

Opening Statement

Ranking Member Rob Portman

Homeland Security and Governmental Affairs Committee

Nomination of John K. Tien to be Deputy Secretary; Robert P. Silvers to be Under Secretary for Strategy, Policy, and Plans; and Jonathan E. Meyer to be General Counsel of the Department of Homeland Security
May 27, 2021

Thank you, Chairman Peters.

Welcome, Mr. Tien, Mr. Silvers, and Mr. Meyer. Thank you for your willingness to serve.

You each have been nominated for a position that impacts the direction and priorities of the Department of Homeland Security. If confirmed, you will influence and shape the programs and policies needed to combat many of our nation's most pressing threats.

This is a critical time for the Department. In the nearly twenty years since its inception, the dedicated personnel of DHS have worked to keep our nation safe. Since that time, the nature of the threat we face has evolved and the Department must evolve to meet it. However, in recent months, DHS has struggled to address risks in a number of areas.

First, we are facing a crisis at the southern border. As the Biden Administration, in its first days, unwound the previous Administration's immigration policies, we quickly saw the Department struggle to secure the border in the midst of a migration surge.

- I recently visited the southern border where I witnessed firsthand numerous Border Patrol facilities completely overwhelmed by the onslaught of migrants and unaccompanied children awaiting transfer to HHS and other more permanent facilities.
- Last month, over 108,000 single adults were apprehended at the border, up from over 96,000 apprehensions in March and seven times greater than last April. On top of that, the Border Patrol

conservatively estimates over 40,000 people who crossed illegally “got-away” and were not apprehended in April.

- We cannot ignore the need for sound policies to stem the surge. It is unacceptable to shift the burden to frontline personnel and ask them to manage the consequences of bad decision-making.
- Further, migration surges strain the capacity of the Department to fulfill its other missions at the border, such as intercepting the flow of dangerous drugs into our country. In fact, as our law enforcement personnel became overwhelmed with the migration surge, drug traffickers knew precisely how to press their advantage.
- This leads to a genuine risk to our citizens: Reports show that seizures of fentanyl coming across the border have more than tripled in 2021 compared to 2020. This is happening at a time, during the pandemic, when overdoses are rising in the United States, including in my home state of Ohio.

Second, cyberattacks threaten our data, national security secrets, and essential pillars of our society. Attacks like SolarWinds, Microsoft Exchange, and mostly recently, Colonial Pipeline demonstrate risks we face from cyberattacks.

- As the SolarWinds attack unfolded, it became clear that the Department—the agency tasked with securing federal networks—was itself compromised. DHS should be an example for federal agencies, but it was hacked. It’s clear that our federal cyber defenses are lacking.
- Cyberattacks can also have real-world implications, as we saw in the Colonial Pipeline attack. Cybercriminals shut down a major U.S. fuel pipeline for several days, leading to fuel shortages up and down the East Coast. DHS plays an important role in supporting critical infrastructure cybersecurity and it must work to better support critical infrastructure owners and operators to improve cybersecurity across the board.

Finally, homegrown threats directly put our citizens at risk. It has become apparent in the Committee's investigation into the events of January 6, the Department's Office of Intelligence and Analysis fell short in reporting on the growing threat.

- The attack on the Capitol on January 6 was a sobering reminder of the domestic threats we face here at home. These threats are becoming increasingly complex and DHS must move to quickly evolve, adapt, and address these now, so that the nation is not left unprotected. DHS must be clear about its mission and the tools at its disposal to counter these threats.
- There is also a growing concern about the increasing number of assaults targeting federal law enforcement and government facilities. Attacks on law enforcement officers are an unacceptable attack on the rule of law and the safety and security of the American people.

In addition to these man-made threats, predictions for this year's hurricane season, which starts in a few days, indicate another higher than average number of significant storms expected to come our way. The risks are always there.

Each of these issues reflects the very real threats our homeland faces. Having sound policies and strategies, resourcing plans, and effective implementation governance across the department are essential to addressing them. If you are confirmed as part of the core leadership team of our nation's third largest department, you will each have a responsibility to ensure that the Department is able to secure our country and meet the demands of today's complex and dynamic threat environment.

Thank you.