

PART 1: CONSEQUENCES OF FAILURE: HOW BIDEN'S POLICIES FUELED THE BORDER CRISIS

HEARING
BEFORE THE
SUBCOMMITTEE ON
BORDER SECURITY
AND ENFORCEMENT
OF THE
COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
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PART 1: CONSEQUENCES OF FAILURE: HOW BIDEN'S POLICIES FUELED THE BORDER CRISIS

Tuesday, March 25, 2025

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON BORDER SECURITY AND ENFORCEMENT,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:07 p.m., at Room 310, Cannon House Office Building, Hon. Michael Guest [Chairman of the subcommittee] presiding.

Present: Representatives Guest, Gonzales, Crane, Ogles, Biggs, Knott, Correa, Ramirez, and Johnson.

Also present: Representative Thompson.

Mr. GUEST. The Committee on Homeland Security's Subcommittee on Border Security and Enforcement will come to order. Without objection, the Chair is authorized to declare the committee in recess at any point.

The purpose of this hearing is to examine the actions that gave rise to the historic border crisis we witnessed over the last 4 years. More importantly, this hearing will enable Congress to explore potential legislative solutions to ensure that the United States does not endure another such crisis.

I now recognize myself for an opening statement.

Good morning and welcome to the Subcommittee on Border Security and Enforcement hearing on how the Biden-Harris administration's failed border policies fueled a historic crisis at our Southwest Border, which the Trump administration is now addressing with bold, long-awaited action. First, I want to say it is an honor to serve as Chairman of this subcommittee, and I look forward to working with my colleagues on both sides of the aisle, especially with the Ranking Member, the gentleman from the great State of California, Representative Correa, as we seek to address the critical challenges facing our Nation's border security.

Just over 4 years ago, on January 20, 2021, President Biden was sworn into office. On that very same day, with the stroke of a pen, he issued Executive Orders dismantling years of robust border security measures implemented by the first Trump administration. The results can only be described as a colossal failure. We have often heard the phrase, those who don't know history are doomed to repeat it. So to be clear, this hearing is not about looking back just for the sake of looking back, but instead is about learning from past failures so that Congress can work together to pass meaning-

ful and lasting solutions to secure our border. The policies we put in place today will shape the future and ensure the failures of the past will never be repeated.

Over the course of 4 years, the Biden-Harris administration introduced sweeping policy changes that prioritized rapid processing and release over enforcement, thereby dismantling border security policies meant to deter illegal immigrants—excuse me, meant to deter illegal immigration and protect Americans from foreign threats abroad. The consequences were devastating as we saw record levels of illegal immigration, a surge in crime committed by transnational criminal organizations, and a weakening of national security.

The administration also ended key deterrent measures, such as Remain in Mexico and safe third country asylum agreements. It expanded the CBP One app and created mass parole programs to facilitate the illegal entry of inadmissible aliens into the United States. As a result, every State in America has now become a border State. Violent criminal gangs infiltrated American communities and carried out heinous crimes, crimes such as murder, assault, robbery, and rape, these crimes which jeopardize the safety of all American citizens.

When President Trump took office in January, he and his administration wasted no time in reversing the failed policies of the Biden-Harris administration. His administration immediately declared a national emergency at the Southwest Border and took aggressive actions such as deploying troops to assist and support DHS to regain operational control. The President also resumed border wall construction, ended Biden-era mass parole programs, and terminated the failed catch-and-release policy.

The results were seen almost immediately. By the end of February, Customs and Border Protection data revealed record low numbers of apprehension at the Southwest Border. Illegal entries between ports of entry plummeted 94 percent compared to February 2024. Meanwhile, at the same time, Immigration and Customs Enforcement ramped up its enforcement efforts and increased arrest of public safety threats by 627 percent.

I would like to close with a quote from one of our witnesses. “The bottom line is this did not have to happen and we need to prevent it from happening again. We must do all we can to learn from the past, to protect the safety and security of all American people, and to ensure that the failures of the past will not be repeated.”

[The statement of Chairman Guest follows:]

STATEMENT OF CHAIRMAN MICHAEL GUEST

MARCH 25, 2025

Good morning, and welcome to the Subcommittee on Border Security and Enforcement hearing on how the Biden-Harris administration’s failed border policies fueled a historic crisis at our Southwest Border, which the Trump administration is now addressing with bold, long-awaited action.

It is an honor to serve as Chairman of this subcommittee, and I look forward to working with my colleagues on both sides of the aisle—especially with the Ranking Member, the gentleman from California, Representative Lou Correa—to address the critical challenges facing our Nation’s border security.

On January 20, 2021, President Joe Biden, was sworn into office and on that very same day, with a stroke of a pen, he issued Executive Orders dismantling years of

robust border security measures implemented by the first Trump administration. The results were catastrophic.

We have often heard the phase, “those who don’t know history are doomed to repeat it.”

To be clear, this hearing is not about looking backwards but instead it is about learning from past failures so that Congress can work together to pass meaningful and lasting solutions to secure our border. The policies we put in place today will shape the future and ensure that the failures over the past 4 years will never be repeated.

Although the Biden-Harris administration is no longer in the White House, its legacy left our Nation’s border in tatters. It is the responsibility of this subcommittee to uncover what happened, identify why it happened, and determine how Congress can work together to implement solutions to prevent a future border crisis.

Over the course of 4 years, the Biden-Harris administration introduced sweeping policy changes that prioritized rapid processing and release over enforcement, thereby dismantling border security policies meant to deter illegal immigration and protect Americans from foreign threats abroad. The consequences were devastating—as we saw record levels of illegal immigration, a surge in crimes committed by transnational criminal organizations, and a weakening of national security.

The administration also ended key deterrence measures, such as “Remain in Mexico” and safe-third country asylum agreements. At the same time, the previous administration expanded the CBP One app and created mass parole programs to facilitate the illegal entry of inadmissible aliens into the United States.

As a result, every State in America has now become a border State.

Violent criminal gangs infiltrated American communities and carried out heinous criminal acts, such as murder, rape, assault, and robbery—which jeopardized the safety of all American citizens.

When President Trump took office this January, he and his administration wasted no time in reversing the failed policies of the Biden-Harris administration.

His administration immediately declared a national emergency at the Southwest Border and took aggressive actions, such as deploying troops to assist and support DHS operations to regain operational control. The President also resumed border wall construction, ended Biden-era mass parole programs, and terminated the failed catch-and-release policy.

The results were seen almost immediately. By the end of February, Customs and Border Protection data revealed record-low apprehensions at the Southwest Border, thanks to the change in policy. Illegal entries between ports of entry plummeted 94 percent compared to February 2024. Meanwhile, at the same time, Immigration and Customs Enforcement ramped up its enforcement efforts and increased arrests of public safety threats by 627 percent.

I will close with a quote from one of our witnesses, “the bottom line is this did not have to happen, and we need to prevent it from happening again.”

We must do all we can to learn from the past to protect the safety and security of the American people and to ensure that failures of the past will never happen again.

Mr. GUEST. At this time, I would now recognize the Ranking Member for the Subcommittee on Border Security and Enforcement, the gentleman from California, Mr. Correa, for his opening statement.

Mr. CORREA. Thank you, Chairman Guest, and I concur with you. Thank you for being Chair of this committee. I look forward to working with you on border security.

Border security, in my opinion, is not just border security. It is national security. This is not an issue of Democrats or Republicans, but rather it is an issue that addresses all taxpayers, all citizens in this great Nation. Today is our first subcommittee hearing, 119th Congress. This topic selected by you, Mr. Chairman. We are looking at the past, yet I would like to look at the future and what the challenges are for us at the border in this Nation.

We are not looking at conducting oversight on how the Trump administration is ripping away legal statuses, legal rights, work permits from immigrants lawfully within this country, ending parole for Ukrainian war refugees or Venezuelans or Cubans, in addi-

tion to ending status for Afghan refugees who fought alongside American troops in Afghanistan. We have to keep our moral obligation to those that have fought next to our American troops, for those that had the back of our American troops overseas.

We don't want to talk about ICE agents questioning and arresting American citizens, U.S. citizens, Mr. Chairman; or efforts to deport U.S. veterans, immigrant veterans that have been essentially fighting for this country; or U.S. citizen children with brain cancer. We need to address these issues, Mr. Chairman.

I recently met with front-line CBP officers, who expressed frustration with this new administration and how they are addressing efficiency initiatives. Yet today we won't be discussing those issues. Instead, we are looking at the past.

Let's be clear, the Biden administration left President Trump with declining border crossing, record number of fentanyl seizures, despite my colleagues not wanting to admit it, and sadly for me, I hate to admit it, a higher daily rate of deportations than we have seen in a very long time. When President Trump first left office, unauthorized border crossings were at a rise, gotaways were on the rise, and synthetic opioid deaths were also on the rise. In fact, in those days, they were already calling it a crisis, and that was in the President Trump's first watch.

Now that he is back in office, I was hoping, Mr. Chairman, that we focus on oversight of what is happening now at the border. Yet it is hard to fix things when the administration, today's administration, refuses to tell our staff what is happening at the border. I hope we will have the administration here to answer some questions as we begin to address and continue to address national security.

Mr. Chair, President Biden is gone. Let's focus today on the nuts and bolts of border security. For example, fixing severe staffing shortages at our ports of entry, stopping cartels from getting American-made weapons. Those are the issues we need to focus on. Yet today the new administration is doubling down on cutting the Federal work force and gutting DHS in the name of efficiency and cost savings. Yet we are completely overlooking the fact that Secretary Noem just spent \$200 million, \$200 million, on TV ads praising the new President.

We are also overlooking the fact that the administration spent \$16 million to fly 300 detained immigrants to Guantanamo Bay in Cuba just to send them back to the United States. It is also my understanding that this new administration also directed our soldiers to construct tents and hold detained immigrants in Guantanamo at a cost of \$3 million. New tents in Guantanamo for \$3 million. But they weren't even built to DHS standards, so they were not even used. How is that for cost savings, Mr. Chairman?

Another example, in one facility in Texas, we are spending thousands of dollars to detain a working family and their 6- and 8-year-old children. I guess this is what America—a safer America looks like today.

Let's not forget, with all the law enforcement agents, like DEA, FBI, ATF, they are being forced to become deportation officers away from their priority investigations of drug cartels, money laun-

dering, child sex trafficking. Sadly, some of these cases may be going unsolved and will become cold cases.

This administration pushed to inflate ICE arrests and deportations. DHS ended up rounding up Venezuelan-American families whose citizen children were recovering from brain cancer. That is right, a 10-year-old American with brain cancer was deported by this administration. Again, an American citizen, 10 years old. By the way, the parents had no criminal record and had been here for quite some time. Again, is this what makes America look safer or America safe again?

Mr. Chairman, I look forward to working with you on future hearings to focus on what makes our border stronger, safer, what keeps our neighborhood safe, what keeps fentanyl, other narcotics off our streets, as well as bad people from entering this country, and, of course, while improving international trade that is good for America.

Mr. Chairman, thank you very much for holding this hearing. With that, I yield.

[The statement of Ranking Member Correa follows:]

STATEMENT OF RANKING MEMBER J. LUIS CORREA

MARCH 25, 2025

Today's hearing is our first subcommittee hearing of the 119th Congress, though, its topic—selected by my Republican colleagues—seems to be focused on the past. They appear to not want to conduct oversight of how the Trump administration is ripping away legal status and work permits from immigrants lawfully in the United States, like ending parole for Ukrainians, Venezuelans, and Cubans in addition to Afghans who helped our troops.

They don't want to talk about ICE agents questioning or arresting U.S. citizens, or their efforts to deport veterans who served our country in Iraq and U.S. citizen children with brain cancer.

My Republican colleagues don't want to hear from their constituents about this—they've been directed to cancel town halls. They know their actions are unpopular.

We can't ignore the concerns of the people we were sent here to represent. No matter how tough it is to hear sometimes.

I recently met with front-line CBP officers who expressed deep frustration with how this administration has handled their so-called efficiency initiatives. Their frustration is understandable and warranted. Yet we won't be discussing their needs or remedies to this mismanagement here today.

Instead, Republicans set up a hearing to relitigate the past. The Biden administration left President Trump with declining border crossings numbers, a record number of fentanyl seizures, and—despite some of my colleagues not wanting to admit it—a higher daily rate of deportations than what we see now.

I hope my colleagues don't ignore that, or the conditions that the first Trump administration left the border.

When President Trump first left office, illegal crossings were on the rise, gotaways were on the rise, and synthetic opioids deaths were on the rise.

In fact, they were already calling it a crisis on President Trump's first watch. Now that he's back in office, I thought they'd focus on conducting oversight of what's happening now at the border. It's hard to fix things when the administration refuses to tell our staff what's happening at the border. I hope we'll have the administration here to answer our questions soon.

Or maybe, now that they are no longer set on blocking border security legislation to score points against President Biden, maybe they would have hearings aimed at fixing severe staffing shortages at ports of entry, stopping the cartels from getting American-made weapons, or authorizing more resources for our Homeland Security Investigations special agents investigating human traffickers and drug smugglers.

Instead, they've doubled down on cutting the Federal work force and gutting DHS in the name of apparent "cost savings."

It seems that they must've completely missed the news about Secretary Noem spending \$200 million on TV ads praising President Trump.

Or, that the administration spent \$16 million dollars to fly and detain only 300 migrants in Guantanamo Bay, Cuba just to send them back to detention facilities in the United States.

It's my understanding that the administration also directed our soldiers to construct tents to hold detained migrants in Guantanamo.

These tents cost over \$3 million dollars to build and failed to meet basic DHS standards, so they weren't operational.

This administration then forced DEA, ATF, HSI, and FBI agents to put their investigations into the worst of the worst on hold in order to help ICE arrest as many noncitizens as possible—many of whom have been here for years working and have no criminal history.

Now, this administration is reopening family detention centers. At one facility in Texas, we're spending thousands of dollars to detain a working family and their 6- and 8-year-old children.

Is this what making America safe looks like?

With all the law enforcement agents being forced to become deportation officers, it's possible that some of the cases that they were working will go unsolved. Leads will go cold while they help round up migrants convicted of driving their bicycle on the wrong side of the road.

In this administration's push to inflate ICE arrests and deportations, DHS ended up rounding up a Venezuelan American family, whose U.S. citizen child was recovering from brain cancer. That's right—a 10-year-old American with brain cancer was deported by this administration.

The parents had no criminal record and have been here for quite a long time. Yet, this administration made sure to prioritize their deportation.

Again, is this what making America safe or securing the border looks like?

Mr. Chairman, I urge you to focus future hearings on what this subcommittee can actually do together in a bipartisan way—to secure the border, improve international trade, and keep fentanyl off our streets.

Mr. GUEST. Thank you, Mr. Correa. At this time, I would now recognize the Ranking Member for the entire committee, the gentleman from Mississippi, Mr. Thompson, for his opening statement.

Mr. THOMPSON. Thank you very much, Mr. Chairman, and I look forward to working with you as another Mississippian on this committee. I welcome our panel of witnesses and look forward to their testimony, also, today.

But more than 2 months into the Trump administration, Americans want to know why administration officials aren't here to answer the questions. Why haven't Republicans held a single hearing with administration witnesses this whole Congress? Why don't Trump administration officials answer to this committee for their immigration policies? Are they afraid of answering our questions about why they have rounded up and detained U.S. citizens, even deported U.S. citizens with no due process? You have already heard about the 10-year-old American girl who was deported, battling brain cancer.

Don't they want to explain why they have disappeared people with no criminal record or evidence of wrongdoing from this country without so much as a hearing in defiance of a Federal judge's order? Or why they pull law enforcement off cases targeting child abusers, traffickers, and smugglers to carry out immigration raids against people with no criminal history?

That is just what we know from the media reports. We have received next to no information from DHS on what is happening, despite our inquiries. Administration officials want to go on FOX News and pose for photo ops, but they don't want to be held accountable by Congress. Congressional Republicans are complicit in helping them evade oversight.

Today, my Republican colleagues want to talk about the Biden administration yet again, rather than the bad policies and abuses of the Trump administration. I guess it is to be expected. I understand many of my Republican colleagues are hiding from their own constituents, having been directed by their leadership not to hold town halls or to hear from constituents who are upset at Trump's policies. We should be focusing on the issues affecting our communities today.

This administration, with the help of unelected billionaire Elon Musk, is ignoring laws passed by Congress. They are making Americans less safe while increasing prices for every-day goods. This committee should be providing oversight on the Trump administration as they sentenced people with no criminal record to hard labor in a notorious prison in El Salvador. This committee should be examining how ordering thousands of special agents to assist ICE with immigration enforcement hurts the Government's ability to conduct criminal investigation into child exploitation, human trafficking, drug smuggling, arms smuggling, and tax fraud. Or worse yet, to assign FBI agents to investigate Tesla damage as an act of domestic terrorism.

President Trump has even suggested convicted criminals of these crimes, including U.S. citizens, should be sent to the notorious mega prison in El Salvador, the very same place he is disappearing migrants under the Alien Enemies Act. It doesn't make us safer when the administration pauses serious criminal investigation so that special agents can help ICE arrest people in communities who pose no harm.

This committee should be conducting oversight of the Trump administration, squandering millions in taxpayers' money to house migrants in inhumane conditions in Guantanamo. Trump said that the worst of the worst would be held there, but many of the detainees had no criminal records at all. One migrant sent there was riding his bike on the wrong side of the road. That certainly doesn't sound like the worst of the worst.

We have also heard of U.S. citizens being detained and questioned by ICE. CBP has detained and effectively deported U.S. citizens. That is not who we are as people.

There are real threats to this country that we need to focus on. While the Trump administration is fixated on creating sound bites and photo ops, Democrats will remain focused on doing what is best for the American people. The Trump administration should be here to answer our questions.

I thank the witnesses for being here today, and I yield back.
 [The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

MARCH 25, 2025

More than 2 months into the Trump administration, Americans want to know why administration officials aren't here to answer our questions. Why haven't Republicans held a single hearing with administration witnesses this Congress? Why don't Trump administration officials answer to this committee for their immigration policies?

Are they afraid of answering our questions about why they have rounded up and detained U.S. citizens? Even deported U.S. citizens with no due process? Including a 10-year-old American girl battling brain cancer?

Don't they want to explain why they have "disappeared" people with no criminal record or evidence of wrongdoing from this country without so much as a hearing, in defiance of a Federal judge's order? Or why they have pulled law enforcement off cases targeting child abusers, traffickers, and smugglers to carry out immigration raids against people with no criminal history?

And that's just what we know about from media reports. We've received next to no information from DHS on what's happening despite our inquiries.

Administration officials want to go on Fox News and pose for photo ops, but they don't want to be held accountable by Congress. And Congressional Republicans are complicit in helping them evade oversight.

Today, my Republican colleagues want to talk about the Biden administration, yet again, rather than the bad policies and abuses of the Trump administration.

I guess it's to be expected. I understand many of my Republican colleagues are hiding from their own constituents, having been directed by their leadership not to hold town halls to hear from constituents who are upset at Trump's policies.

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Or worse yet, to assign the FBI to investigate Tesla damage as an act of domestic terrorism. President Trump has even suggested convicted criminals of these crimes, including U.S. citizens, could be sent to the notorious mega prison in El Salvador. The very same place he is disappearing migrants to under the Alien Enemies Act.

It doesn't make us safer when the administration pauses serious criminal investigations so that special agents can help ICE can arrest people in communities who pose no harm.

This committee should be conducting oversight of the Trump administration squandering millions in taxpayer money to house migrants in inhumane conditions at Guantanamo. Trump said that the worst of the worst would be held there, but many of the detainees had no criminal records at all. One migrant was sent there for riding his bike on the wrong side of the road. That certainly doesn't sound like the worst of the worst.

We've also heard of U.S. citizens being detained and questioned by ICE. CBP has detained and effectively deported U.S. citizens. That's not who we are as a people.

There are real threats to this country that we need to focus on. While the Trump administration is fixated on creating sound bites and photo ops, Democrats will remain focused on doing what's best for the American people. The Trump administration should be here to answer our questions.

Mr. GUEST. Thank you, Chairman Thompson—or Ranking Member Thompson, for that opening statement.

Other Members of the committee are reminded that opening statements may be submitted for the record. I am pleased to welcome our distinguished panel of witnesses and I ask that our witnesses please raise their right hand and please rise.

[Witnesses sworn.]

Mr. GUEST. Let the record reflect that the witnesses have answered in the affirmative. Thank you, and you may be seated.

I would now like to formally introduce our witnesses. First, I would like to start with Ms. Lora Ries. She is the director of the Border Security and Immigration Center at the Heritage Foundation. She has nearly 30 years' experience in the immigration and homeland security arena. She twice worked at the Department of Homeland Security on management and immigration policy and operations issues, most recently as the acting deputy chief of staff. Previously, she worked in the Legislative branch as counsel for the

U.S. House of Representatives' Judiciary Committee Subcommittee on Immigration and Claims.

Our second witness is Mr. Ammon Blair. He is a senior fellow at the Texas Public Policy Foundation Secure and Sovereign Texas Initiative. Blair has over 10 years of experience as a U.S. Border Patrol agent serving in the Rio Grande Valley sector. He is also a 20-plus-year U.S. Army veteran serving both as an enlisted soldier and commissioned officer in various leadership and staff roles, including as an infantry platoon leader on Operation Lone Star.

Our third witness is Mr. Jon Anfinsen. He serves as the executive vice president of the National Border Patrol Council, the labor union representing over 16,000 Border Patrol agents and support staff. In addition to his national role, he is the president of the local chapter which covers the Del Rio, Texas, area. He has been assigned as a Border Patrol agent for over 18 years. Throughout his career he has been assigned to the Del Rio sector in Texas where he has served in various capacities, including several years in the prosecution unit and 2 years as a liaison to the U.S. Attorney's office in Del Rio.

Our fourth witness is Mr. Aaron Reichlin-Melnick. He is currently a senior fellow at the American Immigration Council. He previously served as policy director and senior policy counsel for the organization. Prior to the American Immigration Council, he was a staff attorney in the Immigration Law Unit for the Legal Aid Society of New York City.

I would like to personally thank all of our witnesses for being here today. The witnesses' full statements will appear for the record.

I now recognize Ms. Ries for 5 minutes to summarize her opening statement.

STATEMENT OF LORA RIES, DIRECTOR, BORDER SECURITY AND IMMIGRATION CENTER, THE HERITAGE FOUNDATION

Ms. RIES. Good morning, Chairman Guest, Ranking Members Thompson and Correa, and Members of the subcommittee. Thank you for the opportunity to testify today. The views I express in this testimony are my own and do not represent any official position of the Heritage Foundation.

When trying to solve the mass illegal immigration that this country experienced the past 4 years, it is important to ask how did we get here to avoid repeating it in the future. The last administration used a number of policy tools that fueled the border crisis and facilitated mass illegal immigration to the United States. In so doing, the Biden administration gave aliens coming illegally here the 5 things that they want. When coming to the United States, illegal aliens generally want to enter our country, remain here, work here, send money home, and bring or have family here. Policies that permit those 5 things generate and facilitate more illegal immigration, whereas policies that prevent those 5 things prevent illegal immigration. Here are some examples from the last administration.

For entry the Biden administration encouraged millions to come and apply for asylum, going back to a 2020 Presidential primary debate when Joe Biden encouraged aliens to "immediately surge the border" and claim asylum. During the past 4 years, the left and

media referred to all coming here illegally as “asylum seekers” to both encourage people to apply for the benefit and to generate American empathy for the masses who were coming here.

The reality was, before the Biden administration, the vast majority of asylum applicants were denied asylum because they were not eligible. Knowing many were coming here for economic reasons, not because they were fleeing persecution, meant the administration was encouraging asylum fraud.

Then Homeland Security Secretary Alejandro Mayorkas also encouraged unaccompanied alien children border crossings by saying publicly multiple times, if you come as an unaccompanied child, you will not be turned back. The result? U.S. Customs and Border Protection encountered a historic 550,000 unaccompanied children during the last 4 years. Biden’s Department of Health and Human Services, which is responsible for providing shelter for unaccompanied children, turned them over to unvetted sponsors. Unsurprisingly, children ended up in sex trafficking, child labor, and HHS lost track of at least 300,000 of them.

The Biden administration also paid tens of billions of dollars to nongovernmental organizations, or NGO’s, to build an infrastructure for mass migration from as far south as at least Panama to and throughout the United States. These NGO’s arranged transportation, shelter, health care, documentation, legal services, and other, quote, “wraparound” services for the aliens. The money sent to these NGO’s went out through DHS, the State Department, HHS, USAID, the Justice Department, and more. We, the U.S. taxpayers, were paying for our own national destruction.

