate personnel reductions.

Since their creation, IGs have played a vital role in improving Government operations, saving the taxpayers billions of dollars, and ensuring that agencies operate within the law. IG offices actually save more money than they spend. For example, in 2023 alone,

IG offices identified over \$93 billion in potential savings. These savings represent a 26-to-1 return on investments for IGs.

This is possible because IGs and their staff have the training and experience in audits, inspections, and investigations, are bound by their professional standards to be independent of the programs and operations they review, to make conclusions and recommendations only when well-founded and supported by the evidence, and to approach their job with the professional skepticism inherent in an auditor. They ask the difficult questions, they challenge their organizations to be better, to be more efficient, to ensure rigor in Government operations and look to eliminate waste, but they are often the bearers of bad news.

Recent events have called into question the independence of these IGs. The unprecedented removal of multiple IGs has sent a chilling message to the oversight community: Produce findings that are uncomfortable or politically sensitive and you risk losing your job. This undermines the entire system of Government accountability. These actions create an implicit pressure to avoid the kinds of work necessary for effective Government and can lead to self-censorship. Even worse, it destroys the public and Congressional confidence in the integrity, the accuracy, and the independence of findings that the IG does make.

I applaud the administration's interest in combating waste, fraud, and abuse in Government. My career was dedicated to exactly that proposition. But I believe that the administration has missed the mark in relying on the Department of Government Efficiency to identify and root out waste rather than the mechanism that already exists: the inspector general community.

IG offices are well-positioned to understand the specific operational challenges and risks within their agency. If the intent is to cut with a scalpel rather than a hatchet, the deep knowledge of the institution involved is necessary.

Moreover, IGs are accountable both to Congress, this body, as well as the general public. IGs are required to submit written reports to Congress detailing their findings and recommendations, which are published, ensuring transparency and accountability.

IG staff meets with Congressional staff to discuss reports and recommendations. They also review—initiate reviews based on recommendations from this committee and other committees of Government operations. IGs testify before Congress, as we saw today, to explain their findings and answer Congress' questions. Congressional appropriators routinely cite IG reports in their own reports directing agencies to fix problems that the IGs have uncovered.

Because an IG's findings and recommendations are credible specifically because they are the result of a rigorous, professional, and transparent process, no ad hoc process, no matter how well intentioned, will garner the same level of credibility and trust.

With regard to the reductions in Federal work force that's currently going on, intuitively it makes sense that reducing the Federal work force may save money, but in reality, I think the actions will be unlikely to do so. Any reductions in force should be part of a well-thought-out management plan that aligns agency resources and priorities and mission requirements with the work force necessary to carry them out. To do so otherwise will drain the agency

of specific skills necessary to ensure that the agency performs its mission.

Moreover, creating a climate of fear and uncertainty in Government work force simply drives out high-quality employees, those with the necessary skills and the record performance, out of the Federal Government.

Finally, any reduction in force must comply with the laws that Congress has enacted and be decided by those without conflict of interest and avoid prohibited personnel practices. Failure to do so results in wasteful and time-consuming litigation, allegations of improper motive, and loss of agency focus in dealing with the fallout from such actions.

This concludes my testimony. I'm happy to answer any questions the committee may have.

[The prepared statement of Mr. Roth follows:]

PREPARED STATEMENT OF JOHN ROTH

MARCH 11, 2025

Thank you for the opportunity to testify on the issue of preventing waste, fraud, and abuse at the Department of Homeland Security. As background, I was the inspector general for Homeland Security from 2013 to 2017. Before that, I was a Federal prosecutor for over 25 years in the Department of Justice in a variety of leadership and policy-making roles in both Republican and Democratic administrations. After retiring from Government service, I worked in the financial services industry, leading the compliance and ethics functions for a high-tech startup as well as a Fortune 200 public company. As such, I have first-hand experience in conducting oversight in both the public and private sectors.

My testimony today will focus on the crucial role that independent Inspectors General play in fighting waste, fraud, and abuse, the necessity for a sustained and thoughtful effort to identify and root out waste, and the false economy in large-scale, indiscriminate personnel reductions.

THE ROLE OF INSPECTORS GENERAL

Inspectors general were created to provide independent oversight of Federal agencies. Since the passage of the Inspector General Act of 1978, IGs have played a vital role in improving Government operations, saving taxpayers billions of dollars, and ensuring that agencies operate within the law.

IGs conduct audits, investigations, and evaluations that identify inefficiencies, mismanagement, and corruption. For example, during my tenure at the Department of Homeland Security, my office issued numerous reports that identified critical weaknesses in border security, transportation security, cybersecurity, and disaster response efforts. These reports provided Congress and the public with objective assessments and actionable recommendations to improve Government performance. I know from personal experience that the entire IG community is committed to these goals.

IG offices are unique in that they save more than they spend, and by a large margin. According to reports from the Council of the Inspectors General on Integrity and Efficiency (CIGIE), IG offices collectively identify tens of billions of dollars in savings each year—many times their own operating costs. For example, in the 2023 fiscal year, IGs across the Federal Government identified over \$93 billion in potential savings. These potential savings represent an approximate \$26 return on every dollar invested in the OIGs. These savings come from identifying improper payments, uncovering procurement fraud, preventing unnecessary expenditures, and improving program efficiency.

This is possible only because IGs and their staffs have training and experience in audits, inspections, and investigations, and are bound by their professional standards: to be independent of the programs and operations they review, to make conclusions and recommendations only when well-founded and supported by the evidence, and to approach their job with professional skepticism inherent in a professional auditor.

The role is best described in the Comptroller General's Government Auditing Standards—otherwise known as “the Yellow Book”—which are the rules for Govern-

ment auditing organizations published by the Government Accountability Office. The description of the independence necessary for an auditor hits the nail on the head “Independence of mind [is the] state of mind that permits the conduct of an engagement without being affected by influences that compromise professional judgment, thereby allowing an individual to act with integrity and exercise objectivity and professional skepticism.”<sup>1</sup> As head of the organization, an IG must be able to “conduct engagements and report findings, opinions, and conclusions objectively and without fear of reprisal.”<sup>2</sup>

In a nutshell, that is an IG’s job: a professional skeptic. They act as agents of positive change within their Departments they serve by having the freedom to be independent and objective and to speak truth to power. They ask the difficult questions, challenge their organizations to be better, to be more efficient, to ensure rigor in Departmental operations, and to look for and eliminate waste.

IGs have traditionally been appointed based on merit, rather than political affiliation, and are expected to conduct their duties with impartiality. Additionally, IGs do not have operational roles within the agencies they oversee. This distinction is critical because it means IGs are not evaluating their own policies or decisions—which could otherwise create a conflict of interest. Instead, they serve as independent auditors and investigators, assessing agency performance from an objective standpoint.<sup>3</sup> Every large public company has an internal audit function. Those auditors are protected from undue influence by reporting directly to the board of directors rather than management. Hiring, firing, and compensation are handled by the board. This insulates the auditors from undue influence and gives their board and the investing public confidence that the audits are carried out in an objective manner.

Furthermore, IGs are bound by strict professional and ethical standards. The Council of the Inspectors General on Integrity and Efficiency (CIGIE) sets guidelines to ensure that IGs operate with integrity and impartiality. If an IG were to act in a biased or conflicted manner, or produce reports unsupported by the facts, there are mechanisms in place—including oversight by Congress and CIGIE’s Integrity Committee—to investigate and address such behavior.

However, for IGs to be effective, they must operate without fear of retaliation or political pressure. Independence is not just an abstract principle—it is the foundation of their ability to conduct meaningful and credible investigations and audits. If agency leaders or political appointees can interfere with IG investigations or retaliate against IGs for unfavorable findings, then oversight is compromised. Moreover, not only must IGs be independent in fact, but they must also be perceived of as such. Congress and the American public must fundamentally trust that Government employees and programs will be reviewed and held accountable by an independent fact finder.

The independence of IGs is only as strong as the willingness of the Executive branch and Congress to uphold it. Recent events have called this independence into question. The removal of multiple IGs has sent a chilling message to the oversight community: produce findings that are uncomfortable or politically inconvenient, and you risk losing your job. This undermines not only the individual IGs but the entire system of Government accountability. Any power to remove IGs must be exercised responsibly and judiciously. Government auditing standards specifically recognize that replacing an auditor because of a disagreement with the contents of a report or the auditors conclusions constitutes a threat to the independence of the organization.<sup>4</sup>

The current wholesale removals of IGs is unprecedented. IGs typically serve across multiple administrations regardless of political affiliation, reflecting their nonpartisan role. When IGs are dismissed without a clear and legitimate rationale, it damages public trust and weakens the oversight process.

