

**THE BIDEN ADMINISTRATION'S
REGULATORY AND POLICYMAKING EFFORTS
TO UNDERMINE U.S. IMMIGRATION LAW**

HEARING
BEFORE THE
**COMMITTEE ON
OVERSIGHT AND ACCOUNTABILITY**
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

JANUARY 17, 2024

Serial No. 118-84

Printed for the use of the Committee on Oversight and Accountability



Available on: *govinfo.gov*,
oversight.house.gov or
docs.house.gov

U.S. GOVERNMENT PUBLISHING OFFICE

54-569 PDF

WASHINGTON : 2024

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

JAMES COMER, Kentucky, Chairman

JIM JORDAN, Ohio	JAMIE RASKIN, Maryland, <i>Ranking Minority Member</i>
MIKE TURNER, Ohio	ELEANOR HOLMES NORTON, District of Columbia
PAUL GOSAR, Arizona	STEPHEN F. LYNCH, Massachusetts
VIRGINIA FOXX, North Carolina	GERALD E. CONNOLLY, Virginia
GLENN GROTHMAN, Wisconsin	RAJA KRISHNAMOORTHY, Illinois
MICHAEL CLOUD, Texas	RO KHANNA, California
GARY PALMER, Alabama	KWEISI MFUME, Maryland
CLAY HIGGINS, Louisiana	ALEXANDRIA OCASIO-CORTEZ, New York
PETE SESSIONS, Texas	KATIE PORTER, California
ANDY BIGGS, Arizona	CORI BUSH, Missouri
NANCY MACE, South Carolina	JIMMY GOMEZ, California
JAKE LATURNER, Kansas	SHONTEL BROWN, Ohio
PAT FALLON, Texas	MELANIE STANSBURY, New Mexico
BYRON DONALDS, Florida	ROBERT GARCIA, California
SCOTT PERRY, Pennsylvania	MAXWELL FROST, Florida
WILLIAM TIMMONS, South Carolina	SUMMER LEE, Pennsylvania
TIM BURCHETT, Tennessee	GREG CASAR, Texas
MARJORIE TAYLOR GREENE, Georgia	JASMINE CROCKETT, Texas
LISA McCLAIN, Michigan	DAN GOLDMAN, New York
LAUREN BOEBERT, Colorado	JARED MOSKOWITZ, Florida
RUSSELL FRY, South Carolina	RASHIDA TLAIB, Michigan
ANNA PAULINA LUNA, Florida	
NICK LANGWORTHY, New York	
ERIC BURLISON, Missouri	
MIKE WALTZ, Florida	

MARK MARIN, Staff Director

JESSICA DONLON, Deputy Staff Director and General Counsel

JAMES RUST, Chief Counsel for Oversight

SLOAN McDONAGH, Counsel

MALLORY COGAR, Deputy Director of Operations and Chief Clerk

CONTACT NUMBER: 202-225-5074

JULIE TAGEN, Minority Staff Director

CONTACT NUMBER: 202-225-5051

C O N T E N T S

Hearing held on January 17, 2024	Page 1
--	-----------

WITNESSES

Joseph Edlow, Former Acting Director and Chief Counsel, U.S. Citizenship and Immigration Services; Founder, The Edlow Group LLC Oral Statement	6
Tom Homan, Former Acting Director, U.S. Immigration and Customs Enforcement Oral Statement	7
David Bier (Minority Witness), Associate Director of Immigration Studies, Cato Institute Oral Statement	10

Opening statements and the prepared statements for the witnesses are available in the U.S. House of Representatives Repository at: docs.house.gov.

INDEX OF DOCUMENTS

- * Article, *The Intercept*, “ICE Agents Struggled to Prove Trump’s Lies About Immigrants”; submitted by Rep. Casar.
- * Article, *Newsweek*, “Trump’s ICE Director Doesn’t Care About Families Separated at Border”; submitted by Rep. Casar.
- * Article, *FoxNews*, “Biden admin admits migrant drownings occurred”; submitted by Rep. Cloud.
- * Article, *Washington Times*, “MTG threatens to oust Speaker Mike Johnson”; submitted by Rep. Moskowitz.
- * Article, PBS, “Some Lawmakers Propose Loosening Child Labor Laws”; submitted by Rep. Ocasio-Cortez.
- * Article, *Slate*, “Government Had No Intention of Reuniting Separated Families”; submitted by Rep. Raskin.
- * Article, ABC News, “Trump Admin misses court deadline to reunite”; submitted by Rep. Raskin.
- * CBP Enforcement Statistics; submitted by Rep. Raskin.
- * Congress Immigration Bills; submitted by Rep. Raskin.
- * Memo, re: US Border Patrol TIs, from Dem Member; submitted by Rep. Raskin.
- * Report, National Immigration Forum, “Immigration Forum Illicit Fentanyl POE”; submitted by Rep. Tlaib.
- * Article, VOA News, “Hundreds of Migrants Face Sex Attacks”; submitted by Rep. Waltz.
- * Article, *NY Post*, “Migrant Children Sexually Abused in ‘Rape Tents’ While Crossing Darien Gap”; submitted by Rep. Waltz.
- * Article, Doctors Without Borders, “The facts about the humanitarian crisis”; submitted by Rep. Waltz.
- * Article, *The New York Times*, “You Have to Pay with Your Body”; submitted by Rep. Waltz.
- * Statement for the Record; submitted by Rep. Connolly.

The documents listed are available at: docs.house.gov.

**THE BIDEN ADMINISTRATION'S
REGULATORY AND POLICYMAKING EFFORTS
TO UNDERMINE U.S. IMMIGRATION LAW**

Wednesday, January 17, 2024

HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
Washington, D.C.

The Committee met, pursuant to notice, at 10:10 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Jordan, Foxx, Grothman, Cloud, Palmer, Biggs, Mace, LaTurner, Fallon, Donalds, Timmons, Greene, Boebert, Luna, Burlison, Waltz, Raskin, Norton, Krishnamoorthi, Khanna, Mfume, Ocasio-Cortez, Porter, Bush, Brown, Stansbury, Garcia, Frost, Lee, Casar, Crockett, Goldman, Moskowitz, and Tlaib.

Chairman COMER. The Committee on Oversight and Accountability will come to order, and I want to welcome everyone here this morning.

Without objection, the Chair may declare a recess at any time.

The first order of business is ratifying the new Subcommittee roster. The clerks have distributed the roster electronically.

I ask unanimous consent that the Committee approve the appointments and assignments as shown on the roster.

Without objection, the Subcommittee roster is approved.

I recognize myself for the purpose of making an opening statement.

One of this Committee's first hearings at the start of this Congress was examining the worsening border crisis. We heard from two chief Border Patrol agents, who testified about a crisis that was setting records for illegal border crossings, migrant deaths, narcotics seized, and suspected terrorists arrested trying to illegally cross the border. Tragically, the Biden Administration did not pay heed to their testimony, and the border crisis has continued to deepen, affecting almost every American. Just last week, New York City forced children to stay home from school so that illegal immigrants could be housed in their classrooms.

Alongside the Homeland Security Committee, the Oversight Committee has been investigating the border crisis, interviewing Chief Border Patrol agents from every sector along the Southwest border. We released a staff report yesterday describing their experi-

ences and detailing the hardships of attempting to protect the border without the support of the Biden Administration. I urge all my colleagues, including Ranking Member Raskin, to read this very detailed report.

Today's hearing is an opportunity to hear from experts with decades of law enforcement experience on how policy decisions made by the Biden Administration have led us to the border crisis we are witnessing today. President Biden and his Administration have refused to take any responsibility for the catastrophe they created, and now the Biden Administration is doing what it does best, asking taxpayers for more money. But more money is not going to solve much on the border because what we are seeing is not a money problem. It is a policy problem. It is a problem of not enforcing U.S. immigration law. No amount of money can fix bad policy.

Make no mistake, a blank check in the hands of the Biden Administration does not mean more border security and less illegal immigration. A blank check does not mean more detention and removals of illegal aliens, which is what is needed to stem this crisis. A blank check means more Biden Administration policies undermining U.S. immigration law. A blank check means even faster releases of more illegal aliens into the interior of our country. A blank check means more Agency memos and rulemaking to undermine the rule of immigration law in this country and give administrative amnesty to whole classes of illegal aliens residing in the country.

The Biden Administration refuses to acknowledge that 3 years of poor policy decisions have led to the situation we find ourselves in today, and it is not getting any better. Preliminary reports indicate that a record-setting 302,000 encounters were made last month on the Southwest border, and the majority of those encountered, at least two-thirds, maybe even more, are not being detained for removal proceedings. Under the Biden Administration, most illegal aliens are released within hours or days of their apprehension. Those illegal aliens, if they even show up to Immigration Court at all, will enter a court system now saddled with over 3 million cases nationwide, and even if they are issued a final order of removal, it is unlikely the Administration will make them a priority to effectuate the removal.

Since the beginning of this Congress, House Republicans have worked to hold the Biden Administration accountable for policy decisions that have encouraged illegal immigration and overwhelmed law enforcement. We have also worked to pass legislation to solve this crisis. In May of last year, House Republicans passed H.R. 2, the Secure the Border Act of 2023, to restore order within our immigration system. Our solutions are simple. Illegal activity on the border must be met with adequate and timely consequences, not a quick release to await years long removal proceedings where hundreds of thousands of aliens file frivolous or fraudulent applications that create delays for those who truly qualify. Our message to President Biden is this: enforce the law and restore policies that deter illegal immigration. I thank the witnesses for appearing today and look forward to their testimony.

I now yield to Ranking Member Raskin for his opening remarks.

Mr. RASKIN. Mr. Chairman, thank you very much. Today, our colleagues are using their first full Committee hearing of the year to distract from the depressing reality that they failed to bring forward even a single piece of serious bipartisan legislation, much less a bipartisan bill, to improve our immigration system and confront our major challenges on the Southern border. The 118th Congress is shaping up to be one of the most unproductive in American history with only 34 bills signed into law in 2023, a small fraction of the number typically enacted in a year. They simply have no program for America and just operate at the beck and call of Donald Trump. It has become obvious that Trump's party does not want immigration solutions at the border. They want immigration problems to run against.

