



U.S. Immigration and Customs Enforcement

STATEMENT

OF

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REGARDING

“Unprecedented Migration at the U.S. Southern Border: The Year in Review”

BEFORE THE

U.S. SENATE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL
AFFAIRS

Wednesday, November 13, 2019
9:30 A.M.

342 Dirksen Senate Office Building

INTRODUCTION

Chairman Johnson, Ranking Member Peters, and distinguished members of the Committee.

Thank you for the opportunity to appear before you today to review U.S. Immigration and Customs Enforcement's (ICE) efforts in Fiscal Year (FY) 2019, including the unprecedented crisis we saw on the Southwest Border that stressed our immigration system to its breaking point and the Administration's actions to address it.

ICE's critical mission is to protect America from the cross-border crime and illegal immigration that threaten national security and public safety. As you are aware, ICE has two robust operational directorates responsible for enforcing immigration laws.

As the largest investigative agency within the U.S. Department of Homeland Security (DHS), ICE Homeland Security Investigations (HSI) investigates and enforces more than 400 federal criminal statutes, including those contained in the *Immigration and Nationality Act* (INA) under Title 8 of the United States Code, U.S. customs laws under Title 19 of the United States Code, and general federal crimes under Title 18 of the United States Code, among others. HSI Special Agents use this unique and broad statutory authority to investigate all types of cross-border criminal activity and work in close coordination with U.S. Customs and Border Protection (CBP) and our state, local, tribal, federal, and international partners in a unified effort to target transnational criminal organizations (TCOs).

ICE Enforcement and Removal Operations (ERO) contributes to ICE's critical mission by identifying, arresting, and detaining when necessary, and removing aliens with final orders of removal who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise undermine the integrity of U.S. immigration system and border control efforts. ERO enforces the nation's immigration laws in a fair and effective manner, managing aliens detained in its custody or enrolled in an alternative to detention program and removing individuals from the United States who have received a final order of removal.

FY2019 Statistics

While ICE ERO's targeted immigration enforcement operations focus on the interior of the country, changes in migration flows at the Southwest Border directly impact nearly every area of the agency's operations, including interior enforcement resources and detention capacity. This sustained increase in irregular migration has stretched resources thin across the U.S. Government. The Administration was faced this year with responding to the humanitarian crisis at the Southern Border at the expense of other vital law enforcement missions. HSI sent 400 personnel to the border to assist. Agents who would otherwise be investigating Transnational Criminal Organizations (TCOs) and their crimes of opioids, human trafficking, and child exploitation, leveraged their expertise to combat the efforts of the TCOs to exploit the crisis creating fraudulent families, fraudulent juveniles, and the exploitive recycling of children being used as a passport into this country via immigration loopholes. Without legislative help from Congress, these loopholes still exist and still act as pull-factors inciting aliens to abuse our

immigration system. And while to the average American, the crisis appears to be over without media coverage, the reality is that the crisis has just shifted to the interior of our country. An already overburdened immigration system now must deal with the large influx of aliens and their immigration court proceedings for the next several years. The ICE ERO docket is now over 3 million managed by a workforce that is short thousands of deportation officers and hundreds of attorneys. This further has the impact of requiring ICE ERO to re-direct interior enforcement and detention resources to support CBP and impacting both the number of ICE ERO's interior arrests and the criminality of its detained population.

As a result of the activity at the border, much of ICE ERO's limited detention capacity has been dedicated to housing aliens arrested by CBP at the border, many of whom are subject to mandatory detention under U.S. immigration laws, and ICE ERO's arrests of aliens in the interior have decreased. During the last year, ICE ERO saw an almost 15 percent decrease in interior immigration arrests, to include a decrease in the number of criminal aliens arrested, which can be directly attributed to the reallocation of resources to combat the surge at the border. This clearly illustrates the public safety challenges created by the border security crisis, about which ICE has repeatedly warned Congress. However, despite an operational environment of extremely limited resources, ICE ERO has continued to focus on its public safety mission. In FY 2019, as of September 21, 2019, ICE ERO officers arrested 139,189 aliens, of which 89,118 (64 percent), were convicted criminals, and another 30,633 (22 percent) had pending criminal charges at the time of arrest, demonstrating the agency's continued focus on public safety.