First, such removals discourage IGs from conducting thorough and independent investigations. IGs are in the bad news business, and delivering bad news can ruffle political feathers. If an IG knows that uncovering waste, fraud, and abuse could cost them their job, there is an implicit pressure to avoid the kinds of audits, inspections, and investigations necessary for effective Government. This can lead to self-censorship and a failure to hold Government agencies accountable. Even worse, it destroys public and Congressional confidence in the integrity, accuracy, and independence of any findings an IG does make. New appointees for these positions, regardless of

<sup>1</sup> GAO-24-106786, *Government Auditing Standards*, section 3.21.

<sup>2</sup> Section 3.56.

<sup>3</sup> Similar principles govern the private sector.

<sup>4</sup> *Government Auditing Standards*, Section 3.42.

their qualifications or background, will be under a cloud of suspicion as to their independence.

Second, these removals can disrupt on-going investigations. Many IG offices work on long-term audits and investigations that require continuity. The IG firings have resulted in the community losing a cadre of experienced, qualified, and independent professional leadership that will be difficult to replace. These sudden firings can stall or even terminate critical oversight work, allowing waste, fraud, and abuse to go unchecked. Thanks to legislation enacted in 2022, the seconds-in-command now lead the affected offices. This legislation was put in place specifically to protect IGs from opportunistic replacement. However, there is no substitute for permanent, accountable leadership.

Third, politically-motivated removals make it more difficult to attract qualified candidates to IG positions. Talented professionals will be reluctant to accept a role that is subject to political whims, and one in which their professionalism is under a cloud. Over time, this weakens the overall effectiveness of the IG community and diminishes the quality of oversight in Federal agencies.

Of course, there can be instances where the President can and should remove an inspector general. An IG could be affected by a conflict of interest, or fail to ensure sufficient independence, or could conduct themselves unprofessionally or in violation of law or regulation. However, as the law provides, they should be removed only after the President supplies a substantive rationale, including detailed and case-specific reasons. And it should never be as a result of a mere disagreement with a IG report or recommendation.

Congress has previously protected the inspector general community from undue political influence. For example, in January 2017, transition officials in the incoming Trump administration told the incumbent inspectors general, including me, that they would be replaced as a matter of course. The Trump administration ultimately reversed course after a demonstration of strong support of the IGs by Congress, including particularly from the Republican Members of the House Committee on Oversight and Government Reform.<sup>5</sup>

Inspectors general are a cornerstone of Government transparency and accountability. Their work helps to see to it that agencies operate efficiently, ethically, and in the best interests of the American people. However, without independence, IGs cannot fulfill their mission. The recent firings of IGs set a dangerous precedent that, if left unchecked, will erode public trust and weaken Government oversight.

DHS as an organization has struggled with performance since its inception. When I arrived I found significant shortfalls across all areas of DHS operations. The shortfalls were long-standing and systemic, and were the result of a lack of management fundamentals such as data collection, cost analysis, and performance measurement.<sup>6</sup> As it relates to the Southwest Border, DHS acquisition management failures stretch back to the 2006 “SBI Net” project, a project to secure the Southwest Border with a combination of technology, infrastructure, and personnel, which was ultimately canceled in 2011 after costing the taxpayers nearly \$1 billion for only 53 miles of coverage. Multiple reports from the IG found that DHS did not follow acquisition best practices, including developing operational requirements and ensuring an experienced and trained acquisition workforce.<sup>7</sup> During my tenure, our office found waste in a number of programs, including programs involving the acquisition of helicopters, unmanned drones, IT and accounting systems, workforce housing, hiring, and contract management.<sup>8</sup>

This appears to remain true today. The current Office of Inspector General reports reflect that the major management and performance challenges cut across multiple DHS missions areas, affecting the Department’s ability to conduct its mis-

<sup>5</sup> *Empowering the Inspectors General*, Hearing before the House Committee on Oversight and Government Reform, Serial 115-11, February 1, 2017.

<sup>6</sup> OIG-17-08, *Major Management and Performance Challenges Facing the Department of Homeland Security*, November 7, 2016.

<sup>7</sup> OIG-17-70-SR, *Special Report: Lessons Learned from Prior Reports on CBP’s SBI and Acquisitions Related to Securing our Border*, June 12, 2017.

<sup>8</sup> See, e.g., OIG-13-89, *DHS’ H-60 Helicopter Programs*, May 23, 2013; OIG-15-17, *US CBP Unmanned Aircraft System Program Does not Achieve Intended Results of Recognize All Costs of Operations*, December 24, 2014; OIG-14-131, *CBP Did Not Effectively Plan and Manage Employee Housing in Ajo, Arizona*, September 3, 2014; OIG-14-47, *US CBP Advanced Training Center Acquisition*, February 28, 2014; OIG-15-53, *CBP’s Oversight of its Non-intrusive Inspection Equipment Maintenance Contracts Need Improvement*, March 25, 2015; OIG-16-34, *CBP’s Special Operations Group Program Cost and Effectiveness are Unknown*, January 29, 2016; OIG-17-114, *CBP’s IT Systems and Infrastructure Did Not Fully Support Border Security Operations*, September 28, 2017; OIG-17-99-MA, *CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants*, August 4, 2017.

sion.<sup>9</sup> The GAO placed DHS on their high-risk list shortly after the Department was created, and since then, DHS has struggled to make progress. Recently, however, GAO has cited “substantial progress” in areas of concern, and noted that the improvements implemented by the Department accrued a \$2 billion financial benefit.<sup>10</sup> The progress that has been made was possible only through consistent, sustained effort over a course of years.

**ELIMINATING GOVERNMENT WASTE IS A LONG-TERM EFFORT REQUIRING KNOWLEDGE, EXPERTISE, AND ACCOUNTABILITY**

I applaud the administration’s interest in combatting waste, fraud, and abuse in Government; as my testimony makes evident, my career, like those of many of my fellow IGs, was dedicated to that proposition. But I believe that the administration has missed the mark in relying on the Department of Government Efficiency (DOGE) to identify and root out waste rather than the mechanism that already exists—the inspector general community.

First, DOGE is a centralized entity with little background in the agencies that they review. Inspector general offices, in contrast, are decentralized and embedded within their respective agencies. This structural difference means that IGs are better positioned to understand the specific operational challenges and risks within their agencies. Their proximity and background allows them to identify inefficiencies at a granular level and recommend targeted improvements. In contrast, DOGE’s broad, Government-wide mandate results in more generalized assessments that may fail to understand the context of specific activities.

Second, DOGE does not have the same accountability to Congress and the public. IGs are required to submit written reports to Congress detailing their findings and recommendations, which are then published, ensuring transparency and accountability. IG staff regularly meets with Congressional staff to discuss reports and recommendations. IGs regularly initiate reviews based on recommendations from their committees of jurisdiction. IGs regularly testify before Congress to explain their findings and answer questions. Congressional appropriators routinely cite IG work product in their Committee Reports, directing agencies to fix the problems that the IGs have found. DOGE does not operate under the same statutory reporting requirements, meaning there is less Congressional and public oversight of its effectiveness and the accuracy of its actions. Without this level of transparency, there is little assurance that DOGE is truly identifying and addressing waste as effectively as the IGs.

Third, and most importantly, DOGE is not governed by the same professional standards as IGs. They have both an oversight and operational role, are not required to comply with the quality standards for accuracy and objectivity that govern IG reports, and they may lack the necessary expertise and training to identify fraud. Moreover, IG staff is conscious of best practices in conducting reviews, such as securely handling information, protecting sensitive personal information, protecting attorney-client and other privileges, and following appropriate data security requirements.

An inspector general’s findings and recommendations are credible specifically because they are the result of a rigorous, professional, and transparent process. No ad hoc process, no matter how well-intentioned, will garner the same level of credibility and trust.

**THE FALSE ECONOMY OF MASS FIRINGS OF FEDERAL EMPLOYEES**

Intuitively, it makes sense that reducing the Federal workforce through mass firings would lower costs. In reality, such actions will be unlikely to do so. Indiscriminate personnel cuts often lead to reduced efficiency, increased reliance on contractors, loss of institutional knowledge, and the potential for expensive rehiring efforts later.<sup>11</sup> Any reductions in force should be part of a well-thought-out manage-

<sup>9</sup> See, e.g., OIG-23-05, *Major Management and Performance Challenges Facing the Department of Homeland Security*, November 3, 2023; OIG-25-04, *Major Management and Performance Challenges Facing the Department of Homeland Security*, November 8, 2024.

<sup>10</sup> GAO-23-106203, *High-Risk Series*, April 2023, page 158.

