

*Securing and Ensuring Order on the Southwest Border – HSGAC Hearing
Thursday, May 5, 2022 at 10:15am*



TESTIMONY OF

Acting Assistant Secretary Blas Nuñez-Neto
U.S. Department of Homeland Security

For a Hearing

BEFORE

U.S. Senate
Committee on Homeland Security and Governmental Affairs

ON

“Securing and Ensuring Order on the Southwest Border”

May 5, 2022
Washington, DC

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Chairman Peters, Ranking Member Portman, and distinguished Members of the Committee, thank you for the opportunity to appear before you today.

I have been serving as the Acting Assistant Secretary for Border and Immigration Policy since October 1, 2021. My permanent role is the Chief Operating Officer at U.S. Customs and Border Protection (CBP) within the Department of Homeland Security (DHS), which I began on March 5, 2021. Since August 24, 2021, I have been concurrently serving as the Vice Chair for the Secretary of Homeland Security's Southwest Border Taskforce. I also previously served at DHS as an Advisor to CBP Commissioner Gil Kerlikowske from January 12, 2015 to January 16, 2017.

Framing the Challenges at the Southwest Border

Migratory surges along the Southwest Border have become a regular occurrence over the past decade under Presidents of both parties. Over this period, we have seen fundamental changes to the nature, scope, and demographics of irregular migration, even as encounters along the border have increased to unprecedented levels.

There are currently more people in the world displaced from their homes than at any time since World War II, including in the Western Hemisphere, where there are significant diasporas of Venezuelans and Haitians throughout the region. These changes present new challenges that affect our ability to apprehend and process and complicate our ability to effectuate removals. There is little doubt that violence, food insecurity, severe poverty, corruption, climate change, the COVID-19 pandemic, and dire economic conditions throughout our hemisphere are pushing people to leave their countries, and the Administration is committed to addressing these root causes of migration. At the same time, our immigration system is outdated and is not built to contend with the populations and volumes we are now seeing.

This Administration is committed to working with Congress to establish lasting and sustainable solutions to this recurring challenge, most importantly by enacting comprehensive immigration legislation like the bill President Biden proposed on his first day in office. In the absence of congressional action, DHS has worked within its existing authorities to effectively manage an unprecedented number of noncitizens seeking to enter the United States, quickly remove individuals without a legal basis to remain in country, and interdict the transnational criminal organizations (TCOs) putting migrants' lives in harm's way for profit.

Over the past few years, irregular migration along the Southwest Border has not only increased to unprecedented levels and but also changed demographically, presenting new challenges that affect our ability to apprehend and process migrants and effectuate removals.

Before I discuss the efforts we are currently leading, I would like to briefly provide some more detail on the changing nature of migration at the Southwest Border and how it is challenging our immigration system.

First, CBP is encountering a significantly larger number of individuals, including a proportionally much larger percentage of unaccompanied children (UCs) and family units, which

has strained our legacy infrastructure built decades ago for the purpose of processing single adults. In April, CBP encountered¹ an average of approximately 7,800 migrants per day across the Southwest Border. This is compared to a historical average of approximately 1,600 per day in the pre-pandemic years (2014-2019). While these numbers pose a significant challenge, this challenge has been compounded by a pronounced shift in the demographics and nationalities of noncitizens encountered at and between land ports of entry. We have seen the number of UCs encountered at the border increase dramatically since 2013. In Fiscal Year (FY) 2013, there were approximately 41,000 UC encounters; in FY 2021, there were approximately 147,000 UC encounters – a more than three-fold increase. During FY 2014, we experienced our first surge in unaccompanied children at the border. This was followed by a significant and lasting increase in the number of family units encountered at the border, which increased from 3 percent of encounters in FY 2013 to 28 percent of encounters in FY 2021.