The other main issue they used to demagogue—abortion—is no longer available to them because the country's negative response to the Supreme Court's destruction of *Roe v. Wade* in 2022 demonstrates this is still a country that prizes freedom, rejects theocratic repression, and opposes the MAGA Republicans' eagerness to pass a national law banning abortion rights, so they cannot talk about those plans anymore. The cat has got their tongue.

So, with no positive program on infrastructure, healthcare, education, or anything else to run on, the do-nothing MAGA Republicans are hoping that simply demagoguing the issue of immigration, while not addressing it in any serious way, will be their ticket back to the White House. Then Trump can resume the real work that he wants to accomplish: pocketing for himself and his family tens of millions or billions of dollars from foreign governments, like Communist China, and the murderous monarchs of Saudi Arabia, the United Arab Emirates, and Qatar, and so on. But they forget that, as with reproductive freedom, the American people have real values on immigration. America is a Nation of immigrants, but it is also a Nation of laws, and we must make America accessible for lawful immigration while we reduce and discourage unlawful immigration.

So where is their plan? The immigration system has been broken for decades. We know that migration surges are provoked by economic and social crisis, war, violence, lack of opportunity, and natural disasters rather than the specific immigration policies of any particular administration. As we will hear from our expert witness today from the Cato Institute, scholars across the spectrum have found evidence that it is the strength of our country's labor market, coupled with inadequate pathways to legal migration, that are the domestic factors that best explain the immigration surges that we see. So, if we have a record high jobs rate, as we do under President Biden—4 percent for 2 years—and a great demand for workers in the country but far too few legal options for entry to the country, we will be dealing with a lot of unlawful entry.

The difficult challenges posed by immigration require comprehensive policy solutions, and that is what Democrats have advanced. On his first day in office, President Biden sent Congress the U.S. Citizenship Act, a strong immigration reform proposal that would modernize and invest in greater border security, expand lawful pathways to immigration citizenship, address immigrant

visa backlogs, and combat the underlying conditions that fuel migration in the first place.

Biden has acted to strengthen the American immigration system and enforcement of our border security laws. He ordered the hiring of 300 additional Border Patrol agents, the first hiring increase of such agents in more than a decade, a decade which included the big talking and wall-obsessed Trump Administration. The Biden-Harris team is also engaged in coordinated efforts to thwart fentanyl trafficking by making more illicit fentanyl-related arrests in the last 2 years than in the prior 5 years combined.

The Administration also ended the gratuitously inhumane and failed policies of the Trump Administration, including the cruel separation of immigrant families at the Southwest border. The Administration repaired and expanded lawful immigration pathways through newly established parole processes and increased refugee admissions. It also made historic investments to strengthen enforcement and reduce unlawful border crossings, and the Administration is addressing the underlying causes of undocumented migration by engaging in global efforts with our international partners. Taken together, these efforts will make it easier to get into America lawfully and a lot harder for people and illicit drugs to get into America unlawfully.

Our colleagues try to paint these policies as radical. In reality, the Biden-Harris Administration has used its rulemaking authority faithfully and appropriately, as upheld in court, time and again. For example, on June 23d last year, the Supreme Court sided with the Biden Administration in a resounding 8 to 1 decision to uphold its policy of focusing limited Federal resources on addressing unlawful migrants who are suspected terrorists and criminals, but we know it is not enough alone to enforce existing laws. Congress must reform our immigration system and provide adequate resources to support it.

Last Congress, House Democrats passed five comprehensive immigration bills that would rebuild our broken system and provide pathways to lawful immigration, but this Congress, the MAGA Majority refuses to bring forward any of the nearly 70 bipartisan or Democratic immigration reform bills already on the table. Instead of engaging meaningfully on these proposals or approving President Biden's requests for robust border security funding, MAGA Republicans have put forth proposals that range from cruel and unworkable, such as their Child Deportation Act, to nonsensical and strange, such as their proposals to defund the Department of Homeland Security and slash the Secretary's salary to \$1.

They prefer to waste time and resources than to engage in serious negotiations about policies and funding that would work to strengthen the border. This was made clear last week in their outlandish sham impeachment hearing against Secretary Mayorkas. Our colleagues apparently do not know the difference between a policy disagreement and a constitutional high crime and misdemeanor.

Rather than joining Democrats and Biden in good-faith, bipartisan negotiations to make progress on immigration, they are taking orders from Donald Trump and actively obstructing a bipartisan border deal. Just as Trump is openly hoping for an economic

downturn in our robust, low unemployment economy, they are hoping for chaos at the border and trying to stop us from preventing it. These tactics are accompanied by dangerous rhetoric. MAGA Republicans continue to invoke white supremacist, anti-immigration fantasies, and conspiracy theories. It has been almost a full year since I invited the good Chairman and my Republican colleagues to join oversight Democrats in condemning the Great Replacement theory, and still they fail to denounce this shameful doctrine, which has been invoked by numerous racist and antisemitic mass shooters and murderers across the country.

America is not a great country in spite of immigrants. We are a great country because of immigrants. Immigrants are essential to our present and our future just as they fit into our history, and Democrats will continue to stand up for strong laws and oppose the hatred and scapegoating of immigrants. We are here to legislate and to do the hard work of hammering out a bipartisan policy path to comprehensive immigration reform, just as we were a decade ago when House Republicans scuttled a hard-fought immigration reform package that passed the Senate with bipartisan support. We will still be here when my colleagues are ready to step back from the extremist ledge and come to the table, working together for effective and pragmatic solutions.

Thank you very much, Mr. Chairman. I yield back.

Chairman COMER. I am very pleased to introduce our witnesses today. Joseph Edlow most recently served as Acting Director of U.S. Citizenship and Immigration Services under the prior Administration, and prior to that role, he served as their chief counsel. He has also served as a Deputy Assistant Attorney General with the Office of Legal Policy at the Department of Justice. He also has experience litigating before the Immigration Court, serving as an Assistant Chief Counsel at U.S. Immigration and Customs Enforcement in Baltimore for several years.

Tom Homan served as the Acting Director of ICE in 2017 and 2018. Prior to his appointment, he was the Executive Director for ICE Enforcement and Removal Operations, where he was awarded the 2015 Presidential Rank Award as a distinguished executive. He brings over 3 decades of experience working in law enforcement, including working as a Border Patrol agent. And David Bier is Associate Director of Immigration Studies at the Cato Institute, where he focuses his research and writing on legal immigration, border security, and interior enforcement. He previously served as a senior policy advisor for former representative Raul Labrador from Idaho.

I originally invited Attorney General Liz Murrill of the great state of Louisiana to testify at today's hearing. Unfortunately, weather-related flight cancellations prevented her appearance.

I would ask unanimous consent to enter into the record a copy of what would have been her prepared written testimony.

Without objection, so ordered.

Chairman COMER. Pursuant to Committee Rule 9(g), the witnesses will please stand and raise their right hand.

Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Let the record show that the witnesses all answered in the affirmative. We appreciate all of you being here today and look forward to your testimony.

Let me remind the witnesses that we have read your written statements and they will appear in full in the hearing record. Please limit your oral statements to 5 minutes. As a reminder, please press the button on the microphone in front of you so that it is on, and the Members can hear you. When you begin to speak, the light in front of you will turn green. After 4 minutes, the light will turn yellow. When the red light comes on, your 5 minutes has expired, and we would ask that you please wrap up.

I recognize Mr. Edlow to please begin his opening statement.

**STATEMENT OF JOSEPH B. EDLOW
FORMER ACTING DIRECTOR AND CHIEF COUNSEL
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
FOUNDER
THE EDLOW GROUP LLC**

Mr. EDLOW. Thank you, sir. Chairman Comer, Ranking Member Raskin, and distinguished Members of this Committee, thank you for the opportunity to present testimony today regarding the regulatory and policymaking efforts that have directly undermined U.S. immigration law, triggering a crisis of epic proportions.

Using a cadre of intentional mechanisms, the Biden Administration has waged war against the immigration system of the United States. Beginning on day one, the Biden Administration halted all deportations for 100 days. This was followed by President Biden's executive order on restoring faith in our legal immigration systems and strengthening integration and inclusion efforts for new Americans. The order required DHS, in conjunction with DOJ and the Department of State, to identify barriers that impede access to immigration benefits and to find fair, efficient adjudications of these benefits and make recommendations on how to remove these barriers, thus creating the battle cry of the Administration—removing barriers to mass migration, no matter the legality.

To that end, Secretary Mayorkas issued a memorandum entitled, "Guidelines for the Enforcement of Civil Immigration Law," which outlined the appropriate instances in which DHS was authorized to take action against aliens either unlawfully present or lawfully present but removable. While in theory this would seem to encompass many aliens who should probably be targeted for enforcement actions by ICE, in reality, the numerous carveouts, loose definitions, and required factors for consideration made it nearly impossible to move forward with most enforcement actions. These poorly defined categories could be seen to give even the most serious of criminal aliens a free pass in the interest of equity and justice.

The Administration has engaged in numerous rulemakings aimed at so-called efficiency and expediency at the border. These regulatory efforts focused on border processing and on Immigration Court procedures have been haphazard, creating more confusion at the border and are largely in direct conflict with congressional action, a clear violation of the Chevron Doctrine. These regulatory actions that purport to be tough on illegal border crossers more likely incentivize than deter aliens. The actions render moot anti-fraud

measures and upend the congressional determinations on the credible fear process itself.

Even more concerning, these actions put pressure on immigration judges to conclude cases quickly while simultaneously eroding ICE's critical role in the Immigration Court process. The intended result is non-adversarial Immigration Court hearings where the presumption always favors the aliens seeking relief. Last, the parole abuse continues to be a tool in the Biden Administration's arsenal as unlawful mass parole programs have played a large role in artificially decreasing numbers along the Southwest border. Categorical parole programs flagrantly disregard the plain language of the statute, which unambiguously limits parole to case-by-case matters and for very specific reasons.

The results speak for themselves. Removals are the ultimate measure of effective immigration enforcement, and the numbers clearly demonstrate the stunning decrease during this Administration. ICE has removed aliens at a rate of 3.5 percent of the aggregate number of encounters compared to 32 percent during the previous Administration. As for border encounters, under the current Administration, Customs and Border Protection has recorded more than 8.5 million encounters at America's borders, including more than 7 million at the Southwest border alone.