In FY 2019, ICE ERO experienced an increase in overall book-ins as well as book-ins resulting from CBP activity at the border. ICE ERO's Average Daily Population (ADP) reached approximately 50,000 in FY 2019, an increase of 17 percent compared to the previous fiscal year. Like ICE ERO's initial book-ins, the increase in overall ADP was primarily driven by CBP activity at the border; during this time period, approximately 74 percent of all initial book-ins to ICE custody resulted from CBP apprehensions¹, while overall apprehensions increased approximately 24 percent compared to FY 2018 and 52 percent compared to FY 2017.

In furtherance of our public safety mission, ERO responded to over 1.6 million inquiries from federal, state, and local law enforcement agencies regarding aliens' immigration status through ICE's Law Enforcement Support Center (LESC). Additionally, ERO conducted 853 foreign Fugitive Alien Removals (FAR) arrests – removable aliens wanted for or convicted of crimes committed abroad and residing within the United States.

In FY 2019, HSI Special Agents arrested over 46,000 individuals, making over 36,000 criminal arrests and over 10,000 administrative arrests. HSI made over 4,000 arrests of gang leaders, members, and associates, including over 400 arrests of Mara Salvatrucha (MS-13) members. Our special agents and investigators have helped take more than 750 firearms off the streets through these criminal investigations over the past year and we hope to build on that success going forward. We will continue to target transnational criminal gangs like MS-13 and results from across the country show that these policies are working and helping make communities safer for our kids, who are frequently targeted for initiation.

¹CBP enforcement efforts represent records that were processed by Border Patrol, Inspections, Inspections-Air, Inspections-Land, and Inspections-Sea.

HSI continued to be at the forefront in the fight against the opioid epidemic and prioritized the investigation, disruption, and dismantlement of TCOs involved in introducing fentanyl, heroin and other dangerous opioids into the United States, which gravely impacts the health of our citizens and the safety of our communities. Due to HSI's inherent nexus to the border, our strategy starts well beyond our borders to prevent dangerous drugs and those engaged in the trafficking and distribution of contraband from reaching our shores. HSI exploits cutting edge technology to investigate and enforce its authorities in the cyber realm and leverage relationships with the financial industry to cut TCOs' access to the regulated financial system while also deploying innovative techniques to limit their access to the burgeoning virtual currency market. Finally, HSI leverages critical partnerships with state, local and federal partners to maximize impact on the operation of TCOs within our communities. In FY 2019, HSI seized over 11,000 pounds of opioids including over 3,600 pounds of fentanyl, while making over 1,900 fentanyl related arrests, which was an increase of nearly 175 percent from FY 2018.

In FY 2019, HSI continued to protect our citizens from crimes of exploitation by arresting over 3,600 child predators and over 1,800 human traffickers, while identifying and assisting more than 1,400 victims of these heinous crimes. These efforts pay immediate dividends when considering the long-term, lasting damage these criminals can inflict upon their young victims. HSI prioritizes the identification and rescue of child victims of sexual exploitation, working to disrupt and dismantle the TCOs responsible for the sexual exploitation of children through cyber-crime and child sex tourism. Knowing that criminal activities involving the sexual exploitation of children routinely cross our physical and virtual borders, HSI continues efforts to increase global collaboration in these investigations.

HSI International Operations

HSI International Operations furthers domestic security through our 78 international offices in 52 countries around the world where we partner with our foreign national and regional police partners to target TCOs and contraband as far away from U.S. borders as we can. HSI utilizes its Visa Security Program (VSP) to assign special agents to diplomatic posts worldwide to conduct law enforcement visa security activities and provide training to State Department officers. HSI has VSP operations in 38 visa-issuing locations in 28 countries around the world. In FY 2019, HSI's VSP screened 2,377,314 non-immigrant visas. Of these, 87,948 were vetted due to the discovery of derogatory information which resulted in the recommended refusal of 11,974 visa applicants, 4,630 of which had a nexus to terrorism. A total of 8,367 interviews of visa applicants were conducted resulting in 1,081 instances when domestic coordination and/or collateral requests were sent. These activities resulted in the creation of 1,011 Terrorist Screening Database Watchlist nominations.