Second, over the past two years, we have seen an unprecedented increase in migration by nationals of countries we have not traditionally encountered in significant numbers along our Southwest Border. For decades, the vast majority of individuals encountered at the Southwest Border came from Mexico, Guatemala, El Salvador, and Honduras. The proportion of Mexican nationals encountered at the Southwest Border has gone from being over 50 percent of unique encounters² in FY 2013 to less than 30 percent in FY 2021. At the same time, the proportion of Honduran, Salvadoran, and Guatemalan nationals increased from approximately 35 percent to 43 percent of unique encounters from FY 2013 to FY 2021. Other nationalities -- including Ecuadorians, Brazilians, Nicaraguans, Haitians, and Cubans -- have come to represent over 20 percent of unique encounters, up from 5 percent in FY 2013. These trends have only accelerated in FY 2022, with countries other than Mexico, Guatemala, El Salvador, and Honduras accounting for more than half (51 percent) of unique encounters thus far this fiscal year.

The growing number of nationalities being encountered in significant numbers at the border has posed new challenges. Under Title 8 authorities, non-Mexican nationals must be issued a final order of removal to be repatriated to their country of origin. To effectuate these removals, we must negotiate agreements with each country that specify multiple required steps, including how the countries will confirm the citizenship of migrants suspected to be their nationals; issue travel documents; provide advance notice of the travel; and accept the physical return of their nationals by scheduled commercial flights or special charter flights.

While DHS can expeditiously remove nationals of Mexico, Guatemala, El Salvador, and Honduras who do not have a legal basis to remain in the United States, other governments often impose additional requirements related to flight manifests, health screening, arrival protocols, nationality verification, document issuance, etc. that can substantially increase the amount of time it can take to remove an individual who does not have a legal basis to remain in the United

¹ A CBP encounter is an engagement between a noncitizen and border law enforcement agent or officer resulting in a U.S. Border Patrol (USBP) Title 8 apprehension, an Office of Field Operations (OFO) Title 8 determination of inadmissibility, or a USBP or OFO Title 42 expulsion.

² Unique encounters are defined as encounters involving a person who was not previously encountered within the previous 12 months. Unique encounter data are limited to enforcement encounters, which exclude OFO parolees, withdrawals of application for admission, and crew members detained on board vessels, collectively known as administrative encounters.

States. DHS has been working closely with the Department of State (DOS) to work with these countries to ease or streamline requirements associated with removing their citizens.

Additionally, social media and other online platforms have increased smugglers' access to potential migrants, creating an environment ripe for manipulation of information with respect to migration policies at the border. These platforms allow misinformation about our immigration to spread quickly, often with unpredictable consequences.

Lastly, DHS has been implementing the Centers for Disease Control and Prevention's (CDC) *Order Suspending the Right to Introduce Certain Persons from Countries Where a Quarantinable Communicable Disease Exists* under Title 42 of the United States Code since March 2020. On April 1, 2022, the CDC determined that it would terminate this Order effective May 23, 2022. After this date, DHS will once again return to processing noncitizens encountered at the land border according to existing Title 8 immigration authorities.

The end of Title 42 does not mean that individuals entering the country unlawfully will enter and get to stay; instead, it means that we will once again impose meaningful immigration consequences on individuals who violate our immigration laws. These consequences do not apply when individuals are expelled under Title 42, which has led to extraordinarily high recidivism rates, as individuals expelled to Mexico attempt to re-enter shortly after their expulsions. For example, since April 2020, 94 percent of single adults encountered from Mexico and the Northern Triangle have been expelled under Title 42 authority, and during that time, these two groups have had repeat encounter rates of 52 percent and 51 percent, up from 25 percent and 15 percent, respectively, between October 2013 and February 2020.

As Secretary Mayorkas has emphasized repeatedly, DHS has strongly discouraged, and will continue to discourage, any attempt to migrate irregularly into the United States. Anyone who attempts to enter the United States without authorization and is unable to establish a legal basis to remain in the United States will be subject to removal and may face additional consequences, including bars to future immigration benefits.