As each memorandum, regulatory action, or policy decision is announced, the crisis at the Southwest border grows exponentially. The system has been brought to its knees, and the Administration does not appear to be slowing down. One thing is clear: this is all by design. These actions have created instability not only for national security, public safety, and the economy, but for the aliens themselves who are allowed to remain in a quasi-status that is far more akin to limbo than to lawful status under the Immigration and Nationality Act. The efforts undertaken by the Administration have simply undermined our system and need to be reversed immediately.

I implore this Committee to continue its investigations and to take all necessary actions to ensure that the laws are faithfully executed and enforced, that order and integrity is restored to U.S. immigration law. The Department of Homeland Security and the Department of Justice must be subject to aggressive oversight and be made to explain why enforcing the laws as Congress has prescribed is simply not an option for them. They must be made to account for their policy choices, and they must be forced to repair the damage. This country is unable to fulfill its critical humanitarian mission nor fairly and expeditiously provide proper immigration benefits until this crisis is quelled. A return to the rule of law is long overdue, and it is incumbent upon Congress to demand that corrective action be immediately taken.

I thank you all for your attention and interest in this matter and look forward to answering your questions.

Chairman COMER. Thank you. Mr. Homan?

**STATEMENT OF THOMAS HOMAN
RETIRED DIRECTOR
UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT**

Mr. HOMAN. I started my career in immigration enforcement in 1984 as a Border Patrol agent. I have worked for six Presidents up to Donald Trump. Every President I have ever worked for took some steps to secure the border because they understood you cannot have strong national security if you do not have border security. But President Biden is the first President in the history of this Nation that I know of who came in office and unsecured border on purpose, and even President Obama gave me the Presidential rank award, highest award available, because what was I doing at the time? I was locating and deporting people who are in the country illegally.

So, we went for the most secure border of my lifetime, and it is not just my opinion. I have done this for 34 years. Anybody can go to CBP.gov and look at the data. We handed this Administration the most secure border in my lifetime, and within months, we went from the most secure border to historic illegal immigration, numbers we have never seen before. It is not because it is seasonal, it is not because of climate change, it is not because of Trump. This is by design.

We already heard about some of these people are coming because of economic reasons or natural disasters. The bottom line is when you claim asylum, you must be escaping fear and persecution from your home government because of your race, religion, political affiliation, or membership in a particular social group. That is not the fact. If we look at Immigration Court data over the last 10 years, you will see that nearly 9 out of 10 people who claim asylum at the border never get relief from our courts as they simply do not qualify, but they are coming and staying because of Biden's promises.

I wrote an op-ed 6 months before the election. I said if President Biden becomes President, we will lose the border based on the promises he was making during the campaign, and he has kept those promises. Right now, we have record numbers of illegal aliens coming across the border. Catch and release is rampant. Right now, Secretary Mayorkas already said 85 percent of everybody coming to the border is being released into the country. They are not being detained, and why aren't they being detained? Because of two reasons. No. 1, because he knows like I do, that the vast majority of these people will be ordered removed 5, 6, 7 years down the road, maybe 10. He also knows the Homeland Security lifecycle report says if you get an order of removal and you are in an ICE bed, you get removed 99 percent of the time, but if you are not in detention, your chances of being removed are slim; if you are a family unit, about 6 percent. That is why they are releasing them, thousands of empty ICE beds sitting there right now already paid for by the taxpayer. They would rather release them because they know the vast majority will lose their case and would be ordered removed, but if they are not detention, they will not be removed.

So, this Administration comes up with what they call lawful pathways, which I think are illegal and I think they will lose when the decision of the courts come out. The CBP One app, 95.8 percent are approved. Where is the case-by-case analysis that is supposed to be done for people for parole? That has not been done. It is a shell game. They move thousands to the port of entry, so they can claim less illegal entries between the ports of entries. But it has failed because November-December, we saw record amounts of crossings on the border, over 300,000 just in December.

And people who say that the border is not in crisis, I tell you this. In 2020, the total encounters in the Southwest border was 646,000; this year, 3.2 million, 5 times what we saw during last year of Trump Administration. Court orders are years out, but this Administration is counting out, you overflow the system. Push these court dates back 7, 8 years, and what is going to happen? Mark my word: when they finally get an order to removal 7 years down the road, do not have a USC child, will have two USC children. Now we will get phone calls from the Director of ICE, we will get phone calls from the Hill, saying why did you remove that person with two USC kids? Well, he did not have two USC kids when entering the country illegally, so now that he has two USC kids, he is immune from law. The court order means nothing.

So, here is what I am looking for. For people who demand these people have a right to claim asylum, they have a right to due process, I agree, but due process does not mean anything if the final decision of the court is not executed, and people are not removed. So, if it takes 5 or 6 years, they still must be removed or the system means nothing.

I have been attacked numerous times because I worked for President Trump. They said our policy is inhumane. I have been called a racist and a bigot by Members of Congress. Let us get one thing straight. Under President Trump, illegal immigration went to a 40–45-year low, 83 percent decline in illegal immigration. There have been several studies saying 31 percent of women that make that journey through cartels get sexually assaulted.

So, let me ask you a question or make a point. When 83 percent less people are coming, how many migrants did not die crossing the border when 83 percent less were coming? How many people did not die? How many people on the terrorist screening data base did not try to come in the country because Border Patrol is 100 hundred percent vigilant on the line and not overwhelmed. How many women and children did not get sex trafficked into the United States, forced into sex slavery, forced labor, and debt bondage? How many billions did the criminal cartels not make?

Under President Biden, where they call this humane, over 1,700 migrants have died on U.S. soil, a historic record, not counting the Darien Gap and Mexico and Central America; a hundred and 12 thousand Americans dying from fentanyl; historical increase in sex trafficking and forced labor and debt bondage; almost a hundred thousand missing kids that were released by ORR. Four hundred and forty thousand unaccompanied children enter the country through the service of the cartels. Someone needs to explain me how that is humane, any of this stuff, and a record number of people on the terrorist watch list being arrested. One point nine mil-

lion got-aways. That statement alone should convince anybody on either side, 1.9 million got-aways, the border is not secure. It is ridiculous to claim so.

Chairman COMER. Thank you. The Chair recognizes Mr. Bier for his opening statement.

**STATEMENT OF DAVID J. BIER
ASSOCIATE DIRECTOR OF IMMIGRATION STUDIES
CATO INSTITUTE**

Mr. BIER. Chairman Comer, Ranking Member Raskin and distinguished Members of the Committee, thank you for the opportunity to testify. For nearly half a century, the Cato Institute has produced original research showing that a freer, more orderly, and more lawful immigration system benefits Americans and protects the rule of law. Congress' mandate is simple: create legal ways for Americans to associate, contract, and trade with people born in other countries. Unfortunately, America's legal immigration system was originally designed a century ago and last updated in 1990.

This system has been flawed and failing for decades, but then starting in January 2017, it faced an assault unlike any in American history. For 4 years, the prior Administration relentlessly, and often illegally, undermined every fundamental aspect of our immigration system. For the first time in modern U.S. history, a President used his authority to ban legal immigration: visa issuances cut 80 percent; refugee arrivals down 92 percent; Afghan allies abandoned to be killed by the Taliban. For the first time since the Refugee Act of 1980, an administration completely unilaterally nullified asylum law to send people back to persecution and torture.

As it spent incalculable resources shredding America's immigration system, it never secured the border. December 2020 saw the most Border Patrol arrests for any December going all the way back to the year 2000 and the most successful illegal entries in almost as long. Yet, by the end of 2020, the prior Administration had gutted much of the immigration enforcement system. Two, in December 2020, immigrant detention fell to the lowest level since the 1990's. ICE removals were at the lowest levels in the history of the Agency to that point. Immigration courts finished the fewest cases on record.

The current Administration pulled the system back from the brink. Legal immigration obliterated by those 4 years is finally back. It saved the U.S. tourism industry, rescued countless small businesses from closure, and reopened America for investment again. It saved tens of thousands of American allies from the Taliban. Of course, bringing back a flawed system was never going to be enough. With liberty on the retreat around the world, more displaced people are migrating than ever, and with U.S. job openings at record highs, more people are choosing America as their destination.

The Administration took dramatic steps to respond to this challenge, forcibly removing more immigrants than any year since 2001. It even removed a higher share of border crossers during its first 2 years in office than the prior Administration did in its last 2 years in office. But those efforts did not show results and, to its credit, it changed its tactics and launched pilot programs that al-

lowed some people the ability to apply to enter legally. These parole programs have dramatically reduced illegal immigration by those eligible for them. They have virtually eliminated illegal immigration by Haitians and Cubans. This is not enough.

And I am sure my colleagues are saying where is the David Bier that spent the last 3 years criticizing this Administration, and that is fair. I will take that criticism, but what I will not take is criticism of this Administration's efforts to rebuild this system from the very people who spent 4 years undermining every aspect of that system. It would be laughable if they simply stopped at ripping the system apart, but instead they said, "you know what these immigration laws should really be used for?" The torment of little kids. They turned down prosecuting sex offenders just so that they could make sure the last image a child saw of his mother was her being dragged away by a Border Patrol agent.

We can do better. We can have a humane and orderly immigration system, but we need to start with the premise that people are not the problem. People are the ultimate resource. The problem is the illegality, the chaos, the disorder, but we can fix those things with a better system. So, sure, let us debate the particulars, but let them come legally. Thank you.

Chairman COMER. Now we will begin the question-and-answer portion of the hearing.

The Chair recognizes the Chairman of the National Security Subcommittee, Mr. Grothman from Wisconsin, for 5 minutes.

Mr. GROTHMAN. Thank you very much. Just to clarify a couple of things, people make it sound like it is impossible to come here. Last year, I do not know if we have the final figures, but almost 1 million people were legally sworn in as new citizens in this country. And as far as keeping families together, we are now at a point where, depending on the month, 7,000 to 9,000 unaccompanied minors without either parent are allowed in this country and some just taken off to foster care to somebody who is completely unrelated to them. So, it is not at all true to say that people cannot find a way to come here. They have all of these visas, and almost a million a year are sworn in as new citizens, and as we are proceeding with the process, 8,000 to 10,000 kids left in here without their parents.

Now, Mr. Homan, is it a criminal act to enter the U.S. without authorization between points of entry?

Mr. HOMAN. Yes, a violation of Title 8, U.S.C. 1325. It is a criminal act.