HSI utilizes its Transnational Criminal Investigative Units (TCIU), which are vetted and trained foreign law enforcement officials working closely with HSI to investigate and prosecute individuals involved in transnational criminal activity. TCIUs are multi-discipline units comprised of foreign law enforcement and prosecutors, customs, immigration, and intelligence officials who are vetted to ensure that shared information and operational activities are not compromised. TCIUs provide operational support to HSI personnel stationed overseas who do not possess law enforcement authorities abroad. HSI works with the TCIUs to conduct foreign

operations and investigations overseas in compliance with host country laws, agreements, treaties, and U.S. mission policies. There are 13 countries with operational TCIUs around the world. In FY 2019, the HSI TCIU program accounted for 1,649 criminal arrests and seized \$24,811,253 in currency, 126,167 pounds of cocaine, 27 pounds of heroin, 29,335 pounds of marijuana, 450 pounds of methamphetamine, 133 weapons, 103,168 rounds of ammunition, 10 aircrafts, 60 vehicles, 3 vessels, \$85,533,858 in counterfeit goods, \$12,260,561 in general merchandise, and \$3,300,000 in real estate.

Through the Biometric Identification Transnational Migration Alert Program (BITMAP), HSI extends the U.S. border by targeting high risk subjects who may be attempting to enter the United States utilizing illicit pathways. BITMAP is managed by HSI in collaboration with the Department of Defense (DOD), the U.S. Department of State, and CBP. Through BITMAP, HSI trains and equips foreign counterparts to tactically collect biometric and biographic data on special interest aliens, gang members and other persons of interest as identified by the host country. When appropriate, HSI shares match information on persons of interest back to foreign counterparts. Foreign partners share this data with HSI, which populates and enhances U.S. government databases. In FY 2019, BITMAP enrolled 67,787 encounters of persons of interest, including 37 biometric enrollments of Known or Suspected Terrorists (KST) and 75 enrollments resulting in a biometric enhancement to a KST record. BITMAP has matched nearly 174 persons to the DOD Biometrically Enabled Watchlist (BEWL) and added 239 new identities to the BEWL. Since its inception in FY 2011, BITMAP has enrolled over 162,000 encounters of persons of interest, including over 494 enrollments of KSTs. BITMAP has matched to over 580 persons to the DOD BEWL and added 1,967 new identities to the BEWL.

Southwest Border Crisis Demographics

The current migration patterns through the Southwest Border have overwhelmed our immigration system this year and are not only characterized by a significant increase in the number of aliens crossing into the United States, but also reflect a major shift in demographics. In the past, the vast majority of those crossing illegally, or arriving without proper documentation, were single male adults from Mexico who could be easily detained or quickly removed. Beginning with the initial surge in FY 2014, there has been a significant increase both family units and unaccompanied alien children (UAC) crossing the Southwest Border, a trend which continues despite the Administration's focused enforcement efforts. These UAC and family units are not able to be easily detained or quickly removed from the United States. Currently, over 60 percent of those seeking to cross the border are family units and UAC, most of them from Guatemala, Honduras, and El Salvador.

In FY 2019, approximately 80,000 UAC and 527,000 members of family units were apprehended at or near the Southwest Border, a staggering increase from FY 2018 when approximately 59,000 UAC and 161,000 members of family units were apprehended at or near the Southwest Border.

Family Fraud Initiative

Human smugglers are currently capitalizing on the trend of fraudulent families crossing the border to enter the United States. The cartels and human smugglers are well versed in our inability to detain family units for the length of time necessary for their cases to be complete, in large part due to the *Flores* Settlement Agreement (FSA) and judicial decisions that

interpret it. This enabled certain aliens, by falsely claiming to be a legal family unit or UAC, to gain entry into the United States, avoid immigration custody, and then never appear for their immigration proceedings. Family units are often released with little or no consequences for their illegal entry.

In response to this crisis, ICE dedicated over 400 HSI personnel to assist in combating this issue. HSI deployed teams of special agents, intelligence analysts, forensic interview specialists, and document fraud examiners to the Southwest Border. These teams interviewed groups suspected of fraudulently claiming familial relationships, specifically a parent-child relationship, in order to facilitate human smuggling activity. As a result, between mid-April and October 31, 2019, HSI identified 653 fraudulent family units, 1,025 fraudulent documents, and presented 1,168 individuals for criminal prosecution, with 1,024 being accepted for prosecution. In a particularly egregious incident investigated by HSI, an adult Guatemalan male presented at the border with a 16 year old minor female who he fraudulently claimed to be his child. Upon being released from custody he took the minor female to the southeastern United States where he raped and beat her on a regular basis until she was rescued. In addition to the fraudulent family incidents, HSI has also been identifying adults who are fraudulently presenting themselves as minors. As of October 31, 2019, HSI has identified 170 adults fraudulently claiming to be minors, of which 143 of those individuals were accepted for prosecution. I would like to take a few moments to discuss two current HSI national operations created to address the fraudulent family issue.