To bring in additional tens of thousands of inadmissible aliens each month, Secretary Mayorkas went around the legal visa process, around the U.S. Refugee Admissions Program, and instead issued mass parole based mostly on nationality and in violation of the immigration statute. To allow the masses of aliens to remain in the United States, the Biden administration severely restricted immigration enforcement, gave billions of dollars to sanctuary jurisdictions in conjunction with the NGO’s to shield inadmissible aliens and provide them benefits. The administration also increased and extended numerous designations of temporary protected status, used prosecutorial discretion to not seek aliens’ removals, and administratively closed other removal cases, thereby giving deportable aliens more time here until they could become eligible for another immigration benefit.

As for working in the United States, Secretary Mayorkas issued employment authorization documents as a default. If the underlying immigration benefit, like merely filing an asylum application, already provided work authorization, Secretary Mayorkas accelerated it. If Congress never authorized work for an immigration benefit, like parole, Mayorkas issued work cards anyway.

The Biden administration abused our immigration system, resulting in a historic 11 million CBP encounters in just 4 years. These bad policies brought unsustainable numbers of people to our communities, along with national insecurity, fentanyl, violent gang members, and other issues. With the new Trump administration, we have already seen border numbers plummet because President

Trump immediately put policies into place that prevent illegal entry and other benefits for inadmissible and deportable aliens.

This concludes my testimony and I look forward to your questions. Thank you.

[The prepared statement of Ms. Ries follows:]

PREPARED STATEMENT OF LORA RIES

MARCH 25, 2025

My name is Lora Ries and I am the director of the Border Security and Immigration Center at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

When trying to solve a historic problem like the intentional mass illegal migration this country experienced the past 4 years, it is important to ask the question, “How did we get here?”—not just to fix the problem, but also to avoid repeating it in the future.

The decision to open the border was a policy choice made by Joe Biden’s Presidential campaign. The American public saw glimpses of his future policies in late 2019 and 2020. During a Presidential primary campaign debate in 2019, Joe Biden said he would “make sure . . . we immediately surge to the border all those people that are seeking asylum. They deserve to be heard. That’s who we are. We’re a Nation that says if you want to flee and you’re fleeing oppression, you should come.”¹ In January 2020, Biden tweeted that he would end the Remain in Mexico program on Day 1.² In an August 2020 media interview, Biden said, “There will not be another foot of wall constructed [by] my administration.”³

Then, once Biden was sworn in as President, he wasted no time unleashing his open border agenda. On the first day of his administration, Biden began halting effective immigration enforcement and anti-fraud measures. His orders included stopping construction of the border wall system, ending enrollments of aliens in the effective anti-asylum fraud Remain in Mexico program, ordering that no deportations would occur for the first 100 days of his administration, and revoking President Trump’s Executive Order and Presidential Memorandum ordering the collection of citizenship information during the decennial Census and exclusion of illegal aliens from the Census apportionment of Members of the U.S. House of Representatives.⁴

Biden directed Federal agencies to refer to legal and illegal aliens alike as “non-citizens,” thereby ignoring statutory language to erase the line between legal and illegal immigration.⁵

His political appointees implemented policies to instruct U.S. Customs and Border Protection (CBP) agents to process most inadmissible aliens they encountered into

¹ Karl Salzmann, “Flashback: Biden Tells Migrants to ‘Surge to the Border,’” *Washington Free Beacon*, May 10, 2023, <https://freebeacon.com/biden-administration/flashback-biden-tells-migrants-to-surge-to-the-border/> (accessed March 16, 2025).

² Joe Biden, X, Jan. 29, 2020, https://x.com/JoeBiden/status/122269199-936465152?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E12226919936-4657152%7Ctugr%5B%7Ctwcon%5Es1 &ref_url=https%3A%2F%2Fwww.washingtonpost.com%2Fnational%2Fbiden-immigration-policy-changes%2F2020%2F12%2F22%2F2eb9e92-4400-11eb-8deb-b948d0931c16_story.html (accessed March 21, 2025).

³ Barbara Sprunt, “Biden Would End Border Wall Construction, But Wouldn’t Tear Down Trump’s Additions,” NPR, August 5, 2020, <https://www.npr.org/2020/08/05/899266045/biden-would-end-border-wall-construction-but-wont-tear-down-trump-s-additions> (accessed March 16, 2025).

⁴ National Immigration Law Center, “Biden Administration Day One Immigration Actions,” January 28, 2021, <https://www.nilc.org/resources/biden-administration-day-one-immigration-actions/> (accessed March 18, 2025); President Joseph R. Biden Jr., Executive Order 13986, “Ensuring a Lawful and Accurate Enumeration and Apportionment Pursuant to the Decennial Census,” January 20, 2021, *Federal Register*, Vol. 86, No. 14 (January 25, 2021), pp.7015–7017, <https://www.federalregister.gov/documents/2021/01/25/2021-01755/ensuring-a-lawful-and-accurate-enumeration-and-apportionment-pursuant-to-the-decennial-census> (accessed March 18, 2025).

⁵ Memorandum from Troy A. Miller, senior official performing the duties of the commissioner, U.S. Customs and Border Protection, to deputy commissioner et al., “Subject: Updated Terminology for CBP Communications and Materials,” April 19, 2021, <https://lawprofessors.typepad.com/files/4-19-21-cbp-memo.pdf> (accessed March 18, 2025).

the United States in violation of the immigration statute instead of returning them across the border.⁶

The Left and the media referred to all encountered illegal aliens as “asylum seekers” in an attempt to generate American empathy for the masses who were coming to the United States. Meanwhile, the real consequence of this propaganda was to encourage inadmissible aliens to file fraudulent asylum applications to buy themselves more time to remain in the United States and gain work authorization.

Using a 2021 policy memorandum, Department of Homeland Security (DHS) Secretary Alejandro Mayorkas restricted U.S. Immigration and Customs Enforcement’s (ICE’s) ability to execute most of its immigration enforcement functions, limiting investigations, arrests, detentions, prosecutions, and deportations to spies, terrorists, some aggravated felons, and aliens who illegally crossed the border after November 1, 2020.⁷

Yet, as the data shows, the Biden administration did not operate even according to those very limited enforcement priorities. Echoing Barack Obama’s 2008 campaign statement that “we are 5 days away from fundamentally transforming the United States of America,” Mayorkas bragged in January 2022 that “we have fundamentally changed immigration enforcement. For the first time ever, our policy explicitly states that a non-citizen’s unlawful presence in the United States will not, by itself, be a basis for the initiation of an enforcement action.” He called this “a profound shift away from the prior administration’s indiscriminate enforcement.”⁸ In reality, Mayorkas’s policies were clear violations of Federal law.

VIOLATED IMMIGRATION PAROLE

In addition to opening the border and ignoring immigration enforcement statutes, Mayorkas violated immigration benefit statutes passed by Congress in the Immigration and Nationality Act (INA). The most blatant of these violations was his use of immigration parole. The INA states that:

“[T]he [Secretary of Homeland Security] may . . . in his discretion parole into the United States temporarily . . . only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the [Secretary], have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.”⁹

Congress later added the following statutory language to prevent the abuse of parole to bring refugees into the United States more quickly:

“The [Secretary] may not parole into the United States an alien who is a refugee unless the [Secretary] determines that compelling reasons in the public interest with respect to that particular alien require that the alien be paroled into the United States rather than be admitted as a refugee under section 1157 of this title.”¹⁰

Congress intended that parole would be used very rarely in special circumstances when an alien does not have adequate time to use legal visa or refugee processes—

⁶ Adam Shaw, Bill Melugin, and Griff Jenkins, “Mayorkas Tells Border Patrol Agents That ‘Above 85%’ of Illegal Immigrants Released into US: Sources,” Fox News, January 8, 2024, <https://www.foxnews.com/politics/mayorkas-tells-border-patrol-agents-illegal-immigrants-released-into-us-sources> (accessed March 19, 2025).

⁷ Memorandum from Alejandro N. Mayorkas, Secretary, U.S. Department of Homeland Security, to Tae D. Johnson, acting director, U.S. Immigration and Customs Enforcement; Troy Miller, acting commissioner, U.S. Customs and Border Protection; Ur Jaddou, director, U.S. Citizenship and Immigration Services; Robert Silvers, under secretary, Office of Strategy, Policy, and Plans; Katherine Culliton-González, officer for civil rights and civil liberties, Office for Civil Rights and Civil Liberties; and Lynn Parker Dupree, chief privacy officer, Privacy Office, “Subject: Guidelines for the Enforcement of Civil Immigration Law,” September 30, 2021, <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf> (accessed March 19, 2025).

⁸ Adam Shaw, “Biden’s First Year: Mayorkas Says Admin Has ‘Fundamentally Changed’ Interior Immigration Enforcement,” Fox News, January 20, 2022, <https://www.foxnews.com/politics/bidens-first-year-mayorkas-admin-fundamentally-changed-interior-immigration-enforcement> (accessed March 19, 2025).

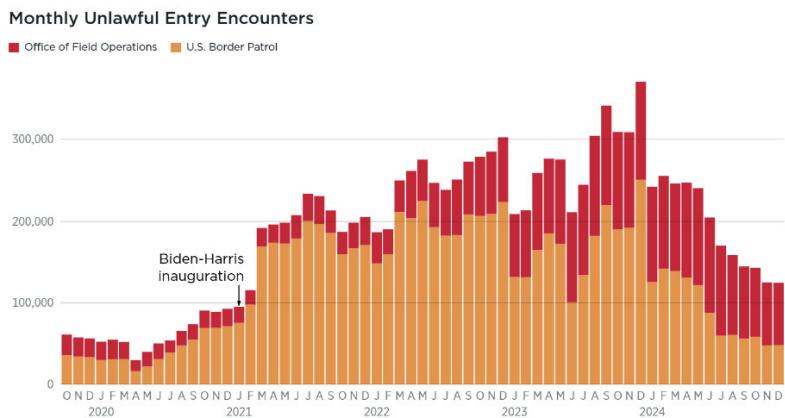
⁹ 8 U.S. Code § 1182(d)(5)(A), <https://www.law.cornell.edu/uscode/text/8/1182> (accessed March 19, 2025).

¹⁰ 8 U.S. Code § 1182(d)(5)(B), <https://www.law.cornell.edu/uscode/text/8/1182> (accessed March 19, 2025).

for example, when coming to the United States for emergency surgery or to testify in a criminal case. Therefore, Congress logically did not provide work authorization for aliens who receive temporary parole.

Despite this clear statutory text, Mayorkas repeatedly used mass and categorical parole to allow tens of thousands of inadmissible aliens to bypass our lawful visa and refugee processes each month. He created parole programs for aliens from Afghanistan, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Ukraine, and Venezuela, as well as aliens who have previously been deported¹¹ and aliens who have resided in the United States illegally for at least 10 years and are married to U.S. citizens.¹²

In addition, Mayorkas created a parole program under which any alien could use the CBP Mobile One application to make an appointment at a land or air port of entry where CBP paroled them into the United States.¹³ In other words, instead of securing the border, the Biden administration created a deceptive shell game by shifting the illegal flow to the ports (red segments in chart below) while pointing at (briefly) falling numbers of aliens crossing the Southern Border between these ports of entry (orange segments in chart below).



Secretary Mayorkas also gave his mass parolees renewable work authorization without Congressional authorization. He propagandized his bypass of the statutory visa and refugee processes as “expanding lawful pathways” and insisted that parole was granted on a “case-by-case basis.” Federal judges, however, have found otherwise. For example, the Fifth Circuit Court of Appeals rebuked DHS’s abuse of parole in its December 2021 decision regarding the Secretary’s termination of the Migrant Protection Protocols. The court held that “[d]eciding to parole aliens en masse is the opposite of case-by-case decision making,” and added that “DHS’s pretended power to parole aliens while ignoring the limitations Congress imposed on the parole power . . . [is] not nonenforcement; it’s misenforcement, suspension of the INA, or both.”¹⁴

RENDERED ASYLUM MEANINGLESS

The Biden administration grossly abused America’s second-most important immigration benefit after U.S. citizenship—asylum. Beyond telling aliens to surge our

¹¹ U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, “Humanitarian or Significant Public Benefit Parole for Individuals Outside the United States,” last reviewed/updated August 19, 2024, https://www.uscis.gov/humanitarian/humanitarian_parole (accessed March 19, 2025).

¹² U.S. Department of Homeland Security, “Implementation of Keeping Families Together,” Notice of Implementation of the Keeping Families Together Process, *Federal Register*, Vol. 89, No. 161 (August 20, 2024), pp. 67459–67490, <https://www.govinfo.gov/content/pkg/FR-2024-08-20/pdf/2024-18725.pdf> (accessed March 19, 2025).

¹³ News release, “DHS Scheduling System for Safe, Orderly and Humane Border Processing Goes Live on CBP One™ App,” U.S. Department of Homeland Security, January 12, 2023, <https://www.dhs.gov/archive/news/2023/01/12/dhs-scheduling-system-safe-orderly-and-humane-border-processing-goes-live-cbp-onetm> (accessed March 19, 2025).

¹⁴ *Texas v. Biden*, No. 21-10806 (5th Cir. 2021) (emphasis in original).

border and claim asylum, as Biden did during his 2020 primary debate, and de facto support from the media, which refer to all illegal aliens as “asylum seekers,” Mayorkas violated immigration statutes to facilitate asylum fraud both procedurally and substantively.

He violated Congress’s establishment of jurisdiction over asylum applications by replacing immigration judges, ICE attorneys, and the adversarial process with U.S. Citizenship and Immigration Service (USCIS) asylum officers who processed both initial claims and second-stage applications for border crossers. Without cross-examination by ICE attorneys and immigration judges, USCIS asylum officers were more likely to rubber-stamp and grant weak, questionable, and unverified asylum claims.¹⁵

Substantively, the administration supported claims of domestic violence, gang activity, general crime, and climate change as grounds for asylum. These claims do not meet the requirements of the law, which are based on persecution because of an alien’s race, religion, nationality, political opinion, or membership in a particular social group. We now find ourselves far afield from the refugee protection the United States committed to provide after World War II. The benefit of asylum has been watered down and abused to be just another way to bring more aliens into the United States and allow them to remain here.¹⁶

ENCOURAGED UNACCOMPANIED CHILDREN BORDER CROSSINGS

Secretary Mayorkas repeatedly stated publicly that he would not turn unaccompanied children back from the border. This served as an advertisement for cartels to smuggle children into the United States. During the Biden administration, the CBP encountered over 550,000 unaccompanied children, a historic and terrible record.¹⁷

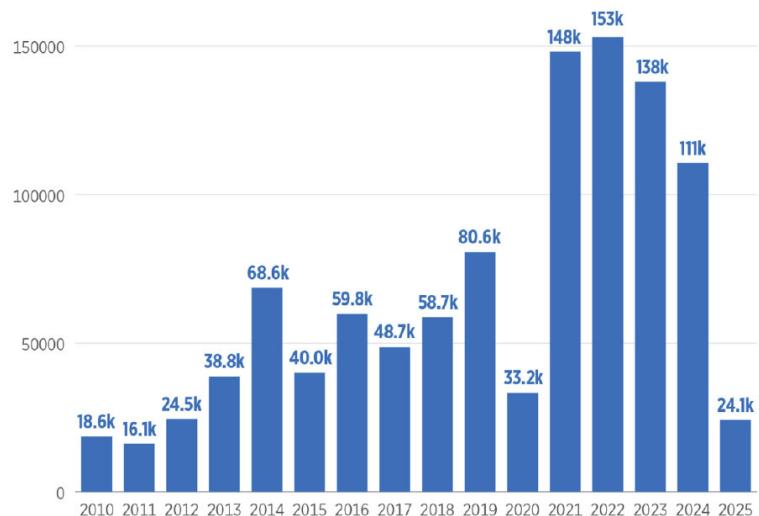
¹⁵ USCIS asylum grants have been significantly higher than application denials. As of September 2024, USCIS had denied 4,600 asylum cases and granted 16,932 applications in fiscal year 2024. Table, “Number of Form I-589, Application for Asylum and for Withholding of Removal by Quarter, Form Status, and Processing Time (July 1, 2024–September 30, 2024),” in U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, “Immigration and Citizenship Data: All USCIS Application and Petition Form Types (Fiscal Year 2024, Quarter 4),” December 18, 2024, <https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data> (accessed March 19, 2025).

¹⁶ Tibisay Zea, “How the Asylum System Became the Main Avenue for Mass Migration to the US.” The World, February 12, 2024, <https://theworld.org/stories/2024/02/12/how-asylum-system-became-main-avenue-mass-migration-us> (accessed March 19, 2025).

¹⁷ Table, “FY Comparison by Demographic,” in U.S. Department of Homeland Security, U.S. Customs and Border Protection, “Nationwide Encounters,” last modified March 13, 2025, <https://www.cbp.gov/newsroom/stats/nationwide-encounters> (accessed March 19, 2025).

Unaccompanied Alien Children

TOTAL APPREHENSIONS OF UNACCOMPANIED ALIEN CHILDREN AGES 0–17, BY FISCAL YEAR



SOURCES: U.S. Customs and Border Protection, and Heritage Foundation research.

heritage.org

The results were gut-wrenching as seen in videos and photos of children left at the river's edge, dropped over the border wall, or abandoned. The Biden administration stopped DNA testing of suspected smugglers posing as families with children at the border. Border agents saw children that appeared to be drugged asleep so they could not respond to border agents' questions about the adults accompanying them.

Their misery did not end once the children entered the United States. Unable to find and vet enough sponsors to take in the children, the Department of Health and Human Services (HHS) turned children over to unknown and unvetted adults, subjecting the children to potential sex trafficking and child labor. HHS later reported losing contact with at least 300,000 of the children.¹⁸

RELIED ON NGO'S AND THEIR INFRASTRUCTURE

The Biden administration paid tens of billions of dollars to NGO's to build an infrastructure from Panama north toward our Southern Border and throughout the United States, to facilitate mass illegal immigration. The taxpayer money went to NGO's through many accounts and several departments: DHS, HHS, the State Department, USAID, the Justice Department, and more. In addition, the Biden administration paid sanctuary jurisdictions to provide illegal aliens shelter, health care, documentation, and legal services, among other services.

Due to these open-border policies and operations, the backlogs at both the Justice Department and DHS increased significantly. The number of cases in the Justice Department immigration courts backlog tripled from 1.2 million when Biden came into office to more than 3.7 million as of October 2024.¹⁹ The number of immigration

¹⁸ U.S. Department of Homeland Security, Office of Inspector General, "Management Alert—ICE Cannot Monitor All Unaccompanied Migrant Children Released from DHS and U.S. Department of Health and Human Services' Custody," Final Management Alert OIG-24-46, August 19, 2024, p. 1, <https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-46-Aug24.pdf> (accessed March 19, 2025).

¹⁹ Transactional Records Access Clearinghouse, "Immigration Court Backlog: Historical Backlog (from 1998)," <https://tracreports.org/phptools/immigration/backlog/> (accessed March 19, 2025).

benefit applications pending at DHS's USCIS grew from over 6.3 million cases²⁰ when Biden became President to over 9.4 million through September 2024.²¹

The results of the Biden administration's open border operations were record-setting and devastating to America's sovereignty, security, public safety, and economy. That is why it was the No. 1 issue for so many Americans last November. With a new administration, we are already seeing what securing the border does to the number of CBP encounters, but it will take years and significant resources for interior enforcement to get our immigration system to be lawful, orderly, and manageable.

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Mr. GUEST. Thank you, Ms. Ries.

I now recognize Mr. Blair for 5 minutes to summarize his opening statement.

STATEMENT OF AMMON S. BLAIR, SENIOR FELLOW, SECURE AND SOVEREIGN TEXAS INITIATIVE, TEXAS PUBLIC POLICY FOUNDATION

Mr. BLAIR. Dear Chairman Guest, Ranking Member Correa, and distinguished Members of the subcommittee, good morning and thank you for inviting me to testify before you.

Over the last 4 years, the United States has endured a deliberately orchestrated invasion through weaponized mass migration. Millions of illegal aliens from over 170 countries have been funneled, often with cartel facilitation, into Texas and other border States, overwhelming State and local resources. This is not just a border crisis. It is a full spectrum national security failure, manufactured by the Biden administration through the active subversion of U.S. immigration law, the construction of an illegal parallel immigration regime, and the forcible repurposing of our homeland security apparatus to serve foreign nationals rather than American people.

Federal agencies once tasked with homeland security were repurposed into logistical arms for mass migration, tasked with processing migrant care, and releasing millions of unvetted foreign nationals into the into U.S. communities. This myopic focus on the

²⁰Table, "Number of Service-wide Forms by Quarter, Form Status, and Processing Time, Fiscal Year 2021, Quarter 1," U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, https://www.uscis.gov/sites/default/files/document/reports/Quarterly_All_Forms_FY2021Q1.pdf (accessed March 19, 2025).

²¹Table, "Number of Service-wide Forms by Quarter, Form Status, and Processing Time, July 1, 2024–September 30, 2024," in U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, "Immigration and Citizenship Data: All USCIS Application and Petition Form Types (Fiscal Year 2024, Quarter 4)," December 18, 2024, <https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data> (accessed March 19, 2025).

importation of foreign nationals left us blind to the current state of Mexico and the national security threats emanating from the border.

Mexico is not a distant concern. It is the most strategically consequential nation to U.S. homeland security. Yet it remains one of the most underestimated and politically ignored threats in the American national security apparatus. While our defense establishment focused on the borders and sovereignty of foreign nations across the globe, Mexico devolved into a narco-state on our doorstep, exporting violence, criminal governance, and destabilization directly into U.S. territory. Yet despite the clear and expanding threat, the Biden administration ignored Mexico as a national security priority, treating the border crisis as a humanitarian management challenge rather than the gray zone conflict it has become. This deliberate misframing paralyzed the Federal response and allowed Mexico to become a sanctuary state for enemies of the United States.

Mexico today is more accurately described as a state where federal, state, and local governance has collapsed in key regions and foreign terrorist organizations dominate political and economic life, much like Afghanistan. These cartels function as hybrid threats. Closely resembling their Middle Eastern counterparts, they employ terror as a political weapon, control territory, corrupt or coopt institutions, and use violence strategically to shape governance outcomes. Their war is not against a rival state. It is against the very concept of law, sovereignty, and national borders.

Therefore, the security environment along the U.S.-Mexico border cannot be understood through the outdated framework of criminality alone. What exists is an intolerable strategic alliance between the Mexican state at the national and subnational level and the cartels, a relationship that has evolved into a coordinated, aligned partnership with direct consequences for U.S. national security. The Biden administration's failure to acknowledge or confront Mexico's authoritarian backsliding effectively greenlit a regime that tolerates narcoterrorism as a cost of just doing business. By continuing to treat Mexico as a diplomatic peer rather than a strategic liability, the Biden administration insulated a failing state from accountability while exposing American communities to escalating violence.

Now, while Mexico is engaged in a noninternational armed conflict where cartels openly battle for the state for control of territory and population to spill over into the United States has taken a far more insidious form. Cartels do not seek to provoke a direct armed response from the U.S. military or Federal Government. Nor does the Mexican state want to risk exposure as a complicit or tacitly cooperative actor. Instead, Mexican cartels have adopted their methods to achieve the same objective: territorial control through covert gray zone tactics that replicate their domination of Mexican society within U.S. border communities.

In this model, operational control does not require military confrontation. It is secured through the systematic erosion of institutional integrity and the strategic compromise of U.S. governance at every level. Cartels act as *de facto* foreign intelligence services, targeting federal, state, and local law enforcement, national guard ele-

ments, and the legal system itself. Corruption, bribery, coercion, and espionage are tools of influence, not just within enforcement ranks, but among prosecutors, judges, and elected officials.

A recent study found that the Mexican cartels are now the fifth-largest employer in Mexico. That same model of parallel governance and economic capture is being exported across the border. In rural Texas border counties cartel activity is so deeply woven into daily life that the state is rapidly losing functional sovereignty in these zones without a single shot being fired. The communities along our Southern Border were witnessing in real time their subordination, not just to the surge of illegal aliens or the ambitions of a progressive elite, but to the strategic designs of foreign nations, foreign terrorist organizations, and their vast transnational criminal threats. This is no longer a border issue. It is a national one.

[The prepared statement of Mr. Blair follows:]

PREPARED STATEMENT OF AMMON S. BLAIR

MARCH 25, 2025

Dear Chairman Guest, Ranking Member Correa, and Distinguished Members of the Committee: Good morning and thank you for inviting me to testify before you.

My name is Ammon Blair, and I am a senior fellow at the Texas Public Policy Foundation. I bring 22 years of military service and extensive border security experience through my time in the U.S. Army and U.S. Border Patrol.

I have witnessed first-hand the consequences of failed Federal policy and how the Biden administration deliberately dismantled the legal, structural, and operational defenses necessary to secure our sovereignty and protect our citizens.

Texas and other border States have long faced persistent security threats emanating from the Southern Border—including illegal immigration, human and drug smuggling, insurgent activity, and foreign terrorist infiltration—often with minimal Federal support (McCaffrey & Scales, 2011). However, under the Biden administration, these threats intensified dramatically, culminating in a full-scale security crisis that demanded immediate and decisive action.