<sup>11</sup> That contractors can cost the taxpayers more than Federal employees in many circumstances has been well-documented. See, e.g., Government Executive, *Civilians are Cheaper than Contractors for Most Defense Jobs, Internal Report Finds*, December 18, 2018 (reporting on internal DOD Study); *Contractors: How Much Are They Costing the Government?*, Hearing before the Senate Committee on Homeland Security and Government Affairs, March 29, 2012; Project on Government Oversight, *Bad Business: Billions of Taxpayer Dollars Wasted on Hiring Contractors*, September 13, 2011.

ment plan that aligns agency priorities and mission requirements with the workforce needed to carry them out.

Rather than resorting to indiscriminate mass firings, workforce reductions should be approached strategically. Agencies should conduct documented assessments to determine their mission requirements and match the current workforce against those requirements. Cuts should be made only after a full understanding of the agency and its function, an inventory of the current skills present and missing, an assessment of what functions can be eliminated and which roles are essential, and how workforce adjustments align with long-term goals. A well-planned approach—based on data-driven decision making—ensures that cost savings are realized without jeopardizing agency performance or incurring unforeseen expenses. It also avoids what we have recently seen, where employees are dismissed but then brought back after realizing that they provide a necessary, often life-or-death, Government mission.

Abrupt reductions in workforce can create critical gaps in expertise and institutional knowledge. Many Federal agencies rely on employees with specialized skills and knowledge that take years to develop. Significantly, the Government Accountability Office recently noted that Federal agencies currently suffer from a “skills gap” that poses a high risk to the Government. These current gaps are broad and affect a variety of functions, including science, technology, engineering, mathematics, cybersecurity, and acquisitions.<sup>12</sup> When these employees are suddenly removed, agencies are left struggling to fulfill their missions, leading to delays in essential services, compliance failures, and operational inefficiencies. Moreover, creating a climate of fear and uncertainty in the Government workforce simply drives high-quality employees—the ones with the necessary skills and record of performance—out of Government service. In many cases, reductions in employee headcount will reduce the necessary controls guarding against fraud, waste, and abuse in the administration of grants or public benefits, or collection of revenue, thereby increasing waste, fraud, and abuse.

Finally, any reduction in force must comply with the laws that Congress has enacted, be decided and executed by those without conflicts of interest, and avoid prohibited personnel practices. Failure to do so results in wasteful and time-consuming litigation, allegations of improper motive, and loss of agency focus in dealing with the fallout from such actions.

This concludes my testimony. I am happy to answer any questions the committee may have.

Mr. BRECHEEN. Thank you very much, Mr. Roth.

Mr. Block, you are now recognized for—to make your opening statement.

**STATEMENT OF ANDREW BLOCK, SENIOR COUNSEL, AMERICA FIRST LEGAL FOUNDATION**

Mr. BLOCK. Mr. Chairman, Mr. Ranking Member, and Members of the subcommittee, thank you for inviting me to testify today on the Biden administration’s waste, fraud, and abuse at the Department of Homeland Security. We at America First Legal have spent the last 4 years educating the American public on this topic, and I am honored to share some of our findings and results with you.

The Biden administration’s cavalier attitude toward the law was on full display in the way that it approached immigration policy, where, at the direction of President Biden and Secretary Mayorkas, DHS failed to faithfully execute the laws and even actively created barriers to law enforcement.

Among the administration’s many abuses, none is worse, in my view, than its abuse of the parole authority. Congress empowered the Executive branch to use its discretion on a case-by-case basis in compelling, exigent circumstances to temporarily admit otherwise inadmissible aliens when doing so is necessary for an urgent humanitarian reason or a significant public benefit. Yet from this

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<sup>12</sup>GAO-23-106203, *GAO High-Risk Series*, April 20, 2023, page 46.

limited, qualified, and individualized authority of last resort, the Biden administration created whole programs completely disregarding all of the constraints imposed by Congress and using it as a primary authority to indiscriminately admit millions of people.

One of these programs is the CBP One app. Now, when you or I arrive at a border or a port of entry, we have to show our documents, whether it's a passport, a driver's license, a visa, or some other document showing that we are entitled to enter the country. But with the CBP One app, the last administration said, forget all of that, and illegal aliens, lacking any basis or authority under the law to enter the country, were allowed to make an appointment, show up at a port of entry, and walk in the front door. It wasn't even catch-and-release, as Ms. Taylor Greene said. It was literally show up and walk in.

According to Secretary Noem, more than 1 million people entered the country this way. AFL applauds DHS's announcement yesterday that, going forward, they're going to repurpose this app for the removal efforts.

Other parole programs which I touch on in my—more detail in my written testimony are the CHNV, a program so rife with fraud that the administration actually paused it of its own volition for nearly a month, and the Parole in Place. Now, Parole in Place was particularly egregious, and AFL took the administration to court and won, stopping this program in its tracks.

Through these 3 parole programs, the last administration attempted to bestow legal status on 2.6 million illegal aliens. For context, that is more than the population of 15 U.S. States and the equivalent of the population of the United States' third largest city of Chicago.

Where the Biden administration cannot make an argument under existing law, it simply endeavored to rewrite the law. One such example is the 2022 asylum officer rule, which gave USCIS asylum officers the duties of immigration judges, leading to AFL founder and president Stephen Miller at the time calling it the most extreme immigration regulation ever proposed.

Last is the issue of interior enforcement. While removals were statistically nonexistent during the Biden administration, its attitude toward ICE is even more pernicious than that. Under the Biden administration, DHS implemented policies that proactively made it harder for ICE agents to take the routine enforcement actions against the worst of the worst.

Under the ironically-named priorities memo, for example, DHS required ICE agents to seek preapproval from Washington, DC headquarters for every proposed enforcement action, every proposed enforcement action for almost all of 2020, 2021—I'm sorry, all of 2021.

Records obtained by AFL show how ridiculous this policy was, resulting in nearly 60,000 requests by field agents to do their job. This is 60,000 enforcement actions against gang members, cartel members, murderers, arsonists, traffickers, rapists, and violent individuals that were slowed down or delayed because trained ICE enforcement officers had to go to a desk, write out a justification, and get preapproval from the District of Columbia to do their job.

The story of the Biden administration's DHS cannot be told without emphasizing just how wasteful and abusive its policies were of taxpayer resources. From willfully ignoring the law to attempting to rewrite it, to actively erecting roadblocks to block law enforcement, every Biden-era DHS immigration policy can be categorized as waste, fraud, or abuse.

Thank you, and I look forward to answering your questions.  
 [The prepared statement of Mr. Block follows:]

PREPARED STATEMENT OF ANDREW BLOCK

MARCH 11, 2025

Dear Chairman Brecheen, Ranking Member Thanedar, and Members of the subcommittee: Thank you for the invitation to testify today on the topic of the Biden administration's Waste, Fraud, and Abuse at the Department of Homeland Security ("DHS"). We at America First Legal Foundation ("AFL") have spent the last 4 years fighting the Biden administration in court and educating the American public on this very topic, so I am honored to share some of our work and findings.

While AFL has exposed Biden-era waste, fraud, and abuse in many areas, including NGO's,<sup>1</sup> Censorship,<sup>2</sup> and Weaponization,<sup>3</sup> other witnesses will focus on those topics and so I will focus my remarks specifically on waste, fraud, and abuse in the immigration context.

BACKGROUND

The Biden administration took a cavalier approach to the law in everything it did. This was evident, for example, in its actions with respect to student loan forgiveness,<sup>4</sup> the COVID-era eviction moratorium,<sup>5</sup> mask mandates,<sup>6</sup> and vaccine mandates,<sup>7</sup> all of which were obviously illegal from the outset but nevertheless implemented because of an "act now and maybe get rejected later" approach. This attitude was on display in full force with the administration's approach to immigration enforcement where, at President Biden and Secretary Mayorkas' direction, DHS failed to faithfully execute the laws, actively created barriers to law enforcement, ignored clear and longstanding interpretations of laws, and even attempted to rewrite Congressionally-enacted laws.

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<sup>1</sup> For example, after hiring Andrew Lorenzen-Strait (an Obama admin alum and part of the Biden transition team), Family Endeavors almost immediately received 2 single-source, no-bid Federal contracts in the amount of \$530 million from HHS and \$87 million from ICE. AFL subsequently exposed how the original \$530 million contract cost has quadrupled, surpassing \$2 billion in obligated Federal funds, \$1.3 billion of which has been sent to Endeavors as of today. *America First Legal Uncovers New Documents Revealing How the Biden Admin Used \$2 Billion in Taxpayer-Funded Contracts to House Illegal Aliens and Enrich Former Biden Admin Staffers*, AM. FIRST LEGAL (Sept. 28, 2023), <https://perma.cc/BJ3Z-ES6X>. This inflated cost is in addition to the \$17 million in waste identified by the DHS Inspector General from Family Endeavors' \$87 million contract with ICE, which AFL found provided illegal aliens with taxpayer-funded luxury services. *The Biden Administration Reveals That It Provides Concierge Services to Illegal Aliens, Covers Up the Cost Paid by American Taxpayers*, AM. FIRST LEGAL (Nov. 7, 2022), <https://perma.cc/PGQ8-5DEG>.