Operation Double Helix: Rapid DNA Testing

From May 6 to 10, 2019, HSI initiated a rapid DNA pilot called *Operation Double Helix* in El Paso and in McAllen, Texas. Both sites were selected for this initiative because they were considered the sectors with the highest family unit apprehensions along the Southwest Border.

Selection of family units for Rapid DNA testing was based on factors such as key observations obtained during interviewing, intelligence gathering, documentary evidence, and any investigative information developed during immigration processing. No DNA information from these tests was stored as these were only presumptive tests to validate a claimed familial relationship. During this operation, written consent was documented for DNA collection and testing, and each alleged parent was served with a privacy notice clarifying that testing was voluntary. HSI coordinated with the DHS Office for Civil Rights and Civil Liberties (CRCL) prior to the pilot to ensure appropriate CRCL protections and concerns were mitigated prior to the operation.

HSI Special Agents sought to gather intelligence and evidence to initiate robust investigations to identify the TCOs perpetuating the exploitation of these children, the production of fraudulent identity documents, and other criminal activity associated with human smuggling efforts. The goal of this operation was to remove children from these dangerous and potentially exploitative situations.

During this initial pilot, a total of 84 family units were DNA tested after providing consent and 16 family units were found to be fraudulent during the testing. About half of the confirmed fraudulent family units were identified prior to DNA testing when the adult alien

recanted their claim of a familial relationship when asked to consent to a DNA test. The teams were also advised by U.S. Border Patrol agents that other subjects within the processing facilities not selected for testing voluntarily came forward and admitted they were part of a fraudulent family, as they learned that DNA testing was being conducted.

Based on the success of this operation, a second pilot of DNA testing—Operation Double Helix 2.0—began on July 15, 2019 utilizing funds provided for in the DHS supplemental funding package. ICE received \$5.5 million in the supplemental for this effort, allowing for over 10,000 DNA tests at seven locations along the Southwest Border. In September 2019, the pilot expanded to three additional locations bringing the total number of testing locations to 10. As of October 31, 2019, Operation Double Helix 2.0 has resulted in 1,613 family units being tested with 207 family units (13 percent) testing negative for a familial relationship. Based on those results, 298 individuals have been presented for prosecution and 168 have been accepted. As a result of the deployments of personnel to the Southwest Border to conduct interviews, detect fraudulent documents and conduct Rapid DNA testing, HSI has seen a dramatic decrease in the number of fraudulent family incidents over the past few months, indicating our efforts have impacted the use of family fraud to circumvent our nation's immigration laws at the border.

Operation Noble Guardian

In early May 2019, HSI's Human Smuggling Unit (HSU), in coordination with the CBP National Targeting Center's (NTC) Counter Network Division, initiated *Operation Noble Guardian*. As previously mentioned, some aliens are exploiting our immigration laws, fraudulently claiming to be family units, avoiding detention and/or prosecution, and are subsequently released after being processed in an expedited fashion.

The NTC assisted HSI in identifying adult aliens and accompanying alien children that entered the United States as alleged family units, where the children subsequently departed the United States via commercial airlines to Northern Triangle countries. As of October 31, 2019, 466 migrant children who were processed as part of a family unit have since departed the United States. HSI is currently investigating these incidents to determine if these children are being used and recycled by adult aliens for the purpose of defrauding the United States.

As of October 31, 2019, HSI has developed 541 investigative referrals that resulted in dozens of HSI interviews and other investigative activities, both domestically and internationally with assistance being provided in Guatemala by HSI's Transnational Criminal Investigative Unit (TCIU). These efforts have resulted in the development of two significant investigations based out of HSI Tampa and HSI Miami. Both investigations are being supported by the U.S. Attorney's Offices for the Middle (Tampa) and Southern (Miami) Districts of Florida.

A second line of effort under *Operation Noble Guardian* is to identify and locate these adults after the children have departed the United States. Many of these adults involved in fraudulent family units since their entry into the United States have been identified as absconders from ICE ERO and are now being targeted for arrest and removal from the United States. As of November 1st, ICE has arrested 232 individuals targeted for their involvement in these activities.

Unfortunately, despite our collaborative efforts with CBP, the Southwest Border crisis

doesn't start and stop at the border, it extends into the interior of the United States. If Congress fails to act and make the targeted changes to our immigration laws aliens will continue to exploit the gaps in our legal framework that incentivize families and children to take this dangerous journey, and our immigration system will continue to lack the integrity necessary to eliminate the pull factors these loopholes have created.