President Biden's policies—including facilitating the invasion, releasing millions of illegal aliens into the interior, the halting of critical border security infrastructure projects, the dismantling of both border and interior enforcement mechanisms, and the refusal to confront the threat posed by cartel-controlled Mexico—directly fueled the collapse of law and order along our border (House Judiciary Committee, 2024). In doing so, the Biden administration ceded operational control of U.S. territory to foreign terrorist organizations (Allen, 2023; Office of the Texas Governor, 2023).

THE MEXICAN STATE-CARTEL ALLIANCE: A HOSTILE BILATERAL REALITY

Mexico is not a distant concern—it is the most strategically consequential nation to U.S. homeland security, and yet it remains one of the most underestimated and politically-ignored threats in the American national security apparatus. While our defense establishment focused on the borders and sovereignty of foreign nations across the globe, Mexico devolved into a narco-insurgent state on our doorstep—exporting violence, criminal governance, and destabilization directly into U.S. territory.

Yet despite the clear and expanding threat, the Biden administration ignored Mexico as a national security priority, treating the crisis as a humanitarian management challenge rather than the gray zone conflict it has become. This deliberate misframing paralyzed the Federal response and allowed Mexico to become a sanctuary state for enemies of the United States (Fernández, 2024).

Mexico today is more accurately described as a state where federal, state, and local governance has collapsed in key regions and foreign terrorist organizations dominate political and economic life, much like Afghanistan (Kaminski, 2024). These cartels function as hybrid threats, closely resembling their Middle Eastern counterparts, they employ terror as a political weapon, control territory, corrupt or co-opt institutions, and use violence strategically to shape governance outcomes (Maya, 2021). Their war is not against a rival state—it is against the very concept of law, sovereignty, and national borders.

Therefore, the security environment along the U.S.-Mexico border cannot be understood through the outdated framework of narco-criminality alone. What exists is an intolerable strategic alliance between the Mexican state, at the national and sub-national level, and the cartels—a relationship that has evolved into a coordinated, ideologically aligned partnership with direct consequences for U.S. national security (Treviño, 2025a).

As President Trump declared on February 1, 2025, “The Mexican DTOs have an intolerable alliance with the government of Mexico. This alliance endangers the national security of the United States, and we must eradicate the influence of these dangerous cartels from the bilateral environment” (White House, 2025).

This was not political rhetoric—it was a necessary recognition of a hostile, coordinated, and ideologically-aligned threat. Mexican cartel organizations, including the Sinaloa Cartel and CJNG, now operate in at least 65 countries, rivaling foreign terrorist organizations in reach, capability, and lethality (Fitzgerald, 2025). These networks are not merely trafficking narcotics—they are engaged in narcoterrorism, human trafficking, arms smuggling, money laundering, and political subversion. In many areas, they out-govern the Mexican state, exercising de facto control and offering services the government no longer can—or will (Georgetown Americas Institute, 2024).

As Texas Public Policy Foundation’s Josh Treviño warns:

“The Mexican state is now essentially a single-party, left-populist regime, aligned ideologically and operationally with comparable regimes in Cuba and Venezuela. Like those regimes, it regards its nation’s trafficking cartels as vehicles for profit and control and also agents of national policy abroad—especially but not only in the United States.” (Treviño, 2025b).

The alliance between the Mexican government and the Mexican cartels is no longer speculative—it is openly acknowledged by leading policy experts and institutions (Golden, 2024). As the Conservative U.S.-Mexico Policy Coalition declares unequivocally that, “The Mexican government is not an ally to the United States, and can no longer properly be described as a partner” (Conservative U.S.-Mexico Policy Coalition, 2023, p. 1).

The Coalition further warns that, “The Mexican government and Mexican criminal cartels exist in conscious and willing symbiosis, at multiple levels, up to and including the Mexican presidency,” and that Mexico is now “a willing partner in a regional authoritarian leftist alliance that is fundamentally anti-American, actively interventionist, and increasingly an arena and base for hostile powers from outside the Western Hemisphere” (Conservative U.S.-Mexico Policy Coalition, 2023, p. 1).

The Biden administration’s failure to acknowledge or confront Mexico’s authoritarian backsliding has effectively greenlit a regime that tolerates narco-terrorism as a cost of doing business. By continuing to treat Mexico as a diplomatic peer rather than a strategic liability, the Biden administration insulated a failing state from accountability while exposing American communities to escalating violence.

In national security terms, democratic collapse in a neighboring state is not a foreign policy concern—it is a homeland security emergency. The United States cannot afford to ignore the consequences of political decay when it fuels the operational capabilities of cartels that already control swaths of American U.S. territory along the Southern Border.

U.S.-MEXICO BORDER

In May 2019, the Mexican investigative journal *Contralínea* published a leaked map from President Andrés Manuel López Obrador’s (AMLO) administration showing that over 80 percent of Mexico’s population centers prioritized for enforcement were either controlled (57.5 percent) or contested (23.3 percent) by Mexican cartels. Only 19.9 percent of those areas were under undisputed government control. The report, citing internal Mexican government data, exposed the ground truth: the Mexican state had effectively lost governance over nearly all key urban corridors, particularly those along the U.S. border (Horowitz, 2019).

This loss of territorial control does not stop at Mexico’s border. The same cartel networks that dominate key Mexican population centers have projected their power into Texas and other U.S. States, exploiting the permissive environment created by both Federal inaction and fragmented State-level coordination. What began as cross-border trafficking has evolved into a full-spectrum, multi-domain campaign, establishing operational control over critical areas within the United States itself.

Mexican cartels have systematically established operational control along the U.S. side of the border, employing sophisticated gray zone activities that remain below the threshold of conventional armed conflict (Luna, 2024; House Committee on

Homeland Security, 2023). Their operations now extend across multiple domains—land, air, maritime, subterranean, cyber, and the electromagnetic spectrum—enabling them to conduct surveillance, communication disruption, and logistical coordination with precision and impunity (Sanchez, 2025; Hackers Arise, 2025; Paz, 2024).

This multi-domain dominance has allowed cartels to seize and maintain operational control over territory in Texas and other border States, creating corridors of strategic access that allow the unimpeded movement of people, narcotics, weapons, and information deep into the interior of the United States. (McCaffrey & Scales, 2011, pp. 8–9, 17; Allen, 2023). What began as a smuggling operation has evolved into a functioning logistical architecture—a transnational ‘silk road’ that is now the cartels’ most valuable asset. It is this infrastructure of access and movement that adversarial nations and foreign terrorist organizations increasingly exploit (Warren, 2019).

Through deliberate infiltration of every major city and many suburban and rural areas, cartels have constructed a logistical supply chain or ‘pipeline’ that provides our adversaries—from adversarial Nations like the Peoples Republic of China (PRC) to foreign terrorist organizations—with direct pathways into the heart of our society (House Committee on Oversight and Accountability, 2024, pp. 59–61). Their ability to simultaneously employ political corruption, economic coercion, social, and information warfare methods has transformed the border states into critical terrain and operational ground zero for hostile state and non-state actors seeking to exploit these established networks of access (McCaffrey & Scales, 2011, pp. 9, 18; Maya, 2021).

WEAPONIZED MASS MIGRATION

This vast and deeply embedded logistics infrastructure has not only enabled the movement of illicit goods and narcotics—it has also set the stage for a more insidious tactic of hybrid warfare: mass migration as a weapon. With the supply chain and access networks already in place, hostile state and non-state actors have shifted strategies to exploit humanitarian channels, using population flows to overwhelm American institutions, dilute law enforcement effectiveness, and penetrate communities under the guise of asylum or refugee resettlement. This evolution represents a strategic escalation—from trafficking and infiltration to full-spectrum demographic destabilization—coordinated, funded, and executed with the tacit consent of a complicit Federal apparatus.

Over the last 4 years, the United States has endured a deliberately orchestrated invasion through weaponized mass migration. Millions of illegal aliens from over 170 countries have been funneled—often with cartel facilitation—into Texas and other border States, overwhelming State and local resources (Humire, 2025; Sanchez, 2024).

These mass population movements were not merely tolerated by the prior Federal administration—they were facilitated. Federal agencies and NGO’s were repurposed to serve an ideological agenda of “safe, orderly, and humane migration,” creating an extralegal immigration regime in violation of long-standing Federal law (Department of Homeland Security Office of Inspector General, 2024; Bensman, 2024).

This has not only compromised public safety but created systemic national security vulnerabilities by serving as a force multiplier for hostile state and non-state actors. The sheer scale of these movements overwhelmed Federal, State, and local law enforcement resources, degrading operational effectiveness and diverting attention away from known threats.

Simultaneously, these mass migrations provided concealment and cover for infiltration by foreign intelligence operatives (CCP), cartel enforcers, and members of transnational criminal and terrorist organizations—including MS-13, Tren de Aragua, and other violent networks with direct ties to adversarial regimes. The precise whereabouts and identities of many of these illegal entrants remain unknown, creating blind spots in national security coverage and opening the door to catastrophic risk across American communities (Exec. Order No. 14165, 2025).

This weaponized migration strategy has imposed billions of dollars in financial burdens at the Federal, State, and local levels, while simultaneously enabling hostile state and non-state actors to establish operational footholds deep within Texas territory, like Colony ridge (Lindquist, 2025; Federation for American Immigration Reform, 2023). These movements are not organic or accidental; they are deliberate in design and execution, forming the backbone of a modern form of hybrid warfare—one that weaponizes civilians to overwhelm infrastructure, erode public trust, and create opportunities for adversarial penetration (Lubiński, 2022; North Atlantic Treaty Organization, 2024).

In recognition of this existential threat, officials in nearly 100 Texas counties have issued disaster declarations or formally declared an invasion (Blankley, 2024). The sheer scale, coordination, and sustained impact of this crisis have transformed every county in Texas and the United States into a de facto border county, subject to the cascading effects of Federal failure and adversarial exploitation.

THE CONSEQUENCES OF FEDERAL ABDICATION AND THE IMPERATIVE OF STATE ACTION

The evidence is overwhelming. The United States is under an invasion—not by a conventional army, but by a networked system of foreign terrorist organizations, corrupt political actors, and hostile state actors. These adversaries exploit gaps in our legal framework and operate with impunity in the gray zones created by deliberate Federal inaction.

This is not a just border crisis—it is a full-spectrum national security failure, manufactured by the Biden administration through the active subversion of U.S. immigration law, the construction of an illegal parallel immigration regime, and the forcible repurposing of our homeland security apparatus to serve foreign nationals rather than the American people.

Federal agencies once tasked with homeland security were repurposed into logistical arms for mass migration, tasked with processing and releasing millions of unvetted foreign nationals into U.S. communities. At the same time, non-governmental organizations (NGO's), funded by Federal grants, have become the ground logistics network—transporting, housing, and resettling illegal aliens with no accountability (Vaughan, 2024).

The United States now faces the most sophisticated gray zone infiltration campaign in the Western Hemisphere. This is not bureaucratic incompetence—it is calculated policy.

The result has been catastrophic: strategic infiltration by hostile state and non-state actors, collapse of strategic deterrence, cartel territorial expansion inside U.S. borders, and a national posture of surrender disguised as humanitarianism.

The Biden administration did not merely abdicate its constitutional responsibilities—it actively realigned its mission away from defending American sovereignty. As a result, Texas and other border States were forced to shoulder the consequences of this betrayal. The burden of homeland defense shifted—not by choice, but by necessity—to the States and the citizens themselves.

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Mr. GUEST. Thank you, Mr. Blair.

I now recognize Mr. Anfinsen for 5 minutes to summarize his opening statement.

**STATEMENT OF JON ANFINSEN, EXECUTIVE VICE PRESIDENT,
NATIONAL BORDER PATROL COUNCIL**

Mr. ANFINSEN. Chairman Guest, Ranking Member Correa, and Ranking Member Thompson, distinguished Members of the subcommittee, thank you for inviting me to testify here today.

President Biden's Executive actions and inactions during his term resulted in an unprecedented security and humanitarian crisis along our borders. It didn't have to be this way, and we have to do whatever we can to prevent it from happening again. Not only was the entire world encouraged to essentially illegally cross our borders, primarily with the goal of abusing the asylum system, but it caused our agents to be sidelined, left unable to do their jobs. Our job shifted from that of law enforcement to that of processing asylum claims, sitting behind computers on a virtual assembly line while illegal aliens disappeared into the country because we weren't there to do it. A lot of these folks were only discovered later after being arrested for all sorts of crimes, some of them minor and some of them horrific.

To put this in context, during the 12 years of Presidents Obama and Trump, there were approximately 1.6 million gotaways across all 12 years. During President Biden's 4 years, there were over 2 million.

Now, this surge overwhelmed our resources, and it led to tragic consequences. During President Biden's tenure, we saw an average of 690 deaths at the border per year, with fiscal year 2022 being the worst, and there were over 900 deaths of people trying to cross the border. You compare that to an average of 370 deaths per year

under President Obama and 280 under President Trump. Now, all of these deaths are unfortunate, but it gives you an idea of how out-of-control things were or became over the past 4 years.

I remember one incident in particular in Eagle Pass, Texas, in August 2022, where a toddler and an infant, they were siblings, had gone under the water when a family crossed the river. Agents on the Boat Patrol unit pulled the siblings out of the water, performed CPR on them, doing whatever they could to save them. The toddler passed away right there at the scene, and the infant was taken to the hospital and died a few days later. The agents did their best to save them, and then they spent the rest of the day dealing with questions from CBP's Office of Professional Responsibility, with questions like, how long did you do CPR? Who told you to stop CPR? Did you use an AED? Among others.

They asked this because Congress requires OPR to investigate in-custody deaths and deaths of people that we encounter so that they can provide a report to Congress within 72 hours. So that means agents who have dealt with traumatic events have to relive those events over and over right away so that OPR can figure out if they even need to report this death to Congress. The month after these 2 siblings drowned, 8 people died in 1 drowning incident just upriver, and they were swept away. This just kept happening over and over.

The crisis strained local resources as well. With places like Maverick County, Texas, one of the areas that I cover, they had to bring in refrigerator trucks to store the unidentified bodies of people who died trying to cross the border. Our agents, including those who were trained as EMTs in the field, were often diverted from those field operations to process asylum seekers, which left non-EMT agents to do their best to handle rescue and recovery efforts.

This loss of life has taken a significant toll on our agents' mental health and morale. Since fiscal year 2015, CBP has had 101 employee suicides. In 2022, at what is probably the peak of the border crisis, there was a 50 percent increase in employee suicides compared to the previous 7-year average. While the reasons for committing suicide are typically unknown, we do know that having to deal with objectively terrible and sad things at work, day-in and day-out without relief, does nothing to help anyone's mental health.

Adding to these challenges, our agents faced unprecedented attacks and demonization. A prime example was the mischaracterization of an incident involving our Horse Patrol unit in Del Rio, Texas, during the Haitian migrant crisis in September 2021. There were 30,000 or so Haitians that crossed the border illegally, and these Horse Patrol agents were accused of using whips on some of them, and they were called racists. President Biden promised the agents would, quote, "pay" for what they supposedly did. Even though they were ultimately cleared of misconduct allegations, as media frenzy and the administration's premature condemnation severely impacted the agents involved and the entire agency. These factors and others have made it difficult to recruit and retain agents. We currently have about 19,500 Border Patrol agents; 2,500 of them could retire today, another 4,000 become eligible within the next 4 years.

If all of that weren't enough, some of our basic resources are also strained. As of the end of fiscal year 2024, over 50 percent of our vehicle fleet is also retirement-eligible. It takes an average of 403 days for a new vehicle to be ordered and delivered, leading to increased costs and on and on. President Trump has some ideas for this manpower issue by proposing to increase Border Patrol pay, offer retention bonuses, add recruitment bonuses to bring in an additional 10,000 agents. We can only hope that there are enough people who still want to do this job. The bottom line is that the border crisis under the Biden administration severely impacted our ability to secure the border and strained our work force to the breaking point.

Thank you for your time. I look forward to your questions.

[The prepared statement of Mr. Anfinsen follows:]

PREPARED STATEMENT OF JON ANFINSEN

MARCH 25, 2025

Chairman Guest, Ranking Member Correa, and distinguished Members of the subcommittee, thank you for inviting me to testify before you today. I hope that my testimony will assist the subcommittee in better understanding how the Executive Actions taken by President Biden and his administration directly resulted in an unprecedented security and humanitarian crisis along our borders and within our country.

The bottom line up front is that it did not need to happen this way, and we need to do what we can to prevent it from happening again.

My name is Jon Anfinsen, and I am the executive vice president of the National Border Patrol Council (NBPC). My testimony is rooted in my perspective and lived experiences as a front-line agent stationed in Del Rio Sector in Texas, as well as the observations, perspectives, and lived experiences of the agents I am honored to represent. The NBPC is the union that represents over 16,500 front-line Border Patrol agents and support staff that protect this country and enforce our laws each day. Unfortunately, during the 4 years that President Biden and his administration were in office, front-line agents were unable to properly protect our Nation and fully enforce our laws.

The U.S. Border Patrol has always seen fluctuations in the number of encounters of aliens or "traffic" we detect crossing our borders, especially our Southwest Border, typically at the start of each new Presidential administration. However, to say the changes we saw within the first few weeks of the Biden administration were unprecedented is an understatement. Not only was the entire world encouraged to illegally cross our borders, primarily to abuse the asylum system, but it caused our agents to be sidelined and truly unable to do our jobs.

In effect, our job was changed from one of immigration and law enforcement to working on a virtual assembly line, simply completing one step in the process of abusing the asylum system and the United States' immigration laws. Gone were the days of agents patrolling in the brush and desert, and instead, we were relegated to sit behind a computer for an entire shift, all the while being notified that groups of illegal aliens—who were not turning themselves in for apprehension—were disappearing into the interior of the country, having been spotted on cameras or reported by members of the community.

While we had no idea who these people were, where they were going, or what their intentions were at the time—all serious concerns—based on past investigations and intelligence, assessments show that many of these aliens have prior criminal convictions in the United States and also are likely smuggling fentanyl or other dangerous drugs into our communities. At the time, it was practically a given that someone could cross the border and be released, so the fact that some people chose to sneak in and avoid that process suggests that at least some of them are people we should be concerned about.

Not only were the previous 4 years a boon for the cartels in Mexico, allowing them to smuggle practically anyone or anything into the country, it created an entirely new business model for them. People have always needed permission from the cartels to cross the border, and traditionally, the cartels had to make arrangements to use smugglers to transport people via their smuggling network to their final destination. While the cartels still did that during the past 4 years to smuggle people

who wanted nothing to do with the Border Patrol, there was an entirely different and much larger population just needed to get across the border and give up. As a result, agents could not do their job, and instead had to watch camera footage of groups getting away to parts unknown.

To put it in context, during both of President Obama's terms, there was a total of approximately 1,089,000 gotaways. During President Trump's first term, there were approximately 549,000 gotaways. However, during President Biden's 4 years, there were approximately 2,000,000 gotaways, though it is generally believed the number is much higher because agents were not in the field enough to get a more accurate count of those who absconded into the country.

Along the Southwest Border, specifically in Texas, where I work, cartel members in Mexico basically became ferry operators, tasked only with getting people across the river, where they were told to flag down a Border Patrol agent. In other areas, groups were required to pay a fee and were left to get across the river on their own, resulting in what is referred to as the deadliest border in the world. We will likely never know how many people died, but here is what we do know to give you some context.

During President Obama's 2 terms, there was an average of approximately 370 deaths at the border that were detected per year, with fiscal year 2012 being the worst with approximately 470 deaths.

During President Trump's first term, there was an average of approximately 280 deaths at the border that were detected per year, with fiscal year 2020 being the worst with approximately 250 deaths.

And during President Biden's 4 years, the average was approximately 690 deaths at the border that were detected per year—fiscal year 2022 was the worst of his 4 years with over 900 deaths, the highest number of deaths in any year going back as far as I have been able to research. That was an average of 75 deaths per month in that fiscal year, not to mention the bodies that were encountered by local officials, straining county resources by filling up morgues in counties up and down the border. For example, Maverick County, where Eagle Pass, Texas is located, had to bring in refrigerator trucks to store the bodies of unidentified people who died trying to illegally enter the country because their morgue was full, something that increasingly happened up and down the border as illegal crossings continued to increase.

Because of the massive increase in tragic and horrific incidents, some agents—those who were fortunate enough to be in the field and not processing—were tasked with search-and-rescue or body recovery efforts. And while search-and-rescue operations and providing medical care are not unusual tasks for agents, we had never seen it on this scale.

We have hundreds of Border Patrol agents trained as Emergency Medical Technicians (EMTs), who are supposed to be deployed in the field to help people in areas with limited emergency medical services (EMS) and resources. Instead, they were frequently tasked with screening asylum seekers at processing facilities or as the migrants were loaded onto buses to head to the processing facilities. In addition, when contracts were spun up to provide medical services within the facilities, that didn't mean EMTs were automatically deployed to the field because there was always processing to do. This often resulted in non-EMT agents being the ones on the scene to try and rescue people who were sick and dying, including those who had no chance of survival.

In the Del Rio Sector, when crossings were at their worst, some months involved an average of more than 1 death per day. Several children, sometimes entire families, were swept away by the deceptively calm-looking water in the Rio Grande River, causing agents and local EMS personnel to scramble to launch rescue efforts or recovery efforts—either was just as likely.

I remember one incident in particular in August 2022 in Eagle Pass, Texas, where a toddler and an infant—2 siblings—had gone under the water while a family crossed the river.

Agents on the boat unit responded, pulled some of them from the water, including the kids, and performed CPR on the kids, doing the best they could to save them. The toddler passed away, and the infant went to the hospital, but passed away a few days later.

The agents did their best to save them and then spent the rest of the day dealing with questions from the Customs and Border Protection (CBP) Office of Professional Responsibility (OPR), like "How long did you perform CPR? Who told you to stop performing CPR? How many rounds of CPR did you perform?" Congress previously tasked CBP OPR with investigating the death of people in our custody and providing a report to Congress within 72 hours, which has caused agents who have dealt with traumatic events to relive those events over and over in an attempt by OPR to figure out if they needed to report a particular death to Congress.

The month after these 2 siblings drowned, 8 people died in 1 drowning incident as they were swept away by the river—this just kept happening, over and over.

Things like this weigh heavily on our agents, as does the never-ending flow of children generally being put in dangerous situations. A lot of our employees are parents, and most of us can see our own kids when we look at small children playing on the ground in a processing facility, sitting in the dirt at the border, or when their lifeless body is pulled from the river. Situations and incidents like these, which became the norm under the Biden administration, contributed to a significant increase in mental health challenges faced by our agents.

Since fiscal year 2015, CBP has had 101 employee suicides, with 83 percent of those involving U.S. Border Patrol and Office of Field Operations employees. In 2022, when the border crisis was peaking, there was a 50 percent increase in employee suicides when compared to the previous 7-year average. And while their reasons for committing suicide are typically unknown, we do know that having to deal with objectively terrible and sad things at work, day in and day out, does nothing to help anyone's mental health.

For many years, CBP tried to pretend that suicide was not a problem for the workforce, typically by not acknowledging that an employee committed suicide. In recent years, however, CBP has devoted significant resources to addressing this situation, including recruiting operational psychologists, resilience specialists, and even a suicidologist to tackle the problem.

While agents were doing their best to hold on during the worst and most tragic days we've ever experienced as Border Patrol agents, a large chunk of the country, media, Congress, and the Biden administration did everything they could to demonize us.

In one very public example that I was able to observe up close and personal, agents assigned to the Del Rio Sector's Horse Patrol Unit were deployed to the land underneath the port of entry in Del Rio, Texas, after thousands of Haitian immigrants began illegally crossing the river from Mexico in September 2021. A day after we hit our high-water mark of almost 15,000 people under and next to the bridge, the spot where most people had been crossing the river was shut down, causing them to start crossing in a different location downriver.

The Horse Patrol Unit was asked to help deter some people from crossing at this new location, and while doing so, pictures and video were recorded of them doing the job they were trained to do: use horses to detain people. Some folks in the media immediately mischaracterized what was taking place, claiming that agents were carrying whips and were whipping these Haitian immigrants, which was ultimately determined to be false.

However, what followed was an unprecedented attack on these agents and the U.S. Border Patrol itself. While DHS leadership initially asked people to pause and wait for an investigation to be completed, it was not long before the administration's tone changed.

President Biden stated that the immigrants were "strapped" and said, "I promise you those people will pay. They will be investigated. There will be consequences." Vice President Harris stated that the agents' behavior was "horrible," it evoked images of slavery, and that there "needs to be consequences and accountability" because "human beings should not be treated that way."

In the end, it was confirmed that the agents were not carrying whips, and they were not using anything else as a whip, ultimately clearing them of the misconduct allegations. But not before the media frenzy turned the lives of them and their family's upside down.

The result of all of this: even with strong Congressional funding and support, the Border Patrol has been unable to grow our workforce and recruit and retain enough agents to properly secure our border because who wants to start a new career when the administration clearly does not support the mission or the agents performing it?