DHS Efforts to Respond to Irregular Migration

DHS has been preparing for the termination of the CDC's Title 42 public health order for many months. DHS operational agencies and partners have planned for multiple scenarios to ensure that we are prepared for any potential increase in migration that may occur. We will respond to irregular migration by strictly but fairly enforcing our immigration laws to process individuals in a safe, orderly, and humane manner, consistent with our laws. We will quickly remove individuals who do not establish the legal ability to remain in the United States, while continuing to be a global leader in providing protection for those who are fleeing or fear persecution and torture in their home countries.

As part of these efforts, DHS commenced planning exercises in Fall 2021 and held multiple tabletop exercises with representatives from across the government. The lessons learned over this period were incorporated into the DHS Mass Irregular Migration Contingency Plan, which

was published in February 2022. At that time, in recognition that migratory flows have been and continue to be elevated at our border and throughout our hemisphere, DHS formally launched the Southwest Border Coordination Center (SBCC), which is coordinating a whole-of-government response to the anticipated increase in border encounters and designated a Senior Coordinating Official to oversee these efforts. The SBCC has centralized coordination among key government agencies within a single structure to ensure effective, holistic planning and execution.

The DHS Border Security Plan has six pillars: 1) surge resources to the border to support border operations; 2) increase the efficiency of immigration processes to reduce strain on the border; 3) impose consequences for unlawful actions and quickly remove individuals without a legal basis to stay in the United States; 4) bolster the capacity of non-governmental organizations (NGOs) and collaborate with state and local partners; 5) go after the vicious cartels and smugglers that profit from putting migrants' lives at risk; and 6) work with our regional partners to impact migratory flows before they reach our border. This comprehensive plan leverages a whole-of-government approach to prepare for and manage the current and anticipated increases in encounters of noncitizens at our Southwest Border.

Surging Resources to Support Border Operations

Over the past several months, DHS has deployed more than 1,000 personnel to the Southwest Border to prepare for, and respond to, an increase in migration. Secretary Mayorkas has directed DHS to take a wide range of measures intended to maximize the number of CBP Agents and Officers deployed to the field to do frontline work. Many Agents and Officers spend hours performing tasks, such as administrative processing, facility security, and hospital watch, that take them away from the principal duties on the border. DHS is working quickly to provide support that enables law officers and agents to focus on front-line work. As part of these efforts, we have accelerated the hiring, training, and deployment of Border Patrol Processing Coordinators, issued contracts for facility security and administrative processing support, and deployed DHS volunteers from across the Department to five sectors (Yuma, El Paso, Del Rio, Laredo and Rio Grande Valley) along the Southwest Border.

We have also significantly increased CBP's holding capacity, constructing nine soft-sided facilities that will ultimately expand our holding capacity from 13,000 in January 2021 to almost 18,000 by May 23. This includes three soft-sided facility expansions totaling approximately 1,300 in holding capacity that were initiated in the past two months and another one that will be completed in mid-May.

Finally, it is among DHS's top priorities to ensure the health, safety, and well-being of those in DHS care and custody, the DHS workforce, and surrounding communities. To this end, we have invested in ensuring that we have appropriate and accessible medical care, including for those with unique vulnerabilities, medical conditions, and for tender-aged children. The SBCC has developed a medical support plan, which has been reviewed by interagency medical experts, and is currently determining which federal agencies can provide support.

In 2021, DHS began implementing a phased approach to provide COVID-19 vaccines, starting with a program for noncitizens in U.S. Immigration and Customs Enforcement (ICE) custody.