Mr. GROTHMAN. OK. So, yes, a criminal act. Many of the illegal aliens we see cross the Southwest border have smartphones and luggage. By the way, I will stop right there. You are familiar with the border. Do you buy into this idea that all of these people coming here are destitute, or are some people that are pretty well off given where their country is, where they came from?

Mr. HOMAN. Well, people are coming from 181 different countries, so every country is different. But like I said, you go over the Immigration Court data, the vast majority of these people will be ordered removed because they do not qualify for asylum. They are using a loophole by claiming asylum, saying a few key phrases taught by the cartels, get released in United States. Many of them

show up in court, and those that do show up in the court that get a final order approval will not leave because Secretary Mayorkas has said to ICE, being in the country illegally on its own, is not enough for ICE to seek an arrest, which is just going to bring more people. They know how to enter the country illegally. As long as they do not commit a serious crime, ICE is not looking for them.

Mr. GROTHMAN. OK. The media in this Administration claim that many illegal aliens come from countries with poor economic conditions or crime. Are poor economic conditions, coming here from Brazil or whatever that have economic downturn, are poor economic conditions or general fear of crime, like if somebody comes in here from Chicago, I mean, Mexico, are they valid legal grounds for granting an asylum case?

Mr. HOMAN. No. Asylum is escaping fear and persecution from your home state government because of your race, religion, political affiliation, or participation in specific social group.

Mr. GROTHMAN. OK. What happens to these frivolous claims that are made by illegal aliens released by the Biden Administration, assuming they even apply for asylum in the first place, and many do not, and is there an impact on the courts and the USCIS?

Mr. HOMAN. Well, I will let Mr. Edlow talk about CIS, but the courts are backlogged by millions of cases. Some of these cases are going to be out 7, 8 years, so it has had a tremendous impact to the Immigration Courts, but, again, that is by design. You flood the court system, put the hearings out 7, 8 years, then the people build equities, and when they build equities, U.S. citizen children, buy a house, it makes them more difficult to remove. The vast majority become fugitives, so ignore the court order. They are going into hiding waiting for the next give-away, waiting for the next amnesty, waiting for the next DACA.

Mr. GROTHMAN. Now, I want to just clarify some numbers here, so we understand the size of the program. As I understand it, in December, over 300,000 people entered this country and were allowed in or were got-aways who just got their way in. And when the last Administration left office, that number was, depending on the month, 5,000 to 20,000. So, it increased by a factor of about 30 to 1. Is that accurate, 30 times more people coming into the interior of this country than 2 years ago?

Mr. HOMAN. It depends on what month you look at, but overall, as I explained earlier, total encounters are 5 times as many under this Administration than Trump, and the gentleman to my left talks about percentages of people being removed under Trump, removed under Biden. Well, here is the difference. Percentage of the 2.3 million is a lot different than percentage of 6,646. It is not about percentages, it is about how many people were released in the country, and there is zero comparison between the Trump Administration and Biden Administration. And the 2020 data he is talking about, let us remember this is COVID, Immigration enforcement in the interior was shut down, so, you know, the numbers are cleared.

The Remain in Mexico program, a game changer. People can still claim asylum, but they wait in Mexico. That was a game changer. People stopped coming. People stopped putting their lives at risk. People stopped selling everything they had to come to United

States to be released. And what happened after 2 months of Remain in Mexico? They stopped coming, which means less people died, less women were sexually assaulted. The criminal cartels made less money, less drugs getting into the country because the Border Patrol 100 percent on the line, vigilant, doing their job.

Mr. GROTHMAN. Less people drowning in the Rio Grande. Less people dehydrated in the Arizona desert. Amen. We have one more question. If the vast majority of illegal aliens have no legal basis to enter and remain in the U.S., why is the Biden Administration releasing millions of them into our country rather than detaining and deporting them?

Mr. HOMAN. Because they have the same data points that I have. They know that a vast majority will get ordered removal, where if they are not detained, the chances of ever them leaving are very slim. Again, this is by design. There are thousands of empty ICE beds already paid for by the taxpayer, but this Administration would rather put them in a hotel room at \$500 a night with free medical care, three squares a day. And the policies of this Administration is driving illegal immigration.

The cartels sell the fact. You can cross the border illegally. You get processed quickly. You will get flown to the city of your choice on the taxpayer dime. You will be put in a hotel and be taken care of. And even when you lose your case, you are not going to be removed because the Secretary told ICE unless you are convicted of an aggravated felony or you are a national security threat, you are not a target for arrest. That drives more people to come.

Mr. GROTHMAN. Thank you.

Chairman COMER. Thank you. The Chair recognizes Mr. Raskin, from Maryland.

Mr. RASKIN. Thank you, Mr. Chairman. Mr. Bier, my colleagues claim that the Biden-Harris Administration has failed to secure the Southern border. But these claims were directly and overwhelmingly contradicted by multiple chief patrol agents from the U.S. Border Patrol—witnesses with direct knowledge about border security who the Republicans themselves brought before the Committee last year. Fortunately for America, but unfortunately for the Republicans, the chief patrol agents confirmed that their ability to secure the border has dramatically increased under the Biden and Harris Administration, thanks to increased funding resources. For example, the chief patrol agent responsible for the Del Rio Sector of the Southern border stated last year, “Because we have gotten more detection capability, because we have, as you said, more on the way, we have got the additional processing coordinators, we are in a better situation than we were in years past.” The chief patrol agent responsible for the Big Bend Sector told the Committee last year, “We reduced the entries and got-aways in Big Bend Sector over the course of the last 2 years. We have been very successful.”

Mr. Bier, given the feedback of these chief patrol agents, is it credible, in your view, for Republicans to characterize border security under the current Administration as weaker than under the last Administration?

Mr. BIER. Not at all, and if you look at 2019, for example, you had almost 1 million encounters that year, which was half of the level that we are seeing now, and yet, despite having much lower

total numbers, they still were not removing a higher share than the Biden Administration did. So, yes, there has been more resources put in. There has been more effort by this Administration. I mentioned the number of removals being the highest since 2001. So, the idea that they are not putting in the effort is really, I mean, it is offensive to the Border Patrol agents who are doing their job.

Mr. RASKIN. Those agents also explained that DHS Secretary Mayorkas' policies have been successful in reducing unlawful crossings while also expanding lawful pathways for people fleeing countries experiencing economic and political turmoil and violence. Mr. Bier, has the Biden and Harris Administration been more or less successful than the Trump Administration's DHS in removing migrants who illegally crossed the border?

Mr. BIER. Yes, they have been more successful. They removed a higher share during their first 2 years than the Trump Administration did in its last 2 years, and if you look at the trend over time, starting in 2017, the number of successful illegal entries went up each year under the Trump Administration and peaked in December 2020, reaching the highest levels in almost 15 years.

Mr. RASKIN. And yet, Mr. Homan says also that most immigrants do not attend their Immigration Court hearings. The information I have from the American Immigration Council says that 83 percent of immigrants actually do attend their court hearings. Who is right about that?

Mr. BIER. Well, the data from the Executive Office of Immigration Review disproves their claim. They know that they are showing up for the hearings, which is why they do not want to give them a hearing. They do not want to give them the opportunity to prove their asylum claim, and they want to remove them without the ability to make that evidence available to the court. So yes, they do show up in court. And when you are talking about the 17 percent that fail to show, in many cases, that is a result of the fact that ICE is putting people in Immigration Court proceedings in cities that are far flung from where they are going. So, it is often not the fault of the migrants themselves who failed to show up in court.

Mr. RASKIN. I think that you articulated well what most American people feel, which is that we should discourage as much as possible illegal immigration into the country and encourage and proliferate possibilities for lawful immigration. After all, we have got a job shortage under this booming economy. We have had 4 percent or less unemployment for more than 2 years now. So, are there policies that we could come together on in a bipartisan way to advance these goals?

Mr. BIER. Oh, absolutely. I mean, I think the Administration has proven that the idea of legal immigration as an alternative to illegal immigration is a valuable one, and they did it using their parole authority. Unfortunately, that is a temporary status. It has to be renewed. The Administration could take it away at any time. Providing that same opportunity, but with congressional action, that provides a permanent path to stay, would be a much better option. And you are absolutely right: over the last 3 years, we have had an average of about 10 million job openings every single

month. That is why they are coming. Pay attention to your free market fundamentals on this.

Mr. RASKIN. Thank you, Mr. Bier. Mr. Chairman, I have a unanimous consent request for introduction to the record about a memo on transcribed interviews of these chief patrol agents.

Chairman COMER. Without objection, so ordered.

Mr. RASKIN. And if I could ask you also, Mr. Chairman, can we release those nine Border Patrol transcripts from last year of all of these agents who testified?

Chairman COMER. We will get back with you, yes.

Mr. RASKIN. Terrific.

Chairman COMER. No. I said I am happy to take that issue up with you.

Ms. STANSBURY. Point of order.

Chairman COMER. Today's hearing is about the border crisis, the crisis that this Administration has created. We have heard the mayor of New York City. We have heard the mayor of Washington, DC. We have heard Democrat mayors all over United States talking about this issue. We have highly qualified witnesses here to discuss this serious matter, so I suggest that the questions are addressed to the witnesses today. We have good witnesses.

Ms. STANSBURY. Mr. Chairman, point of order.

Chairman COMER. State your point.

Ms. STANSBURY. I would just like to inquire from the Chairman as to why there would be resistance to releasing the whole transcripts

Chairman COMER. That is not a point of order. That is not a point of order. Not a point of order.

Ms. STANSBURY [continuing]. Of the Border Patrol agents that you interviewed. Why don't you want the public to see those transcripts?

Mr. BIGGS. Can I have a point of order?

Chairman COMER. State your point.

Mr. BIGGS. Yes. After you have ruled on something not being a point of order, are we going to allow Members to just keep talking over you?

Chairman COMER. No, she is out of order. All right. Quiet. We are resuming questions. I will recognize myself for 5 minutes.

Mr. Edlow, can you provide specific examples of Biden Administration policies that have contributed to the historically high level of illegal immigration we are currently witnessing?