The bottom line is that situations like this and the overall demonization of an entire agency have led to CBP and the U.S. Border Patrol being unable to hire enough agents to account for attrition for several years. And when we do have a year where we happen to have a net gain, it is only by a relative handful of agents because too many incumbent agents have decided they had enough and retired as soon as they were eligible to do so.

We currently have approximately 19,500 Border Patrol agents on duty to protect our border. Of this number, more than 2,500 are eligible to retire—today. These agents could literally put in their retirement papers and be gone tomorrow. Another 4,000 agents will be eligible to retire in the next 4 years. In total, we are looking at nearly one-third of our current workforce potentially leaving in the next 4 years.

Why does this matter? Because under the last administration, we had approximately 2 million illegal aliens observed on Border Patrol surveillance platforms walking right into this country without being arrested. We saw them, but we literally did not have enough agents to arrest them. That is what happens when you do not have enough manpower to meet the mission.

Similarly, we lack something as simple as reliable transportation to allow agents to perform that mission. As of the end of fiscal year 2024, over 50 percent of the U.S. Border Patrol's vehicle fleet was retirement-eligible. Of those vehicles, approximately 1,100, or 7 percent, are on track to be replaced, but they will take anywhere from 9 months to 2 years to receive. The average time from ordering a new vehicle to its delivery is approximately 403 days. Due to the age and worn state of our fleet, vehicles are being used far longer than intended, resulting in millions of dollars in additional maintenance costs and forcing newer vehicles to be used more frequently, thereby drastically shortening their already relatively short life span. In some locations, we have vehicles being used over 16 hours per day, as one agent waits for another agent's shift to end so they can take the same vehicle back to the border.

President Trump recognizes these challenges. He has proposed increasing Border Patrol agent pay and offering retention bonuses to keep the agents we already have. In addition, he has proposed recruitment bonuses to add an additional 10,000 agents above our current staffing level. I hope that all of you will support these initiatives as they are brought forward in reconciliation and through the fiscal year 2026 appropriations process.

I thank the subcommittee for the invitation to be here and for your time this morning. I look forward to answering any questions you may have.

Mr. GUEST. Thank you, Mr. Anfinsen.

I now recognize Mr. Reichlin-Melnick for 5 minutes to summarize his opening statement.

**STATEMENT OF AARON REICHLIN-MELNICK, SENIOR FELLOW,
AMERICAN IMMIGRATION COUNCIL**

Mr. REICHLIN-MELNICK. Chairman Guest, Ranking Member Correa, and distinguished Members of the subcommittee, my name is Aaron Reichlin-Melnick and I am senior fellow at the American Immigration Council, a nonpartisan nonprofit organization which envisions a Nation where immigrants are embraced, American communities are enriched, and justice prevails for all.

There is no doubt that President Biden's record at the border was mixed. As we have argued, Biden made measurable progress at restoring the asylum system while failing to lead on a national level to respond to the unprecedented rise in migration. True, the administration eventually settled on a strategy in 2024 that produced results, including a drop in border apprehensions of 80 percent. But the legality and long-term viability of this strategy was questionable and it was ultimately too little, too late.

However, Joe Biden is no longer president and while President Biden ordered DHS to focus on immigrants who are recent entrants or public safety threats, President Trump is focused on arresting and deporting all removable immigrants, including long-time residents, those with no criminal records, families, children, and undocumented workers. Trump has made immigration enforcement the top priority of Federal law enforcement, above fentanyl trafficking, above terrorism, and even above protecting our children from predators. This obsession with draconian immigration enforcement will make us all less safe. If continued over the next 4 years, it may also impoverish us as a climate of fear and large-scale removals cause the economy to shrink and Americans to lose their jobs.

Over the last 2 months, the Trump administration has reassigned thousands of Federal law enforcement officers away from their normal duties to instead carry out low-level civil immigration enforcement arrests and prosecutions, including against many people with no criminal record. This has diverted resources away from serious public safety threats. According to Reuters, at Homeland Security Investigations, which over the last 2 years reported saving 3,000 children from predators, scores of agents who specialize in child sexual exploitation have been reassigned to immigration enforcement. Rather than protecting kids, these special agents are staking out immigrant workers' homes and taking down license plates. At the Department of Justice, Attorney General Bondi declared on her first day that immigration enforcement is the top priority of the agency above nearly everything else. Even the FBI's Joint Terrorism Task Force has been directed to assist in the execution of President Trump's immigration initiatives.

But it doesn't stop there. Twenty-five percent of the DEA's work force has been reassigned to immigration enforcement. Rather than tracking down drug traffickers, DEA agents are combing through old files to find cases where prosecutors can add illegal entry or re-entry charges years later. At the ATF, a full 80 percent of agents have been reassigned to immigration. Even the IRS isn't immune, with special agents trained in financial crimes being made to go after random immigrants instead.

In a world of limited resources, diverting Federal law enforcement to the mass deportation agenda will have an obvious effect. When HSI agents tracking on-line pedophiles are forced to stake out undocumented workers, our children are not safer. When DEA agents investigating drug rings are told to find immigrant families who missed court dates, our communities are not safer. When FBI agents tracking terrorists are told to focus on immigration arrests instead, our Nation is not safer.

These concerns are not hypothetical. In 2018, under the zero tolerance policy, border prosecutors were ordered to charge all migrants with illegal entry. The result was clear: there was a large drop in drug trafficking cases brought by Federal prosecutors because prosecutors were spending night and day focused on migrant parents instead of going after the drug traffickers.

This administration's priorities are backward. While Trump is spending billions of dollars on detaining ever greater numbers of immigrants, his administration is slashing services for Americans. Money is pouring into the pockets of private prison companies at the same time as USDA is ending contracts giving children access to fresh local food and Social Security is closing offices nationwide. Rather than a single-minded focus on mass deportation, this administration and Congress should pursue common-sense policies that help American communities.

We need a system that can resolve cases quickly while also maintaining fairness, due process, and meaningful accountability for all actors. That includes a path to permanent legal status for undocumented immigrants who have resided in this country for decades without breaking other laws. This would build American prosperity, encourage the rule of law, and break the power of unscrupulous employers who exploit workers. In an option between self-de-

feating mass deportations and a prosperity-building path to legal status, the choice is clear.

Thank you and I look forward to your questions.

[The prepared statement of Mr. Reichlin-Melnick follows:]

PREPARED STATEMENT OF AARON REICHLIN-MELNICK

MARCH 25, 2025

Chairman Guest, Ranking Member Correa, and distinguished Members of the subcommittee: My name is Aaron Reichlin-Melnick, and I currently serve as a senior fellow at the American Immigration Council, a non-profit organization that envisions a Nation where immigrants are embraced, communities are enriched, and justice prevails for all. We strive to create a society that values immigrants as vital contributors and where everyone is afforded an equal opportunity to thrive socially, economically, and culturally. We do this by shaping immigration policies and practices at the Federal, State, and local levels through educating decision makers and the public and advancing sensible policy solutions through research and advocacy.

The Council has long studied border policy and immigration enforcement within the United States. In 2023, we published *Beyond a Border Solution*, a report calling for greater investment in the immigration adjudication system and for border enforcement, as well as legal changes to create a more functional humanitarian protection system.¹

There is no doubt that President Biden's record at the border was mixed. As the Council made clear over the last 4 years, President Biden made measurable progress at restoring the asylum system and offering safe and legal alternate pathways, while failing to respond to the urgent need to address the overwhelmed adjudication system or take a leading role in coordinating a national response to the arrival of large numbers of migrants seeking asylum or a better life in the United States. While Congress eventually provided some support to local communities, the administration's response was delayed. The administration eventually settled on a strategy in late 2023 and border encounters plummeted throughout 2024. The "carrot and stick" approach remained in significant tension with the law, permitting some individuals to access protections while forcing others to wait indefinitely outside the country in Mexico. While this fragile state of affairs effectively reduced irregular crossings from their peaks in December 2023, its legality was questionable and ultimately it was in many ways too little, too late.

However, much has changed since 2024. On January 20, 2025, President Trump took office for a second time. As in his first term, he has set about radically reshaping immigration law and policy. President Trump campaigned on "mass deportations" and after taking office he's set out to make deportation and immigration enforcement the No. 1 priority of the Federal Government.

Throughout the Federal Government, the Trump administration has moved to shift nearly all Federal law enforcement agencies to focus on interior enforcement; the "mass deportations" he promised on the campaign trail. Rather than focus primarily on the border, recent entrants, or even those with criminal records, the Trump administration's shotgun approach to enforcement is simultaneously targeting long-time residents,² those with no criminal records,³ undocumented fami-

¹ American Immigration Council, "Beyond a Border Solution," May 3, 2023, <https://www.americanimmigrationcouncil.org/research/beyond-border-solutions>.

² Josh DuBose, "California couple deported after living in U.S. for 35 years," KTLA, March 19, 2025, <https://ktla.com/news/local-news/southern-california-couple-in-u-s-for-35-years-deported-to-colombia/>; Theara Coleman, "Jeanette Vizguerra: a high-profile activist and the latest casualty of the immigration crackdown," Yahoo News, March 20, 2025, <https://www.yahoo.com/news/jeanette-vizguerra-high-profile-activist-170455405.html>.

³ Laura Strickler, "New Immigration and Customs Enforcement data shows administration isn't just arresting criminals," NBC News, February 19, 2025, <https://www.nbcnews.com/politics/national-security/new-ice-data-shows-administration-isnt-just-arresting-criminals-rcna-192656>.

lies,⁴ migrant children,⁵ undocumented workers,⁶ and random people with the misfortune to be caught standing near an ICE operation.⁷ These indiscriminate and scattershot efforts to ramp up arrests with no emphasis on targeting public safety threats are indicative of an administration aiming to carry out as many arrests and deportations as they can, with little care as to whom they round up and what the impact will be on the rest of the country.

These efforts to carry out mass deportations are making Americans less safe and less well-off. Law enforcement officers across the Federal Government have been taken off their normal duties and forced to carry out immigration arrests. Trust between immigrant communities and local police is being undermined as the administration moves to pressure local communities to end policies which promote cooperation with police. A climate of fear has descended across the country, with some immigrants with deep ties to this country staying home, skipping work and school, and only venturing outside when strictly necessary.⁸ Should deportations ramp up further, the economic impact of this change will only get worse, and all Americans can expect to feel the pinch.⁹

This administration's priorities are backwards. At the same time as his administration is slashing Government services for Americans across the board, President Trump is pouring resources into immigration enforcement. Billions of dollars are going to detaining ever-greater numbers of immigrants in overcrowded ICE detention beds and holding cells.¹⁰ At the same time, the U.S. Department of Agriculture is terminating contracts to ensure America's children have access to fresh, local food in our schools¹¹ and the National Institutes for Health are terminating grants to provide cancer care in rural areas.¹²

The Trump administration's cuts also extend to core oversight of their actions. On Friday, March 21, the Department of Homeland Security effectively dissolved 3 oversight bodies created by Congress within the Department of Homeland Security; the Office of the Immigration Detention Ombudsman, the U.S. Citizenship and Immigration Services Ombudsman, and the DHS Office for Civil Rights and Civil Liberties.¹³ The latter agency was tasked with reviewing claims under the Prison Rape Elimination Act brought by people in ICE detention.

Abolishing CRCL will cause investigations into serious allegations of rape and sexual violence inside ICE detention centers to be dropped or to languish with no forward progress, allowing perpetrators to escape responsibility. And this is not even the first time the Trump administration has openly ignored sexual violence against migrants. In March the Trump administration dropped a lawsuit seeking compensation for migrant children raped and sexually abused while held in shelters. Displaying a shocking level of callousness, the Government argued in a legal brief that dropping the case was necessary because compensating children who had been raped and sexually abused while in Government-funded shelters could "incentivize

⁴Jennie Taer, "ICE will now target illegal migrant families for deportation—and is reopening 2 detention centers to hold them," *New York Post*, March 6, 2025, <https://nypost.com/2025/03/06/us-news/trump-admin-will-now-target-illegal-migrant-families-for-deportation/>.

⁵Marisa Taylor, Ted Hesson, and Kristina Cooke, "Trump officials launch ICE effort to deport unaccompanied migrant children," *Reuters*, February 23, 2025, <https://www.reuters.com/world/us/trump-administration-directs-ice-agents-find-deport-unaccompanied-migrant-2025-02-23/>.

⁶Ximena Bustillo, "In child care centers and on farms, businesses are bracing for more immigration raids," *NPR*, February 28, 2025, <https://www.npr.org/2025/02/28/g-s1-50958/business-workplace-raids-immigration-ice-deportation>.

⁷Associated Press, "Ice violated Chicago agreement during immigration raids, activists allege," March 17, 2025, <https://www.theguardian.com/us-news/2025/mar/17/chicago-ice-raids>.

⁸Rebecca Davis O'Brien and Miriam Jordan, "A Chill Sets In for Undocumented Workers, and Those Who Hire Them," *New York Times*, March 9, 2025, <https://www.nytimes.com/2025/03/09/business/economy/immigrant-workers-deportation-fears.html>.

⁹American Immigration Council, "Mass Deportation: Devastating Costs to America, Its Budget and Economy," October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

¹⁰Dennis Valera, "Immigrant advocates protest inhumane conditions in Baltimore ICE detention facility," *CBS News*, March 18, 2025, <https://www.cbsnews.com/baltimore/news/maryland-immigration-ice-detention-facility-conditions/>.

¹¹Aimee Picchi, "USDA cancels \$1 billion in funding for schools and food banks to buy food from local suppliers," *CBS News*, March 13, 2025, <https://www.cbsnews.com/news/usda-cancels-local-food-purchasing-food-banks-school-meals/>.

¹²Lauren Neergaard and Kasturi Pananjady, "NIH research cuts threaten the search for life-saving cures and jobs in every state," March 6, 2025, <https://apnews.com/article/trump-science-medicine-research-cancer-funding-university-0e/3fa47694784e47b0ecd51680410ba>.

¹³Zolan Kanno-Youngs, Hamed Aleaziz, Adam Goldman, and Eileen Sullivan, "Trump Fires Nearly the Entire Civil Rights Branch of D.H.S.," *New York Times*, March 21, 2025, <https://www.nytimes.com/2025/03/21/us/politics/trump-civil-rights-homeland-security-deportations.html>.

illegal crossings at the Southern Border.”¹⁴ None of this makes our communities safer.

Rather than pour ever-greater sums of money into immigration enforcement while cutting services for Americans and gutting basic protections and oversight for those held in immigration custody, this administration and Congress should pursue common-sense policies that help our communities. A path to permanent legal status for the overwhelming majority of undocumented immigrants who have resided in this country for decades without getting into trouble with the law would build American prosperity, encourage the rule of law, and reduce exploitation of vulnerable immigrants by unscrupulous employers. In an option between self-defeating mass deportations and a prosperity-building path to legal status, the choice is clear.

**PRESIDENT TRUMP’S OBSESSION WITH DRACONIAN IMMIGRATION ENFORCEMENT IS
MAKING US LESS SAFE**

The Trump administration has chosen to prioritize immigration enforcement above nearly every other law enforcement priority; above drug trafficking, above terrorism, and above protecting our children.

The first shift began at the Department of Justice. On President Trump’s first full day in office, the Department of Justice issued a memo declaring that all U.S. Attorneys offices “shall pursue charges relating to criminal immigration-related violations” whenever presented, no matter how minor.¹⁵ Any failure to pursue such charges requires a formal declination decision and has to be immediately reported to senior leadership for review.¹⁶

Although Federal law enforcement was already focused on serious matters, the memo directed multiple law enforcement agencies to abandon their current duties and shift to focusing on immigration-related offenses again. The memo directed the Organized Crime Drug Enforcement Task Force (established in 1982 to identify, disrupt, and dismantle drug trafficking and related offenses) and Project Safe Neighborhoods (established in 2001 to bring together Federal, State, and local law enforcement to address violent crime) to divert “resources and attention to immigration-related prosecutions at the Federal, State, and local levels.”¹⁷ Taking this one step further, the memo provides that “OCDETF Strike Forces shall prioritize the investigation and prosecution of immigration offenses, including by requiring OCDETF-funded AUSAs to devote significant time and attention to the investigation of these crimes.”¹⁸ In other words, the DOJ directs its components to stop focusing on drug trafficking and transnational crime and instead mandates that law enforcement must focus on immigration offenses.

This mandate is not new under President Trump. In his first term, Attorney General Jeff Sessions’ 2018 “Zero Tolerance” policy mandated that prosecutors charge every migrant crossing the Southern Border under 8 U.S.C. § 1325 for misdemeanor “improper entry.” This not only led to cruel family separations that a majority of Americans opposed, but it also meant prosecutors at the Southern Border were forced to divert attention away from serious criminals, which led prosecutions for drug trafficking to plummet.¹⁹ While it is too early to have any hard data for this renewed shift in prosecutorial priorities, expect something similar to occur in 2025. Prosecutors have limited resources, and if they are mandated to use those resources on immigration charges, they will by necessity be forced to stop bringing charges against other Federal crimes.

After taking office, Attorney General Pam Bondi emphasized in a February 5, 2025 memorandum that the highest priority of the Department of Justice will be “immigration enforcement.”²⁰ Incredibly, the only priorities for the entire DOJ that AG Bondi lists in her memorandum are immigration enforcement (including inves-

¹⁴ Justin Wise and Suzanne Monyak, “US Said to Drop Sex Abuse Lawsuit Against Migrant Child Shelter,” Bloomberg, March 9, 2025, <https://news.bloomberglaw.com/us-law-week/us-said-to-drop-sex-abuse-lawsuit-against-migrant-child-shelter>.

¹⁵ Acting Deputy Attorney General Emil Bove, “Memorandum for All Department Employees: Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement,” Dep’t of Justice, January 21, 2025, available at https://www.washingtonpost.com/documents/2/9af176-72c5-458a-adc4-91327aa80d11.pdf?itid=hp-top-table-high_p001_f002.

¹⁶ Id. at 2.

¹⁷ Id. at 3.

¹⁸ Id. at 3.

¹⁹ Brad Heath, “As feds focused on detaining kids, border drug prosecutions plummeted,” USA Today, October 10, 2018, <https://www.usatoday.com/story/news/investigations/2018/10/10/border-drug-trafficking-prosecutions-plumbed-zero-tolerance/1521128002/>.

²⁰ Attorney General Pamela Bondi, Memorandum for All Department Employees: General Policy Regarding Charging, Plea Negotiations, and Sentencing,” February 5, 2025, <https://www.justice.gov/ag/media/1388541/dl>.

tigations of local officials who do not cooperate with ICE), combatting trafficking and smuggling of children across the border, crimes against law enforcement, and targeting transnational criminal organizations such as MS-13. Not a single other crime rises to the level of a priority for the department—not terrorism, child sexual exploitation, public corruption, gang violence, election interference, or even fentanyl trafficking.

The diversion of law enforcement away from their normal duties has occurred throughout the Federal Government since Trump took office, not just among prosecutors. For example, ICE's Homeland Security Investigations (HSI), the criminal investigative arm of ICE, previously had its primary mission "keeping dangerous drugs and gang members off our streets" and "identifying and supporting victims rescued from child exploitation, human trafficking, and forced labor."²¹ Not so anymore. Now, pursuant to a January 20 Executive Order, the President has mandated that the "primary mission of [HSI] is the enforcement of the provisions of the INA and other Federal laws related to illegal entry and unlawful presence of aliens in the United States."²²

Rather than protecting American children from pedophiles and drug traffickers, public reporting confirms that hundreds of HSI agents have been diverted to carrying out immigration enforcement instead.²³ Former HSI agents warned in February that these shifts may force agents to abandon cases involving "child exploitation crimes, cyber attacks and Dark Web financial schemes, Iranian and Chinese nuclear traffickers, Russian organized crime, trade fraud and sanctions investigations."²⁴ Now, in March, reporting from *Reuters* confirms the devastating impact of these cuts: "scores of agents who specialize in child sexual exploitation have been reassigned to immigration enforcement," including menial duties such as "surveillance outside of immigrant workers' homes, taking down license plates and distributing photos of 'target' immigrants to detain."²⁵

Multiple other Federal law enforcement agencies are also being forced to divert large numbers of agents away from their normal law enforcement tasks to carry out immigration raids.

- The Drug Enforcement Agency has been ordered to divert agents to immigration enforcement, with one DEA special agent in charge admitting that immigration enforcement duties are "new to the DEA," and that the agency has been required to send agents out to conduct immigration enforcement every day.²⁶ In total, 25% of DEA's entire 10,000 staff have been diverted to immigration enforcement as of late March.²⁷ Rather than tracking down drug traffickers, DEA agents are also being told to comb through old files and find any cases involving undocumented immigrants, going as far back as 5 years ago, even cases where prosecutors declined to bring charges because of a lack of evidence, and to go out and arrest these individuals on immigration offenses.
- The Bureau of Alcohol, Tobacco, and Firearms has also been deputized to carry out immigration enforcement. Agents have been sent to join ICE on various enforcement operations, including a controversial arrest of an adult outside a school during morning drop-off.²⁸ In total, as of late March, "about 80%" of the

²¹ ICE Homeland Security Investigations, "Who We Are," last updated March 7, 2025, <https://www.ice.gov/about-ice/hsa>.

²² President Donald J. Trump, Executive Order 14159, *Protecting the American People Against Invasion*, January 20, 2025, <https://www.federalregister.gov/documents/2025/01/29/2025-02006/protecting-the-american-people-against-invasion>.

²³ Josh Meyer, "Thousands of DHS agents shift to deportation instead of drugs, weapons, and human trafficking," USA Today, February 14, 2025, <https://www.azcentral.com/story/news/politics/2025/02/14/dhs-agents-deportation-not-trafficking/78641666007/>.

²⁴ Id. ("Cappannelli said one HSI agent involved in complex multi-agency criminal investigations is now chasing border crossers out of a remote station in Eagle Pass, Texas.")

²⁵ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, "Exclusive: Thousands of agents diverted to Trump immigration crackdown," *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

²⁶ Shelby Bremer, "DEA special agent in charge of San Diego discusses immigration, US-Mexico border," *NBC San Diego*, March 8, 2025, <https://www.nbcandsiego.com/news/local/san-diego-dea-agent-immigration-border/3772700/>.

²⁷ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, "Exclusive: Thousands of agents diverted to Trump immigration crackdown," *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

²⁸ Becky Vevea and Mila Koumpilova, "Person Detained By ICE And ATF Agents During School Dropoff, Charter School Leaders Say," *Block Club Chicago*, February 28, 2025, <https://>

Continued

agency's "roughly 2,500" agents have been reassigned to immigration enforcement and taken away from their normal job investigating firearms offenses, arson, bombing, and illicit shipments of alcohol and tobacco.²⁹

- The Internal Revenue Service has been directed to divert an unknown number of criminal investigation agents, whose expertise lies in investigating tax evaders and perpetrators of financial, to immigration enforcement.³⁰
- The U.S. Marshal Service has been directed to send agents to the Southern Border and to join ICE on enforcement operations in the interior.³¹

Even the FBI's Joint Terrorism Task Force is not immune from this shift in priorities. The January 21 memorandum provides that the Joint Terrorism Task Force must "coordinate with DHS, as well as State and local members, to assist in the execution of President Trump's immigration-related initiatives."³² Media has already confirmed that agents assigned to the JTTF have been taken off their normal duties and instead are "focused on making immigration arrests."³³ In essence, rather than focus on disrupting terrorist threats, the FBI's primary anti-terrorism task force must instead focus on finding and rounding up migrants that the Trump administration declares a higher priority.

In a world of limited resources, diverting law enforcement agents and prosecutors focusing on more serious crimes to carry out Trump's mass deportation agenda is going to have an obvious effect. When FBI agents investigating terrorists are instead forced to round up migrants, our Nation is not safer. When ICE HSI agents working to track on-line child pedophiles are forced instead to wait outside a random migrant's house conducting surveillance instead, our children are not safer. When DEA agents investigating a drug ring are told to instead knock on doors to find a random migrant who missed a court hearing, our communities are not safer.

Finally, to be clear, there is no evidence that the Trump administration's increased enforcement operations are targeting only public safety threats. Data published by ICE itself shows that the percent of people arrested by ICE and held in ICE detention with no criminal record has tripled since President Trump took office (see Figure 1).

blockclubchicago.org/2025/02/26/person-detained-by-federal-immigration-officials-during-school-dropoff-chicago-charter-school-administrators-say/.

²⁹ Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch and Mike Spector, "Exclusive: Thousands of agents diverted to Trump immigration crackdown," *Reuters*, March 22, 2025, <https://www.reuters.com/world/us/thousands-agents-diverted-trump-immigration-crackdown-2025-03-22/>.

