

INCREASING DRUG LEVELS

A dramatic spike in illegal drugs at the southern border makes clear the need for ~~an effective physical barrier.~~ land ports of entry.

38%

Increase in methamphetamine (FY17-FY18)

22%

Increase in heroin (FY17-FY18)

73%

Increase in fentanyl (FY17-FY18)

In FY18 CBP seized or helped seize:

- **282,000 lbs** of cocaine
- **248,000 lbs** of methamphetamine
- **6,500 lbs** of heroin
- **2,400 lbs** of fentanyl

1.7 million pounds of narcotics seized by CBP in FY18 in total

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87% of 2018 border methamphetamine seizures happened at land ports of entry—not the areas between them where walls would be built. (<http://bit.ly/2OpCH0j>)

90% of 2018 border heroin seizures happened at land ports of entry—not the areas between them where walls would be built. (<http://bit.ly/2OpCH0j>)

80% of 2018 border fentanyl seizures happened at land ports of entry—not the areas between them where walls would be built. (<http://bit.ly/2OpCH0j>)

Many, probably most, of these “criminal records” are prior illegal entries. It would be more helpful to know how many of those arrested had records of violent crime.

DANGEROUS CRIMINALS, GANG MEMBERS, AND SUSPECTED TERRORISTS

DHS agencies are fighting an influx of dangerous people and need the resources to do so.

- 17,000** *Adults at the Southern Border with existing criminal records* arrested by CBP and border agents (FY18)
- 3,755** *Known or suspected terrorists* prevented from traveling to or entering the U.S. by DHS (FY17)
- 6,000** *Gang members, including MS-13, apprehended at the Southern Border and removed by ICE*

Each year criminal organizations gain \$2.5 BILLION in profit from migrant smuggling

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In 2017 Border Patrol apprehended only 1,010 citizens of countries that could broadly be considered of “special interest” for terrorism. Few of them would be “suspected terrorists.” (<http://bit.ly/2Qrb1c5>, point 8) Where is this 3,755 coming from?

Note the lack of a year in this citation. Border Patrol Chief Carla Provost testified in June 2017: “Unofficial USBP data reports that between FY 2012 and 06/16/2017, approximately 4,939 aliens have been apprehended with suspected or confirmed gang affiliations.” (<http://bit.ly/2PPaQaK>)

A RISE IN VULNERABLE POPULATIONS OVERWHELMING RESOURCES

Border security is the only effective disincentive to prevent migrants from making the dangerous journey and reducing the influx of vulnerable families.

60,000

Unaccompanied children
arriving in FY18

An increase of **25%**

161,000

Family units
arriving in FY18

An increase of **50%**

*More children and families are being apprehended between the ports of entry than ever before. **For the first time in history, family units and children comprise the vast majority of apprehensions.***

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*Over the last five years, we have seen a **2,000% increase in asylum claims**, yet 72% of migrants report making the journey for economic reasons and therefore would not typically qualify for asylum.*



This is evidence of a humanitarian crisis, not a security crisis, at the border. The number of adult migrants apprehended while traveling without families in 2018 (239,331) was almost certainly the second-lowest total since 1970.

Asylum-seeking migrants often cite more than one reason for fleeing; these may include both economic and violent threat-related motives. It should be up to USCIS credible-fear interviewers and Justice Department immigration judges –not the White House or DHS–to determine asylum qualifications through a procedure with due-process guarantees.

A DANGEROUS JOURNEY ADDS TO A HUMANITARIAN CRISIS

The exponential increase in vulnerable populations arriving illegally takes vital resources away from detecting and apprehending criminals, drug traffickers, and vulnerable aliens.

50

Migrants per day referred to medical providers

4,300

People in distress rescued by CBP each year

31% and **17%**
of women and **of men**

Sexually assaulted on the journey north

Migrant Sickness

- Staggering numbers of sick people are crossing the border each day
- The danger of the journey, crowded conveyances, and flu season have resulted in significant referrals to medical providers

Abuse on the Journey

- Large populations are abused on the journey by smugglers and others
- 7 in 10 are victims of violence along the journey

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These are arguments for increasing the capacity of land ports of entry to receive asylum-seeking migrants, so that they do not need to hire smugglers or attempt a dangerous journey through desert areas between the ports of entry. Building more walls in rural and wilderness areas will encourage migrants to take even more dangerous and remote routes.

DETENTION, ADJUDICATION, AND REMOVAL CHALLENGES

Detention Challenges

- Lack of capacity to detain those apprehended
- Facilities are out of space and Congressional budgets propose cutting further

Adjudication Challenges

- Immigration court backlog of nearly 800,000 cases
- Only 1 in 10 asylum claims granted for persons from Northern triangle countries
- Fraudulent claims delay legitimate claims from being heard- delaying protections for those who need them

Removal Challenges

- In just three days, CBP apprehends more families than are removed in one year
- The result is often a release with a notice to appear at a hearing
- Communities and charities are having trouble keeping up
- 98% of Family Units and Unaccompanied Alien Children are never removed

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We can't detain our way out of this problem. Detaining a family costs US\$318.79 per day, according to the 2019 Department of Homeland Security budget request. Detaining a single adult costs \$123.86. (<http://bit.ly/2QmJhFh>) It would cost \$1 billion to hold spaces to detain 8,500 families for a year.

The Justice Department employs only 395 immigration judges. (<http://bit.ly/2EKsrzz>) At \$500,000 per courtroom, \$1 billion per year would pay for 2,000 more judges, vastly reducing the backlog.

The "1 in 10 claims" stat is inaccurate, as it includes Convention Against Torture and other rulings. 27 percent of Northern Triangle asylum applicants were either granted asylum or allowed to remain in the United States in 2018. (<http://bit.ly/2Qp3jyO>) If many asylum claims did not qualify, that indicates a need for more judges in order to consider their cases more quickly, with due process guarantees.

A wall won't deter asylum seekers, nearly all of whom desire to be apprehended by U.S. authorities.
Instead of a wall...

Ports of entry are where people can legally request asylum and where most drugs cross the border. But they are overwhelmed. They have \$5 billion in unmet infrastructure needs, and CBP is nearly 4,000 officers below the level it needs. (<http://bit.ly/2QpM40m> - <http://bit.ly/2QlewAt>)

Alternatives to detention work while families await asylum hearings. An ICE-run Family Case Management Program (FCMP), which operated until the Trump administration ended it in 2017, cost only \$36 per day, and 99 percent of families showed up for their court appearances. ICE's Intensive Supervision Appearance Program also achieved a 99 percent appearance rate using a combination of telephone check-ups, in-person visits, and GPS monitoring. (<http://bit.ly/2QptjdF> - <http://bit.ly/2QptQMH>)

SOLUTIONS NEEDED

FUND THE WALL

Fully funding a border wall system will enable DHS to build primary wall or physical barriers in the areas of greatest need, adding a proven asset to our ability to deter and apprehend those entering illegally.

AMEND THE TVPRA

Allow the U.S. Government to treat Unaccompanied Alien Children the same, no matter where they come from.

OVERRIDE THE FLORES SETTLEMENT AGREEMENT

Allow the U.S. Government to keep parents and children together for the duration of their immigration proceedings.



Hiring more **immigration judges**, while guaranteeing due process, would dramatically reduce backlogs. Right now, it is routine for an asylum-seeker to be assigned a hearing in 2022. Reducing the backlog will reduce the time that people who do not qualify for asylum remain in the country.