Administration Efforts (Flores)

In an effort to address the border security and humanitarian crisis this year, the Administration has taken numerous steps to act where Congress has failed. Currently, two of ICE's greatest challenges are limited funding for adult detention, and the inability to detain family units for the length of time necessary for their cases to be adjudicated, in large part due to the FSA and judicial decisions that interpret it.

Pursuant to the orders interpreting the FSA, DHS generally is precluded from detaining family units beyond approximately 20 days. Due to such challenges, since December 21, 2018, ICE has released over 230,000 members of family units² into the United States with instructions to report to a local ERO field office and immigration court.

Due to limitations on DHS's ability to detain family units during removal proceedings, EOIR created an Expedited Docket in 10 cities across the country. This allows those with meritorious asylum claims to have them heard in an accelerated fashion, thereby receiving legal status much more quickly. At the same time, it allows for the issuance of removal orders—and ultimately removal—for those with asylum claims that do not meet the legal threshold. From the beginning of September 2018 through September 2019, EOIR has issued 22,096 orders of removal to aliens on that docket, including those who failed to appear for even their first court hearing. Specifically, 18,166 of these orders—82.2 percent—were issued *in absentia* after the aliens failed to appear. So far, approximately one out of every three new cases filed on these dockets has resulted in an *in absentia* order of removal because the alien failed to appear. Between the continuing influx of family units, the growing immigration court backlog of almost one million cases, and the fact that there are often no consequences for those who fail to depart as ordered, very few members of family units are removed; the push and pull factors that incentivize families to make the dangerous journey to this country must be addressed. To put it into perspective: of the family units from Central America who were apprehended at the Southwest Border in FY 2017, more than 98 percent remain at liberty in the country today.

Sanctuary Jurisdictions

ICE ERO is committed to using its unique enforcement authorities to promote national security, uphold public safety, and preserve the integrity of our immigration system, and works closely with its federal, state and local law enforcement partners in pursuit of this mission. Unfortunately, when a local jurisdiction refuses to collaborate with ICE or obstructs the agency's lawful enforcement activities, it places at risk both public and officer safety, results in the inefficient use of limited resources, and forces ICE to arrest criminal

² Family Unit Release data is current as of October 31, 2019.

aliens at-large in the communities, instead of the secure jail environment.

Every day, ICE places detainers on individuals who the agency has probable cause to believe are aliens removable from the United States and who are currently in federal, state, or local law enforcement's custody after being arrested for a criminal offense. In FY 2019, ICE issued more than 160,000 detainers nationwide. An immigration detainer is a notice to federal, state, or local law enforcement agency that ICE intends to assume custody of an individual upon their release from that agency's custody. ICE uses the detainer form to advise our law enforcement partners that the agency has established probable cause to believe that an individual who has already been arrested and placed in that agency's custody is an alien who is removable from the United States under our immigration laws. The detainer requests that the law enforcement agency notify ICE as early as practicable – at least within 48 hours, if possible – before the subject of the detainer is released from criminal custody and that the state or local law enforcement agency maintain custody of the alien for a period not to exceed 48 hours beyond the time he or she would otherwise have been released from criminal custody. These requests, which ICE serves along with administrative arrest warrants to the detaining agency, are intended to allow a reasonable amount of time for ICE to respond and take the alien into federal immigration custody in a safe and secure environment.

A number of aliens who have been released under these circumstances have gone on to commit additional crimes, including violent felonies, which could have been prevented if ICE had been able to assume custody of these aliens and remove them from the country in accordance with federal immigration laws. In Boulder County, Colorado, ICE officers recently found and arrested a 56-year-old illegal alien who had been released from local custody twice after ICE detainers were ignored. The alien was arrested on local charges in March 2017 and released, was subsequently arrested for felony sexual assault on a child in November 2017 and again released, was convicted of sexual assault in July 2019, and remained at-large until ICE apprehended him in August 2019. Earlier this year, in Mecklenburg County, North Carolina, an illegal alien was arrested for a DUI and was released after ICE's detainer was ignored. In June 2019, the same alien was arrested again – this time for assault by strangulation, assault with a deadly weapon, and another DUI. Despite the severity of these charges, Mecklenburg County again ignored ICE's detainer, and again released him from custody. These are just two of many cases where ICE could have used its unique authorities to remove these aliens from the community and make the public safer but was unable to do so because local jurisdictions did not cooperate with enforcement efforts.