<sup>2</sup> EXCLUSIVE—Brennan-Clapper Group Pushed DHS to Adopt Covert Influence Campaigns to Crush Political Opposition, AM. FIRST LEGAL (July 9, 2024), <https://perma.cc/8H5A-FQNP>.

<sup>3</sup> See EXCLUSIVE—Brennan-Clapper Intel Group was Part of a Whole-of-Government Approach to Silence Political Dissent in the United States, AM. FIRST LEGAL (July 11, 2024), <https://perma.cc/U4KU-HN8R> (AFL litigation revealed how DHS attended NSC interagency meetings on how to censor speech, including working with the UK Government to accomplish that policy); EXCLUSIVE—America First Legal Obtains New Internal CDC Documents Revealing Foreign Collusion in Biden-Harris Government Censorship Regime, AM. FIRST LEGAL (Sept. 13, 2024), <https://perma.cc/VXU4-7BTW>.

<sup>4</sup> *Biden v. Nebraska*, 600 U.S. 447 (2023).

<sup>5</sup> *Alabama Ass'n of Realtors v. Dep't of Health & Hum. Servs.*, 594 U.S. 758 (2021).

<sup>6</sup> *Health Freedom Def. Fund, Inc v. Biden*, 599 F. Supp. 3d 1144 (M.D. Fla. 2022), vacated as moot sub nom. *Health Freedom Def. Fund v. President of the United States*, 71 F.4th 888 (11th Cir. 2023).

<sup>7</sup> *Louisiana ex rel Landry v. Biden*, 64 F.4th 674 (5th Cir. 2023); *Payne v. Biden*, 62 F.4th 598 (D.C. Cir.), cert. granted, judgment vacated, 144 S.Ct. 480 (2023).

### *I. Abuse of “Parole” Authority*

Among the Biden administration’s many abuses of authority none, in my view, is worse than the abuse of what is commonly referred to as Parole Authority.

Congress has created a clear and comprehensive immigration system. But of course, for any rule, there are exceptions. One issue that has been at the center of the give and take between the Legislative and Executive branches for decades is the question of how to deal with exigent circumstances.

Congress’s solution, so far, has been to give the Attorney General, and now the Secretary of Homeland Security, “Parole Authority.”<sup>8</sup> Under 8 U.S.C. § 1182(d)(5), Congress empowered the Executive branch to use its discretion, in compelling exigent circumstances, to permit an otherwise inadmissible alien temporarily to enter the United States when doing so is necessary for “urgent humanitarian reasons or significant public benefit,” and no other provision of the Immigration and Nationality Act (“INA”) addressed the situation. But the Executive branch has all-too-often abused parole to address its own disagreement with other provisions of the INA.

Congress has already modified Section 1182 once to curtail Executive branch abuses.<sup>9</sup> Unfortunately, the Executive branch continued to abuse the parole power, although never as egregiously as during the Biden administration.<sup>10</sup> Unfortunately, the Biden administration’s abuses put to Congress a difficult policy question of whether to further curtail the availability of parole—which is intended to be a necessary “break glass in case of emergency” provision in immigration law; or remove the authority altogether. What is clear is that future Executives cannot be allowed to abuse the provision to indiscriminately admit 11 million people from around the world—who would not otherwise have a basis to enter the country—because the Biden administration has given a future lawless Executive the road map.

It did so with 3 programs: the CBP One app, Process for Cubans, Haitians, Nicaraguans, and Venezuelans (“CHNV”), and Parole in Place (“PIP”). AFL challenged these in court, defeating the PIP initiative at trial. Such “programs” undermine the laws enacted by Congress, are incredibly wasteful, and are a large part of why more than 11 million people entered the country illegally since 2021. My testimony will explain how the Biden administration hid most of these entries under a veneer of legitimacy by unlawfully abusing the parole power on an unprecedented industrial scale.

#### *A. CBP One App*

During the Vice-Presidential debate, now Vice President J.D. Vance artfully explained, “There’s an application called the CBP One app where you can go on as an illegal migrant, apply for asylum or apply for parole and be granted legal status at the wave of a Kamala Harris open border wand.” That is precisely how this “program” worked. Through the CBP One app, the Biden administration created, by executive fiat, what amounts to a parallel system for visa-free immigration to the United States for people who would otherwise have no basis to enter the United States of America.

Specifically, the app allowed aliens to apply for Advanced Travel Authorization (“ATA”), which allowed them to travel to a U.S. Port of Entry without a visa and request parole to enter the United States. Whereas you or I need a passport, visa, or license to enter the country, the Biden administration waived all that for illegals and simply let them in the front door. CBP statistics show that more than 852,000 appointments were made using the CBP One app.<sup>11</sup>

If that were not bad enough, this new system lacked the protections that Congress carefully constructed. For example, aliens applying for an immigrant visa must appear in person for a visa interview with a Department of State consular officer at the embassy or consulate.<sup>12</sup> Those interviews are conducted by a consular officer who speaks that alien’s native language and is familiar with the local culture. The officer can make an informed, in-person evaluation of the alien’s truthfulness and qualifications under the law to enter the United States. The Biden administration discarded the interview requirement to receive an ATA.

<sup>8</sup> Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 4 (2025).

<sup>9</sup> Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009-546.

<sup>10</sup> George Fishman, *A Pernicious Perversion of Parole*, CTR. FOR IMMIGR. STUD. (Feb. 16, 2022), <https://perma.cc/8Y6P-LKPM>.

<sup>11</sup> CBP Releases September 2024 Monthly Update: CBP One App, U.S. CUSTOMS & BORDER PROT. (Oct. 22, 2024), <https://perma.cc/C2CC-YNAS>.

<sup>12</sup> 8 U.S.C. § 1202(e).

But it gets worse. Congress has established numerical limitations and quotas for various visa classifications that the CBP One app ignored.<sup>13</sup> Aliens could apply for ATA for free, whereas each alien applying for an immigrant visa pays a substantial fee of between \$205 and \$345.<sup>14</sup> Aliens applying for immigrant visas must also meet several other requirements, such as comprehensive medical exams, strict vaccination requirements, and conclusive proof that they have the financial means to support themselves.<sup>15</sup> ATAs did not require any of these safeguards. Worst of all, the lack of any in-person interview made it impossible for any kind of reasonable security vetting of these aliens before entering the United States. Yet the Biden administration rubber-stamped ATA applications, approving them at rates of up to 97.5 percent.<sup>16</sup>

This committee has reported that more than 95 percent of these applications receive court dates in the United States and temporary status until then.<sup>17</sup> It is estimated that just through the CBP One app, more than 800,000 aliens—more than the population of 4 States and Washington, DC—entered the United States in under 2 years from this one abuse of the parole authority.

Unsurprisingly, the CBP One App was rife with fraud. Cartels exploited it, using VPN technology to work around its required geofence so aliens from anywhere in the world could use it.<sup>18</sup> With the cartels' help, anyone could make a CBP One app appointment and "lawfully" enter the United States. The Biden administration did not adjudicate these parole decisions on a case-by-case basis, as required by law. Instead, it opened our doors and allowed anyone to enter. The result is the worst-case scenario as illegal aliens who have entered the United States through the CBP One App have reportedly gone on to murder American citizens.<sup>19</sup>

#### *B. Process for Cubans, Haitians, Nicaraguans, and Venezuelans*

Under the guise of preventing illegal aliens from crossing the southern land border, the Biden administration took the unbelievable step of "creating" a new "program" that permitted up to 360,000 aliens from Cuba, Haiti, Nicaragua, or Venezuela to be "paroled" into the United States every year—despite no authorization from Congress to do so. Worse yet, the CHNV program allowed aliens in their home countries to obtain the benefit of using the CBP One app to secure ATA to enter the United States—despite no other basis in law for them doing so.

This committee has reported that by September 2024, more than 531,000 aliens had entered the United States through the CHNV program.<sup>20</sup> Half a million people got to cut the line and be flown to their destination of choice in the United States. Similar to aliens from other countries using the CBP One App, the Biden administration purported to give these CHNV aliens "lawful status" in the United States without any statutory authority.<sup>21</sup>

And, as it turns out, the CHNV program was also rife with fraud.

Aliens who entered the U.S. submitted fraudulent documents, had criminal records, and did not always come from 1 of the 4 CHNV countries.<sup>22</sup> Additionally, the same 3,000 sponsors sponsored more than 100,000 applicants, with 24 of the

<sup>13</sup> E.g., 8 U.S.C. § 1151 (imposing annual numerical caps for various immigrant visa classifications); id. 1184(e) (imposing "annual numerical limit" on certain nonimmigrant professionals); id. 1184(g) (imposing "limitation on numbers" of [t]emporary workers and trainees"); id. 1184(p) (imposing "numerical limitations" on annual number of recipients of visa for certain victims of crimes).