The provision of vaccines, coupled with the testing of noncitizens on intake and rigorous isolation and quarantine protocols, has led to low morbidity in ICE facilities. On March 28, 2022, DHS expanded its COVID-19 vaccine program to include noncitizens in CBP custody. By May 23, all age-eligible noncitizens processed under Title 8 immigration authorities will be eligible to receive their first dose of a COVID-19 vaccine in CBP custody prior to onward travel. Additionally, at the highest-volume CBP sectors, unaccompanied children are tested on intake for COVID-19 and, if positive, are triaged for immediate movement to facilities run by the Department of Health and Human Services (HHS). These mitigation measures at CBP and ICE have kept COVID-19 rates among noncitizens similar to those of surrounding communities during most of 2021 and 2022.

Increasing Processing Efficiency

DHS's goal is to hold noncitizens in a safe, orderly, and humane environment, ensure appropriate security screening and vetting procedures, and quickly process and transfer screened noncitizens out of CBP custody to ensure that facilities do not become overcrowded. CBP facilities are not designed to hold individuals for over 72 hours, although this has unfortunately happened all too often in recent years. DHS is working on several efforts designed to help streamline immigration processing for noncitizens in CBP custody, in order to minimize time spent in congregate settings.

First, DHS is testing and rapidly developing a model that will co-locate CBP, ICE, and non-governmental organizations (NGOs) at Enhanced Central Processing Centers that will eliminate processing inefficiencies and allow some several processing steps to be completed concurrently by different agencies. This innovative model will allow CBP to quickly triage noncitizens it encounters based on risk, ensuring that higher-risk individuals are held in secure facilities until they are placed in detention, while lower-risk individuals are processed quickly and humanely at facilities that do not require as significant a law enforcement presence. ICE personnel will be on-site to minimize processing delays associated with CBP referrals to ICE, and the goal is for NGOs to eventually be present in facilities to provide legal orientation services and onward transportation for those low-risk individuals who are ultimately released on alternatives to detention (ATD). The overall objective of this initiative is to efficiently process for removal proceedings low-risk families and single adults while allowing Border Patrol to focus more of its agents on its priority mission to secure our border rather than on administrative duties. The first Enhanced Central Processing Center is operational in Laredo, Texas effective April 29 and is used primarily for family units placed on ATD pending their removal proceedings. DHS will closely monitor the results of this effort and is prepared to expand to other facilities if the projected processing efficiencies materialize.

Second, CBP and ICE are testing and refining operational plans to complete processing of noncitizens while in transit between DHS facilities. This will allow DHS to move noncitizens out of CBP facilities faster while retaining the integrity of biometric and biographic screening processes and ensuring noncitizens apprehended at the border are expeditiously placed into removal proceedings.

Third, DHS is working to digitize and automate immigration processes at the border through the Southwest Border Technology Integration Program, which launched late last year. As part of this effort, over 70 percent of Title 8 cases are now reviewed and signed digitally by CBP—saving frontline personnel over 20,000 hours of processing time to date. DHS is identifying and implementing further technological and administrative improvements to reduce overall processing time of noncitizens, while also maintaining security. For example, the SBCC is focused on expanding digital processing towards a fully digital A-File, which is shared across CBP, ICE, U.S. Citizenship and Immigration Services (USCIS), and DOJ throughout a noncitizen’s removal proceedings. In addition, DHS is working to eliminate administrative redundancy by identifying and removing certain forms in the document exchange between CBP and ICE.

DHS efforts to innovate and transform border processes extend to our ports of entry (POEs) as well. We have enhanced Title 8 processing at our POEs through the development of the CBP One mobile application, which allows certain individuals presenting at POEs to provide advanced information and schedule an appointment to be processed. Returning to robust POE processing is an essential part of DHS border security efforts. Beginning in the summer of 2021, DHS restarted processing vulnerable noncitizens through POEs under Title 8, on a case-by-case basis for humanitarian reasons, pursuant to the exception criteria laid out in the CDC Title 42 Order. These efforts, which we have recently expanded, offer individuals in vulnerable situations a safe and orderly method to submit their information in advance and present at POEs for inspection and subsequent immigration processing under Title 8.