Mr. EDLOW. Certainly, and let me start by saying, Mr. Chairman, I actually agree with the previous point that we want to have policies that encourage legal immigration and disincentivize and deter illegal immigration. The problem that we are seeing right now are that the policies that have been put in place by this Administration, specifically the regulatory actions aimed at credible fear determinations and at how the Immigration Courts are supposed to function, do exactly the opposite. The circumventing lawful pathways regulation, which creates a presumption that someone is or is not eligible for asylum if they have come over unlawfully—there are so many loopholes in that one that if you bring a child, you are going to be able to go claim asylum, whereas you would not if you did not have a child. So, it is going to encourage

more illegal immigration, more families coming across. Certainly, the memorandum from Secretary Mayorkas that limits the amount of or the categories, rather, of people who can be removed. Again, those are so narrowly defined that it is going to create an incentive, not a disincentive for people to come over.

Chairman COMER. So, does the high flow of illegal immigration divert resources used to adjudicate other immigration benefits, and if so, is there an impact on individuals seeking other immigration benefits?

Mr. EDLOW. No. Absolutely. You know, looking at USCIS, the backlog of affirmative asylum cases for people that are in this country that are trying to get asylum, the backlog of affirmative cases for people seeking all sorts of immigration benefits. And, Mr. Chairman, right now, I actually represent a couple of private immigration clients, and I can tell you, the lines are very, very long because so much of the resources have been put to address or to funnel in people from the Southwest border instead of focusing on large other swathes of legal immigrants that are trying to come the way that we have always said under the law. The bottom line is the law is not being followed. If the law was being followed, we would not be here.

Chairman COMER. So, what policies would the Administration need to implement to start to get the situation under control?

Mr. EDLOW. Well, the first policy is simply follow the law. Start with expedited removal. Make sure that people who are going through are getting their credible fear but that they are detained during that process, as Congress has proscribed. Move forward with that. Get them into Immigration Court as quickly as possible. The previous Administration, we did that. We had people in Immigration Court quickly.

Chairman COMER. OK. Mr. Homan, we have traveled to the border, this Committee, the Majority Members of this Committee, several times, and we have heard many complaints from our Border Patrol agents. Can you describe how the Biden Administration has hampered the ability of ICE officers and ICE prosecutors to enforce immigration laws?

Mr. HOMAN. Yes. Well, I want to address just a couple of things that was said previously.

Chairman COMER. Go ahead.

Mr. HOMAN. Mr. Raskin, I never said the majority of aliens did not show up in court. I said majority will not leave when they are ordered removed. That was not right, and just heard the expert witness for the Democrats say that is why they are coming, a job. That is why they are coming. So, again, showing the abuse of the asylum process, but that is not what asylum is about. So, thank you for that, sir.

And finally, a comment was made about separating mothers from children. Let us not forget, 440,000 children enter this country through the use of criminal cartels, in the hands of criminal organizations, that self-separated from their families because of policies of this Administration. We have, also, this Administration, fallen off track, between 85,000 and 100,000 children that were released to the so-called sponsors that we cannot find. They have no idea who they are, if they are in danger, who is taking care of them,

and what they are doing. But we do know this: there have been many investigations where children were found at meatpacking plants, cleaning up entrails on a midnight shift, forced labor. So, I want to mention that.

And the biggest thing about the border, when you cause a crisis this big, when you make promises you can enter the country illegally, you will be released quickly because this Administration is not enforcing the law—the only thing they have done is send more resources to the border to process quicker and release quicker because they care about the optics. When you do that, more are going to come. I can tell you right now, in the last several months, there have been times where there are certain sectors on the Southwest border where 100 percent of Border Patrol agents were pulled off patrol to come in and process. When you do that, the criminal cartels have a field day. They know that, on average, less than half of the Border Patrol is not on patrol, sometimes 70, 90 percent. So, what they do, they will send a big group of people to one area, 200 family groups, knowing that whatever is left on the border is going to seize that opportunity for the humanitarian crisis because a lot of these people are in bad shape. Meanwhile, there are hundreds of miles of border empty.

So, what they have done is overwhelmed the Patrol. So, I have had Border Patrol agents tell me, they have used the term, Broken Arrow. When they are off the line, they are frustrated because they do not know what is coming through the parts of the border where there are no agents because they are all busy making meals, making hospital transports, you know, making baby formula, taking care of these humanitarian issues. That is the issue. They have created the biggest national security crisis I have seen since 9/11, because we have got 1.9 million got-aways.

Everybody can talk about the data all you want; 1.9 million known people have entered this country. We do not know who they are, where they are from, or why they came here. But I will tell you this: they have arrested people from 181 different countries. Some of these countries sponsor terror. They have arrested over 300. If you do not think a single one of that the 1.9 million did not come here to do us harm, then you are ignorant to the data.

Chairman COMER. All right. Very good. Thank you. The Chair recognizes Ms. Norton from Washington, DC, for 5 minutes.

Ms. NORTON. Thank you. Thank you, Mr. Chairman. First, let us be clear. The Trump Administration's immigration policies were not about border security. They were about xenophobia, demonization, and cruelty. In April 2018, the Trump Department of Justice adopted its infamous zero tolerance policy, in which more than 5,000 children were heartlessly separated from their parents upon crossing the Southern border. Studies have shown that this policy caused severe psychological trauma for children and parents who were subjected to it.

The Trump Administration also worked relentlessly to undermine the Deferred Action for Childhood Arrivals program, which provides protective status to individuals who came to the country as children. The Trump Administration's cruel assault on this program meant that people who have lived in the United States since childhood, gone to school in the U.S., and now work in the U.S.,

lived under the threat of deportation to countries that they have no recollection with or to accept them as the place as listed on their birth certificate. Then President Trump famously imposed a xenophobic travel ban on individuals from Muslim majority nations, which was challenged in the courts. Mr. Bier, what were the humanitarian consequences of these punitive and restrictive immigration policies?

Mr. BIER. Well, first of all, let us talk about family separation for a moment. You know, the Administration claimed that the reason why we needed to separate kids from their parents was because they had zero tolerance, they were going to prosecute everyone, we are going to prosecute every law on the books, every immigration law, every drug law. That was a lie. They never prosecuted more than 32 percent of the people crossing the border. They turned down huge numbers of single adults to specifically target children so that they can take them away from the parents. It was an intentional action in order to cause the trauma in the children. They had no plan whatsoever to reunite the kids that were being taken from their parents.

And that is the most appalling thing is that they knew that these kids were going to be lost in the system, and they had no intention of fixing it unless they got caught, and then ultimately, they did get caught by the courts that ruled the policy was unconstitutional and undermined the rule of law.

The travel ban was equally abhorrent in separating families because it blocked even spouses of U.S. citizens. Spouses of legal permanent residents in the United States were separated from their families. Minor children were separated from their families simply because they were born in some country, not because they ever lived there even. Just because they are Iranian by birth meant they were banned from coming to this country. So, thousands of families separated by that abhorrent policy, which undermined one of the most basic premises of the Immigration and Nationality Act, which was reformed in 1965, to make sure that every country, every nationality, was treated equally. So, this last Administration really did do as much as any other to undermine the rule of law in the United States.

Ms. NORTON. And I just want the record to show that the Biden-Harris Administration has removed a higher percentage of people who crossed the Southern border illegally in the past 2 years than the Trump Administration did during its last 2 years, and, in fact, migrants were more likely to be released after an arrest along the Southern border under the Trump Administration. Mr. Bier, would you agree that the Biden-Harris Administration's efforts to reform our immigration system have been more effective than those of the Trump Administration, and if so, how so?

Mr. BIER. Well, absolutely. Let us talk about Title 42, which banned asylum along the Southwest border. And the prior Administration knew that this was going to return people to Mexico where they would face criminal cartels, they would be trafficked, they would be raped, they would be subject to all sorts of depravity, and yet when Biden Administration got rid of that policy in May 2023, what happened was when you get rid of the policy that says you cannot apply for asylum, what happens? People try to evade

the Border Patrol. They try to enter illegally. Getting rid of Title 42 actually helps secure the border, brought down the number of got-aways on a monthly basis by 50 percent because people went and sought out a Border Patrol agent and said, you know what, I am not going to put my life in the hands of a smuggler. I am going to put my hands in Border Patrol's hands. And so, this really did incentivize people to cooperate with the law.

Talk about the parole programs, how effective those have been in getting people to apply to come legally, they just act like it is a change in category. They moved people from illegal to legal. That is totally not what it is like at all. Crossing the border illegally involves a risk to life. It involves Border Patrol resources. We just heard about how the Border Patrol was overwhelmed. Well, they want to make it even more overwhelmed by getting rid of these effective policies.

Chairman COMER. All right. The time has expired. The Chair now recognizes the Chairman of Judiciary Committee, Mr. Jordan from Ohio.

Mr. JORDAN. Thank you, Mr. Chairman. Mr. Homan, Mr. Bier said that everything is wonderful in the Biden Administration when it comes to the border. I think he said in his opening statement they are rebuilding the system. They are pulling it back from the brink. Do you agree with that assessment that Mr. Bier has of the Biden Administration?

Mr. HOMAN. Absolutely not. They tore down the system.

Mr. JORDAN. Do you know who else disagrees with him? Democrat mayors, Democrat mayors in sanctuary cities. It is amazing to me that these sanctuary cities are sanctuary cities until it is actually time to provide sanctuary, but they disagree with him as well. So, you said earlier, both you and Mr. Edlow, you said this is by design. This is intentional. I think if I got it right, you said three main things: stop building the wall, get rid of Remain in Mexico, and release people when they get here, and that incentivizes people to come from, I think you said, 181 countries come to the border because they know there is no wall to get over, there is no Wait in Mexico, and they are going to get released to wherever they want to go. Is that right?

Mr. HOMAN. Absolutely. The first few days in office, President Biden signed over 90 executive orders abolishing all the policies that were proven effective based on numbers. Anybody can go to CPB.gov and look at the numbers, but I want to address one thing real quick.

Mr. JORDAN. Sure.

Mr. HOMAN. I am sick and tired of people in Congress talking about xenophobic and racist policy of the Trump Administration. We enforced the law. If I am a racist, what does that make Congress? They wrote the law. We are not making this up. We are enforcing laws enacted by Congress.

Mr. JORDAN. You did and—can I—

Mr. HOMAN. And second of all, about the family separation thing—

Mr. JORDAN. Sure.

Mr. HOMAN [continuing]. Because talking about tearing babies out of the mother's arms. I am the only one in this room who has

been on that border. I am the only one that has been introduced to girls as young as 9 years old, been raped multiple times. You look in their eyes, and they are dead. Their souls had gone to Heaven. Every ounce of what they think is humanity is gone because they were raped numerous times by criminal cartel members.

