

Ranking Member Portman Opening Statement As Prepared for Delivery
Securing and Ensuring Order on the Southwest Border
May 5, 2022

Thank you, Mr. Chairman, I appreciate your holding this hearing on the southwest border, which clearly is in a crisis situation now, and I think everybody agrees with that. It's hard not to when you look at the facts. We discussed this issue at length yesterday with Secretary Mayorkas, and today we are going to discuss it further with our witnesses who I appreciate coming from Homeland Security, State, and Health and Human Services. I appreciate your service to each of you, and thank you for even though you're at a distance, I can see you and we look forward to having you.

I will say that I requested for the Committee today to hear from the Commissioner of Customs and Border Protection, as well as the Chief of Border Patrol. We have not heard from these individuals in the 117th Congress, and I think that's wrong. I think we have an oversight responsibility. So with all due respect to our witnesses here, we like having you, but we hope that your bosses would have come, at least some of your bosses, to be able to ensure that we are getting the administration's view on what's happening on the border and how it's going to be fixed.

Last year, about a million people came to the border unlawfully and were allowed into the United States. So let me repeat that. About a million people came to the border unlawfully and were admitted into the United States. As you know, we are talking a lot about whether these numbers are ten year high, 15 year high, or whatever they are. This year so far, 2022, it's unprecedented. So it's not a 15 year high. It's an historic high. We'll see what happens this summer because typically we would expect more people to come. Also because of Title 42 possibly ending, we are expecting a lot more people to come. And that's one of the big issues we talked about yesterday.

I mentioned that about a million people come to the border unlawfully are allowed into the United States. Most of those are asylees or applicants for asylum, about 85 percent of them from Mexico or Central America, we don't have good numbers for the other countries, are eventually turned down for that asylum, but only a very small numbers we heard yesterday are ever deported. So that's that part. But with regard to Title 42, another roughly one million people were turned away at the border under Title 42, meaning they were processed about 40 hours of processing, and then they were sent back to their home country if they came from other than Mexico or sent back to Mexico. And so that's two million when you think about it, unlawfully coming to the border, a million coming in, being released, a million being turned away. If Title 42 no longer applies, math will tell you it looks like that number may double in terms of those admitted into the country, even though they came to the border without proper documentation.

Some say it will be more because traffickers all over the world are already telling people when Title 42 is gone, just come on in because it'll be relatively easy as long as you say you have credible fear, you can then come in under our asylum system. So that's our challenge we've got. On top of that, of course, we allow in about 750,000 people a year under our legal immigration system, people who wait in line, patiently go through the right channels. I strongly

support legal immigration. In fact, I believe we could actually increase legal immigration to be able to address our workforce challenges in this country and the need for us to have people who come to the United States legally with skills. But that makes us in America, at least for a legal immigration system, probably the most generous country in the world.

There's 750,000 people who come in through the legal system. On top of that, we have people who evade the Border Patrol at the border. So we don't know how many that is. And we're going to talk today to the Border Patrol, about this number. But what Rodney Scott says, who's the former Chief of the Border Patrol, who I know is well known by many of us, is that he thinks that's about 400,000 people a year who evade the Border Patrol, evade being apprehended and are added to the one million people who show up without papers and are allowed into the country, typically under asylum. On top of that, around 400,000 people a year. So we'll get some better numbers on that. But that just gives us some context of why there's such a deep concern when we're down there on the border and I think every one of us have been there, on this panel, probably many times. And our staffs have been down there many times, including very recently.

This is why the Border Patrol tells us that they believe that they will lose, as they say, operational control. We can talk about what that means today over the border unless something is done. So this is a huge issue on top of it, of course, we have an unprecedented amount of illegal drugs coming into the country, particularly this synthetic opioid called fentanyl. And it is streaming in. We'll talk about that today. Why that's coming in?

The Mexican transnational crime organizations are now specializing in this. It used to come from China, as you know, mostly through our U.S. mail system. Now it's mostly coming in through Mexico, being produced in Mexico, often with precursors from China and often pressed into pills. And our citizens that we represent are dying of overdoses, partly because they don't know what these pills are. They may say Xanax, they may say Percocet, something else, but in fact, they're fentanyl. This is leading to a record number, again, not a 15 year high, but a record number of overdose deaths in my home state of Ohio and around the country. So this is another border crisis that we have to address. We'll talk more about how we might do that.

This again is a situation where policy makes a huge difference. President Obama deported or removed over 315,000 unlawful migrants in 2014 alone. In context, the Obama administration removed 65 percent of the migrants that entered unlawfully that year. In contrast, President Biden has deported or removed about 56,000, we heard yesterday about five percent, so 65 percent versus five percent. And of course, we have many more people who are in the queue right now. The backlog is about 1.6 million people for asylum as an example. So unfortunately, we have a situation where not only are we allowing more people in, but we're not having people leave once they're deemed not to be qualified to be asylees or otherwise are here illegally. And that's just a reality and people know that and the traffickers know that. And that's why they have such success in getting people to come to our border, charging them outrageous fees, often treating them very poorly, as we know.

The administration's response to all this is to say we'll have a plan in case the surge gets worse. In fact, the plan states that the first pillar of border security is, 'We have doubled our ability to transport noncitizens on a daily basis with flexibility to increase further.' So much of

the plan is about making it easier to get people into the interior that that's the response. The response is not to put deterrence in place to deter people coming illegally. Rather it's to facilitate the flow to make it easier, including processing people as an example, on buses heading toward the interior of the country rather than doing it at the border because the facilities would be overwhelmed.

So again, I appreciate, Mr. Chairman, you allowing me to speak a little bit today about this to sort of set the context. I think it's important to understand what the numbers are and I really look forward to the opportunity of speaking with all of you today and talking about solutions, not just what the crisis is. I think we all recognize that. I hope so. But what do we do going forward? Thank you, Mr. Chairman.”