Administering Consequences for Unlawful Entry

DHS is committed to enforcing our immigration laws fairly and to quickly removing individuals who do not have a legal basis to remain in the United States. A key part of this are efforts to prepare to maximize the use of Expedited Removal and make the process more efficient, with the goal of reducing the time it takes to remove noncitizens who receive a negative credible fear determination while in ICE custody.

This increased use of Expedited Removal serves key law enforcement and operational goals. It is a fair and effective means of efficiently removing those with no lawful basis to remain in the United States, consistent with due process. Those subject to Expedited Removal also face a five-year bar on admission from the date of removal and potential criminal prosecution if they seek to unlawfully re-enter, thus deterring potential future irregular crossing attempts.

However, just as DHS was beginning to increase our use of Expedited Removal at the border as we prepare for the end of Title 42, the Western District of Louisiana issued a Temporary Restraining Order to stop these preparations. It is illogical that a court considering a lawsuit about whether DHS is prepared for the end of Title 42 would stop this key effort to prepare for the end of Title 42.

DHS is also committed to significantly reducing the amount of time the immigration court process takes for noncitizens who are not detained. Effective May 31, DHS will begin implementing the new Asylum Officer rule by referring some Expedited Removal cases to

USCIS for significantly more expeditious adjudication. The new rule will allow DHS and DOJ to conclude certain asylum cases in months instead of years, meaning that those deemed ineligible for asylum or other relief from removal can be removed much more quickly while those who are eligible for asylum or relief from removal can obtain the protection they merit in a timely manner. While full implementation will take time, the rule will have a transformative impact on the asylum system.

For family units not processed through Expedited Removal and who are instead placed in removal proceedings, DOJ and DHS have jointly established a Dedicated Docket to conduct speedier immigration court proceedings that comport with due process. DHS is utilizing the Dedicated Docket for certain family units who arrive between POEs at the Southwest Border and are traveling to one of 11 destination cities. Family units placed on the Dedicated Docket are prioritized for adjudication and are generally expected to receive final decisions in their cases within 300 days of initiation, as opposed to several years.

We have issued new guidelines regarding immigration enforcement priorities that focus the Department's resources on the apprehension and removal of noncitizens who pose a threat to our national security, border security, or public safety. These guidelines mark a new approach to enforcement as they focus our resources on dangerous criminals and recent border crossers while acknowledging the reality that DHS does not have the resources to apprehend and remove every single one of the estimated 11 million noncitizens removable from the United States. This approach is working. Since implementation of the revised enforcement guidance, ICE has removed more people convicted of aggravated felonies. In FY 2021, 46 percent of removals were for people with felony or aggravated felony convictions, marking a significant increase compared to 18 percent in the previous four calendar years. Also, in FY 2021, 26 percent of ICE removals were aggravated felons compared to 3 percent in the previous four years – about 937 per month in FY 2021 compared to 633 per month in previous years.

Finally, DHS will continue to refer border-related criminal activity to DOJ for prosecution where warranted, including that of smugglers, recidivists, and other noncitizens whose conduct warrants such law enforcement action. We continue to enforce CBP's Repeat Offender Initiative to target recidivists (or noncitizens who are encountered more than once), which has improved DHS's ability to leverage legal consequences to deter irregular migration while conserving limited processing resources. And Secretary Mayorkas sent a memo to CBP that makes clear does not tolerate acts of violence committed against frontline personnel at the border and that all such cases should be referred to DOJ for prosecution.

Bolstering NGO Capacity and Supporting Border Communities

Increased migration levels put additional pressure not only on DHS personnel and resources, but also on border communities and NGO partners. NGOs play a critical role in providing care and support with onward travel to noncitizens who are placed into removal proceedings, not subject to detention, and released from CBP custody.

Once a noncitizen is released from custody by DHS, the Department is no longer operationally engaged in their transportation, medical care, or shelter. Nonetheless, our goal is to help

communities alleviate the pressures they experience by expanding NGO capacity through communication, coordination, and grants from the Emergency Food and Shelter Program (EFSP). We are also exploring other ways to provide assistance to communities and welcome the ongoing dialogue we have with local leaders on this subject.