<sup>14</sup> Dep't of State, Fees for Visa Services, (accessed Sep. 25, 2023) <https://perma.cc/T976-BZPW>.

<sup>15</sup> 42 C.F.R. § 34.1 et seq.; 8 U.S.C. § 1182(a)(1)(ii); 8 U.S.C. §§ 1182(a)(4) and 1183a.

<sup>16</sup> *Texas v. DHS*, 722 F. Supp. 3d 688, 694 (S.D. Tex. 2024).

<sup>17</sup> News, *New Documents Obtained by Homeland Majority Detail Shocking Abuse of CBP One App*, HOMELAND SEC. COMM. REPUBLICANS (Oct. 23, 2023), <https://perma.cc/Y5JT-62F5>.

<sup>18</sup> Anna Giaritelli, *Mexican cartels exploit US government's CBP One app*, WASH. EXAM'R (Aug. 4, 2023), <https://perma.cc/6KPJ-UDE4>.

<sup>19</sup> America First Legal (@America1stLegal), X (Sept. 15, 2024, 10:26AM), <https://perma.cc/YXT6-UFZ5>.

<sup>20</sup> News, *Startling Stats Factsheet: Fiscal Year 2024 Ends with Nearly 3 Million Inadmissible Encounters, 10.8 Million Total Encounters Since Fiscal Year 2021*, HOMELAND SEC. COMM. REPUBLICANS (Oct. 24, 2024), <https://perma.cc/CR6C-HYJH>.

<sup>21</sup> "DHS cannot use that power to parole aliens en masse; that was the whole point of the 'case-by-case' requirement that Congress added in IIRIRA." *Texas v. Biden*, 20 F.4th 928, 997 (5th Cir. 2021) rev'd and remanded, 597 U.S. 785 (2022).

<sup>22</sup> Press Release, H. COMM. ON THE JUDICIARY & SUBCOMM. ON IMMIGR. INTEGRITY, SECURITY, AND ENFT, *New Report: Two Years of the Biden-Harris Administration's Fraud-Ridden Parole Program* (Nov. 20, 2024), <https://perma.cc/7R9F-J3Q3>.

most used social security numbers belonging to dead people.<sup>23</sup> At a rate of 33 aliens per serial sponsor (many tied to an address of a commercial warehouse),<sup>24</sup> there is no credible argument that CHNV admissions were evaluated on a case-by-case basis.<sup>25</sup>

The fraud was actually so bad that the Biden administration paused their own program—for 27 days—before ultimately resuming it.<sup>26</sup>

AFL knew that this program was a gross exploitation of parole authority and sued the Biden administration in 2023 on behalf of Texas and 20 other States.<sup>27</sup>

### *C. Parole in Place*

In yet another abuse of authority—dubbed Parole in Place—the Biden administration attempted to give legal “parole” status to aliens who have been unlawfully present in the United States for over a decade.

This PIP program’s criteria was as arbitrary as it was capricious. Making new immigration policy out of thin air, the administration purported to grant “legal status” to those who were: (1) a spouse of a U.S. citizen here unlawfully for 10 years; or (2) were a stepchild of a U.S. citizen who had unlawfully entered the United States before June 17, 2024 (just 1 month before PIP was announced). The PIP program, if successful, would have granted legal status to up to 1.3 million illegal aliens, despite a statutory requirement that such aliens leave the country and obtain a visa to lawfully return.<sup>28</sup>

But AFL, representing a coalition of 15 States, took the Biden administration to court and won stopping this program and removing a significant pull factor to show that aliens cannot enter the country illegally, get amnesty, and be placed on a fast-track to citizenship.<sup>29</sup>

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Through these 3 “programs” alone, the Biden administration attempted to bestow legal status on 2.6 million illegal aliens. That is more than the population of 15 U.S. States and the equivalent of the population of the United States’ third-largest city of Chicago.

### *II. Re-Writing of Immigration Law Through the Asylum Officer Rule*

Where the Biden administration could not bend existing law beyond all recognition to meet its will, it simply endeavored to re-write it.

On March 29, 2022, the Biden administration published an Interim Final Rule (“IFR”) that would completely restructure the asylum process for the United States, commonly referred to as the “Asylum Officer Rule.”<sup>30</sup> Under the guise of “efficiency” and “process,” the rule would transfer many of the duties of immigration judges to asylum officers—a change that would only result in the approval of countless meritless asylum claims from aliens who unlawfully entered the United States.

The Rule also attempted to codify a further abuse of the parole power by establishing a presumption that parole should be presumed to serve a “significant public benefit.” This is a complete inversion of the statutory law enacted by this body which, as explained, is a power of last resort given to the Secretary of Homeland Security to use “on a case-by-case basis” to address exigent circumstances. Thus, at the time, America First Legal’s founder and president Stephen Miller called the rule “the most extreme immigration regulation ever proposed.”<sup>31</sup>

That is why AFL, partnering with the State of Texas, filed a lawsuit to prevent the rule from taking effect. The lawsuit argues that the rule was not only a violation

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<sup>23</sup>Julia Ansley & Laura Strickler, *Biden Administration May Soon Restart Immigration Program That Was Paused Was for Possible Fraud* (Aug. 28, 2024), NBC NEWS, <https://perma.cc/VWT2-ZQT4>.

<sup>24</sup>*Id.*

<sup>25</sup>See *Texas v. Department of Homeland Security*, No. 6:23-cv-007 ECF. No. 1, (S.D. Tex. Jan 24, 2023), available at <https://perma.cc/24FD-RKVJ>.

<sup>26</sup>Jason Hopkins, *Biden Admin Pauses Migrant Flight Program Amid Reports of Massive Fraud*, DAILEY CALLER (Aug. 2, 2024).

<sup>27</sup>*America First Legal, Texas, and a Coalition of 20 State Attorneys General Take Urgent New Legal Action to Stop President Biden from Flying Hundreds of Thousands of Illegal Aliens Into the United States*, AM. FIRST LEGAL (Apr. 4, 2024), <https://perma.cc/T9V6-HT8B>.

<sup>28</sup>See 8 U.S.C. § 1255.

<sup>29</sup>See *Texas v. Dep’t of Homeland Security*, No. 6:24-cv-00306, 2024 WL 4711951 (E.D. Tex. Nov. 7, 2024).

<sup>30</sup>*Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers*, 87 Fed. Reg. 18078 (Mar. 29, 2022).

<sup>31</sup>*America First Legal and Texas File Urgent Lawsuit to Block Extreme Biden Regulation Awarding Green Cards to Newly Arriving Illegal Aliens*, AM. FIRST LEGAL (Apr. 28, 2022), <https://perma.cc/3XXK-RS5T>.

of the Administrative Procedure Act and the Immigration and Nationality Act, but also a violation of the Appointments Clause of the Constitution as the Biden administration attempted to give to asylum officers the duties Congress delegated to immigration judges.<sup>32</sup>

AFL and the State of Texas defeated the Biden administration's motion to dismiss. And although the case was fully briefed at the summary judgment stage, it is currently stayed as the Government works out how recent Executive Orders might impact the issues presented in this litigation.

This is yet another example of how the Biden administration poured countless hours and resources into a project—from drafting the rule to processing and addressing over 5,000 comments to defending it in court—despite a clear lack of authority and particularly potent Constitutional issues.

### *III. Lack of Interior Enforcement*

Finally, while the Biden administration was importing en masse aliens from around the world, removal of illegal aliens from the United States was virtually non-existent.<sup>33</sup> One of the biggest scandals, that went largely unreported, from the last 4 years was the utter lack of interior enforcement by Immigration and Customs Enforcement (“ICE”). During his entire term of office, President Biden only removed fewer than 600,000 aliens.<sup>34</sup> For context, President Obama removed 1.15 million in his first 3 years,<sup>35</sup> and removed over 432,000 aliens in 2013 alone.<sup>36</sup> Similarly, President Trump removed 1.19 million illegal aliens during his first term.<sup>37</sup>

But not only did the Biden administration fail to remove illegal aliens from the United States, it proactively made it harder for ICE agents to even take routine enforcement actions against the worst of the worst. For instance, one Biden administration policy, ironically called a “priorities memo,”<sup>38</sup> required ICE agents to seek pre-approval from Washington, DC headquarters for every proposed enforcement action (arrest or removal of an illegal alien) for a nearly 10-month period.<sup>39</sup>

But ICE, under the Biden administration, did not identify “priorities” in the way Tom Homan does today. What the policy really did was slow down legitimate law enforcement efforts and create more bureaucracy to protect criminal illegal aliens.