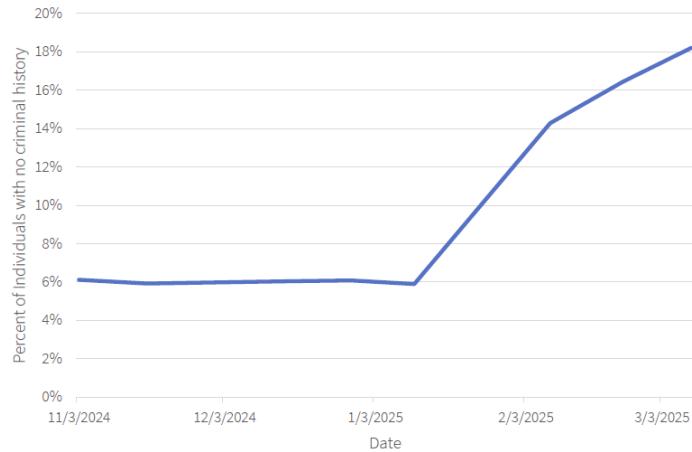
³⁰ *Id.*

³¹ Kerry Charles, "U.S. Marshals visit southern border," *MSN*, February 17, 2025, <https://www.msn.com/en-us/news/us/u-s-marshals-visit-southern-border/ar-AA1zfeNrATF>.

³² Bove Memorandum, at 3.

³³ Barb Markoff, Christine Tressel, Tom Jones, Mark Rivera, "Chicago FBI terrorism task force new objective: Immigration enforcement," *ABC 7 Chicago*, March 6, 2025, <https://abc7chicago.com/post/chicago-fbi-terrorism-task-force-new-objective-during-president-donald-trump-administration-immigration-enforcement/15985664/>.

FIGURE 1: PERCENT OF INDIVIDUALS ARRESTED BY ICE INSIDE THE UNITED STATES AND HELD IN ICE DETENTION WHO HAVE NO CRIMINAL HISTORY



Source: U.S. Immigration and Customs Enforcement, Detention Management, <https://www.ice.gov/detain/detention-management>.³⁴

Through the last months of the Biden administration, roughly 6% of people arrested by ICE inside the interior of the United States and sent to ICE detention had no criminal record, meaning 94% of those held in ICE detention arrested in the interior were people with either a prior criminal conviction or a pending criminal charge. As of early March, over 18% of individuals held in ICE detention who were arrested in the interior by ICE had no criminal record. In other words, the Trump administration's enforcement efforts are leading to a significant increase in the arrests of people who are not public safety threats. And the people carrying out many of those arrests are law enforcement agents whose normal jobs would require them to target only those individuals engaged in serious violations of Federal criminal laws, such as drug trafficking.

MASS DEPORTATIONS WILL HURT THE UNITED STATES ECONOMY AND U.S. WORKERS

Today, there are at least 13 million undocumented people living in the United States.³⁵ Trump promises to carry out a mass deportation campaign with the stated intent of arresting and deporting every one of them. While most people entered without inspection across the U.S.-Mexico border, millions entered with a visa and then overstayed.³⁶ Over 8.6 million entered the country before 2009, meaning they have now lived here for a minimum of 15 years.³⁷ Nearly 5 million have been here

³⁴ Detention data is posted to this site on a biweekly basis. Prior data available through the Wayback Machine at <https://web.archive.org/web/20241204112435/https://www.ice.gov/detain/detention-management>.

³⁵ Using American Community Survey data, we estimate that there were 10.99 million undocumented immigrants in the country as of 2022. DHS data shows that over 2.5 million people were released after crossing the Southern Border either at or between a port of entry since January 2023. U.S. Dep't of Homeland Sec., Office of Homeland Security Statistics, "Immigration Enforcement and Legal Processes Monthly Tables," <https://ohss.dhs.gov/topics/immigration/immigration-enforcement/immigration-president-enforcement-and-legal-processes-monthly>, last updated October 29, 2024. Roughly 500,000 additional people entered through the CHNV parole program over that period. Without more recent Census data, we do not know the total of undocumented immigrants that left the country in 2023 and 2024, so it is not possible to provide an exact estimate of the undocumented population as of today.

³⁶ Congressional Research Service, "Nonimmigrant Overstays: Overview and Policy Issues," November 21, 2023, <https://sgp.fas.org/crs/homesec/R47848.pdf>.

³⁷ U.S. Dep't of Homeland Sec, Office of Homeland Security Statistics, "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2018–January 2022," April 2024, at 4 https://ohss.dhs.gov/sites/default/files/2024-06/2024_0418_ohss_estimates-of-the-unauthorized-immigrant-population-residing-in-the-united-states-january-2018%25E2%2580%2593january-2022.pdf.

for a minimum of 25 years, and nearly 1.5 million have been here for a minimum of 35 years.³⁸ Without a path to permanent legal status, they have spent decades living in limbo; living, working, and often raising a family. They have become integral parts of their communities, and yet the law prevents them from securing the necessary paperwork that can make it formal.

Undocumented people are part of nearly every community and institution in the country. Over 100,000 undocumented children graduate from an American high school each year.³⁹ We estimate that there were 408,000 undocumented college students in 2021.⁴⁰ As of 2022, we estimate that there were roughly 1.7 million undocumented immigrants with a bachelor's degree or higher.⁴¹

Undocumented immigrants are also parents, spouses, and family members to millions of U.S. citizens and lawful permanent residents. Over 11.3 million U.S. citizens, plus an additional 2.4 million people with lawful permanent residency, live with someone who is undocumented (most often a member of their family).⁴² Nation-wide, more than one in 13 children in K-12 education has at least 1 parent who is undocumented; in Nevada, 1 in every 7, in Texas, 1 in every 8, and in California, 1 in every 11.⁴³

While President Trump talks about targeting “criminal immigrants,” over 90% have no prior criminal record whatsoever.⁴⁴ Of the minority that do, the most common prior convictions are traffic offenses.⁴⁵ Efforts to ramp up arrests for a mass deportation campaign would therefore necessarily sweep up thousands of people who have no or minimal criminal histories. In October, the Council published an analysis of 42 years of demographic data confirming that there is no statistically significant correlation between the immigrant share of the population and the total crime rate in any State.⁴⁶

Instead of mass deportation, Congress could create a new path to permanent legal status allowing undocumented people already living here to file an application, pay a fee, and get some form of permanent status. The Council has studied the impact of the creation of a path to legal status for the undocumented population. In 2013, we examined the impact of the 1986 path to legal status created by the Immigration Reform and Control Act (IRCA) and concluded that legalization “would be the cheapest Federal workforce development and anti-poverty program for children in history.”⁴⁷ Economists agree that a path to legal status “is not only a humanitarian act; it is also a form of economic stimulus” that will “generate more tax revenue for Federal, State, and local governments, as well as more consumer spending which sustains more jobs in U.S. businesses,” which “would benefit everyone by growing the economy and expanding the labor market.”⁴⁸ And we examined data from both the Government and the academy showing that legalization programs do not drive

³⁸Id.

³⁹Fwd.US, “The Post-DACA Generation is Here,” Mary 23, 2023, <https://www.fwd.us/news/undocumented-high-school-graduates/>.

⁴⁰American Immigration Council, “Undocumented College Students,” August 2, 2023, <https://www.americanimmigrationcouncil.org/research/undocumented-college-students-2023>.

⁴¹American Immigration Council, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

⁴²Fwd.US, “New data analysis shows 28 million people, including nearly 20 million Latinos, are at risk of family separation in 2025,” October 24, 2024, <https://www.fwd.us/news/mixed-status-families-oct/>.

⁴³Pew Research Center, “Unauthorized immigrants and characteristics for States, 2022,” https://www.pewresearch.org/wp-content/uploads/sites/20/2024/07/SR_24.07.22_unauthorized-immigrants_table-3.xlsx.

⁴⁴Muzaffar Chishti and Michelle Mittelstadt, “Unauthorized Immigrants with Criminal Convictions: Who Might Be a Priority for Removal?” Migration Policy Institute, November 2016, <https://www.migrationpolicy.org/news/unauthorized-immigrants-criminal-convictions-who-might-be-priority-removal>.

⁴⁵This is based on the profile of criminal records of individuals arrested by ICE. See, e.g., U.S. Immigration and Customs Enforcement, “U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report,” 2020, <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>.

⁴⁶American Immigration Council, “Debunking the Myth of Immigrants and Crime,” October 17, 2024, <https://www.americanimmigrationcouncil.org/research/debunking-myth-immigrants-and-crime>.

⁴⁷Dr. Sherrie A. Kossoudji, “Back to the Future: The Impact of Legalization Then and Now,” American Immigration Council, January 31, 2013, <https://www.americanimmigrationcouncil.org/research/back-future-impact-legalization-then-and-now>.

⁴⁸American Immigration Council, “An Immigration Stimulus: The Economic Benefits of a Legalization Program for Unauthorized Immigrants,” April 2013, https://www.americanimmigrationcouncil.org/sites/default/files/research/legalization_0.pdf.

increased migration, and if properly designed may actually reduce migration at the border.⁴⁹

Despite the economic benefits of legalization, President Trump plans to pursue mass deportations of millions of undocumented people. This year, the Council studied the impact of taking the country down this path.⁵⁰ In our October 2024 study, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” we examined the fiscal and economic impacts of mass deportations of the estimated 11 million undocumented immigrants present in the United States as of 2022, as well as the 2.3 million individuals who entered the country and were placed into removal proceedings from January 2023 through April 2024.⁵¹

Our analysis concludes that beyond the enormous human toll that mass deportations would take on the United States, mass deportations would also impose extraordinary economic and fiscal damage to our country. Mass deportations would cost U.S. taxpayers hundreds of billions of dollars, with an estimated cost of an 11-year operation to arrest, detain, process, and deport 1 million people per year at \$88 billion.⁵²

Mass deportations would also cause economic chaos. As millions are expelled, the U.S. population and labor force would shrink. So too would the economy. Prices would rise in sectors with significant undocumented workforces, including construction, agriculture, and hospitality. Building, maintaining, and repairing houses would become more expensive, as would groceries, restaurants, travel, and child care. Every American would feel the pinch of inflation.

Overall, we estimate that a successful mass deportation campaign would lead to a loss in total GDP of 4.2% to 6.8%; in comparison, the GDP dropped by 4.3% during the Great Recession.⁵³ And just like that period, many Americans would lose their jobs. Even an attempt to deport millions of people will have repercussions for local economies. After all, undocumented immigrants are not just producers, they are also consumers. Collectively, they hold \$256.8 billion in annual purchasing power. If millions of people are deported or otherwise forced to leave, American businesses will close not just from a lack of workers, but also from a lack of customers.

A large-scale mass deportation campaign will also increase labor exploitation during the years in which it is carried out. Unscrupulous employers will dangle deportation over any of their workers who dare to push back, and will have the full force of the U.S. Government to back up their threats.

ECONOMIC IMPACTS OF MASS DEPORTATION

Beyond the direct costs of the largest law enforcement operation in history, mass deportation would profoundly damage the U.S. economy. We used data from the most recent American Community Survey to estimate the economic impacts of deporting the 11 million undocumented people in the country as of 2022.

First, mass deportations would exacerbate on-going U.S. labor shortages.⁵⁴ In 2022, nearly 90% of undocumented immigrants were of working age, compared to 61.3% of the U.S.-born population aged between 16 and 64, so undocumented immigrants are more likely to actively participate in the labor force. Losing these working-age undocumented immigrants would worsen the severe workforce challenges that many industries have already been struggling with in the past few years.

The impact of mass deportations would be concentrated in several key U.S. industries. The construction and agriculture industries would lose at least 1 in 8 workers, while in hospitality, about 1 in 14 workers would be deported due to their undocumented status. Within those industries, some trades would be hit harder than others. According to the U.S. Department of Agriculture, 42% of farm workers are un-

⁴⁹ American Immigration Council, “Built to Last: How Immigration Reform Can Deter Unauthorized Immigration,” May 2013, https://www.americanimmigrationcouncil.org/sites/default/files/research/built_to_last_how_immigration_reform_can_deter_unauthorized-immigration.pdf.

⁵⁰ Portions of the aforementioned report are reproduced in this testimony.

⁵¹ American Immigration Council, “Mass Deportation: Devastating Costs to America, Its Budget and Economy,” October 2, 2024, <https://www.americanimmigrationcouncil.org/research/mass-deportation>.

⁵² Id.

⁵³ John Weinberg, “The Great Recession and its Aftermath,” *Federal Reserve History*, November 22, 2013, <https://www.federalreservehistory.org/essays/great-recession-and-its-aftermath>.

⁵⁴ See Stephanie Ferguson Melhorn, “Understanding America’s Labor Shortage,” U.S. Chamber of Commerce, November 22, 2024 (“Right now, the latest data shows that we have 8 million job openings in the U.S. but only 6.8 million unemployed workers.”)

documented.⁵⁵ Our own analysis suggests that nearly one-third of workers in major construction trades, such as plasterers, roofers, and painters, are undocumented. Similarly, 28% of agricultural graders and sorters, and a quarter of household cleaners, are undocumented.

The impact of losing these workers would be devastating. Labor shortages in the construction industry are already high, with the industry projecting a need to hire an additional 454,000 new workers in 2025 just to keep up with demand.⁵⁶ The construction workforce is already looking at the possibility of a “foreboding exodus of experience” as the median age of construction workers rises;⁵⁷ deporting an additional 1.5 million workers could destabilize the industry, rapidly increasing prices for construction labor and causing some construction firms to go under. Not only would the price of new houses rise, but so too would the price of maintenance and repair. These impacts would be felt not only by homeowners and likely home buyers, but also by the U.S. Government, which would be required to spend more on any of its own construction projects, more on disaster recovery, and more on basic maintenance of any U.S. Government property.

As prices rise and businesses falter, Americans would lose jobs. A recent study also found that for every 500,000 immigrants removed from the labor market due to deportation, U.S.-born workers lose 44,000 jobs.⁵⁸ Using that metric, deportation of 11 million undocumented immigrants could cause a loss of 968,000 jobs held by U.S. citizens.

Mass deportation would also reduce the overall size of the U.S. economy. Among the deported would be 1 million undocumented immigrant entrepreneurs, who generated \$27.1 billion in total business income in 2022. Losing the 157,800 undocumented entrepreneurs in neighborhood businesses would lead to disruptions to services that have become an integral part of community life and provide local jobs for Americans. We also find that undocumented immigrant households have a combined purchasing power of \$256.8 billion. This is money that goes into the economy and stimulates broader economic growth. After all, undocumented immigrants not only produce goods; they also consume goods, and that money goes back into the U.S. economy. Mass deportation would disrupt this economic behavior and damage the economy.

Mass deportation would also deprive Federal, State, and local governments of billions in tax contributions from undocumented households. In 2022 alone, undocumented immigrant households paid \$46.8 billion in Federal taxes and \$29.3 billion in State and local taxes.

Yet undocumented immigrants are unable to benefit from many of the programs they pay into, including Social Security, Medicare, and unemployment insurance. The United States would lose out on key contributions undocumented households make to social safety net programs annually, including \$22.6 billion to Social Security and \$5.7 billion to Medicare. As the U.S. population ages, the loss of these payments would make it increasingly challenging to keep social safety net programs solvent.

Beyond broader economic impacts, millions of families would feel the pinch caused by deportation. Deporting undocumented immigrants would separate 4 million mixed-status families, affecting 8.5 million U.S. citizens with undocumented family members (5.1 million of whom are U.S. citizen children). Many of those who would be deported are breadwinners, and mass deportations would slash the income of their households by an average of 62.7% (\$51,200 per year). In many cases, U.S. citizens may choose to leave as well to remain with a loved one who was being deported, which would make the economic impact even worse.

Taken together, we calculate that mass deportation would lead to a loss of 4.2% to 6.8% of annual U.S. GDP, or \$1.1 trillion to \$1.7 trillion in 2022 dollars. In comparison, the U.S. GDP shrank by 4.3% during the Great Recession between 2007 and 2009. The negative impact would be the most significant in California, Texas, and Florida, the 3 States that were home to 47.2% of the country’s undocumented immigrants in 2022 and where 1 in every 20 residents would be deported.

⁵⁵ U.S. Dep’t of Agriculture, “Farm Labor,” last updated December 6, 2024, <https://www.ers.usda.gov/topics/farm-economy/farm-labor/#legalstatus>.

⁵⁶ Associated Builders and Contractors, “ABC: 2024 Construction Workforce Shortage Tops Half a Million,” January 31, 2024, <https://www.abc.org/News-Media/News-Releases/abc-2024-construction-workforce-shortage-tops-half-a-million>.

⁵⁷ Zachary Phillips, “Construction’s age problem: A foreboding exodus of experience,” *Construction Dive*, May 25, 2023, <https://www.constructiondive.com/news/construction-labor-retirement-recruiting-dei/651184/>.

⁵⁸ Chloe East, “The labor market impact of deportations,” *Brookings*, September 18, 2024, <https://www.brookings.edu/articles/the-labor-market-impact-of-deportations/>.

CONCLUSION

President Trump's actions in his first months show that he has taken the first steps to go down the path of mass deportations. If we continue in that direction the entire country will suffer. Millions of mixed-status families will be torn apart or forced to leave, and millions of people will be kicked out of their jobs and the lives they've made here for decades. In the wake of their removal, the economy will shrink. Prices will rise across most sectors, and may increase the most in construction, agriculture, and hospitality. As inflation rises and the economy shrinks, businesses will go under, workers will lose their jobs, and we will become poorer both as a Nation and as individuals. We would also leave a permanent stain on this country's legacy and undermine our credibility around the world. Who would ever trust the United States to talk about human rights if we forcibly evict millions of people at the point of a gun?

By contrast, if Congress passes a path to permanent legal status, we can benefit as a Nation. Bringing millions of people out of the shadows will allow them to obtain stability, fight against exploitation, and contribute even more to this country. Rather than self-sabotage, we should follow the proud tradition of this Nation and give people a real chance to come into compliance with the law rather than bring down the hammer.

Mr. GUEST. To all of our witnesses, thank you for summarizing your opening statements.

Members will be recognized by order of seniority for their 5 minutes of questioning. An additional round of questioning may be called after all Members have been recognized.

I now recognize myself for 5 minutes of questioning.

Ms. Ries, when I grew up, history was one of my favorite subjects in school. I had a teacher in high school who would often use these words. He would say, those who don't know history are doomed to repeat it. I feel that as we as a Congress move forward as a body to try to encapsulate what the Trump administration is doing, that it is important that we also look back.

I think you did a great job in your opening statement, kind-of talking about many of the actions that you described of the prior administration that you said unleashed an open border agenda. You mentioned the stopping of the construction of the border wall, the ending of Remain in Mexico, the mass parole by the use of the CBP One app. You talk about NGO's and how the prior administration built an infrastructure that facilitated illegal immigration.

So I would ask if, just for a moment, if you would talk about these policies and the other failed policies of the administration and the impact that it has had on all law-abiding American citizens.

Ms. RIES. Yes. Thank you. I'd say the Biden administration used a few particular tools to carry this out. I talked a little bit about asylum, asylum fraud, encouraging people to come here and apply for asylum, even though we knew that so many people aren't ultimately eligible for it, as well as parole. Parole is something that is in the immigration statute, but pre- the Biden administration, it was very rarely used. The point of it is if someone doesn't have time to go through the visa process or the refugee program, but needs to come here temporarily on a case-by-case basis for urgent humanitarian need or in the significant public interest. The classic example is someone coming from surgery who doesn't have time to get a visa. For that reason, I believe that is why Congress did not authorize work authorization for parole and yet Secretary Mayorkas granted work authorization for the parolees.

We talked about the use of the NGO's, truly an arm of the Government, to carry this out. DOGE has revealed the billions of dollars that have gone out through various departments to execute this.

Mr. GUEST. Ms. Ries, let me ask you, did the combination of the policies of the Biden administration, did it make America more safe or less safe?

Ms. RIES. Less safe.

Mr. GUEST. Mr. Anfinsen, I want to ask you a couple questions. First, thank you for your service. I had a chance to visit with you a few minutes before the hearing. You actually shared with me a story that in the sector that you are assigned to, Del Rio, that back in September 2021, that there were actually, on one given day in a single sector, there were 15,000 encounters that day, more than the entire month of February along the entire Southwest Border. We've seen with the policies implemented by the Trump administration, just over 11,000 total encounters on the Southwest Border. You were telling me that you had 15,000 encounters on a given day just in a single sector along the Southwest Border. Is that correct?

Mr. ANFINSEN. That's correct. We had what's been deemed the Haitian migrant crisis in Del Rio. Essentially, almost 30,000 people crossed over the span of about a week and a half. The high-water mark for 1 day was about 15,000 people below the Del Rio port of entry and in the brush to the left and right of it. So it was this—we've never seen anything like that before.

Mr. GUEST. Let me ask you about current morale. There was a statement issued in one of the opening statements, and I don't recall by Mr. Correa or Mr. Thompson, that the morale of the Border Patrol agents was low. How would you contrast the morale of the Border Patrol agents today versus the morale under the Biden administration?

Mr. ANFINSEN. Complete 100-degree—180-degree change. We're able to do our job again. That's the—we want to work. With all—there's a lot of people bashing Federal employees these days. We want to work. It's a very difficult job and we want to be out there, and we're finally able to do it.

Mr. GUEST. One final question, and I will ask each of the witnesses just to answer yes or no, because my time is quickly expiring. It has been reported that there are roughly 1.5 million individuals who have final orders of removal that are currently at large within the United States. So that means that they have been through the process, their claims have been denied, and that a magistrate or a judge has issued a final order of removal for those individuals.

So my question is, should we be enforcing those orders of removal? Ms. Ries.

Ms. RIES. Yes.

Mr. GUEST. Mr. Blair.

Mr. BLAIR. Yes, sir.

Mr. GUEST. Mr. Anfinsen.

Mr. ANFINSEN. Yes, sir.

Mr. GUEST. Mr. Reichlin-Melnick.

Mr. REICHLIN-MELNICK. It depends on the individual circumstances.

Mr. GUEST. So if a judge orders a person to be removed, we should not enforce the judge's order. Is that your testimony?

Mr. REICHLIN-MELNICK. Many of those orders were issued in absentia against people who did not receive Government notice. In fact, 20 percent of in absentia orders are later successfully overturned. So I think each individual case is different.

Mr. GUEST. All right. So I am going to take that as a no.

Well, with that, I will now recognize Mr. Correa for his 5 minutes of questioning.

Mr. CORREA. Thank you, Mr. Chairman. I do hope we have additional opportunity to delve into these issues.

Mr. Anfinsen, I had the opportunity to travel from Texas to California to visit most of the ports of entry and areas between ports of entry. Talk to a lot of your agents. Most of the employees right now at the border, green and blue uniforms, came on board after 9/11. So you're right, we've got a massive wave of retirements coming any day now. Low morale? Pay. You pay a person at San Ysidro the same that you pay somebody in New Mexico. Mandatory overtime? Do we have mandatory overtime?

Mr. ANFINSEN. That's correct.

Mr. CORREA. So you got an agent who's got to go home and take care of the kids, a single parent, what does he say when he's popped with a 16-hour turn?

Mr. ANFINSEN. Sorry at best.

Mr. CORREA. How does that help morale?

Mr. ANFINSEN. That's right.

Mr. CORREA. OK. Suicides, absolutely. I hope, Mr. Chairman, moving forward, let's look at these issues. That's bread-and-butter stuff.

Recruitment. The reason you can't bring in more people is because of the security background check. It's tougher than even the FBI's background check. These are the issues we got to look at that we've been talking about for years now.

Now, Mr. Blair, you talked about the narcos.

Mr. BLAIR. Yes, sir.

Mr. CORREA. You're absolutely right. Very powerful. In Mexico, people are scared to death to walk on those streets. Who finances those narcos?

Mr. BLAIR. They finance themselves through their illicit commodities.

Mr. CORREA. The sale of drugs to our taxpayers, our constituents. Those American dollars are going to Mexico to finance the narcos. Is that correct, yes or no?

Mr. BLAIR. Yes, sir. We are one of their largest—

Mr. CORREA. So you are witnessing right now the biggest transfer of wealth in recent history. American consumers financing narcos that are killing people in other countries. Yes, no?

Mr. BLAIR. Yes, as well as all the other 65—

Mr. CORREA. Thank you very much. Love to talk to you a bit more, but I got a couple of minutes left. Maybe one of my colleagues here can indulge a little bit more.

But Mr. Reichlin-Melnick, let's talk about that a little bit. Trump administration pulling thousands of agents to the border, pulling FBI, DEA, ATF from investigating child abuses, sex traffickers,

gangs, drugs. If you want to go after these issues, wouldn't you go after the pocketbook? Wouldn't you go after and investigate where these dollars are flowing, where they're coming from?

Mr. REICHLIN-MELNICK. I think so, yes.

Mr. CORREA. So how does this shift in personnel help the situation or not?

Mr. REICHLIN-MELNICK. I don't think it does. I think trained law enforcement that are focusing on very serious crimes like child sexual exploitation should stay on the job doing those jobs.

Mr. CORREA. I mean, if you want to punch a drug cartel, you want to go after their pocketbook. Correct?

Mr. REICHLIN-MELNICK. Correct.