Administered by DHS through the Federal Emergency Management Agency (FEMA), EFSP supplements and expands ongoing work of local NGOs to meet the urgent needs of local agencies assisting the unique and vulnerable migration population encountered by DHS. In FY 2022, Congress authorized \$150 million for EFSP Southwest Border support, and FEMA has taken necessary steps to ensure these funds can be accessed by eligible partners in short order.

DHS works to track NGO capacity and share information about border processes. The SBCC has designated points of contact for state, local, and community stakeholders that work in tandem with CBP personnel. Consequently, the SBCC has stood up recurring engagements with state, local, and tribal officials and non-governmental organizations that are led by local CBP leadership from the Southwest Border and staffed by a SBCC representative. This type of collaboration provides real-time information sharing to/from headquarters and the field, as well as visibility on regional needs and adequate responses.

Targeting and Disrupting Transnational Criminal Organizations (TCOs) and Migrant Smugglers

DHS works at home and abroad to identify, investigate, and interdict the TCOs that smuggle migrants and drugs into our country, turning a profit from human misery and often putting migrants in harm's way. Migrant smuggling organizations peddle misinformation in order to take advantage of the transient and precarious situation migrants are in. DHS is targeting these organizations, in close collaboration with other federal agencies, state and local law enforcement, and international partners. While this has been a consistent priority for the past year, our efforts have intensified in recent months as we prepare for the end of Title 42.

In April 2022, DHS surged disruption efforts in partnership with other federal agencies along six coordinated and interconnected lines of effort. One of these is the Office of the Director of National Intelligence's (ODNI) Migration Intelligence Cell whose goal is to provide advanced geographic and time-based warning of large migrant smuggling movements in the region and analysis and targeting information for disruption activities. The Migration Intelligence Cell has highlighted to the entire Intelligence Community the priority of migrant smuggling to prompt additional focus. The intelligence generated by these efforts will be used to identify and disrupt criminals and to inform border security deployments.

Operation Expanded Impact, led by ICE Homeland Security Investigations (HSI), is focusing investigative efforts along the Southwest Border to detect, disrupt, and dismantle TCOs involved in narcotics, migrant smuggling, and human trafficking. HSI has assigned approximately 250 special agents and criminal analysts to carry out investigations in the United States.

Operation Sentinel, which is an interagency counter-network operation targeting TCOs affiliated with migrant smuggling; Joint Task Force Alpha, a DOJ-led effort to target smuggling and

trafficking groups; and Blue Indigo, led by DOJ and DHS to disrupt cartel operations and illicit networks in South Texas are all lines of effort that we have been pursuing as part of the largest surge of resources and disruptive activities against migrant smuggling networks in recent memory.

In April, these lines of effort produced 2,583 total combined disruption actions, 1,437 arrests, 228 investigations, 639 investigatory leads and interviews, and 279 disruptions of migrant smuggling infrastructure, such as buses and safe houses.

Partnerships with Mexican and Central American counterparts have resulted in multiple significant enforcement actions against migrant smuggling and trafficking groups operating in Mexico, Guatemala, El Salvador, and Honduras. A few weeks ago, the Salvadoran National Police disbanded a migrant smuggling network focused on Cuban migrants, revealing a connection to an active migrant smuggling investigation in El Paso, Texas, and the identification of another suspected smuggler in Austin, Texas. In Honduras, DHS has provided robust support to Operation Scorpion, a border surge initiative of the Honduran National Police that targets migrant smugglers and human traffickers. Currently, two cases involving six Honduran migrant smugglers are being prosecuted related to attempted smuggling of Cuban migrants. Officers seized vehicles, cell phones, and currency. The migrant smugglers were also enrolled in HSI's Biometric Identification Transnational Migrant Alert Program (BITMAP) to stave off future smuggling.