Records obtained by AFL show how ridiculous the policy was. Instead of allowing the trained and professional law enforcement officers at ICE to go out and do their job, the Biden administration made them come in to a desk, write up a justification, and wait for approval. And this applied to everyone. AFL sued ICE to obtain these written justifications, and the results will astound you.

AFL’s investigation showed that the priorities memo resulted in nearly 60,000 requests by ICE field agents to Washington D.C. headquarters simply to do their job.<sup>40</sup> This included pre-approval requests to arrest or deport known cartel and gang

<sup>32</sup> See *Texas v. Mayorkas*, 2:22-cv-094, 2024 WL 455337 (N.D. Tex. Feb. 6, 2024).

<sup>33</sup> See *Presidential Power to Secure the Border: Hearing before the H. Comm. on the Judiciary Subcomm. on Immigr. Integrity, Sec., & Enft.*, 118th Cong. (2024) (Statement of Gene P. Hamilton, Executive Director, America First Legal Foundation).

<sup>34</sup> In fiscal year 2021, ICE removed 59,011 aliens. U.S. IMMIGR. & CUSTOMS ENFT, ICE ANNUAL REPORT FISCAL YEAR 2021 (Mar. 11, 2022), <https://perma.cc/UYG5-XW8M>. In fiscal year 2022 it removed 72,177. U.S. IMMIGR. & CUSTOMS ENFT, ICE ANNUAL REPORT FISCAL YEAR 2022 (Dec. 30, 2022), <https://perma.cc/7X8F-X49Z>. In fiscal year 2023 it removed 142,580. U.S. IMMIGR. & CUSTOMS ENFT, ICE ANNUAL REPORT FISCAL YEAR 2023 (Dec. 29, 2023), <https://perma.cc/3R6V-YETL>. And in fiscal year 2024 it removed 271,484. U.S. IMMIGR. & CUSTOMS ENFT, ICE ANNUAL REPORT FISCAL YEAR 2024 (Dec. 19, 2024), <https://perma.cc/D8E9-WRBY>.

<sup>35</sup> U.S. DEPT OF HOMELAND SEC. OFF. OF HOMELAND SEC. STATS., 2022 YEARBOOK OF IMMIGRATION STATISTICS 104, <https://perma.cc/4XBY-C44Y>.

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> Memorandum from Tae D. Johnson, Acting Director, U.S. Immigr. & Customs Enft to all ICE Employees (Feb. 18, 2021), <https://perma.cc/R6Z9-JCB6>.

<sup>39</sup> Pl.’s Mot. for Summ. J. at 1–2, *Am. First Legal Found. v. Dep’t of Homeland Sec.*, No. 21-cv-2168. (D.D.C. Sept. 15, 2023), ECF No. 28–1, <https://perma.cc/EQA4-NX5M> (Explaining: “Political leadership[ICE] issued an Interim Guidance memorandum setting forth new requirements for ICE agents. This memorandum was in effect until November 29, 2021, when it was superseded by a September 30, 2021, memorandum issued by [ ] Secretary Mayorkas. While in effect, the Interim Guidance implemented new bureaucratic requirements before ICE officers could take enforcement action against non-citizens illegally in the United States. Specifically, before arresting or removing an alien, ICE officers were required to pause and seek approval from Washington, DC headquarters. Considering the serious public health and safety risks posed by many such individuals, this added delay left convicted violent criminals and other dangerous aliens in communities longer than they otherwise would have been and made an already complex job for ICE officers even more challenging.”).

<sup>40</sup> *IMMIGRATIONS DOCS: AFL Releases Disturbing Data on Illegal Aliens Under Biden Administration Policies; ICE Agents Had to Seek Permission to Arrest or Deport Thousands of Fel-*

members, people convicted of crimes including: crimes against children, homicide, fraud, weapons and narcotics trafficking, arson, drug dealing, drunk driving, domestic violence, and virtually every other crime.

#### CONCLUSION

The story of the Biden administration's Department of Homeland Security cannot be told without emphasizing just how wasteful and abusive their policies were of taxpayer resources. From willfully ignoring the law to attempting to rewrite it to actively erecting roadblocks to law enforcement, virtually every Biden-era DHS initiative can be categorized as waste, fraud, or abuse. Thank you, and I look forward to answering the committee's questions.

Mr. BRECHEEN. Thank you, Mr. Block.

Members will be recognized by order of seniority for their 5 minutes of questioning. Additional rounds of questioning may be called for. All Members have been recognized.

I now recognize myself for 5 minutes of questioning.

Mr. Howell, you encouraged Congress just a minute ago relative to the NGO's, nongovernmental organizations, and what we could do in particular to having the Office of Inspector Generals look into the NGO's. I really am intrigued by that, because I think it's something that committees are going to be lacking on if we don't do that. I think it's a great idea.

So I'm going to take your idea. I'm going to pivot to a former lead official within the Office of Inspector General, Mr. Roth. How would Congress be able to approach the Office of Inspector Generals to be able to do the granular element of trying to find how the NGO's—we know we have an issue of financial management, which it came up minimal in the previous panel, where under Homeland Security financial management of controls, of tracking monies, what did you see, what can we do, in your estimation, quickly, to be able to accomplish this goal for accountability with these NGO's?

Mr. ROTH. Well, in my experience, IG's offices are extraordinarily sensitive to requests from their committees of jurisdiction. So the fact that you are the Chair of the Subcommittee of Homeland Security means that, typically, or at least in my experience when I was IG, we would take that very, very seriously. So my advice, for what it's worth, is that I would have your staff call their staff, engage in some discussions, and then perhaps follow up with a formal recommendation as to—or formal request as to the sort-of scope of the work.

Mr. BRECHEEN. In terms of NGO's and their ability to—given the financial management element, we know that there's—we're under high risk under Homeland Security right now. Were you able to find things within NGO funding after it had been let to the NGO's that were on your radar screen when you were part of the Inspector General's Office?

Mr. ROTH. Not in the immigration context, we weren't.

Mr. BRECHEEN. OK.

Mr. ROTH. I am unfamiliar with the source of this funding to the NGO's, whether it was like a Department of Homeland Security grant or some other Federal agency. Obviously, we'd only have jurisdiction over—that is, my old office—

Mr. BRECHEEN. Yes, sir.

Mr. ROTH [continuing]. Would only have jurisdiction over sort-of a Homeland Security grant.

Mr. BRECHEEN. So I want to pivot back to you, Mr. Howell, because you talked—I mean, you're adding these NGO's into what you call the border industrial complex. You mentioned \$6 billion were spent under the Biden administration that was specific to the NGO's. Did I understand you correctly on that?

Mr. HOWELL. Yes.

Mr. BRECHEEN. That there are 230 different NGO's involved. Can you name 5—you don't have to do 5, OK, but a number of NGO's just right off-hand that you feel like were the most egregious offenders?

Mr. HOWELL. Right. So at DHS there used to be a board that kind-of oversaw the distribution of the funding, and on that board sat some of, we'll call them the name-brand national charities, and those would include people like, you know, Catholic Relief Services or Catholic Charities, USCCB, one variation of that, Lutheran Relief Services, Hebrew Immigrant Aid Society, all these kind-of mega organizations that play in the disaster space sat on that board that distributed the money through a web of nonprofits.

So I'm sure the number far exceeds 230, but there's a reason why the left did it this way. It's so that you couldn't get who actually ended up with the money and how they spent it. It is doing the Government's work outside of Government to evade this type of oversight. So I'd encourage you guys not to rely on the IG community who has not shown an interest at all in this \$6 billion, who sat by and watched the worst border crisis in history happen in front of them, but to go get the information yourself, which is your Constitutional duty with your subpoena power, to these nonprofits, make them turn over financial documents, records of illegals, have them answer questions and so forth.

Mr. BRECHEEN. So you mentioned, though, engaging the inspectors general in this process. So in addition to what you just laid out, how would you see engaging the IG's office in this effort?

Mr. HOWELL. Frankly, I don't think they're going to be that willing of a partner, because they haven't shown an interest in the border crisis over the last 4 years. I think it's certainly worthwhile to ask, but I don't think Congress should absolve themselves of the Constitutional responsibility by a request to the IG. I'd even be looking at law enforcement. A lot of this activity borders on criminal.

Mr. BRECHEEN. That's good.

It came up, Mr. Schube, a minute ago—you've got 30 seconds between you and I—about NGO's, nongovernmental organizations, and how they were the ones that—under the ability of what was supposed to be a network of information protection, stop our electric grid from being taken down, they were farming out internet policing to these NGO's. You've got 15 seconds. What would you want to say in terms of what we can do to get to the bottom of that in the process?

Mr. SCHUBE. You know, I didn't mention this in my remarks, but I think the same suggestion. I think the IG community or DOGE could look into which NGO's were benefiting from this financially and what they were doing with that money.

