

TESTIMONY
of
Representative Adriano Espaillat, New York's 13th Congressional District
to the
Subcommittee on Homeland Security Appropriations
April 9, 2019

Thank you, Chairwoman Roybal-Allard, Ranking Member Fleischmann, and members of the subcommittee for allowing me this opportunity to testify about important items I believe the subcommittee should address in its Fiscal Year 2020 appropriations bill. I would also like to thank the subcommittee's staff for working with my office to help craft the requests I led, and I'd like to take the opportunity now to talk about those requests, as well as a few others.

First and foremost, I want to address an issue that came to light recently. Last month, *The Washington Post*, the *New York Times*, and other news outlets reported that USCIS plans to close all of its international field offices operated by its International Operations Division.¹ The International Operations Division at USCIS operates two dozen offices in 21 countries on five continents. These offices are critical for assisting with refugee and asylum cases, helping Americans who are adopting children from abroad, and processing applications to reunite families. Overseas staff also work to combat cases of immigration fraud, an important agency mission that ensures our limited number of visas go to eligible individuals who have a right to petition for legal status under the Immigration and Nationality Act. Given the quirks in our immigration system that often require prospective immigrants to apply for an immigrant visa and manage their case from outside the United States, closing these offices would only make the process more difficult.

¹ Maria Sacchetti and Nick Miroff, "Trump administration preparing to close international immigration offices," *The Washington Post*, March 12, 2019, https://www.washingtonpost.com/national/trump-administration-preparing-to-close-international-immigration-offices/2019/03/12/e8db2be4-44d3-11e9-aaf8-4512a6fe3439_story.html?utm_term=.ba10a4271eeb (accessed April 7, 2019).

The administration claims it will redistribute resources from closing international field offices to domestic offices in order to reduce caseload backlogs. Yet, at the same time, the President's Budget request includes proposed increases in visa application fees, including a "deficit reduction" surcharge that would not even fund agency operations. It would seem to be against the interests of prospective immigrants, the mandate of the agency, and the intent of Congress to levy additional fees that will not even help to reduce caseload backlogs. I strongly believe the administration is presenting a false choice – USCIS can continue to operate its international field offices while finding other efficiencies to reduce its backlog of cases.

I ask that the committee address this issue in two ways. First, I hope you will include report language expressing that you support the continued operation of International Operations Division field offices and urge USCIS to continue to operate and maintain all existing field offices at current staffing levels. Second, I hope you will find ways to ensure USCIS is adequately addressing its growing caseload backlog, whether through robust oversight or the provision of additional resources. More than 60 of our colleagues joined me in submitting this request to the subcommittee, so there is ample support in the House for addressing this issue.

Next, I'd like to turn to an issue I have been working on since I came to Congress two years ago – the need to equip Immigration and Customs Enforcement officers and Border Patrol agents with body-worn cameras. Numerous accounts detailing unacceptable use of force and violations of Americans' and others' civil liberties highlight the need for body-worn cameras, and independent studies have shown that Customs and Border Protection (CBP) and ICE fail to take any action on the majority of fully-processed complaints. I believe current management of our border security apparatus needs increased review, transparency and accountability.

For the past two years, Customs and Border Protection has conducted a pilot on the use of body-worn cameras for border agents and determined that they would be helpful for oversight and training. Meanwhile, pursuant to language in the Joint Explanatory Statement for the Consolidated Appropriations Act of 2019, Immigration and Customs Enforcement is beginning its own pilot. Now that CBP has determined that Border Patrol Agents should have body-worn cameras, I ask that the committee provide \$10 million in funding to cover the cost of procuring the first set of cameras. This amount will support the roll-out of approximately 10,000 cameras and their necessary docking stations, covering roughly half of the total number of border agents.

Furthermore, given that ICE's pilot is getting under way, I respectfully request that the committee's report to accompany the Fiscal Year 2020 Homeland Security Appropriations bill include language requiring that ICE report to Congress on the status of its pilot and provide a timeline for completion. Some of the most egregious examples of use of force violations involve ICE officers, so we must ensure the agency properly conducts its pilot and provides evidence-based conclusions, which I strongly believe will support the implementation of body-worn cameras.

Last, but certainly not least, is an issue we have all become quite familiar with – the Trump Administration's repeated attempts to use existing appropriated funds for the construction of a border wall. I need not tell you that there is bipartisan skepticism regarding the effectiveness such a wall would have in terms of limiting unlawful immigration. So, Congress must vigorously defend its Article I power of the purse by including language that prohibits the U.S. Department of Homeland Security and its component agencies from the ability to transfer or reprogram funds from other accounts for the construction of physical barriers on the U.S. southern border.

I joined a number of my colleagues in making various program or language requests to the subcommittee regarding the treatment of immigrants in detention, the separation of families at the border, and numerous other issues. So, as I conclude, I would like to reiterate my support for these requests as well. This administration has perpetrated unprecedented harms on immigrant and refugee families, and this subcommittee can provide key oversight of these actions and find ways to curb them. Knowing the enthusiasm and passion with which the chairwoman carries out her important work, I have no doubt the committee will vigorously engage on these critical issues.

Again, thank you for the opportunity to testify and for considering these requests.

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