Mr. CORREA. So when you pull somebody from ATF, DEA, FBI, from that investigation, what are we doing?

Mr. REICHLIN-MELNICK. I don't see how that helps.

Mr. CORREA. Let me come back to the issue of deporting individuals that don't have a criminal record. I am from California. We are the land of the nuts and fruits many say. We are also the fifth largest economy in the world. We are also the biggest ag State in the United States, account for 60 percent of the Nation's venture capital. We have more inventions, Silicon Valley. We have been able to fix our human resource, our work force issues by integrating documented and undocumented workers. Most of workers in the fields are probably undocumented. Is that good or bad for economy, for lowering the prices of food?

Mr. REICHLIN-MELNICK. Yes. Certainly undocumented workers contribute significantly to the United States. Many of them are tax-payers. About half of undocumented immigrants pay taxes as well, putting billions of dollars into local economies.

Mr. CORREA. A lot of them pay into the Social Security system; will never see a dime off that system.

Mr. Chairman, I have got half a minute left here, but I would love to delve with you into these issues. Nobody, nobody wants a murder or rapists in our neighborhoods because by the time they are actually reported to the police, they ravage through our ethnic communities first. We don't want that to happen. At the same time, we recognize the fact that we have a work force shortage in this country and that we need legal pathways to work in this country.

Look forward, Mr. Chairman, to addressing the real issues. By the way, we didn't even talk about the fact that a lot of these crossings, illegal crossings, undocumented crossings at the border are also a result of COVID. That's another issue.

Mr. Chairman, thank you for indulging me. If I can, before I give you the mic, I would like to submit for the record, I would like to ask for unanimous consent to submit an article from Reuters dated March 22 of this year entitled, "Thousands of Agents Diverted to Trump Immigration Crackdown," that describes how special agents from HSI, FBI, ATF have been forced to put their investigations on hold in order to do immigration enforcement. Mr. Chairman.

Mr. GUEST. Without objection, it will be admitted into the record.
[The information follows:]

ARTICLE SUBMITTED BY RANKING MEMBER J. LUIS CORREA

THE WIDER IMAGE: INSIDE TRUMP'S IMMIGRATION CRACKDOWN AS NET WIDENS

*Exclusive: Thousands of agents diverted to Trump immigration crackdown**By Brad Heath, Joshua Schneyer, Marisa Taylor, Sarah N. Lynch, and Mike Spector*
March 22, 2025 6:16 AM EDT Updated 4 days ago

SUMMARY

- Federal agents diverted from crime-fighting to immigration enforcement
- Critics argue crackdown diverts resources from other crimes, making America less safe
- Trump administration defends shift, citing immigration as a national security threat

WASHINGTON, March 22 (Reuters).—Federal agents who usually hunt down child abusers are now cracking down on immigrants who live in the U.S. illegally. Homeland Security investigators who specialize in money laundering are raiding restaurants and other small businesses looking for immigrants who aren't authorized to work.

Agents who pursue drug traffickers and tax fraud are being reassigned to enforce immigration law.

As U.S. President Donald Trump pledges to deport “millions and millions” of “criminal aliens,” thousands of Federal law enforcement officials from multiple agencies are being enlisted to take on new work as immigration enforcers, pulling crime-fighting resources away on other areas—from drug trafficking and terrorism to sexual abuse and fraud.

This account of Trump’s push to reorganize Federal law enforcement—the most significant since the September 11, 2001, terrorist attacks—is based on interviews with more than 20 current and former Federal agents, attorneys and other Federal officials. Most had first-hand knowledge of the changes. Nearly all spoke on the condition of anonymity because they were not authorized to discuss their work.

“I do not recall ever seeing this wide a spectrum of Federal Government resources all being turned toward immigration enforcement,” said Theresa Cardinal Brown, a former Homeland Security official who has served in both Republican and Democratic administrations. “When you’re telling agencies to stop what you’ve been doing and do this now, whatever else they were doing takes a back seat.”

In response to questions from Reuters, Homeland Security Assistant Secretary Tricia McLaughlin said the U.S. Government is “mobilizing Federal and State law enforcement to find, arrest, and deport illegal aliens.” The Federal Bureau of Investigation declined to respond to questions about its staffing. In a statement, the FBI said it is “protecting the U.S. from many threats.” The White House did not respond to requests for comment.

The Trump administration has offered no comprehensive accounting of the revamp. But it echoes the aftermath of the 2001 attacks, when Congress created the Department of Homeland Security that pulled together 169,000 Federal employees from other agencies and refocused the FBI on battling terrorism.

Trump’s hardline approach to deporting immigrants has intensified America’s already-stark partisan divide. The U.S. Senate’s No. 2 Democrat, Dick Durbin, described the crackdown as a “wasteful, misguided diversion of resources.” In a statement to Reuters, he said it was “making America less safe” by drawing agents and officials away from fighting corporate fraud, terrorism, child sexual exploitation and other crimes.

U.S. Deputy Attorney General Todd Blanche, in an interview with Reuters, denied the changes across Federal law enforcement were hindering other important criminal investigations. “I completely reject the idea that because we’re prioritizing immigration that we are not simultaneously full-force going after violent crime.”

He said the crackdown was warranted. “President Trump views what has happened over the last couple years truly as an invasion, so that’s how we’re trying to remedy that.”

On January 20, his first day back in office, Trump signed an executive order directing Federal agencies to team up to fight “an invasion” of illegal immigrants. He cast the nation’s estimated 11 million immigrants in the U.S. illegally as the driving factor behind crime, gang violence and drug trafficking—assertions not supported by government statistics—and accused immigrants of draining U.S. Government resources and depriving citizens of jobs.

Almost immediately, Federal law enforcement started posting photos of the crackdown to social media: agents wore body armor and jackets emblazoned with names of multiple agencies—including the FBI, Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, known as ATF—during raids on immigrants without proper legal status.

Before this year, ATF had played almost no role in immigration enforcement. It typically investigated firearms offenses, bombings, arson and illicit shipments of alcohol and tobacco.

But since Trump's inauguration, about 80 percent of its roughly 2,500 agents have been ordered to take on at least some immigration enforcement tasks, two officials familiar with ATF's operations said. The ATF agents are being used largely as "fugitive hunters" to find migrants living in the U.S. illegally, one of the officials said.

The DEA, whose roughly 10,000 staff have led the nation's efforts to battle drug cartels, has shifted about a quarter of its work to immigration operations, said a former official briefed by current DEA leaders on the changes. Two other former officials described the commitment as "substantial" but did not know precisely how much work shifted.

Many of the reassigned Federal officials have had little training or experience in immigration law, the sources said. The State Department's 2,500 Security Service agents, for instance, typically protect diplomats and root out visa and passport fraud. They've been authorized to assist with "investigating, determining the location of, and apprehending, any alien" in the U.S. unlawfully, according to a February 18 memo from DHS Secretary Kristi Noem to the U.S. Secretary of State.

The ATF and the State Department acknowledged in a statement they are helping with immigration enforcement, but declined to elaborate on specific staffing decisions.

The changes coincide with extraordinary immigration measures that have prompted dozens of lawsuits claiming that Trump's presidency is exceeding constitutional limits and other legal boundaries. These include deporting alleged members of a Venezuelan gang under an 18th-century wartime powers act and detaining a Columbia University student activist with legal permanent residency status over his role in pro-Palestinian protests.

The White House has said it is acting within the limits of the Constitution and that it was protecting the safety and jobs of U.S. citizens.

The results, so far, are mixed: the number of migrants seeking to cross the southern U.S. border in February was the lowest in decades and the number of people detained over immigration violations has surged. That hasn't yet led to an increase in deportations, but experts expect a jump in those numbers in coming months.

"STOP AND FRISK"

The focus on immigration is drawing significant resources away from other crime-fighting departments, according to the more than 20 sources who spoke to Reuters.

Until January, pursuing immigrants living in the country illegally was largely the job of just two agencies: Immigration and Customs Enforcement, or ICE, and Customs and Border Protection, with a combined staff of 80,000. Other departments spent little time on deportations.

That's changing.

At Homeland Security Investigations, the top investigative arm of the Department of Homeland Security, scores of agents who specialize in child sexual exploitation have been reassigned to immigration enforcement, said Matthew Allen, a former senior HSI official who now leads the Association of Customs and HSI Special Agents, whose members include about 1,000 current and former agents.

Over the past 2 years, those HSI agents have helped more than 3,000 child victims, often after complex probes, DHS data shows. "There's a good argument that these changes will lead to some child victims continuing to be exploited," said Allen.

While HSI falls under the control of Immigration and Customs Enforcement, its team of 7,100 special agents typically play little part in routine immigration enforcement. They usually probe national security threats, terrorism, drug smuggling, human trafficking, illegal arms exports, financial crimes, child sex crimes and intellectual property theft. Immigration enforcement has been left to another ICE branch known as Enforcement and Removal Operations.

But on January 31, HSI staff received an internal email from a top official with a new mission of "protecting the American people against invasion."

Going forward, the memo said, HSI special agents and other employees should be prepared to play an increasingly critical role in detaining and deporting immigrants, or barring their entry at U.S. borders.

Recently, HSI has been offering training to employees unfamiliar with immigration enforcement. This includes how to lure immigrants out of their homes for inter-

rogation in so-called “knock and talk” visits, conduct stop and frisk operations, or carry out warrantless arrests, according to previously unreported internal documents shared with Reuters.

HSI’s new work also includes checking if companies have hired unauthorized immigrants, surveillance outside of immigrant workers’ homes, taking down license plates and distributing photos of “target” immigrants to detain, according to an employee and photos of the operations shared with Reuters.

At the IRS, criminal investigation agents, who typically probe a variety of tax and financial crimes, were being redirected into the immigration operations, Reuters previously reported.

IRS special agents are usually “out there following complex money trails; they break up drug deals, and they make people pay the taxes they owe,” said Elaine Maag, a senior fellow at the Urban-Brookings Tax Policy Center, a Washington think tank that studies tax issues. “There are direct and indirect costs to pulling IRS criminal investigators out of the field.”

The IRS did not respond to a request for comment.

PROSECUTION WORK PILING UP

On the second day of Trump’s administration, a top Justice Department official, Emil Bove, told Federal prosecutors in a memo that they should “take all steps necessary” to prosecute illegal immigrants for crimes in the U.S.

In the memo, Bove called for increasing the number of immigration prosecutions, and said any cases that are declined must be urgently reported to the Justice Department.

As a result, Federal prosecutors, who typically handle a variety of crimes, have been inundated with immigration cases, two of the sources said.

In San Diego, the number of people charged in Federal court in February with felony immigration crimes more than quadrupled compared to the previous year, a Reuters examination of Federal court records found. The number of people charged with felony drug crimes dropped slightly over the same period.

In Detroit—where immigration prosecutions have been rare—the number of people charged with immigration offenses rose from two in February 2014 to 19 last month, Reuters found.

Case management records from the Justice Department show that fewer than 1 percent of cases brought to prosecutors by the DEA and ATF over the past decade involved allegations that someone had violated an immigration law.

Since January, however, DEA agents have been ordered to reopen cases, involving arrests up to 5 years old, where prosecutors had declined to bring charges, two people involved in the work said.

Sometimes prosecutors rejected those cases because of problems with the evidence, they said. Now, if immigration authorities determine that the people were in the country illegally at the time of that case, agents are being dispatched to arrest them, the people said.

As Trump and billionaire Elon Musk slash the size of the Federal bureaucracy, jobs that deal with immigration enforcement appear largely exempt.

In a January 31 email to ICE employees, a human resources official told them they wouldn’t be eligible for the retirement buyouts offered to some 2.3 million Federal workers. “All ICE positions are excluded,” said the previously unreported email, shared with Reuters.

Joshua Schneyer and Mike Spector reported from New York. Additional reporting by John Shiffman, Ned Parker, Kristina Cooke and Ted Hesson. Editing by Jason Szep.

The Chair now recognizes the gentleman from the great State of Texas, Mr. Gonzales, for 5 minutes.

Mr. GONZALES. Thank you, Chairman Guest, appreciate your leadership on this. Thank you, everybody, for testifying before us. It is good to see you, Jon. I didn’t even know you owned a suit. It is great to see you up here and not in the field.

You know, I represent two-thirds of the Texas-Mexico border. A lot of the places that people talk about, we live it. Del Rio with the Haitians under the bridge, we lived that. Eagle Pass, thousands of people, we lived that. When they rushed the—when these IAs rushed the bridge in El Paso, also in the district. But I want to start with one thing in particular that I don’t think gets enough

coverage, and I want to start with Ms. Ries. This is a very simple question. Where are the children? There are reports of hundreds of thousands of children that are missing, regardless of their legal status. Where are the children?

Ms. RIES. Well, that's a valid question because 550,000 came in unaccompanied during the last administration. HHS was so overwhelmed, treated them basically like widgets on an assembly line, and turned them over to unvetted sponsors. So then HHS lost track of so many of them and, unfortunately, some were subjected to sex trafficking, child labor, and God knows what else. But they need to be found.

Mr. GONZALES. I agree with you and I think this is an area that the President working with Congress, we are going to have to work really hard to find these children. No one else is going to advocate for them.

I saw during the last administration as their policies were eroded where they would at one time would vet everyone in the household before they would turn a child over to now they were just turning children over as quickly as they possibly could just because of the sheer numbers. I think that is an area that we absolutely need to focus on. I am sure you are going to gain, you are going to have that level of support for from this committee.

My next question is to Mr. Blair. How can the President, how can President Trump and Congress best tackle rounding up and deporting the hundreds of thousands of convicted criminal illegal aliens loose in our country?

Mr. BLAIR. Thank you, sir. That's a great question. The best way to do so is working as a multijurisdictional, multiagency plan through your local, State, and county law enforcement. It's those law enforcement agents or officers that are in the communities, they know the communities, they know the criminality or the criminal elements within their communities. So the only way that President Trump and also Tom Homan are going to be able to go after all those hundreds of thousands that are currently on the non disclosed docket for ICE that have criminal records is by going through a multiagency multijurisdictional plan led by the Federal Government. The Federal Government is just not big enough. Federal agencies are not large enough. So they're going to have to go through that all the way down to the local level.

Mr. GONZALES. Spot on. I couldn't agree with you more. Last year I sent a letter to ICE asking how many convicted criminal illegal aliens are in our country. One, I was shocked I got a response back. But even more shocking was the fact that it was 662,000. That is a large number. To your point, the only way we're going to accomplish this is if we all are in the same boat, paddling in the same direction. Local, State, Federal, all coming together.

I just held a roundtable last week in San Antonio with that, with my sheriffs, with my police chiefs. We had FBI there, we had HSI, we had DEA. We had all these different partnerships. You have already seen some of the successes that President Trump has been able to and his administration has been able to accomplish in Houston and throughout the country. But to your point, I think you are spot on, we have to do more. The only way we do this is if we all pool our resources together to get these—once again, I am not

talking about somebody that is here waiting their court case. I am talking someone that is a convicted criminal illegal alien to the tune of 600,000.

My next question is to you, Jon. It is pretty simple. I mean, you are on the ground, you are in the field. What is the pulse of the Border Patrol agents on the ground after President Trump has initiated these policy changes?

Mr. ANFINSEN. Well, they're doing the job that they were trained to do, so obviously they're happy about that. There are a lot of different policies that are being challenged in court. So we're where day-to-day, things are changing in terms of what rules are supposed to be followed. So that's been a little confusing. But ultimately, they're glad to be back to work, doing the job that we were doing, at least during the first Trump administration. So it's completely different than what it was in the last 4 years.

Mr. GONZALES. Yes, I agree with you. I mean, I have been at, since the President has taken office, I have been at the border 6 different times, various different sectors. I have 4 different Border Patrol sectors. It is a breath of fresh air on the ground.

One thing that I would add, though, I am seeing a lot of agents, new agents that have been in the force less than 4 years that really don't know what their job is supposed to be. So I think a large part of it is how do we train our agents to get back to doing the jobs that they need to do?

Thank you, everybody, again, and thank you, Chairman, for this hearing.

Mr. GUEST. Thank you.

I now recognize the gentlelady from Illinois, Mrs. Ramirez, for her 5 minutes of questioning.

Mrs. RAMIREZ. Thank you, Chairman.

We spend a lot of time in this committee, subcommittee, obviously, it is the border subcommittee, but the entire full committee talking about the border. But I really think that for us to understand the border, we also have to understand history and context. Two things incompatible with Trump's administration of authoritarianism, white supremacism, and this white man's good old days. So I want to spend some time doing a little bit of history here.

Let's consider Cuba, Haiti, Nicaragua, and Venezuela. Why do these countries get humanitarian parole? Because each face a humanitarian crisis. High numbers of asylum seekers cross the border, fleeing political, social, and economic instability that the United States played a role in creating. But last week, the Trump administration announced that individuals from Cuba, from Haiti, from Nicaragua, and Venezuela must leave the United States in the next month, not because the humanitarian crisis has passed, but because this administration is committed to an authoritarian agenda and consequences be damned.

So let's clear some things together here. Mr. Reichlin-Melnick, I want to ask you a couple of yes-or-no questions. First, let me start with, were any taxpayer funds used to bring these migrants into the United States?

Mr. REICHLIN-MELNICK. Absolutely not.

Mrs. RAMIREZ. Thank you. Can you explain how many people may lose their legal status under the Trump administration?

Mr. REICHLIN-MELNICK. You know, when just the CHNV parole program, which the administration announced would be terminated earlier last week, we're looking at hundreds of thousands of people. So far with temporary protected status, 800,000 combined with another 300,000 likely in the fall.

Mrs. RAMIREZ. Very briefly, what types of jobs are people in the CHNV program and temporary protective status filling in our communities?

Mr. REICHLIN-MELNICK. They're filling all kinds of jobs in communities like Springfield, Ohio, where they were helping rebuild the manufacturing base, and in places like Florida and Texas and California, they're working legally. They're filling jobs that are open to any person in the country who's able to work legally. Without them, the economy will suffer.

Mrs. RAMIREZ. Thank you for your response. I want to talk about Guantanamo Bay. Mr. Melnick, let's just be clear again, yes or no, did detaining migrants of Guantanamo Bay improve our border security?

Mr. REICHLIN-MELNICK. Absolutely not.

Mrs. RAMIREZ. Yes or no, to your knowledge, did they send only criminals to Guantanamo?

Mr. REICHLIN-MELNICK. No.

Mrs. RAMIREZ. Yes or no, does the administration have the ability to hold the quote, "worst of the worst" here in the United States?

Mr. REICHLIN-MELNICK. Absolutely they do.

Mrs. RAMIREZ. Yes or no, did they need Guantanamo to achieve that end?

Mr. REICHLIN-MELNICK. They did not.

Mrs. RAMIREZ. Quickly, what other problems did you see with this administration's use of Guantanamo Bay?

Mr. REICHLIN-MELNICK. Beyond there was the treatment of people at those facilities, in facilities that were—clearly did not meet ICE standards, where people were held in solitary confinement, even people, again, with no criminal record. It was also extraordinarily expensive.

Mrs. RAMIREZ. So I want to talk now about El Salvador. President Trump recently invoked the Alien Enemies Act. The last time this law was used was during a dark period in American history. Some of us just talked about, if we don't know history, we are damned to repeat it again. It was used to detain more than 100,000 Japanese Americans being in intermittent camps following the attack on Pearl Harbor. Trump has invoked it to target the Tren de Aragua gang, he says, and recently deported more than 100 individuals they allege are connected to the scene. These individuals were disappeared to a mega prison in El Salvador.

Mr. Reichlin-Melnick, can you explain some of the problems with President Trump's use of the Alien Enemies Act?

Mr. REICHLIN-MELNICK. The No. 1 problem is the lack of due process. The administration is asserting an unprecedented authority to point at any person and say, you're a member of Tren de Aragua. You don't get any right to say that you're not. We're going

to stick you on a plane. We don't even have to tell you first. At a court hearing yesterday, the Department of Justice said people do not even have a right to be told they're going to be subject to this law before they're put on a plane.

Mrs. RAMIREZ. That is right. Do we know who some of the individuals sent to El Salvador are?

Mr. REICHLIN-MELNICK. We do. We know that many of them allege that they are not members of the gang, including Andry, a Venezuelan gay barber who is seeking asylum, a makeup artist, who has said repeatedly he has been sent there by mistake.

Mrs. RAMIREZ. Has the Trump administration provided any evidence of gang ties?

Mr. REICHLIN-MELNICK. None whatsoever.

Mrs. RAMIREZ. So let me ask you this last question. Why should American citizens, permanent residents, law-abiding legal immigrants, fear President Trump's invocation of the Alien Enemies Act?

Mr. REICHLIN-MELNICK. This country was founded on the rule of law, on the idea that no person could be held to account by the Government without an opportunity to understand the charges brought against them and an opportunity to respond. That is not happening here.

Mrs. RAMIREZ. That is right. I will say history does, in fact, repeat itself. Some of the worst parts of our past started with eroding people's right in making them the enemy. We can't let this administration continue to criminalize immigrants in order to be able to criminalize any dissent, which is exactly why I think Secretary Noem needs to come before this body and answer questions. I demand that.

With that, I yield back.

Mr. GUEST. Thank you.

I now recognize the gentleman from Arizona, Mr. Crane, for 5 minutes.

Mr. CRANE. Thank you, Mr. Chairman, for holding this hearing today. I want to thank you all for joining us on this important subcommittee hearing. I only have 5 minutes, so I ask you to please keep your answers brief. I also have a service of unanimous consent requests that I will be entering into the record after my questioning.

Mr. Anfinsen, on January 27, 2024, President Biden said a new, broader bill would grant him new emergency authority to shut down the border when it becomes overwhelmed. Additionally, on January 30, 2024, President Biden said when asked about his actions on the border, I've done all I can do. Give me the Border Patrol. Give me the people who can stop this and make it work right.

My question to you, sir, did President Biden lie to the American people about his actions and authority at the Southern Border?

Mr. ANFINSEN. He claimed there was nothing else he could do, and then he did more that summer with the Executive Order. So clearly he wasn't telling the truth.

Mr. CRANE. Thank you. DHS and CBP fall under the Executive branch meaning Biden always had the authority. He chose to operate the border in the way he did. Would you agree with that, sir?

Mr. ANFINSEN. Yes.

Mr. CRANE. Mr. Blair, U.S. Customs and Border Protection data released February 18, 2025, according to U.S. Customs and Border patrol Protection, from January 21 through January 31, 2025, the number of U.S. Border Patrol apprehensions along the Southwest Border dropped 85 percent from the same period in 2024. The number of inadmissible aliens encountered by CBP's Office of Field Operation at ports of entry along the Southwest Border quarter dropped 93 percent in the 11 days after January 20, compared with the 11 days prior. The list goes on and on.

My question is, and please answer yes or no, sir, would you agree CBP data suggests that President Trump's first 30 days in office was more effective at stopping illegal immigration than 4 years of Joe Biden?

Mr. BLAIR. Yes, sir.

Mr. CRANE. Thank you. Ms. Ries, my question is briefly explain what liberal States stand to gain from mass illegal immigration and unchecked parole.

Ms. RIES. Part of it's head count. They're counted in the Census even though noncitizens can't vote and are not supposed to vote. Then those numbers are used for districting in Congress. Then, in turn, those same numbers are also used for the Presidential electoral college votes.

Mr. CRANE. Would you agree, ma'am, that redistricting is a major political outcome for Democrats welcoming migrant caravans into their local communities?

Ms. RIES. Yes. It gives them more headcount and, therefore, more districts.

Mr. CRANE. Would you agree illegal immigration for redistricting is not what the Founders intended under Article I, section 2, clause 1 of the Constitution regarding Congressional districting?

Ms. RIES. I agree.

Mr. CRANE. I'd like to play a 20-second recording of a former Homeland Security Committee Member. Can we go ahead and play that?

[Audio recording played.]

Mr. CRANE. Thank you. That was Rep. Yvette Clark, a Democrat from New York, from January 8, 2024. Her words outlined Biden's failed plans for illegal immigration to gain political influence.

Ms. Ries, you wrote on this issue for Heritage Foundation in February 2024. The article was titled, "Stop Allowing Non-Citizens to Determine Congressional and Presidential Representation." It was a great piece, and I plan to introduce the article into Congressional Record at the conclusion of my 5 minutes.

The last thing I want to say to Mr. Reichlin-Melnick is I find it interesting as I sit here and listen to you blame President Trump and attack President Trump, you know, for saying to the American people that he was going to protect the American people, he was going to put them first, and he was going to implement policies to fix the mess created by the Biden administration. I just find it rich that you are attacking President Trump for doing exactly what the American people wanted, not the individual who caused this problem. Sadly, if you guys don't figure this issue out, you are going to lose the next election as well.

Thank you. I yield back, Mr. Chairman.

Mr. GUEST. Were you intending to enter something in the record?

Mr. CRANE. Yep, I have got several.

Mr. GUEST. If you will just give us some brief descriptions so that we can do that at this point.