Mr. BRECHEEN. Thank you all very much.

With that, I will open it up to Mr. Thanedar for his 5 minutes of questioning.

Mr. THANEDAR. Thank you, Chairman. Thank you to all of our witnesses here for your testimony.

Mr. Roth, I thank you for your service. Earlier today, we heard from the GAO and their DHS Office of IG about their work rooting out waste, fraud, and abuse. These offices were created by Congress and have legal authority to audit the Federal Government, as you know. The term Musk administration and House Republicans claim they want to eliminate waste, fraud, and abuse.

So does it make sense to you, Mr. Roth, that one of the first things the new administration did was fire almost every inspector general?

Mr. ROTH. Firing the inspector generals is a disempowering act. It sent the very clear message that if you have a politically sensitive audit or investigation or review, bad news is not welcome in this administration. What it has done is sent a chilling effect throughout the oversight community, and that's including the inspector general's office, but also the Office of Special Counsel, Office of Government Ethics, that they are unwelcome and that oversight is not apparently welcome.

Mr. THANEDAR. Thank you.

Mr. Roth, how does Elon Musk's DOGE differ from the statutory watchdogs Congress created, who have a long history of rooting out waste, fraud, and abuse?

Mr. ROTH. So one of the primary ways that it's different is the decentralized nature of the OIGs, so each OIG is harbored within a specific department. So, for example, for me it was the Department of Homeland Security; someone else it would be NASA. What that gives you is the opportunity to get deep knowledge as to the functions and missions of each agency, sort-of the pluses and the minuses, so that you can then go and direct audits, investigations, inspections.

The other thing that the IG's Office brings that DOGE can't bring is the kind of rigor that professional auditing does. You saw a demonstration of that today in the first panel with the IG's Office, who is very well-informed, had written reports that were vetted and according to accounting and auditing standards. You don't have any of that with an ad hoc group that isn't bound by the same kind of professional auditing standards.

Mr. THANEDAR. Mr. Roth, you were the inspector general for DHS for a number of years, and you worked closely with other statutory watchdogs created by Congress to protect the American taxpayer, offices like GAO and the Offices of Special Counsel. Based on your experience, why is independence such a critical feature for the Office of Inspector General, and how does that differ from the people at DOGE?

Mr. ROTH. So there's 2 answers to that question. One is sort-of the ability to gain information from the agency in which you are sort-of doing oversight on. So if you were perceived of as independent and neutral, you're more willing to get whistleblowers to come in and talk about—and this is really the lifeblood of any over-

sight is to be able to get people to trust you and talk about sort of what it is that they see.

During my tenure at DHS, we had a number of whistleblowers in different places, because I was perceived as being on nobody's side. I wasn't part of the administration. I wasn't part of the non-administration.

Likewise, the Office of Special Counsel has special programs in place to protect whistleblowers. So that's one aspect of it is that people trust you and they'll come to you so you can root out problems.

Second aspect, of course, is just credibility. So when the IG or the Office of Special Counsel writes a report, the fact that they don't have a dog in this fight, the fact that they aren't part of the management, that they're not encumbered by any financial conflicts of interest or other kind of political conflicts of interest, makes those reports more credible than otherwise would be.

Mr. THANEDAR. Thank you. Thank you for that.

It is, you know, disturbing because we don't see the same level of competence. Again, do you see the same level of competence or the independence in the 19-year-olds and the 20-year-olds that are hired? Or if you look at their social media profile, you see all kinds of racism and other horrible background. Are these people qualified—

Mr. ROTH. Right.

Mr. THANEDAR [continuing]. To do the job that they've been assigned to?

Mr. ROTH. Again, the process that the Inspector General's offices have is that you have to have professional auditors who are trained and skilled in the kinds of things that auditors do. They are reviewed, they are supervised. Any report goes through vetting, et cetera.

Mr. THANEDAR. My time is up, so I yield back, Chair.

Mr. BRECHEEN. The gentleman yields.

I now recognize the Representative from Illinois, Mrs. Ramirez, for her 5 minutes.

Mrs. RAMIREZ. Thank you, Chairman. I'm really grateful for the opportunity to also stay for the second panel.

At our first Homeland Security full committee hearing a couple of weeks ago, I brought this graphic with me. As you read here, Elon Musk, Elon Musk, Elon Musk. That is what I believe to my core is the biggest threat to our national security.

This is the Committee on Homeland. Since then, I've asked the Members of this committee, who is supposed to do everything in their power to protect the homeland, to really take seriously the threat that Trump, Musk, and his army of unaccountable tech bros represent every day.

So you can imagine my disappointment—not really—to see that, instead, the Republicans on the subcommittee have decided to throw their Lord and Savior a parade in the form of a hearing. While their Lord and Savior changes from time to time—yesterday it was Donald Trump, today it's Musk, tomorrow might be the next billionaire, although this guy is about to become a trillionaire off the backs of working people—something that's very clear for me is that Republicans have willingly given away their power to conduct

oversight over our agencies and the dangers that these unelected billionaires have on our security.

So, you see, my Republican colleagues and their hyperpartisan witnesses sitting here today have completely ignored that the waste in our agencies is the millions of dollars spent on the DOGE army of unqualified workers stealing our data and firing dedicated, qualified public servants.

The fraud in our Government is Elon Musk, whose greatest achievement on efficiency is a social media platform that crashed multiple times yesterday. The abuse is our Nation—in our Nation is the power grab with which Donald Trump imposes his authoritarian agenda. They don't have any legal authority to take sledgehammers to the services and programs that working people depend on and, by the way, Congress authorized—we authorized—but Republicans have allowed it to happen anyway.

So, Mr. Roth, I want to ask you the questions today. As DHS's former inspector general, could you share with us what are the potential threats posed by an unvetted DOGE employee with little to no Government experience plugging into DHS's information systems and databases?

Mr. BLOCK. So I can't talk about the specifics of exactly what DOGE is doing because, obviously, I'm not involved any longer in the Government. But I will tell you that the IT systems within DHS and really across the Government, according to the DHS's reviews of those, are extraordinarily sensitive, are being targeted by foreign adversaries in a way that is not represented in private networks, for example.

You heard the testimony of the GAO witness on the first panel talking about the vulnerabilities that exist—the documented vulnerabilities that exist in access controls. So having an unknown person or an unvetted person have access in ways that you don't have a full understanding of is extraordinarily dangerous and represents a significant vulnerability to IT systems.

Mrs. RAMIREZ. Thank you, Mr. Roth. I think in part, you know, when you said you're not quite sure what their authority or what they're doing is, I think it's actually the concern that a number of us have here.

I've said this in Veteran Affairs Committee and I'm going to say it here. I want to know what does DOGE have access to, who authorized it, who are they talking to, what data do they have, how is it that they can have sensitive data to our national security and that it go completely unchecked. This committee, this subcommittee specifically, is responsible for oversight, accountability, and investigation.

We've already seen the effects of having unqualified people accessing our data and making decisions in our agency, because, look, the day after the DOGE's website was launched, it suffered a security breach, putting our sensitive data in the hands of anyone with a computer and access to the internet.

How can we forget when DOGE fired more than 300 staffers from the National Nuclear Security Administration? Yes, that's the agency that's tasked with managing the national—Nation's nuclear stockpile. Or the several employees who were working on the Federal Government's response to H5N1 avian flu outbreak.

DOGE doesn't have a great track record, and whether it's due to stupidity or hatred, at this point, a better name for DOGE would be the Department of Obstruction and Gross Errors.

I really hope that this committee takes the threat of DOGE and Elon Musk seriously, and I intend to work with all of my colleagues to do that.

With that, Chairman, I yield back.

Mr. BRECHEEN. The lady yields.

I now would like to recognize for his 5 minutes of questioning the gentleman from Alabama, Mr. Strong.

Mr. STRONG. Thank you, Mr. Chairman.

Mr. Howell, your organization published findings from your analysis of cell phone data revealing potential illicit activities by NGO's, such as providing false residency documents or advising illegal immigrants to lie to law enforcement to evade ICE. After the release of your findings, did the Biden administration take any steps to address these concerns? How did they respond to your research and your implications?

Mr. HOWELL. So the Biden administration through the Biden campaign called me and my organization some variant of disinformation, of course, and then otherwise relied on their legacy media outlets to try to come after us and discredit us, which they ultimately failed and actually ended up supporting our findings.

Mr. STRONG. Thank you. How do you think the administration's failure to act on this issue might've emboldened other NGO's or other groups engaged in questionable practices?

