

Opening Statement – As Prepared
Ranking Member Rob Portman
Homeland Security and Governmental Affairs Committee
Resources and Authorities Needed to Protect and Secure the Homeland
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Thank you, Mr. Chairman and I want to thank you for taking a moment of silence this morning to recognize and pay tribute to our former colleague, Mike Enzi. Mike was the best: the best senator, the best person and our prayers go to his family, to Diane and his kids and the people of Wyoming during this difficult time.

Mr. Secretary, welcome to the Committee. Your appearance before this Committee comes at a critical time because the capabilities of your department have never been needed more. We are facing simultaneous threats as you know, and as we have discussed. Of course, our border is facing the worst migrant crisis that we've had in over two decades. It's obviously true that we need a new approach. What we're doing now is not working. It's the worst crisis in terms of migration, it's the worst crisis in terms of illicit drugs and other contraband coming across the border and we need to hear from you about that today.

Second, our nation is under attack in a cyberwar. We've seen this repeatedly and the Chairman just talked about it, the SolarWinds hack, the Colonial Pipeline ransomware attack, and so many others demonstrate the vulnerability of both our public and private systems and our critical infrastructure. We've got to be better at anticipating the next threat and better at defending ourselves and pushing back. That's why I hope today we can discuss how to ensure that CISA, the organization within DHS, is more effective at leading this effort in defending against cyber threats across the government and within the private sector. And not just defending, but also, going on offense.

Third, whether it's foreign terrorists or domestic violent extremists, there are significant threats to our communities in my state of Ohio and across the country. Our communities of faith are facing more threats. The department's work at a national level is critical, as are initiatives like the Nonprofit Security Grant program that puts federal expertise and some resources to work in helping communities of faith and other nonprofits be able to address and prepare for a variety of threats.

I would like to focus on the situation at the border where two surges are still underway. As we just talked about, the surge of unlawful migrants is at the highest

level it's been in over two decades. The surge of illicit narcotics, particularly the deadly synthetic opioids, like fentanyl, which, unfortunately, over the most recent year for which we have data which would be 2020, have resulted in more overdose deaths in our country than ever in our history. Both of these surges are at record levels.

In the first case, the administration's own policies have caused unlawful migration to increase every single month since Inauguration Day. This threatens the safety and security of our country and that of the migrants themselves who are exposed to these dangerous and volatile journeys north.

President Biden told us all in March that the elevated border numbers were seasonal and we should expect those to go down as the summer approached. But now that we are in the hot and dangerous summer months, border encounters have not gone down. In fact, they continue to rise. And again, so does the risk involved in making that journey north, especially through the deserts of Northern Mexico. And with COVID-19 cases now on the rise again, unfortunately, we see the administration actually considering repealing the COVID-related Title 42 for all adults without adequate preparation, potentially deepening this crisis further.

We've done this before. We did this in regard to children, unaccompanied children. We did this with regard to families, most families in fact, I'm told are not subject to Title 42 anymore. We did it starting on Inauguration Day thinking that, you know, this was something that would open up the border more. But we didn't prepare at all. The administration was overwhelmed with unaccompanied children. Overwhelmed with families. And my hope is that that decision, which occurred at a time when COVID-19 was raging all throughout our country, will teach us some lessons about what to do now. DHS was not prepared and we've got to be sure that DHS understands that's not appropriate going forward.

It's very clear to us what will happen if Title 42 is lifted for adults because it's already happened, or unaccompanied kids and families. It certainly is very clear to the Border Patrol. When I was down there earlier this year with you, Mr. Secretary, I had the chance to visit with a lot of Border Patrol agents and talked to them about this. They are very concerned, as you know. They said they would be overwhelmed the moment Title 42 public health authority was revoked for adults.

I just got back from a bipartisan delegation trip meeting with the presidents of Ecuador, Colombia, Mexico, and Guatemala. All four of these countries have sent more and more migrants to the United States over the past several months. All four

of those presidents have said they want their young people to stay in their country. They don't want them coming north to the United States. They want them to stay and be part of the future of their own country. However, because of our broken asylum system, they're coming north in large measure because traffickers can rightly say to these prospective migrants and their families because of the way our asylum system works, in particular, if you come north and come to the border, you can come in. You can come in and you can stay. And those coyotes, those human smugglers, those traffickers, they don't care about the humane treatment of those migrants. They don't care about their wellbeing, they have the ability to say that because our system effectively provides for that. The presidents of those countries don't understand why America would want to create this pull factor. We talk a lot about the push factor and I think a lot of us want to do more with regard to deal with the circumstances in North America and elsewhere with regard to the push factor, but we're also providing the pull factor. And that's not fair.

Turning to the second part of the surge: recent sobering news from the Center for Disease Control says that overdose deaths have risen to record levels, and the main driver of that is fentanyl. It is a harsh reminder of the work left yet to be done. On this Committee, we worked hard to put in place the STOP Act. We passed the legislation and now it's being implemented by the department, by CBP in particular. The CBP has done a better and better job, in my view. They still have not been able to work with the Postal Service to meet all of the requirements of the legislation, but frankly, it has helped. The problem is, instead of coming by the U.S. mail system into our communities, this poison is now being sent through Mexico. Often, the precursors are sold to Mexico, then it's made into fentanyl, then it comes over our southern border. That's what all the data shows. The June CBP operational statistics show that seizures of fentanyl so far this fiscal year are 78 percent higher than all of fiscal year 2020. If we are seizing that much, how much are we missing? A lot, according to the Border Patrol. We need to hear how this budget request ensures that your department has the tools and resources needed to stop this surge of deadly drugs at all parts of the border. Of course, these two issues are related because the traffickers are not just smuggling people, many are narcotraffickers also, smuggling these poisons into our communities.

I was pleased to see that your budget request includes increased funding for technology modernization at our Ports of Entry, including modern scanning equipment to help efficiently detect and stop illegal drugs and other prohibited items from entering our country. I've seen some of that technology working in person during my trips to the border. I think this is an important part of ensuring

that our borders are both enabling commerce and trade for the economic vitality of U.S. communities and that we're stopping the contraband.

At the same time, I was very disappointed to see the budget request deemphasize funding in key areas for Customs and Border Protection when we need their capabilities more than ever to combat criminal activity like trafficking in humans and illicit drugs. I am very concerned about technology investments that are not in this budget. Investments in barriers, towers, and cutting-edge autonomous technology, as an example, between those Ports of Entry, is cut in this budget. I was particularly surprised to see that technology that was married with barriers was cut in this budget because that traditionally has been a pretty bipartisan effort to ensure that, yes we have barriers in place where appropriate, but that it's accompanied by technology. Without the technology, the barriers are far less effective. And yet that's cut in this budget, I don't understand that. And maybe I can be corrected in this hearing because I can't believe that that technology would be reduced at this time. I hope to talk today about your vision for improving the tools and technology that's available to our law enforcement personnel at a time when they deserve our support given the crisis at the border.

Mr. Secretary, again, thank you very much for being here, we look forward to your testimony.