Mr. CRANE. Yep. So this is an article, "Biden Promises to Shut Down the Border if Given the Authority in a Partisan Bill."

Mr. GUEST. Without objection, be entered into the record.

[The information follows:]

ARTICLE SUBMITTED BY HONORABLE ELIJAH CRANE

BIDEN PROMISES TO 'SHUT DOWN' THE BORDER IF GIVEN THE AUTHORITY IN A BIPARTISAN BILL

The president threw his support behind an emerging deal in the Senate that he said would give him "authority to shut down the border when it becomes overwhelmed."

Jan. 26, 2024, 10:11 PM EST, By Megan Lebowitz, NBC News

WASHINGTON.—President Joe Biden on Friday vowed to halt crossings at the border when it's "overwhelmed" if Congress passes bipartisan immigration legislation giving him that authority.

In a strongly worded statement, Biden threw his support behind an emerging immigration deal in the Senate, one that former President Donald Trump is seeking to torpedo since it could hand a legislative victory to his likely opponent in November.

"What's been negotiated would—if passed into law—be the toughest and fairest set of reforms to secure the border we've ever had in our country," Biden said Friday night. "It would give me, as President, a new emergency authority to shut down the border when it becomes overwhelmed. And if given that authority, I would use it the day I sign the bill into law."

Biden, who has recently expressed optimism that a bipartisan deal could come soon, reiterated that the border is "broken" and argued that "it's long past time to fix it."

"Securing the border through these negotiations is a win for America. For everyone who is demanding tougher border control, this is the way to do it," he said. "If you're serious about the border crisis, pass a bipartisan bill and I will sign it."

Congressional Republicans, particularly in the House, have said they will only accept aid money for Ukraine if it is coupled with tougher immigration policies.

The Biden administration made a supplemental request last year tying border funding to aid for Ukraine and Israel. Senate negotiators have recently ramped up talks to strike a deal on those issues, even as Trump has encouraged Republicans to reject a bipartisan border deal.

Biden's statement on Friday comes as U.S. Customs and Border Protection released numbers showing encounters with undocumented migrants hit a new record in December by exceeding 300,000—with most at the southwest border.

According to preliminary government data, the U.S. saw more than a 50 percent decrease in border encounters between ports of entry in the nation's Southwest during the first half of January.

"CBP's message for anyone who is thinking of attempting to circumvent lawful pathways to enter the United States is simple: don't do it," said U.S. Customs and Border Protection in a statement. "When noncitizens cross the border unlawfully, they put their lives in peril."

Megan Lebowitz is a politics reporter for NBC News.

Julia Ainsley contributed.

Mr. CRANE. No. 2, "Biden Has the Power to End the Border Crisis. He Doesn't Want To."

Mr. GUEST. Without objection, be entered into the record.

[The information follows:]

ARTICLE SUBMITTED BY HON. ELIJAH CRANE

BIDEN HAS THE POWER TO END THE BORDER CRISIS. HE DOESN'T WANT TO
theFederalist.com/2024/01/30/biden-has-the-power-to-end-the-border-crisis-without-congress-he-just-doesnt-want-to/

January 30, 2024

The White House, corporate media, and even Senate Republicans claim Democrats' open-border amnesty bill, which does more to secure Ukraine than the U.S., is the only way to successfully curb the influx of more than 10 million illegal border crossers. The real power to end the record-breaking Southern border crisis, however, lies with President Joe Biden, who previously used his executive authority to undo all of his predecessor's border safeguards. He simply isn't wielding it.

"Have you done everything you can do with executive authority [on the border]?" a reporter asked the president on the White House lawn on Tuesday.

"I've done all I can do. Just give me the power . . . ! Give me the border patrol! Give me the people! The judges! Give me the people who can stop this and make it work right!" Biden replied.

John Kirby, Biden's coordinator for strategic communications at the National Security Council, also denied during a White House press briefing on Monday that Biden was "withholding executive action on the border until he gets the money" from the Senate border deal. Shortly after, he confirmed the administration's stance, which is that "the proper way forward is to get the supplemental passed."

Democrats' not-so-secret long game is to blame the ongoing border crisis on House Republicans who refuse to give in to Senate Minority Leader Mitch McConnell's manipulation tactics by passing a bad border bill.

Republicans like Sen. James Lankford, who was chastised by his state's GOP for "playing fast and loose with Democrats on our border policy," want you to believe that their negotiations are the only path forward. They want you to believe that the administration they swore to punish for the border's collapse is making a good-faith effort to fix it.

But even Trump, who was McConnell's original target for ire, saw through the establishment senators' sham.

"They are using this horrific Senate Bill as a way of being able to put the BORDER DISASTER onto the shoulders of the Republicans. The Democrats BROKE THE BORDER, they should fix it. NO LEGISLATION IS NEEDED, IT'S ALREADY THERE!!!" Trump wrote on Truth Social.

During his first hours in the Oval Office on Jan. 20, 2021, Biden halted construction on Trump's border wall. The former vice president also rescinded the Republican's executive order refusing Federal funding to "sanctuary" cities harboring illegal migrants, discouraged the immediate removal of illegal border crossers who committed crimes, and toppled Trump's "Remain in Mexico" policy.

Biden's day-one proclamations were just the beginning of what would become 296 executive actions on immigration and the southern security boundary in just his first year. Since then, the Democrat has continued to loosen border enforcement by demanding agents avoid making arrests, scaling back ICE deportation, and reinstating Obama-era catch-and-release.

Overall, nearly one-third of Biden's border actions were reversals of his predecessor's policies.

Biden's pen doesn't simply hold the power to undo our nation's defenses. In October 2023, the Democrat waived 26 Federal laws to resume construction of the border wall to comply with a 2019 appropriations bill.

Unlike Trump, who had to jump through judiciary hoops every time he tried to secure the Southern border, Biden could cut off the hundreds of thousands of people without a hitch thanks to the administrative state's disinterest in opposing its preferred Presidential pawn.

The only reason Biden has yet to use his power to secure the border (and satiate voters who say illegal immigration is their top concern heading into the 2024 election) is because he simply doesn't want to.

With one stroke of a pen, our commander-in-chief could authorize the return of law and order to our border by shutting it down. With one press conference, he could threaten Mexico with steep tariffs for being an accomplice to the crisis as Trump did.

Instead, Biden is using more time and effort to pump up legislation that would codify the crisis and fight a state that wants to defend itself against the invasion.

Biden never had a change of heart about our national security crisis. He never wanted to secure the border. His decision to throw his weight behind controversial

border legislation instead of exercising his executive authority simply means that the bill fits perfectly in his deliberate plan to run a borderless nation.

Jordan Boyd is a staff writer at The Federalist and producer of The Federalist Radio Hour. Her work has also been featured in The Daily Wire, Fox News, and RealClearPolitics. Jordan graduated from Baylor University where she majored in political science and minored in journalism. Follow her on X @jordanboydtx.

Mr. CRANE. No. 3, “CBP Releases January 2025 Monthly Update.”

Mr. GUEST. Without objection, we entered into the record.
[The information follows:]

ARTICLE SUBMITTED BY HON. ELIJAH CRANE

CBP RELEASES JANUARY 2025 MONTHLY UPDATE

Release Date Tue, 02/18/2025

WASHINGTON.—U.S. Customs and Border Protection (CBP) released operational statistics today for January 2025. CBP monthly reporting can be viewed on CBP’s Stats and Summaries webpage.

“The men and women of U.S. Customs and Border Protection are aggressively implementing the President’s Executive Orders to secure our borders. These actions have already resulted in dramatic improvements in border security,” said Pete Flores, Acting Commissioner. “The reduction in illegal aliens attempting to make entry into the U.S., compounded by a significant increase in repatriations, means that more officers and agents are now able to conduct the enforcement duties that make our border more secure and our country safer.”

Below are key operational statistics for CBP’s primary mission areas in January 2025. View all CBP statistics online.

Halting the flow of illegal aliens into the country

CBP is no longer catching and releasing illegal aliens into the U.S. CBP is leveraging legal authorities to take every reasonable step to ensure illegal aliens are placed in detention and expediently removed from the country. In simple terms, illegal aliens are being arrested, detained and then rapidly removed.

From Jan. 21 through Jan. 31, 2025, the number of U.S. Border Patrol apprehensions along the southwest border dropped 85 percent from the same period in 2024.

CBP, with support from the Department of Defense, has dramatically increased active patrols of our international borders.

CBP One and CHNV paroles have ended

On Jan. 20, CBP ended use of the CBP One app to schedule appointments for inadmissible aliens.

CBP also terminated all categorical parole programs and returned to a case-by-case review based on criteria established in law.

The number of inadmissible aliens encountered by CBP’s Office of Field Operations at ports of entry along the southwest border dropped 93 percent in the 11 days after Jan. 20 compared with the 11 days prior.

Partnership with the Department of Defense

CBP is utilizing a whole-of-government approach that includes the support of the Department of Defense (DOD). DOD is a critical partner in securing our international borders and making America safe again.

The message is clear: do not make the journey, or you will be detained and removed.

Safeguarding Communities by Interdicting Narcotics and Dangerous Drugs

As the largest law enforcement agency in the United States, CBP is uniquely positioned to detect, identify, and seize illicit drugs like fentanyl before they enter our communities.

In the last two fiscal years, CBP seized record amounts of fentanyl—nearly 50,000 pounds—enough to produce more than 2 billion lethal doses. In January 2025, CBP seized 1,029 pounds of fentanyl, and methamphetamine seizures increased 15 percent.

Additional CBP drug seizure statistics can be found on the Drug Seizure Statistics webpage.

Facilitating Lawful Trade and Travel

CBP's enhanced enforcement posture not only makes every American safer, but it also saves you time and money. CBP is also the front line for facilitating lawful international travel and trade which is a critical element of our nation's economic prosperity.

The number of travelers arriving by air into the United States increased 4.5 percent from January 2024 to January 2025. Passenger vehicles and commercial trucks processed at ports of entry each increased 2.5 percent over the same period, and the number of pedestrians arriving by land at ports of entry increased 0.4 percent.

If you plan to travel internationally, you can contribute to enhanced efficiencies by utilizing our mobile applications with technological enhancements to help speed up the travel process when entering the United States via air, land, or sea. These innovative improvements include the Global Entry and Mobile Passport Control apps.

CBP works diligently with the trade community and port operators to ensure that merchandise is cleared efficiently while interdicting illicit cargo that is hidden in some shipments. In January 2025, CBP processed more than 2.9 million entry summaries valued at more than \$338 billion, identifying estimated duties of nearly \$7.9 billion to be collected by the U.S. Government. In January, trade via the ocean environment accounted for 35 percent of the total import value, followed by air, truck, and rail.

Protecting Consumers and Eradicating Forced Labor from Supply Chains

CBP continues to lead U.S. Government efforts to eliminate goods from the supply chain made with forced labor from the Xinjiang Uyghur Autonomous Region of China. In January, CBP stopped 1,986 shipments valued at more than \$13 million for prohibited importation into the United States under 19 U.S.C. § 1307.

CBP also seizes millions of counterfeit products every year worth billions of dollars had they been genuine. In January, CBP seized 1,977 shipments that contained counterfeit goods valued at more than \$291 million.

External Revenue

CBP completed 30 audits in January that identified \$71 million in duties and fees owed to the U.S. Government, stemming from imported goods that had been improperly declared in accordance with U.S. trade laws and customs regulations. CBP collected over \$703 million of this identified revenue and from previous fiscal years' assignments.

U.S. Customs and Border Protection (CBP) is America's front line: the Nation's largest law enforcement organization and the world's first unified border management agency. The 65,000+ men and women of CBP protect America on the ground, in the air, and on the seas. We facilitate safe, lawful travel and trade and ensure our country's economic prosperity. We enhance the Nation's security through innovation, intelligence, collaboration, and trust.

Last Modified: Feb 18, 2025.

Mr. CRANE. "Stop Allowing Noncitizens to Determine Congressional and Presidential Representation," by Ms. Ries.

Mr. GUEST. Without objection, being entered into the record.
[The information follows:]

ARTICLE SUBMITTED BY HON. ELIJAH CRANE

STOP ALLOWING NONCITIZENS TO DETERMINE CONGRESSIONAL AND PRESIDENTIAL REPRESENTATION

Feb 8, 2024, Commentary by Lora Ries @lora_ries, Director, Border Security and Immigration Center; RJ Hauman, Founder and Principal of Stryker Strategies LLC and a Visiting Advisor at The Heritage Foundation

KEY TAKEAWAYS

Democratic-controlled states have gained congressional seats by welcoming and harboring illegal aliens.

This warped representation is carried over into the Electoral College.

Congress must put an end to the electoral influence of a growing noncitizen population.

The open border has enabled the Left to amass more political power. Democratic-controlled states have gained congressional seats by welcoming and harboring illegal aliens.

As president, Donald Trump tried to halt this wrongdoing by ordering the Census to exclude all noncitizens from apportionment. But one of President Biden's first acts in office was to reverse this policy as he began to open the border to millions of illegal aliens.

Barring the Census from including noncitizens in apportionment is critical in making sure that American citizens—the only population who can and should vote in U.S. elections—are picking America's leaders.

Biden's intentional border crisis has produced unprecedented apportionment issues, distorting the representation that states have in the House, and how many electoral votes they have in Presidential elections.

BORDER AND IMMIGRATION CONCERN ARE DECIDING ELECTIONS IN EUROPE

Congressional and Electoral College apportionment is based on the number of residents, as determined by the Census. Currently, Census includes illegal aliens and other noncitizens as residents.

Consequently, a state can gain extra congressional districts and representation in Congress thanks to the presence of a large population that isn't legally allowed to vote. Since the number of congressional seats is limited to 435, this additional representation comes at the expense of other states.

This warped representation is carried over into the Electoral College, where each state is allocated a number of votes equal to the number of senators and representatives in its congressional delegation.

In a 2018 lawsuit against the Census Bureau within the Commerce Department, then-Rep. Mo Brooks, R-Ala., wrote:

"In a state in which a large share of the population cannot vote, those who do vote count more than those who live in states where a larger share of the population is made up of American citizens. Counting large illegal alien populations in the Census appropriates voting power from Americans and bestows it on other[s].

Solving this flawed process is of paramount importance going into an election year.

First, excluding noncitizens—tens of millions of whom are illegal aliens—from apportionment would help discourage sanctuary policies. Sanctuary jurisdictions like California, Illinois and New York have welcomed illegal immigrants, at least in part, to keep their populations high.

During a 2021 hearing about Haitian migrants, Rep. Yvette Clarke, D-N.Y., stated that her district “can absorb a significant number of these migrants,” adding, “I need more people in my district just for redistricting purposes.”

These states need to keep their population numbers inflated with illegal aliens because American citizens are fleeing in droves due to their disastrous policies. Making it clear to these states and their radical Governors that they won't be able to use illegal aliens to “cook their books” to maintain disproportionate political power (and money) will go a long way toward breaking the sanctuary state trend.

Second, no longer including noncitizens in apportionment will help ensure that only American citizens will shape our political landscape and pick future leaders. Letting states include millions of aliens in their Census counts is the equivalent of letting foreign countries determine the political destiny of the United States, which is unacceptable.

Why Biden's Support Among Hispanics Is Tanking—Here's a Hint: The Border Crisis

To address this issue and restore trust in the electoral process, Congress should pass legislation to ensure that all future apportionment determinations only include American citizens.

A Senate bill to do just that was recently unveiled by Sen. Bill Hagerty, R-Tenn., and 20 of his colleagues, followed by a House companion led by Reps. Chuck Edwards, R-N.C., and Warren Davidson, R-Ohio, that is gaining steam. If passed into law, this would likely end up before the Supreme Court, but it is on firm legal footing.

The Constitution requires the counting of “persons,” who the Founding Fathers almost certainly assumed to be citizens. Regardless of history or tradition, Congress has the plenary authority to define “persons” or otherwise clarify how the Census is to be conducted.

To the extent past Federal cases disagree with Congress on this point, Congress can effectively overrule case law and define “persons” as citizens and require the counting of only citizens in the Census (or the non-counting of noncitizens) for apportionment.

U.S. citizenship should mean something and come with rights, such as voting in elections, as well as responsibilities, such as obeying our laws.

Congress must put an end to the electoral influence of a growing noncitizen population that is unfairly altering both representation in the House and the Electoral College. American citizens should not have their voting rights devalued or their Congressional and Presidential representation corrupted due to the inclusion of non-citizens in our Census.

This piece originally appeared in Fox News.

Mr. CRANE. The last one, “Brooklyn Congresswoman Wants Migrants to Fill Up Her District.”

Mr. GUEST. Without objection, that will also be entered into the record.

[The information follows:]

ARTICLE SUBMITTED BY HON. ELIJAH CRANE

BROOKLYN CONGRESSWOMAN WANTS MIGRANTS TO FILL UP HER DISTRICT

independentsentinel.com/brooklyn-congresswoman-wants-migrants-to-fill-up-her-district/

By M Dowling, January 8, 2024.

Brooklyn Congresswoman Clark admitted that she wants more migrants in the country to fill up her district [with future voters and for redistricting]. I doubt anyone thought bringing in illegal aliens was a humanitarian effort. The intention is partly to give Democrats a permanent electoral majority. Maybe that's the whole reason. Democrats want all the power all the time. We will pay a very heavy price; keep reading.

“I’m from Brooklyn, NY,” Clark said. “We have a diaspora that can absorb a significant number of these migrants, and, you know, when I hear colleagues talk about, you know, the doors of the inn being closed, no room in the inn, I’m saying, you know, I need more people in my district, not just for redistricting purposes, and those members could clearly fit here.”

NY Congresswoman Clarke (D) saying the quiet part out loud about the border: “I need more people in my district just for redistricting purposes.” pic.twitter.com/bbDss7cnls *End Wokeness (@EndWokeness) January 8, 2024.*

Some of these illegal aliens are committing serious crimes. Many come from countries where rape is a daily occurrence.

The independent reporter at Viral News NYC reported on X that the illegal aliens living in Floyd Bennett Field appear to be stealing license plates.

He said he had received a call from a source from the Parks Department/the NYPD. He showed up at Floyd Bennett Field and found multiple cars up in the park with fake license plates, stolen license plates, and no plates. He also received reports from NYPD sources that migrants were parking cars downtown Manhattan using fake NY templates, which legally don’t exist. Staten Island residents report that cars with fake or stolen plates were caught on multiple cars belonging to migrants.

How do all these people get cars and motorbikes? Curtis Sliwa said they all have knives.

They are also big on shoplifting.

Mr. GUEST. At this time, the Chair would recognize the gentleman from Tennessee, Mr. Ogles, for his 5 minutes of questioning.

Mr. OGLES. Thank you, Mr. Chairman, and to the witnesses. My colleague invoked history and so let’s start there.

“Article II, Section 1, the executive power shall be vested in a President of the United States. Section 3, the President shall take care that the laws be faithfully executed.” The take care clause allows the President to issue Directives and Executive Orders. So, as we look at how President Trump is addressing the issue of illegal immigration, whether or not he chooses to grant or deny humanitarian parole or amnesty or, you know, sanctuary is his prerogative per the Constitution.

Staying on the idea of history for a moment, let's not forget all of those folks that entered in this country did so illegally. That is their first act is an illegal act. It should also be noted. If there is one takeaway from my questions or testimony in this committee is that they should be deported. There should be no pathway. There should be no amnesty.

This is our country. We get to decide who comes in and we get to decide who leaves. It's that simple.

If my friend and colleague from Arizona and I want to travel overseas, we would have to do so on a visa. We would have to do so legally. If we entered a country, whether it is in the Middle East or Europe, illegally, they would kick our butts out. I don't think anyone can deny that fact.

You know, we try to hold ourselves to some higher standard and we point to other issues or complaints about, well, it is stressing the FBI or it is stressing the, you know, the long laundry list of moaning and groaning. We are forgetting the very fact that they entered this country illegally. If we choose to send their butts home again, pardon me for saying that, I have children, that is our prerogative. It is just our prerogative.

You mentioned, ma'am, in your article, what I would say a very diabolical motivation for why the Biden administration so carelessly, recklessly allowed our country to be invaded. That was the Presidential election and the next Census. Because, you see, in the blue States that are having population flight are disproportionately being flooded. You see in the future, in the next Census where States like Tennessee, my home State, Ohio, the Carolinas, Florida, maybe Texas, will pick up additional House seats that will forever change the House of Representatives to be, quite frankly, Republican. The Democratic Party, I believe, and this is my opinion, flooded our country to try to stem the inevitable, that this country is sick and tired of the woke nonsense and the invasion that is taking place under their watch.

You have blue mayors, Democratic mayors in blue cities under the Biden administration that were screaming for assistance. Please stop. We can't take anymore.

I went to the border under the Biden administration. I traveled to Tucson, I went south at the border and I went to a section, it wasn't controlled by the U.S. Government, but rather the cartel. While we were there, in this very remote area on one of the hottest days of the summer, over 100 people turned themselves into myself and the special operators that we went down with, I went down with. Went down unannounced, by the way. Before Border Patrol would come and pick those individuals up, 3 different pods, they sent choppers up in the air to fly for over half an hour because they would not come into the area until they had completely surveilled to make sure the cartel wasn't in the area.

Some of those gaps in those fence, and by the way, I crossed into Mexico, walked in about 100 yards, as I walked in, a cartel sniper crossed over the ridge and put eyes on me. This is the United States border.

I would argue that a sovereign nation should have 3 things: a secure border; fair, open, and honest elections; and obviously a powerful military. The Biden administration failed at all 3 of those and

President Trump is working to fix the record. I support the President and, again, I'll emphasize no amnesty. It's time to start mass deportations.

Thank you, Mr. Chairman. I yield back.

Mr. GUEST. Thank you.

At this time, the Chair recognizes the gentlelady from South Carolina, Mrs. Biggs.

Mrs. BIGGS. Thank you, Chairman Guest. Border security is a priority for my district and I am grateful to you for holding this hearing. Thank you to our witnesses for being here today and giving us your input.

The Biden administration border crisis inflicted historic damage on our Nation, and I think that is relevant to today. Under his failed leadership, illegal crossings reached record highs with over 300,000 in December 2023 alone and more than 9 million over Biden's 4 years as President. The illegal population is now estimated to exceed 15 million. Meanwhile, American families like those in the Third District of South Carolina were left behind. After Hurricane Helene, our community struggled to pick up the pieces while illegal immigrants were placed in luxury hotels.

Mr. Chairman, I would like to enter into record this article entitled, "Clawed Back: DHS Chief Noem Secures Eye-Popping Sums Sent to New York for Migrant Hotels."

Mr. GUEST. Your statement will be entered into the record, without objection.

[The information follows:]

ARTICLE SUBMITTED BY HON. SHERI BIGGS

"CLAWED BACK": DHS CHIEF NOEM SECURES EYE-POPPING SUM SENT TO NYC FOR MIGRANT HOTELS

By Adam Shaw, Bill Melugin

Published February 12, 2025, Fox News

The Department of Homeland Security says it has taken back \$59 million in FEMA funds earmarked for hotels housing migrants in New York City, a day after it fired those involved in making the payment.

"Secretary Noem has clawed back the full payment that FEMA deep state activists unilaterally gave to NYC migrant hotels," a DHS spokesperson told Fox News Digital.

"There will not be a single penny spent that goes against the interest and safety of the American people," they said.

FEDERAL AGENCY IN DOGE'S CROSSHAIRS PLAYED KEY ROLE IN HARRIS' STRATEGY TO CURB MIGRANT CRISIS

The announcement came after the Department of Government Efficiency (DOGE) said it had uncovered \$59 million in payments for luxury hotels for migrants who had flooded into the sanctuary city during the recent crisis at the southern border. Elon Musk said the payments had been sent in the last week.

DHS announced Tuesday that it had fired four employees "for circumventing leadership" and making the payments unilaterally. The firings included FEMA's CFO, two analysts and a grant specialist.

The use of FEMA to make payments related to immigration has been a topic of controversy in recent months. The funding comes via the Shelter and Services Program (SSP). It is congressionally appropriated and requires FEMA to use funding shifted over from Customs and Border Protection (CBP). The Biden administration pushed back last year over claims that disaster funding was being diverted, noting that the funding is appropriated to CBP and administered by FEMA.

A New York City Hall spokesperson confirmed to Fox News on Tuesday that the city had received funds "through the past week" that were allocated by the Biden administration for the purpose of housing and supporting illegal immigrants.

TRUMP'S ICE LIMITS ILLEGAL IMMIGRANT RELEASES AMID MOVES TO SHAKE OFF BIDEN
 'HANGOVER'

Of the \$59.3 million, \$19 million was for direct hotel costs, while the balance funded other services such as food and security. According to NY City Hall, the funds were not part of a disaster relief grant.

"The previous administration left New York City largely on its own to manage an international humanitarian crisis. At its height, we took swift emergency action to house thousands of migrants arriving in our city every week—including in completely vacant hotels—ensuring that no family slept on our streets and that the public safety of longtime New Yorkers was not compromised," a spokesperson said. "Thanks to our smart management of the crisis, we have helped over 184,000 migrants leave the city's shelter system since the spring of 2022. But, we are not out of the woods yet."