Mr. HOWELL. Well, they turned on the fire hydrant of billions of dollars of funding. They built an entire sophisticated apparatus and infrastructure. A lot of people gained a lot of power, influence, and money throughout this, and it resulted in the biggest invasion of the United States, the biggest mass movement of human beings I can think of in an organized fashion throughout our country and to everyone here's community with drugs, crime, violence, all coming with it.

Mr. STRONG. Mr. Howell, in your testimony, you alluded to examples of NGO's misusing taxpayer-funded grants or resources to facilitate fraudulent activities. Can you elaborate on how these funds were directly misused and what measures can be implemented to trace and prevent further misuse of public funds?

Mr. HOWELL. Right. So the behavior we see at the NGO's ranges across the gamut of questionable and even illegal activity, including advising illegal aliens on how to evade ICE. I believe it construes kind-of harboring illegal aliens too. It potentially implicates the trafficking of them as well. There's all amounts of kind of criminal negligence I think we can find at these nonprofits.

In addition, in New York, we found them giving false residency documents to illegal aliens. Who knows the impact that has in our voting systems.

Mr. STRONG. Did you know of any NGO's that were helping people try to register to vote?

Mr. HOWELL. Yes, absolutely. By giving them false residency documents, with residency being one component of voting, that is a factor there. Also, south of the border in Mexico, we discovered fli-

ers encouraging illegals to vote for Biden when they entered the country.

Separate, the White House themselves, when they tried the Federal takeover of elections via Executive Order 14019, they invited a lot of these nonprofits and their partner organizations to basically advise we don't need to do anything to warn illegals not to vote whatsoever.

They kept the system wide open because they were relying on those very votes. That's why they opened the border in the first place. They can't win with only American votes. They needed to import a new population dependent on Government to fundamentally change the United States. That's what this is all about.

Mr. STRONG. You're spot on.

Switching gears. America First Legal has been dedicated to ensuring transparency and holding the Government accountable. However, these efforts have faced significant obstacles, particularly from actions within the Biden administration aimed at hindering oversight work.

Mr. BLOCK, can you share some examples of how individuals within the Biden administration have attempted to obstruct America First Legal efforts to hold the Government accountable and promote transparency?

Mr. BLOCK. Yes. So a couple that come to mind. I mean, from Day 1, the Department of Justice moved to disqualify one of our cofounders and general counsel, Gene Hamilton, from cases that he was qualified to work on and had every right to be on.

From—and that was Day 1 all the way up through to just before the election, NARA was supposed to produce documents depicting Hunter Biden and Joe Biden meeting President Xi. Those were ultimately produced after the election. There were other productions that we were supposed to get before the election that came after the election as well. So, I mean, just from Day 1 through the current day.

Mr. STRONG. Thank you, Mr. Block.

Mr. Chairman, I'd be remiss if I didn't mention, I walked in and I heard the word "hyperpartisan." I'm telling you right now I hate that I was committed to something else and I couldn't be here longer.

I want to defend these folks. Two of the 3 Republican folks that are testifying today have served with distinguished records for years for DHS, and they've been called hyperpartisan.

What this committee wants is the facts. We want to know what worked. We want to know what didn't work.

I thank you for your service, and I hope that that hyperpartisan statement doesn't affect anything you do in your future. Thank you for your service to our country.

Mr. BRECHEEN. The gentleman yields.

I thank the witnesses for your valuable testimony.

The Members of the subcommittee may have some additional questions for the witnesses. We ask the witnesses to respond to these in writing.

Pursuant to committee rule VII(E), the hearing record will be open for 10 days.

I do want to just make a general statement. Relative to the actions of the administration, whether it was the Digital Services, renamed DOGE, what we know is Article II of the Constitution does provide and vest all Executive authority onto the President, and the authority of the President, duly elected, to be able to execute on the day-to-day operations is his prerogative.

Additionally, I want to move to enter this letter from the vice president of the Associated Builders and Contractors, a national construction industry trade association representing more than 23,000 members, requesting Members of the committee reduce wasteful spending in infrastructure contracting by removing the Biden-Harris administration's project labor agreement that discouraged fair contract completion.

Without objection, so ordered.

[The information follows:]

STATEMENT OF ASSOCIATED BUILDERS AND CONTRACTORS

*March 11, 2025.*

The Honorable JOSH BRECHEEN,  
*Chairman, Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security, U.S. House of Representatives, Washington, DC 20515.*

The Honorable SHRI THANEDAR,  
*Ranking Member, Subcommittee on Oversight, Investigations, and Accountability, Committee on Homeland Security, U.S. House of Representatives, Washington, DC 20515.*

DEAR CHAIRMAN BRECHEEN, RANKING MEMBER THANEDAR AND MEMBERS OF THE U.S. HOUSE COMMITTEE ON HOMELAND SECURITY'S SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS, AND ACCOUNTABILITY: On behalf of Associated Builders and Contractors, a national construction industry trade association with 67 chapters representing more than 23,000 members, I write today to thank you for holding the hearing, "Eliminating Waste, Fraud, and Abuse at the Department of Homeland Security: Addressing the Biden-Harris Administration's Failures." This hearing is essential to ensuring that U.S. Department of Homeland Security prioritizes efficiency, quality, and maximizing the value of taxpayer investments.

ABC MEMBERS ADVANCE U.S. DEPARTMENT OF HOMELAND SECURITY INFRASTRUCTURE

ABC and its members play a significant role in improving America's infrastructure, including that procured by the DHS. Between fiscal years 2009–2023, ABC members won 54 percent of Federal contracts worth \$35 million or more. Specific to homeland security, ABC members have competed on and won infrastructure projects of all sizes, including those in excess of \$100 million. These projects include the construction, renovation, and repair of border walls, ports of entry, waterfront structures, barracks, and utility infrastructure and were completed free from project labor agreement mandates and encouragements.

While ABC members have traditionally played a critical role building homeland security projects, the Biden administration sought to discourage them from competing for Federal construction contracts through its Use of Project Labor Agreements for Federal Construction Projects final rule. Effective Jan. 20, 2024, the rule requires PLAs on Federal construction projects of \$35 million or more and discourages competition from quality nonunion contractors and their employees, who comprise a record-high 89.7 percent of the private U.S. construction industry workforce. This policy effectively tells ABC member contractors and subcontractors they are not welcome to compete to win taxpayer-funded infrastructure projects unless they sign a jobsite-specific collective bargaining agreement with unions. It also inflates Federal construction projects costs by 12 percent to 20 percent, needlessly wasting billions of taxpayer dollars annually.

PLA LEGAL DEVELOPMENTS SINCE THE START OF THE TRUMP ADMINISTRATION

On Jan. 21, 2025, the U.S. Court of Federal Claims ruled in favor of ABC and Associated General Contractors Federal contractor members that filed bid protests against PLAs mandated on 12 project solicitations procured by DOD agencies as a

result of the Biden administration's pro-PLA FAR Council rule. The judge's ruling, limited to the dozen projects in question to date, found that PLA mandates violate Federal competitive bidding laws and evidence presented to the court illustrated their anti-competitive and inflationary effect. The court heard evidence that Federal agencies conducted market research and hired consultants who recommended against mandating PLAs because of their anti-competitive and inflationary outcomes. However, the Biden rule forced DOD procurement experts to ignore these findings and indiscriminately require PLAs on contracts in markets where PLAs were harmful to the DOD's mission and objectives.

Despite legal wins and welcome policy reversals by the DOD and U.S. General Services Administration to remove PLA requirements on certain projects, the Biden administration's illegal PLA rule continues to cause confusion, delays, and reduced competition for construction contracts procured by other Federal agencies, such as the DHS, months into the Trump administration. For this reason, ABC encourages the Trump administration to permanently rescind the Biden administration's PLA mandate rule on direct Federal contracts and eliminate other pro-PLA schemes on Federally-assisted infrastructure, clean energy, and manufacturing projects via Federal tax incentives, loans, and grant programs.

#### CONCLUSION

ABC encourages Members of the Homeland Security Committee to ensure the Federal Government benefits from robust merit-based competition by eliminating Government-mandated PLAs and PLA preferences pushed by inflationary Biden administration policies. By cosponsoring the Fair and Open Competition Act, Members of Congress can prohibit Biden's failed PLA policies from undermining infrastructure investments, reducing competition, and preventing taxpayers from getting the best value on Federal construction projects. If passed, FOCA would save taxpayers at least \$10 billion annually and ensure all Americans, regardless of labor affiliation, have the opportunity to participate on Federal construction projects.

ABC appreciates the opportunity to comment on today's hearing and looks forward to working with the committee during the 119th Congress.

Sincerely,

KRISTEN SWEARINGEN,  
*Vice President, Legislative & Political Affairs.*

Mr. BRECHEEN. With that, thank you to the witnesses for your testimony, to the Members for your time. Now this committee stands adjourned.

[Whereupon, at 4:25 p.m., the subcommittee was adjourned.]