I stood in the back of a tractor trailer with 19 dead migrants at my feet, including a 5-year-old little boy. I have seen many dead bodies on the border. I have been down there numerous times this past year where Border Patrol was like giving CPR to an infant child 6 months old. I have seen Border Patrol agents who are heroes, patriots, who jump in the river with 60 pounds gear on, put their lives on the line, to save lives.

What the whole thing about zero tolerance was to save lives. Maybe if we prosecuted people, they would stop bringing their children through that process. Maybe less people will die. Maybe less women will get sexually assaulted. That was the reason. It was not to tear babies out of mother's arms to prove a point and not reunite them to make it cruel. That was not the purpose of the law, and there was nobody that was not going to be reunited. We are just going to call this a terrible policy. That was a false statement. That is a lie. I was there. I was involved. Do not say that we had no intention to reunite these families. It is ridiculous.

Mr. JORDAN. Mr. Homan, which sort of raises, I think, the fundamental question, if this is intentional, if it is by design, why would they do it? What is the overall objective? That is what I cannot figure out is why would they do it?

Mr. HOMAN. You know, I ask myself that question every morning. President Biden voted for border barriers. He voted for Secure Fence Act. Why did he stop building them then? Because, you know, because this is political. There is no other reason. I will ask anybody. What is the downside unless illegal immigration? What is the downside in having a secure border? What is the downside to less women getting sexually assaulted?

Mr. JORDAN. That is the point.

Mr. HOMAN. What is the downside to less children getting drown in a river? What is the downside to less fentanyl coming into this country, killing thousands of Americans? What is the downside to less sex trafficking of women and children? What is the downside on billions of dollars not being made by the cartels?

Mr. JORDAN. I ask myself the same question. I do not understand it.

Mr. HOMAN. They obviously see some sort of political futures and political thing that is going to benefit them in the future. People will say, well, maybe they are Democratic voters. Maybe, maybe not, but I know one thing. President Biden also overturned the Trump Census rule, which means these people in sanctuary cities will be counted in the next Census. What does that mean? It means seats in the House.

Mr. JORDAN. Yes.

Mr. HOMAN. So, you know, I do not know.

Mr. JORDAN. You say you think it is political?

Mr. HOMAN. I do not know why any—

Mr. JORDAN. I know what Democrats have said. They have said we should abolish ICE. They have said we should abolish DHS.

They have said that they are for non-citizens being able to vote. I mean, I do not know if that is just where the left is, but that, to me, is the fundamental question. That is a question I think Americans are asking. I get it all the time. Why would they allow this kind of situation happen? Because the way I figure it, we are on pace to hit 12 million migrants coming in the country in the Biden Administration. That is the magnitude of this phenomenon, 12 million. That is equivalent to the entire population of our state, state of Ohio, seventh largest state. That is huge, that has never happened, and certainly, I mean, that is an unbelievable number. That is what we are on pace to do. It is being done intentionally. I think the American people would like know why. I think, more importantly, the American people like it to stop.

Finally, I will just ask this question. Well, I will let you and Mr. Edlow respond to that.

Mr. EDLOW. Well, bottom line is, while we are sitting arguing this thing, while we are sitting here talking today in this beautiful room, women are being sexually assaulted making this journey. A child is going to die today. Over 300 people are going to die from fentanyl poisoning that is coming across the open border. When you take the vast majority of Border Patrols agents off patrol, alter national security duties, bad things happen. That is when the criminals come across. Why didn't 1.9 million people take advantage of the free giveaway? Why not turn yourselves in, get processed, get transported to a city of your choice, get work authorization, get a hotel room, get three meals a day? Why did 1.9 million people said, no, I want to get away. Why? Because they did not want to be vetted. They didn't want to be fingerprinted. That has just scared the hell out everybody. I have done this for 34 years. I have never been more concerned about the safety and security of this country right now, as I am right now because of 1.9 million got-aways. That scares the hell out of me.

Chairman COMER. OK. Thank you very much. The Chair now recognizes, Ms. Ocasio-Cortez, from New York City.

Ms. OCASIO-CORTEZ. Thank you, Mr. Chair. I appreciate it.

You know, there has been this question about why would we want to make documented legal pathways to immigration more accessible in this country. It must be due to some political motivation. It must be even treasonous to think that expanded and more orderly pathways to citizenship would be even wanted, but let us talk about it. Mr. Bier, you noted in your opening, and then several times throughout this hearing, that U.S. job openings are at record highs, correct?

Mr. BIER. That is right.

Ms. OCASIO-CORTEZ. And have we been able to have a consistent level of, among our current citizenship, to be able to fill those job openings?

Mr. BIER. Oh, absolutely not. U.S. population growth right now is at the lowest in its entire history.

Ms. OCASIO-CORTEZ. Yes, U.S. population growth is at the lowest in our entire history. And we have seen comparatively, when other countries in similar circumstances, low population growth, but also when they pass very anti-immigrant or just make it very difficult to welcome immigrants legally, what do we see in their economic

performance comparative to the United States when the United States enacts proper and open immigration policy?

Mr. BIER. Well, we have seen this in a number of countries. You know, you take Japan, for example. For many years, they had a completely closed society. They ended up with a huge population of elderly people with no one to care for them, no one to pay into those systems, and now they are finally opening up because they are recognizing the crisis that it has created by keeping people out and preventing people from contributing.

Ms. OCASIO-CORTEZ. Thank you. Yes. Thank you so much, and it shows that when that countries that adopt anti-immigrant policies invariably end up, especially with the demographic trends that the United States has, end up in economic stagnation. In fact, what we are actually seeing is that this is starting to precipitate here in the United States.

I would like to submit this article from PBS NewsHour to the record, Mr. Chair.

Ms. OCASIO-CORTEZ. Thank you. Now, what we have here is that there are even some lawmakers in states like Wisconsin, Ohio, and Iowa, that are proposing the loosening of child labor laws in their state because they have so many jobs that are left unfulfilled. We have seen teenagers dying in states like Wisconsin, Missouri, and Michigan because so many jobs are going unfilled, and many of these Republican legislatures would rather roll back child labor laws and put 11-and 13-year-olds back in the workplace than allow immigrants into their community and do what they have always done.

Mr. Bier, let us say 50 years ago, would you say that it would be easier—that the United States perhaps had an easier immigration, more orderly immigration, perhaps an easier immigration policy then than, say, now?

Mr. BIER. No, I do not think it was any easier back then. It was pretty much the same. We had pretty much stagnation for a century when it comes to legal immigration policy in the United States.

Ms. OCASIO-CORTEZ. So, we have had stagnation. When we go back, maybe a hundred years, what would you say?

Mr. BIER. Look, before the Immigration Act of 1924, the United States had a process whereby if you are not a criminal, you are not a public charge, you could come into the United States and work and live indefinitely. Anyone in the world could come to our country, except for the Chinese.

Ms. OCASIO-CORTEZ. Yes.

Mr. BIER. But, for the most part, anyone in the world could come.

Ms. OCASIO-CORTEZ. And so that was the standing immigration policy about 100 years ago, meaning that unless you are an African-American member of this body, unless you are a descendant from Puerto Rico, Guam, or a U.S. territory, virtually every single Member of this Committee is here today as a result of, and thanks to, more open U.S. immigration policies, and the idea of slamming the door when we desperately need these migrants, when we desperately need it, and what we need is an orderly process. It is not that we do not need or want folks to come. It is that we actually have to make it easier for these individuals to participate in our

economy, get a job, support themselves, and live the American Dream.

And what this conversation is about is about defending the American Dream. We cannot allow that to change, and that is why Democrats in Congress are using immigration policy and then advocating for immigration policy that can be documented, that people can get a job, put a shirt on their back, support their kids without being a public charge and defend the very soul of what it means to be an American. And with that, I yield back.

Chairman COMER. The Chair now recognizes Ms. Foxx from North Carolina.

Ms. FOXX. Thank you, Mr. Chairman. I want to thank our witnesses for being here today.

You know, we all want people who come here legally, and, yes, we are descendants of legal immigrants. But my colleagues on the other side of the aisle are making an argument that is often blamed on Republicans saying that we want to bring people here, so we have cheap labor. That argument just made is that that is what we need to do, is bring people here for cheap labor.

I appreciate the comments that have been made by my colleagues before me. As they have said, the Biden Administration has consistently shown a lack of leadership and unwillingness to secure our Southern border. It is a dereliction of duty. In spite of this, many in the public sphere claim Congress must pass new laws or adopt a border deal in order to secure the border. But it is difficult to comprehend this position when we can look at the Trump Administration's handling at the border and the success achieved regarding border security, while using the same authorities available to the Biden Administration today.

So, Mr. Homan, why did the Trump Administration not see such high numbers of illegal aliens pouring across the Southern border?

Mr. HOMAN. Well, there are many reasons. First of all, the Remain in Mexico program was a game changer. They could still claim asylum. President Trump had the same data points I had, that most people will fail, and those people that fail get amnesty.

Ms. FOXX. And that was in existence when President Biden took office.

Mr. HOMAN. Yes, as a matter of fact, the highest courts in the land said it was a legal process, but he killed it anyways.

Ms. FOXX. Correct.

Mr. HOMAN. But the Remain in Mexico program plus the Third Safe Country Agreements we had with Guatemala, El Salvador, and Honduras, a game changer that they actually believe if you are really escaping fear and persecution of Honduras and you get to Mexico, have you really not escaped that fear and persecution from home government? So, you would be claiming asylum in the first free country you come to. Those two policies were a game changer and moved the numbers down, significantly down.

Ms. FOXX. So, what you are saying is that the Biden Administration is not using all of the legal authorities and tools available to enforce our existing immigration laws and stop illegal aliens from coming into the country. We already have the tools there. We do not need new legislation.

Mr. HOMAN. This is not a resource issue. This is not “we need more border security,” “we need more money.” This is a policy issue. Change the policies, and you can secure the border. We have proven that. You know, no one in this table is anti-immigrant. We are anti-illegal immigration. Because of the investigations I have conducted in 34 years, if I share with people in this room the terrible things I have seen that kept me up at night, you would agree with me that a secure border saves lives.

Ms. FOXX. Thank you. Mr. Edlow, do you have anything you would like to add to the comments Mr. Homan has made in conjunction with why we do not need additional laws and what we can do to make sure that the laws that exist are enforced?