In order to counter the disruptive messaging employed by TCOs, DHS has been engaging technology companies to address migration-related misinformation and similar concerning content on social media platforms. Discussions have focused on operationalizing public-private partnerships between DHS and technology companies, as well as informing social media and other tech executives about departmental initiatives on misinformation, disinformation and malinformation (MDM). Through these engagements, we are providing tech companies URL links to content that has been identified by CBP, through its border security and law enforcement operations, as violative of their terms of service and being used to facilitate migrant smuggling at the Southwest Border.

Regional Collaboration

There is growing consensus across the Western Hemisphere that migration is a shared challenge and responsibility. This is key because the dynamics at our border are part of a hemispheric challenge; by the time migratory flows reach our border, our options are limited.

Last year, President Biden laid out his Root Causes and Collaborative Migration Management Strategies as a roadmap for the ways in which this Administration is working with regional partners to disincentivize irregular migration from Central America and create a more secure and orderly migration system in the Western Hemisphere. In coordination with the Department of State (DOS), DHS will continue to work in partnership with countries in the Western Hemisphere to offer safe and legal pathways for migrants seeking protection, employment, and family unification while increasing targeted enforcement efforts to hold accountable the

smugglers and traffickers that exploit migrants into taking the dangerous journey to our land borders. DHS leadership continues to meet with our counterparts throughout the region to encourage increased coordination, information sharing, and the proper resourcing of migration- and security-related efforts to stem the flow of irregular migration.

The Biden-Harris Administration continues to maintain a close partnership with the Government of Mexico to stem irregular migration, which includes creating viable legal pathways, facilitating lawful trade and travel, and combating the shared dangers of transnational organized crime. Last month, Secretary Mayorkas made his fourth official visit to Mexico City where he met with President López Obrador to intensify our shared commitment to promoting lawful trade and travel and developing a regional approach to migration management. He and I met with Secretary Ebrard in person this week in Washington DC to continue these discussions.

On March 15, 2022, Secretary Mayorkas traveled to Costa Rica and joined President Alvarado in announcing a bilateral Migration Arrangement, which outlines our shared commitment to both manage migrant flows and promote economic growth in the region. On April 19, the U.S. government signed a Bilateral Arrangement on Migration and Protection with the Government of Panama, similarly detailing our collaborative commitments to improve migration management, expand stabilization efforts, and increase access to legal pathways and protection for those in the region. DHS and DOS are actively engaged with other countries in the region to advance similar bilateral arrangements, as well as a Hemispheric Declaration on Migration and Protection to be completed at the upcoming Summit of the Americas in June 2022.

Conclusion

DHS and its federal and community partners have been taking steps for months to prepare for the lifting of the CDC's Title 42 Order, while operating within a system that is not designed to handle the current volume of migrants nor any potential increase over the coming months. These preparations and deliberate planning will enable us to manage and mitigate known and unanticipated challenges more effectively, while protecting the safety and security of our communities. Notwithstanding these efforts, a significant increase will substantially strain our system even further.

Over the past 15 months, the Department of Homeland Security has demonstrated time and time again our ability to tackle significant challenges, while operating consistent with our laws and our values. From responding to unprecedented levels of migration and ensuring the safety of individuals in our care to vetting and processing tens of thousands of evacuees from Afghanistan and Ukraine, we have consistently risen to the challenge in extremely difficult circumstances.

With the CDC's decision to end its Title 42 order as of May 23, 2022, DHS is focused on implementing sustainable solutions to the irregular migration challenges at our Southwest Border, including through executive action, if needed. But we recognize that executive action will never be an adequate stand-in for congressional action, and we urge Congress to work with us to enact legislation that can help this country modernize its immigration system, better secure its borders, and provide hope to migrants in the region that they will have legal opportunities to come to the United States without having to put their lives in the hands of ruthless smugglers.

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Thank you again for the opportunity to testify today, and I look forward to your questions.