To assist with these critical enforcement efforts, DHS and ICE ultimately need legislation clarifying the legal authority for the decades-old practice of lodging immigration detainers and providing appropriate indemnification for our state and local partners who face litigation simply for working with ICE to protect communities from dangerous criminal aliens.

ICE will continue to look for ways to partner with state and local law enforcement agencies to help ensure public safety nationwide through the 287(g) Program, which has grown from 23 operational partnerships in FY 17 to 76 operational partnerships in FY 19. Additionally, ICE has also developed the Warrant Service Officer Program to provide an opportunity for jurisdictions that seek to cooperate with ICE but who are precluded from honoring ICE detainers as a matter of local policy or state law, and will continue collaborating with these partners to help

ensure that aliens who pose a threat to our communities are not released onto the streets to reoffend.

OPLA Needs

Additional FY 2020 resources are also needed to ensure that ICE's Office of the Principal Legal Advisor (OPLA) can carry out its statutory responsibility to prosecute administrative immigration cases before the Department of Justice's (DOJ) Executive Officer for Immigration Review (EOIR).³ The number of pending cases on the immigration court dockets nears 1 million, with an OPLA attorney responsible for prosecuting each case. In FY 2019, OPLA attorneys obtained over 188,000 orders of removal for a ratio of about 170 cases per OPLA line attorney, representing an increase from the FY 2018 ratio of 156 cases per OPLA line attorney. However, OPLA has not received adequate augmentation of resources given the ballooning docket, which increased by 25 percent in FY 2019. Moreover, during recent budget cycles, Congress has increased the number of funded DOJ immigration judges and support positions at an historic rate, leading to a 74 percent increase in the number of immigration judges on the bench in the past five years, thereby leaving behind the agency that actually prosecutes the cases before those very judges. As but one example, EOIR received funding for 30 more immigration judges and corresponding support staff as part of the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (Pub. L. No. 116-26) passed in June, but Congress did not provide OPLA with any additional resources at that time. Adding immigration judges without a commensurate increase in OPLA attorneys will have little to no impact on the continually expanding non-detained docket. The President's FY 2020 budget requests appropriations to hire 128 additional OPLA attorneys and 41 additional support staff. Without the immediate relief that this modest augmentation of ICE attorneys represents, OPLA will not be able to press immigration judges to effectively manage their dockets, appeal erroneous decisions, and protect public safety by challenging dangerous aliens' requests for release from custody and permanent immigration relief, and ICE's enforcement efforts will fall short of the Administration's objectives in appropriately enforcing federal law.^{4 5}

Conclusion

ICE's critical mission is to protect America from the cross-border crime and illegal immigration that threaten national security and public safety. Our workforce is dedicated to eliminating the TCOs responsible for the manufacture, distribution and sale of illegal and deadly drugs and those who undermine the integrity of U.S. immigration laws and border control efforts. We enforce the nation's immigration laws in a fair and effective manner and we are determined to work with our local law enforcement partners to protect our communities.

³ 6 U.S.C. § 252(c).

⁴ In recognition of OPLA's extreme resource need, separate from the appropriations request, the President's Budget also proposes creation of a Border Security and Immigration Enforcement fund to provide additional mandatory funding sources to meet the Administration's border security and immigration enforcement goals, to include 600 additional OPLA attorneys. *See* BUDGET OF THE U.S. GOVERNMENT FOR FISCAL YEAR 2020 51, <https://www.whitehouse.gov/wp-content/uploads/2019/03/budget-fy2020.pdf>.

⁵ In addition to representing DHS in proceedings before EOIR, OPLA is responsible for advising ICE leadership and operational personnel on legal matters and addressing an array of other litigation and legal matters facing the agency, which have seen significant increases in tempo and complexity.

ICE continues to work to balance effective law enforcement with the large number of aliens, including family units, arriving at our borders. The current migration patterns through our Southwest Border have overwhelmed our immigration system this year and the Administration has taken numerous steps to address the border security, public safety, and humanitarian crisis by seeking to eliminate or negate the pull factors that incentivize the exploitation of loopholes in our immigration laws.

Funding people, technology, and equipment are especially prudent investments given today's challenges. We believe no other investment will return more operational value on every dollar than the extraordinary men and women of ICE. Removing illicit narcotics, dismantling gangs, and detaining and removing criminal illegal aliens, along with ICE's ability to counter emerging threats constitutes an operational success that continues to yield important results for the Nation.

Thank you again for the opportunity to appear before you today and for your continued support of ICE and its law enforcement mission. I look forward to your questions.