Mr. EDLOW. As Mr. Homan said, we, during the previous Administration used everything that was available, whether it be the Remain in Mexico program, whether it be the asylum cooperative agreements with Central American partners, or other programs that allowed the U.S. to quickly intake, process in for expedited removal, individuals from certain countries, make sure that they had all due process within just a matter of days, and were in front of an immigration judge within a matter of days. What I find kind of amusing is that the circumventing lawful processes or lawful pathways Notice of Proposed Rulemaking from the Biden Administration noted that there were no alternatives available to what they were proposing, and they noted that alternatives such as an asylum cooperative agreement or Remain in Mexico were not viable options because there was no time to negotiate them. Why I find that amusing is, the Trump Administration did negotiate them. They were working, and the Biden Administration pulled them back, ended them, destroyed them, and now they are saying, well, we do not have any alternatives because we cannot do that. It is just not the way it needs to be.

But, ma’am, if I may just also add, I am not here today to say that we do not want to have lawful pathways for legal immigration. We absolutely do. What I am concerned about today is the fact that the pathways that have been created via parole, via some of the other regulations that we are talking about are simply unlawful. The parole programs are not allowed pursuant to existing law. If the law is changed, then I would not be here talking about it.

Ms. FOXX. Yes. The Biden Administration has been trying to be all three branches of government. It is the executive branch, but it is trying to take over, through lack of enforcement of the laws, but through regulation to be the legislative branch and the judicial branch. Thank you, Mr. Chairman. I yield back.

Chairman COMER. Thank you, gentlelady from North Carolina. The Chair recognizes Ms. Brown from Ohio.

Ms. BROWN. Thank you, Mr. Chairman. Good morning, Mr. Homan. We actually agree on a couple of things, and that is there is zero comparison between the Trump and Biden Administration. And, yes, the Congress, this country, and the Constitution have a history of racism, and we are dealing with the ramifications of that to this day. Need I remind you of Article I, Section 2 of the Constitution that states people who looked like me were considered three-fourths of a free individual for determining congressional representation, or maybe I should remind you of the Civil War, which

I know some folks on the other side of the aisle want to say it was about states' rights, but it was ultimately about slavery. And while some want to paint slavery as a work force development or job training program of sorts that somehow benefited black people, that is not the case. So, for the people who were not packed up on ships and would like to get to this country legally through immigration, let us talk about that.

The immigration system President Biden inherited has been broken for a very long time. In the words of President Biden, our problems at the border did not arise overnight, and they are not going to be solved overnight. Extreme Republicans have a choice. They can keep using immigration to try to score political points, or they can help solve the problem. With congressional Republicans unwilling to come to the table and have meaningful conversations about solutions, President Biden has limited options to broadly address concerns in the immigration system. At every turn, my colleagues on the other side of the aisle have rejected President Biden's funding authorization and supplemental requests to confront our immigration challenges.

The Biden-Harris Administration requested \$3.5 billion to secure the Southern border with additional holding facilities and funding for 2,000 new asylum officers. That was rejected. On day one, the Biden-Harris Administration sent Congress comprehensive immigration reform legislation to constrain illegal immigration, strengthen and support legal immigration, protect our Dreamers and seasonal workers, and so much more. That was rejected, too. And now the Biden-Harris Administration is asking for congressional action to defend our law enforcement and address illegal crossings at the Southern border through President Biden's supplemental national security funding requests. Unfortunately, House Republican leadership are rejecting the offer negotiated by President Biden, a bipartisan coalition of senators outright, despite not even having all the details. But even without having meaningful action by House Republicans, President Biden has taken a strong, substantial, significant steps to curb illegal immigration and address problems at the Southern border.

So, Mr. Bier, what specifically will President Biden's supplemental funding requests do to stop the flow of fentanyl into the U.S. and combat human trafficking?

Mr. BIER. Look, what they are proposing is to put more resources into our ports of entry, and really, that is where you see fentanyl coming into the country. More than 90 percent is seized at ports of entry. They say, well, that is because it is all magically getting by the Border Patrol agents. Well, Border Patrol agents arrest millions of people. We have a huge sample size to draw from to draw conclusions about who is coming between ports of entry, and they are not bringing fentanyl. They are not bringing drugs there. They are coming through ports of entry, and we know this, and they are hiring American citizens to do it because it is very easy to conceal fentanyl in legal luggage and legal baggage and legal travel, and so it is a whole misdirection to focus on.

Look, I would want Border Patrol to be completely freed up, to scan every nook and cranny for people smuggling fentanyl if we let people come into this country legally. That would be a great thing

for the Border Patrol, and it would be great thing for the country, too.

Ms. BROWN. Thank you. And, Mr. Bier, in your testimony, you talked about efforts to rebuild a functioning system when it comes to our country's immigration policies. Can you speak to how the Biden Administration has been supporting these policies?

Mr. BIER. Look, the Biden Administration has done more than any other administration in our history to try to think creatively about how to address illegal immigration through lawful channels. Congress gave them the parole authority. They are using parole authority legally on a case-by-case basis to allow people to apply to enter this country legally, whether it is at ports of entry where they are mandated by Congress to deal with asylum seekers at ports of entry. They are doing it through a CBP One app—that is a great process—as well as through the parole sponsorship programs where we, Americans, get to sponsor someone to come and make sure that they are handled in a legal and orderly way.

Ms. BROWN. Thank you. My time has expired.

Chairman COMER. The gentlelady yields. The Chair recognizes the leader on this issue, Mr. Biggs from Arizona.

Mr. BIGGS. Thanks, Mr. Chairman. Mr. Bier, how many individuals on the terrorist security dataset have actually entered the United States since President Biden took office?

Mr. BIER. A couple of hundred.

Mr. BIGGS. No, no, no. No. That is the number that we have actually interdicted. How many have come in? Do you know? You do not know, do you? Do you?

Mr. BIER. I know how many people Border Patrol has arrested.

Mr. BIGGS. You do not know how many have entered, though, do you? Come on, let us be honest. I do not know. You do not know.

Mr. BIER. I do not know.

Mr. BIGGS. And you got about 1.9 million, something like that, in known and unknown got-aways?

Mr. BIER. Yes. I want Border Patrol—

Mr. BIGGS. You do not know—

Mr. BIER [continuing]. To go after terrorists.

Mr. BIGGS. You do not know how many have come in.

Mr. BIER. If we let people come into this country legally.

Mr. BIGGS. Answer the question, Mr. Bier.

Mr. BIER. I am answering the question.

Mr. BIGGS. No, you are not.

Mr. BIER. If people came into this country legally—

Mr. BIGGS. I am reclaiming the time.

Mr. BIER [continuing]. We would have a much better, more secure border.

Mr. BIGGS. Mr. Bier, you do not know, do you?

Mr. BIER. I already answered the question.

Mr. BIGGS. Well, thank you. That was generous of you. I appreciate that. Have you ever been to the border and watched the current process that is gone through to issue a parole status to an illegal immigrant?

Mr. BIER. I have seen it on video, but no, I have not—

Mr. BIGGS. Not been down there, have you?

Mr. BIER. I have not personally witnessed it.

Mr. BIGGS. No, you have not. Of course not. Of course, you have not, but you are going to come here and testify that it is done on a case-by-case basis. You do not know jack squat about it. You have not been down there. You have not been down there.

Mr. BIER. It is done on a case-by-case basis.

Mr. BIGGS. So, Mr. Homan, when we hear of the cruelty of separation of families, is it cruel to lose contact or communication or the known whereabouts of 100,000 children, who came into the country unaccompanied, by ORR?

Mr. HOMAN. Absolutely. We do not know where these children are, or if are they are safe. We know that some have been into forced labor. We know some of you have been forced into sex slavery. So, we know what has happened to some of them. So, absolutely, it is cruel.

Mr. BIGGS. Is it cruel to place some of those children with people who turn out to be pedophiles or literally place dozens of people with the same individual, which ORR under Biden has done?

Mr. HOMAN. We know there are single males that have been given several female youths.

Mr. BIGGS. Let us go back to parole. If you get parole, do you get legal work status for 2 years?

Mr. HOMAN. Yes, you can get work status, but two things we got fixed that said that was wrong. First of all, most of the fentanyl does not come through the port of entry.

Mr. BIGGS. I will get to that. Let us get to the parole question.

Mr. HOMAN. Parole. Yes. When you get parole, you get work authorization, yes.

Mr. BIGGS. For how long do you to work, Mr. Edlow?

Mr. EDLOW. Congressman, I believe it is up to 2 years.

Mr. BIGGS. How many people in the illegal population that has been released in the country, that have been paroled into the country, are currently in the work force and actually working jobs? Does anybody even know that?

[No response.]

Mr. BIGGS. Nobody knows that? You know why? Because we do not keep contact with those people. We have no idea where they went. We have taken them and distributed them throughout the country. We do not know where they are, what they are doing. So last year, we had 888,000 people who were naturalized in our legal process. In 2020, it was 625,000, but you also granted 440,000 lawful worker status, permanent residency status.

So, I guess—there is so much to talk about here, but let us talk about fentanyl. I am really surprised because, Mr. Bier, I read your statement, you rely on data so much. I am actually surprised that you are making the outrageous claim that 90 percent of the fentanyl comes through the port of entry. That is not true. Ninety percent that we interdict is at a port of entry. But if you have never been down to the border, which I do not think you have, but if you have ever been down to the border and literally driven for 30 miles and you do not even see a CBP agent. Why? Because they are processing people, and you know the number of people that are coming across that do not want to get caught.

You have got to understand, and I think Mr. Homan will back me up on this, that between the ports of entry is where the people are bringing the fentanyl in. Is that not true, Mr. Homan?

Mr. HOMAN. I spent 3 decades investigating criminal cartels who smuggle narcotics into United States. They will use a route of least resistance. Will they go through a port of entry, when every vehicle is stopped, every driver spoken to, and then based on the CBP enforcement data base, which I cannot discuss, when they put the license plate number in, it may say this is someone you want in the secondary, and plus responses from the driver. Every vehicle is stopped between the ports of entry. When 70 to 90 percent of the agents are off the line and in several instances, nobody is on the line, that is when the criminal cartels are going to move the fentanyl. Now, if you look at fentanyl seized by the Border Patrol and by maritime, by the Coast Guard, extremely high numbers. It is not a coincidence. When you have 70 to 90 percent of agents off the line, you have got record fentanyl overdose deaths. It does not take a genius to figure out where it is coming.