A spokesperson said that it never paid luxury hotel rates, that the city applied for funding in April and FEMA allocated the funding last year.

On Wednesday, NYC Comptroller Brad Lander responded to the revocation of funds by saying that NYC "cannot take this lying down."

"I call on the Mayor to immediately pursue legal action to ensure the tens of millions of dollars stolen by Trump and DOGE are rightfully returned. If instead Mayor Adams continues to be President Trump's pawn, my Office will request to work in partnership with the New York City Law Department to pursue aggressive legal action," he said, according to the New York Post.

Mayor Eric Adams later said on X that his office "learned about the Federal Government clawing back more than \$80 million in FEMA grants applied for and awarded under the last administration, but not disbursed until last week."

"While we conduct an internal investigation into how this occurred, our office has already engaged with the White House about recouping these funds and we've requested an emergency meeting with FEMA to try and resolve the matter as quickly as possible. The Corporation Counsel is already exploring various litigation options," he said.

Adam Shaw is a politics reporter for Fox News Digital, primarily covering immigration and border security.

Mrs. BIGGS. Thank you. This article demonstrates how the Biden administration abandoned the American people in favor of spending \$59 million in taxpayer money on illegal immigrants in New York City. That is just unfair and it is un-American.

Under President Trump's leadership, we are already seeing a return to law and order and national sovereignty. In just 1 month back in office, border encounters dropped to just 11,000, proving that strong leadership, not luck, solves crisis.

So my question is to Ms. Ries. We have talked about a lot here today, but what impact did this have on average American families? I am talking about like housing cost or strained school systems, longer wait times for health care when the last administration put illegal immigrants ahead of our U.S. citizens.

Ms. RIES. Well, communities were very strained and they weren't notified in advance that large populations were coming to their communities. So they didn't have time to prepare for more teachers or expanded classrooms. So schools were overcrowded, hospital rooms, emergency rooms were overcrowded, not enough shelter, so the prices of housing went up. That is why this was a No. 1 issue for Americans voting last fall.

Mrs. BIGGS. OK. The second part of that question, now that we are back under strong leadership, how do we ensure that future administrations never repeat the failures of the Biden era and always put America first?

Ms. RIES. Well, this is where Congress needs to step in and codify many of the changes that are necessary. We can't—we shouldn't be going back and forth, President-to-President via Executive Order. We need to shut down the benefit fraud, particularly asylum

fraud. Make sure there's enough resources not just for CBP, but also for ICE and the Interior, which is so important right now in the reconciliation bill.

Mrs. BIGGS. Thank you. With that, I yield back.

Mr. GUEST. The gentlelady yields back.

At this time, I recognize the gentleman from North Carolina, Mr. Knott, for his 5 minutes of questioning.

Mr. KNOTT. Thank you, Mr. Chair. Witnesses, it is great to hear what you had to say. I am sorry that I have been back and forth. I was able to hear most of your opening statements and thank you for your opinions. Thank you for the work that you all have achieved to get here and to provide such valuable information.

From my background, I agree with most of what was said and my personal belief is that the border crisis of the last 4 years was an intentional act inflicted upon the American people. There were mechanisms that were used and procedures that were implemented that had never been used before. As a prosecutor in the Department of Justice, I saw internally how they made it more difficult than it had ever been in my career to prosecute illegal immigrant criminals. Whether it was the temporary protective status, whether it was the refusal for permission, whether it was change of policy, whatever it was, the nerve center of Washington, DC, again, made it more difficult for people in the United States to protect themselves against illegal immigrant crime or just the overflow of people who came into our communities.

Mr. Melnick, I do want to talk to you. I heard your opening statement. Again, from my perspective, labeling the Biden-Harris record on immigration as mixed I think is sort-of a gross misstatement. Just on a basic level, would you be willing to admit that the Biden-Harris administration was willing to incentivize illegal immigration?

Mr. REICHLIN-MELNICK. No, I don't think that's accurate. I'm happy to explain more if you'd like.

Mr. KNOTT. Well, would you admit that there were obviously motivations beyond just asylum seekers that propelled people into the United States?

Mr. REICHLIN-MELNICK. Yes, there was a mixed flow. There were genuine legitimate asylum seekers, tens of thousands of which who have won their cases every year, and there were economic migrants. Absolutely.

Mr. KNOTT. In the United States, taxpayers foot the bill for health care for illegal immigrants, isn't that correct?

Mr. REICHLIN-MELNICK. It really depends on the circumstance. We know undocumented—

Mr. KNOTT. All right. I will play favorable in some instances to taxpayers foot the bill for health care for illegal immigrants. Correct?

Mr. REICHLIN-MELNICK. EMTALA requires emergency rooms treat every person regardless of status. Yes.

Mr. KNOTT. Well, in some States there are programs where you don't have to be here legally and you can get access to Medicaid. Correct?

Mr. REICHLIN-MELNICK. I believe some States have emergency Medicaid for pregnant women.

Mr. KNOTT. That is a yes.

Mr. REICHLIN-MELNICK. Yes.

Mr. KNOTT. In some instances, taxpayers foot the bill for housing for illegal immigrants. Is that correct?

Mr. REICHLIN-MELNICK. Again, in some circumstances, some communities have opened up status—programs to people regardless of immigration status.

Mr. KNOTT. Taxpayers foot the bill for health care, housing. There's also transportation costs that are inflicted on the taxpayers. Correct?

Mr. REICHLIN-MELNICK. I'm unaware of what you're referring to there.

Mr. KNOTT. Well, people were flown into the country illegally. Once they were here illegally, they were bussed all over the country. They arrived in New York City, California, North Carolina, Texas, Illinois, at the taxpayers' expense, correct?

Mr. REICHLIN-MELNICK. Yes. Governor Abbott chose to run that program.

Mr. KNOTT. Well, he's not the only person that ran that program. Correct? There are dollars far beyond Texas that put illegal immigrants all over this country.

Mr. REICHLIN-MELNICK. Other States and communities offered up travel vouchers to some individuals who wanted to travel to other States.

Mr. KNOTT. In some instances, upon arrival, illegal immigrants can get driver's licenses, isn't that correct?

Mr. REICHLIN-MELNICK. In some States, driver's licenses are available to any resident, regardless of immigration status.

Mr. KNOTT. Even in some municipalities, people who are here outside the permission of the law can even vote, isn't that correct?

Mr. REICHLIN-MELNICK. I am unfamiliar with any who allow that. There are some States that allow noncitizens to vote. I'm unsure whether that applies to people who are here in violation of immigration law.

Mr. KNOTT. So just so we are clear, there was the program that allows health care, housing, transportation, food, driver's licenses, and even the right to vote. The advocates for the Biden-Harris administration say there were not incentives for illegal immigrants to come here. Hypothetically, let me ask you this. Illegal immigrants are counted in the Census, correct?

Mr. REICHLIN-MELNICK. That's correct.

Mr. KNOTT. So if California loses 1 million American citizens, 1 million taxpayers, because of the overregulation, the high cost of living, whatever it may be, and 1 million illegal immigrants are sent to California, they don't lose one electoral vote. Isn't that correct? It is basic math. Isn't that correct?

Mr. REICHLIN-MELNICK. It depends on the other populations, actually. Because if other States grow higher, the formula is actually quite complicated.

Mr. KNOTT. They are not penalized by driving 1 million American taxpayers out of their State. Isn't that correct? If they have refilled those seats with 1 million illegal immigrants.

Mr. REICHLIN-MELNICK. It depends on population growth and changes elsewhere. The formula is quite complicated. A State can maintain a stable population and still gain or lose representatives.

Mr. KNOTT. But they are able to maintain their electoral clout as if no one had left their State. Correct?

Mr. REICHLIN-MELNICK. Again, this is a complicated formula. It depends on other States and the overall population growth. Maintaining a stable level of population does not necessarily lead to the same level of representatives.

Mr. KNOTT. Well, gaining 1 million illegal immigrants at minimum, at minimum, maintains electoral clout, correct?

Mr. REICHLIN-MELNICK. It would maintain population, certainly.

Mr. KNOTT. Yes. That's counted in the electoral college?

Mr. REICHLIN-MELNICK. Yes.

Mr. KNOTT. That's counted in the House of Representatives representation, correct?

Mr. REICHLIN-MELNICK. Yes. Well, of course, no, Texas and Florida are the second- and third-highest level of undocumented immigrants in the country. You are assuming—

Mr. KNOTT. That is not the question, but I appreciate the point. Illegal immigrants are afforded representation at the expense of citizens in States wherever they are.

Mr. REICHLIN-MELNICK. I would not say at the expense.

Mr. KNOTT. You don't have to. Again, you are advocating for Biden and Harris.

Mr. REICHLIN-MELNICK. We come from a Government that every person in this country we're representing.

Mr. KNOTT. It's my time, sir. You are advocating for Biden and Harris' immigration record, which, again, I think is a gross over-complementary position.

Ms. Ries.

Mr. GUEST. Mr. Knott, I am sorry but your time has expired.

Mr. KNOTT. We will talk soon. Thank you, ma'am.

Mr. GUEST. At this point, the Chair would recognize the gentlelady from Texas, Ms. Johnson, for 5 minutes.

Ms. JOHNSON. Thank you so much, Mr. Chairman. It is an honor to be on this subcommittee with everyone here.

Being in Texas, I have a front-line view of our border situation and we can all agree it is a mess. Our agents are significantly under-resourced and our agencies are woefully underfunded. But we would all be fooling ourselves if we said this was all on the Biden administration. Our immigration failures has been multi-administration-long over decades. George Bush tried to first solve this. Obama tried to solve this. Multiple Presidents have tried to solve this. But it has been routinely stopped in the Congress.

Republicans like to brag about border security. We are pumping our chest today trying to attack the Biden administration. But where was everybody last Congress when there was a bill on the table to fix it? There was a bipartisan bill worked on by Members of both parties to have an agreement to put much-needed emphasis on solving our border crisis, to give much-needed resources to the border.

One of the problems is that it takes people like 5 years to get an appointment, just an appointment to determine if they are here.

This is a crisis that needs to be fixed. But President Trump didn't want this border security bill under the Biden administration because he didn't want Biden to have a win. He was willing to compromise the on-going safety and security of our border for politics to have a campaign issue. Republicans in this Congress silently complied, despite work and months and months of work to come up with a comprehensive agreed-to bill. That just doesn't happen in this building when people can come to it on both sides and agree.

The reality of it is President Biden had an aggressive asylum reduction program that worked. Right, Mr. Reichlin-Melnick? It worked. Significant people, a drop—there was a significant decrease in people coming to our border by the end of the Biden administration. Isn't that true?

Mr. REICHLIN-MELNICK. Yes. Border apprehensions dropped 80 percent from December 2023 to January 2025.

Ms. JOHNSON. So here we are. If we are talking about people coming to the border, it worked under President Biden's leadership. What didn't work was passing a bill under Republican leadership in this building because they kowtowed to President Trump who wanted a campaign issue.

Now what we have is we are not going after violent criminals. We are going after kids with cancer. We are going after people who want to come here and build houses. We are not pursuing criminals. We are not pursuing drug dealers. We are pursuing chefs and cooks and people who want to pave our roads and work as floor nurses in our country. We are rounding up people who are here contributing to our economy, paying taxes, so that we can have some photo op in Guantanamo of nonviolent criminals.

One of the things that you said earlier that was really struck me in your comments, sir, was how we are diverting our various agency personnel from drug enforcement, from terrorist investigation, making our communities less safe to round up illegally people who are just here working, taking care of their families. Isn't that right?

Mr. REICHLIN-MELNICK. That's right.

Ms. JOHNSON. I am very worried about that. I mean, if this—and then also where are the outrées, if we are talking about security of this country, where are the outrées of the outrageous, irresponsible recklessness of the Secretary of Defense of putting national security secrets on a damn Signal chat? Where is that outcry? I mean, there should be, regardless of party uniform outrage, demanding that these folks on this Signal chat come and testify to Congress so that we can uncover the gross violations of our national security that was engaged in the Trump administration. But again, crickets.

I yield back.

Mr. GUEST. The gentlelady yields.

We will now go into a second round of questioning. We will then allow Mr. Knott to start us off.

Mr. Knott, you have 5 minutes for the next round of questioning.

Mr. KNOTT. Thank you, Mr. Guest.

Just to follow up with where we left off, again, I think that any summary or analysis of the Biden administration's immigration performance, other than it was an abysmal failure for the country, is far too rosy and candidly far too partisan. I say that with re-

spect. I understand that we can disagree. But when you look at the overall toll and the cost that it made most Americans feel and pay, anything other than an outright failure is far too rosy of a picture.

Again, I'm familiar with your organization, Mr. Melnick. It does not seem to be very bipartisan. It seems to be very, very open-ended in terms of just there is no number that would be too high, there is no cost that would be too high for the American people to take.

Again, I will go back to Ms. Ries. In regards to what we were discussing earlier, Mr. Melnick, you made some very compelling points insofar as it was an unsustainable influx for the country. Whether it is health care, whether it was law enforcement, whether it was educational quality, whether it was just basic infrastructure, can you please flesh out very concisely how illegal immigration, especially over the last 4 years, has been an unsustainable burden on the country?

Ms. RIES. Well, starting tens of billions of dollars went out the door to NGO's to build a very secretive infrastructure to bring in millions of people. So we have that sunk cost. Then we have overwhelmed communities, overcrowded schools, emergency rooms, jails, law enforcement, lack of housing, et cetera. The communities have spent hundreds of millions of dollars, in some cases billions of dollars. The New York City mayor testified the billions of dollars New York City has spent on the back end to provide these services to illegal aliens. That doesn't even account for the deaths, the violence, et cetera, which is incalculable.

Mr. KNOTT. Yes. In regards to the incentives that we were talking about, there was no acknowledgment that there were incentives for illegal immigrants to come here illegally. I am curious as to your opinion. The way I see it, there was innumerable incentives for people to come here illegally, as evidenced by the fact that they did to the tune of 10-plus million crossings. What incentives were you familiar with?

Ms. RIES. The open border, the fact that they were released into the country, the fact that they could work here, continue to send money home, bring family here, have children here, et cetera.

Mr. KNOTT. Yep. Mr. Anfinsen, if I could get your take. You are familiar, obviously, with Border Patrol and the morale. Isn't it true, sir, that whether it was prosecutions of illegal reentries or the policies that came from the top at Border Patrol, the ability to enforce the border was compromised intentionally over the last 4 years?

Mr. ANFINSEN. It was very difficult to seek prosecution. There were very specific and high criteria, a very high bar to get prosecutions, certainly compared to previous years.

Mr. KNOTT. There was a lot of kerfuffle that was mentioned earlier that we can't fight terrorists, we cannot fight drug traffickers based off of the policies that the Trump administration is putting into place. Again, I find that grossly offensive. Can you fight terrorists? Can you fight drug traffickers with the open-border policies that we saw over the last 4 years?

Mr. ANFINSEN. You can't do anything with open-borders policies but let people in.

Mr. KNOTT. Except welcome them in. So, again, this narrative that we cannot fight criminals with tough immigration enforcement, I find to be fundamentally contrary to reality.

In regards to the border bill that they said that President Trump torpedoed, did you have an opinion about that bill?

Mr. ANFINSEN. As an organization, we were in favor of it to a degree. I call it sort-of like a Stockholm syndrome. At that point we had been used and abused for so long that anything seemed good. But in the long run, it had a sunset clause, it was going to go away and then it wasn't going to change anything in the long run.

Mr. KNOTT. There were obviously portions of that bill that would have codified, in terms of tools that you had, it would have made it more difficult in some respects to enforce the border?

Mr. ANFINSEN. Ultimately, yes, sir.

Mr. KNOTT. Mr. Blair, in regards to your experience, are you familiar with the way that that bill that was referenced by my colleague on the other side of the aisle would have hurt the ability to enforce the border?

Mr. BLAIR. Yes, sir. It would have codified illegal immigration to the sum of a few thousand.

Mr. KNOTT. Yep. It would have, before the border was closed, it would have welcomed roughly 2 million in before it was an automatic closure, correct?

Mr. BLAIR. Yes, sir.

Mr. KNOTT. In regards to the exact language, it legalized, codified catch-and-release, correct?

Mr. BLAIR. Yes, sir, I did.

Mr. KNOTT. I'm again running short on time. Mr. Chairman, I will yield back the balance. Again, I thank the witnesses for their testimony and we appreciate any commentary on how to make immigration work for the American people. Thank you.

Mr. GUEST. Thank you, Mr. Knott. It is amazing how quickly 5 minutes goes by, is it not?

At this time I yield to the gentleman from California, Mr. Correa, for his 5 minutes of questioning.

Mr. CORREA. Thank you very much.

Mr. Melnick, I want a quick questions-and-answers. Have U.S. citizens illegal permanent residents been caught up in President's Trump immigration raids?

Mr. REICHLIN-MELNICK. Yes.

Mr. CORREA. Have veterans who have served honorably and have been discharged honorably, have they been affected? Have they been deported?

Mr. REICHLIN-MELNICK. A veteran in Newark was arrested. But, of course, veterans have been deported for years. In fact, we've long called on Congress to provide better—

Mr. CORREA. Has due process been afforded to individuals detained?

Mr. REICHLIN-MELNICK. We have serious concerns about the process that's going on, including multiple allegations of violations of settlements and violations of detention standards.

Mr. CORREA. Mr. Chairman, I got to tell you, great issues here.

Ms. Ries, I heard you talk about Census, redistricting, a little bit about my political history. I started out trying to represent an area

whose registered voters, U.S. citizen voter registration participation was very low. Heavily immigrant community never wanted to vote. It is called voter suppression. They would get letters saying anybody who is not eligible legally registered to vote, you are subject to a felony. When you get a letter like that at home, guess what people do? They say, hell no, I am not voting. I don't care if I am registered, I am legally registered or I am not going to vote because I'm going to stay away from that process.

In the last Census, President Trump put out an edict: do not count them people. Who are those people? All the above. California lost 1 seat, Congressional seat. Texas should have gained 3 seats. But in Texas, unlike California, they didn't encourage people to be signed up to be counted. Citizens, noncitizens, legal, and undocumented. There are a lot of issues here. Love to sit down and talk to you.

Mr. Melnick, what is the value of nearshoring? We are talking about bringing back manufacturing from China to the USA. Southern California today is the manufacturing center of the United States. Guess who those employees are that are working making widgets.

Mr. REICHLIN-MELNICK. I think immigrant workers tend to have a very—

Mr. CORREA. A very with and without documents because they have those employers saying, Lou, help me, my workers need to be legalized. They are not. So what is the value of nearshore? We talk about the costs, but not the benefits. National defense. What is the value of national defense?

Mr. REICHLIN-MELNICK. This is one of the reasons that we think that a path to legal status can help push back against the unscrupulous employers that are exploiting people. This country needs workers helping them to work legally.

Mr. CORREA. Talk about an incentive to come to the United States. Let's talk about incentive to come to the United States. My trip to Guatemala, they were telling me, Guatemala officials, that it cost \$20,000 to make the trip from Guatemala to the border. You get 2 shots at crossing the border. After that you're done. Eighty percent of the women who undertake that trip north are raped or sexually abused. Mr. Anfinsen, you know that as well. What is the incentive for these people? A welfare check? You are going to get raped so I can get a welfare check? It is going to cost me \$20,000 cash? What is the incentive?

Mr. REICHLIN-MELNICK. It's the American Dream.

Mr. CORREA. Hunger, something for my children in the future, and my kids are being recruited to go into gangs. This is the bigger issue here we have to address. It is not Biden, it is not Trump. It is public policy.

You know, General Kelly, General Kelly, former Homeland Security chairman, would say border security does not begin or end at the border. It is all of the above. Love to work with all of you in big public policy. Immigration to this country, a lot lately, record number lately. When was the last time we had such record numbers? Early 1900's? Yes?

Mr. REICHLIN-MELNICK. Yes, and 1990's.

Mr. CORREA. In the 1900's, what was their policy? You walked in through Ellis island and what was the policy? Deport you or?

Mr. REICHLIN-MELNICK. You just had to show up at the U.S. border. As long as you could show that you didn't have a disease or any serious enfeeblement was the laws, they would let you in.

Mr. CORREA. Nineteen-nineties. Today, what is the policy?

Mr. REICHLIN-MELNICK. We've got a significantly more restrictive policy. In fact, we haven't updated our immigration laws since November 1990. It's been 35 years.

Mr. CORREA. What I am trying to say, ladies and gentlemen, this is a multi-challenging issue. Immigration, border security, U.S. economic policy, foreign public policy, trade public policy, all symptoms of the same issue, which is American security.

Thank you, Mr. Chairman. Love to continue the discussion, but I think I am out of time. I yield.

Mr. GUEST. Thank you. At this time, I recognize myself.

Mr. Melnick, in your opening written statement, you say that over 18 percent of individuals held in ICE detention who were arrested by the Interior, by ICE, had no criminal record. So putting that into perspective, 82 percent of those individuals arrested by ICE were at least charged, if not convicted, with crimes. Is that correct?

Mr. REICHLIN-MELNICK. That's correct. We know from ICE data the majority of those are immigration offenses and low-level offenses. In fact, only 12 percent of people currently held in ICE detention are categorized as the most serious offenders.

Mr. GUEST. Then in previous questions, I asked you a little bit about final orders of removal. I think you said, and I am not trying to misstate, so if I get this wrong, please feel free to correct me, that you believe that roughly 20 percent of the final orders of removals should not be enforced because the individuals claiming asylum, they failed to appear at their court proceedings. Is that accurate?

Mr. REICHLIN-MELNICK. No, I didn't say they should not be enforced. I wanted to emphasize each individual case has to be assessed individually. Some people have a final order due to no fault of their own. The Government didn't send the notice to appear to the right address, for example. So that's why each case has to be looked at individually. I don't want to do a categorical statement every person with a final order should be removed because some of them were removed in error or ordered removed in error. They have a right to go back to the court and say, I'd like you to fix this, there was a mistake done.

Mr. GUEST. So it seems to me, and maybe I am mistaken, that you would like to establish what is known in the legal law, and as you know, as a bright line test. Are you trying to say that the bright line test of this administration should be that no individual who has not been charged with a crime should be removed from the country?

Mr. REICHLIN-MELNICK. No. But in a world of limited resources, where we have nearly 4 million people in immigration court, it is important to focus on those with the most serious offenses first, not just take a scattershot approach to everybody.

Mr. GUEST. All right. To the Trump administration's credit, over 8 out of every 10 of the individuals that they have apprehended have been charged with some crime. Now, we can argue whether or not we think that crime is serious enough that they should be apprehended or not, but over 80 percent have been charged with crime. So there is not this round-up where we are out there seeking to bring in large numbers of people that have not been charged with crimes. You have not seen that, have you?

Mr. REICHLIN-MELNICK. We have seen a significant increase of arrested people with no criminal convictions.

Mr. GUEST. We have also seen a significant increase of those arrested that have criminal convictions.

Mr. REICHLIN-MELNICK. Yes. Overall and immigration was changing.

Mr. GUEST. Overall numbers have grown over 600 percent from the same numbers a year ago. So if your numbers are growing by 600 percent, you are going to see a larger increase of those with criminal convictions than those without. But then when you look at the overall percentages, we are still talking that 82 percent of the individuals arrested by ICE that they are seeking to deport have some sort of criminal convictions. Then you throw into addition to that those that we talked about earlier with final orders of removal.

So I think it is unfair for you to characterize the fact that this administration is out going, seeking to just round up anyone that they can find on the street, because that is not supported by the documents, is not supported by the numerical information that you have provided.

Mr. REICHLIN-MELNICK. I think the ratio has changed. When President Trump took office, about 6 percent of people in ICE detention arrested by ICE had no criminal record. So it's 18 percent now. It's tripled. So certainly arrests overall are going up, but the portion of those arrests that are people with no criminal record is rising faster than the portion of the arrest of those people with a criminal record.

Mr. GUEST. Thank you.

To close on a high note, Mr. Anfinsen, I want to ask you if you would do myself and Representative Correa a favor. When you return back to the men and women that you serve with, please tell them that we thank them for their service. We thank them for their sacrifice. I pledge to you that myself and Ranking Member Correa, that we will do everything within our authority to make sure that the men and women who serve our country have the resources that they need, that you have the number of agents that you need to perform your duties, and also that you have the pay that you need so that those individuals can support their families and that those individuals can be compensated for the work that they do.

So with that, I would like to thank all of our witnesses for being here today. We had a distinguished panel. I believe that while we had a very robust discussion at times, I believe that it was an important discussion. Again, we appreciate you giving of your time to enlighten us and other Members of this committee on the important decisions that we have facing us.

With that, the hearing will be adjourned. Thank you.
[Whereupon, at 11:53 a.m., the subcommittee was adjourned.]