Mr. BIGGS. I yield.

Mr. RASKIN. Mr. Chairman, I would like to introduce unanimous consent request for two articles: one ABC News, one Slate, showing the Trump Administration had no intention to reunify separated families.

Chairman COMER. Without objection, so ordered.

Chairman COMER. The Chair recognizes Ms. Stansbury from New Mexico for 5 minutes.

Ms. STANSBURY. Thank you, Mr. Chairman. I want to start today by sharing this image behind me.

[Chart]

Ms. STANSBURY. I hesitated, but I think it is important that the American people understand what we are talking about here, and I think it is really important that we remember what happened in 2017 when the zero-tolerance policy went into effect. There were literally thousands of children from all over the world who were separated from their parents, and they were placed in cages. Many of those families have never been reunited to this day. There are hundreds of families that have not found their children because of this policy. Can you imagine traveling thousands of miles across the continent and being separated from your child? I think it is unimaginable for most Americans.

And I think it is political theater that we are seeing in this Committee room, that we are seeing in the halls of Congress right now to not humanize the reality of what we are actually talking about. And the policies that the GOP is putting forward right now, right here in this House, are not about solving the immigration challenges that we are facing. They are not about solving the fentanyl crisis. They are not about solving the asylum problems and addressing the institutional deficiencies that they have. They are about cruelty. They are not about actually addressing the problems on the ground, and we know that because right now, the Senate has been trying to engage in a bipartisan negotiation over border policies with the Administration. And just this week, Speaker Johnson said, just days ago, that he would not negotiate on a bipartisan immigration deal, but instead, he would continue to advo-

cate for House Bill 2, which is the policy priorities that have been put forward by Members of this Committee on the GOP side and the leadership. And what we know about what is in House Bill 2 is that it is not designed to actually solve the problem on the ground.

Yes, we are seeing a record number of people arriving on the Southern border right now. And like other great migrations in American history, there are thousands of people coming to the United States right now seeking refuge, whether that is from warfare, violence, economic crisis, natural disasters, personal crises. That is why, as was stated, many of our ancestors came here. My own ancestors came at the height of the great famines in Ireland. And luckily for my family and for me to be able to sit here today, they were able to become a part of this society. That is why we are seeing a record number of people arriving on our border. These are people who are fleeing crisis in their country.

But what we know is that House Bill 2 is not designed to actually solve that problem. In fact, much of it is rooted in the Trump Administration's policies that they put forward during their Administration, including this. I want to know, does any American want to see children in cages again? I do not think they do. I think what Americans want is real solutions. They want to see how we are going to solve these problems, and I think that is why I am particularly disturbed that the Majority on this Committee, who interviewed all nine chiefs of the Border Patrol along all nine sectors of the border, will not release the transcripts of what those agents said because, with all due respect, what those agents told us in those transcribed interviews, is it is a resource problem.

In fact, the only thing that every single Border Patrol agent asked for was more resources, more staffing, more technology, more support, more ability to actually address the crisis that they are seeing. That is what every single Border Patrol agent chief told this Committee, and the reason why the Republicans will not release the actual transcripts is, instead, they wanted to cherry pick a few quotes that prove their point to try to put forward these cruel policies that would put children back in cages—because it is a resources problem.

And also, with all due respect, because I was just briefed by the field agents, by the FBI, about where the fentanyl is coming into our communities, literally just days ago before the holidays, and most of the fentanyl that is coming into our communities is coming in through legal ports of entry, being smuggled in not by immigrants seeking asylum, but by drug smugglers that are being paid by cartels to bring those drugs into our community where they are killing members of our community. So, let us be accurate. Americans want bipartisan immigration reform. They do not want children in cages. With that, I yield back.

Mr. PALMER. [Presiding.] The Chair now recognizes the gentleman from Florida, Mrs. Luna, for 5 minutes for her questions.

Mrs. LUNA. Thank you. Ladies and gentlemen, what we are seeing play out right now is massive propaganda. If I can just read these deportation numbers to you roughly. During the Obama-Biden Administration, with no resistance, there were over 5.2 million people deported, and under Trump, with heavy resistance, not

just from members of our own party, this House, but also the media, he roughly deported about 2 million illegal immigrants. And now with the Biden-Harris Administration, we have a massive open border crisis, which mind you, they ran on that entire platform in 2020. But I do not hear calls about xenophobia or racism, not from the party that wants to blanket label Republicans that do embrace family separation for the pure fact that we do not want kids put into the hands of traffickers. No, they are completely silent on that because of their allegiance to Biden.

According to some members of their own party, though, if we do not allow illegals, we will have vegetables rot in the fields. If I can please have the oversight staff, please play the first video. I can record the audio here. Hold on.

[Video shown.]

Mrs. LUNA. Mr. Homan, according to the Oxford Dictionary definition of “prejudice,” a preconceived notion or opinion that is not based on reason or actual experience, would you consider that to be a prejudiced statement? Can you say that louder?

Mr. HOMAN. Yes.

Mrs. LUNA. As you can see, my colleague is not the only member of the Democrat party that has actually made these egregious statements, but please save me the virtue signaling when you are completely silent on that commentary. If the staff can please play the second video.

[Video shown.]

Mrs. LUNA. Going back to a statement that Mr. Bier had made, you talk about intentional trauma and that the Trump Administration caused intentional trauma by separating these children from their “parents.” The fact is, is that, one, you do not know if these people are—why are you laughing? Mr. Bier, why are you laughing?

Mr. BIER. Because you said “parents” as if they were not really their parents.

Mrs. LUNA. You have no idea. Not only have you not been to the border—

Mr. BIER. I do have an idea. I do have. I have met with—

Mrs. LUNA. Hold on. I am not done. You have no idea if these people are their intentional parents or not.

Mr. BIER. Oh, yes.

Mrs. LUNA. You have no idea. That is exactly why we—

Mr. BIER. We do. We do.

Mrs. LUNA. Really, are you psychic?

Mr. BIER. No. We do.

Mrs. LUNA. Have you won the lotto, Mr. Bier?

Mr. BIER. No.

Mrs. LUNA. I do not think you have.

Mr. BIER. Read the Office of the Inspector General—

Mrs. LUNA. No, I reclaim my time.

Mr. BIER [continuing]. Report on family separation.

Mrs. LUNA. You have no idea what you are doing, and you are hurting these children. The reason why we want family separation until we can confirm if they are the actual—

Mr. BIER. You want family separation?

Mrs. LUNA [continuing]. Biological parents is because these kids are being trafficked, and absolutely I do.

Mr. BIER. As a father, that is frightening.

Mrs. LUNA. Excuse me. I am a mother. We can go back and forth, but I am done talking to you because what you did was destructive. Now, going back to what I just showed you right there, you have no idea if that person or that individual is that parent. Everything that we have just shown you, in this country right now—if you have Netflix, which I am assuming you do, there is a documentary called “Trafficked in America.” There is a massive industry in the big ag industry that traffics these kids. They end up on farms. So, to sit there and say that that policy does not work, you are wrong.

Now, I have been covering the last, I guess, the last 5 years or so this entire border debacle, and what I can tell you is if this Administration truly cared about immigrants, they would not be having the policies in place that they currently have. It is hurting people. An open border hurts people on both sides. Chairman, I yield my time.

Mr. PALMER. The gentlelady yields.

Mr. RASKIN. Mr. Chair, I was just wondering if he could have the chance to respond since he was addressed, and I think he was cut-off. Could we give Mr. Bier the chance to respond to the questions?

Mr. PALMER. One of your colleagues can ask him the question if they would like, but we are going to move on.

Mr. RASKIN. OK.

Mr. PALMER. I now recognize the gentleman, Mr. Garcia, for 5 minutes for his questions.

Mr. GARCIA. Thank you, Mr. Chairman. Thank you to our witnesses that are here today, and I obviously am hearing a lot of conversation that we hear over and over again at these many border hearings, not just here, but in Homeland Security.

I want to remind everyone that just this week we saw the Republican Party nominate an insurrectionist, an indicted criminal, and a grifter who has accepted millions of dollars from foreign governments as their nominee for President, and that nomination rolls on. Now as an immigrant myself, what has been the most offensive to me about Donald Trump is his disgusting rhetoric about immigrants. The man who entered politics by calling Mexicans rapists and trying to ban Muslims from entering this country is still spreading hatred today.

Donald Trump has said that immigrants “are poisoning the blood of our country,” and I think it is important to remind ourselves of how horrific those words are. Now, this kind of rhetoric we hear all the time from Donald Trump, which we know also relates to something that Hitler once said, and our extremists here in Congress continue to parrot Donald Trump and his attacks on migrants and immigrants. We all want an orderly and safe border, but the idea here that we can have a serious conversation about the border is insane.

Now, Mr. Bier, it is good to see you again, and I want to thank you for your testimony, and if you do not mind, I would like to get your thoughts on some potential border solutions that we have actually heard a few times.

[Chart]

Mr. GARCIA. Here I have a poster, and if you see it, it has got these alligators on a moat, and they are at the border and this one has got a little hat. Would you think it would be a good idea to build a water-filled trench filled with alligators along the border?

Mr. BIER. That would be a misuse of taxpayer dollars and extremely inhumane.

Mr. GARCIA. So, you think it would be inhumane to build a moat, put alligators in them along the border. That would not be a good idea.

Mr. BIER. No.

Mr. GARCIA. What if we instead ordered soldiers to shoot migrants in the legs and stop them from coming to the U.S.? Would that be a good idea?

Mr. BIER. No, that would be attempted murder.

Mr. GARCIA. What about the wall that Trump, of course, was building? Would it be better instead if we electrified it and put spikes at the top of the wall?

Mr. BIER. That would dramatically increase the cost that Border Patrol would incur. We have already seen how Border Patrol's wall has caused so many more injuries. They have taken millions of dollars to care for the people who have suffered injuries falling from that wall.

Mr. GARCIA. And, Mr. Bier, what if instead we launched military strikes against targets in Northern Mexico? Would that make the border, you think, more or less secure?

Mr. BIER. It would make it less secure. Creating a crisis in Mexico would probably be the best thing you could do to increase illegal immigration.

Mr. GARCIA. I only ask you all these questions because these are all proposals by the Republican frontrunner for the nomination, Donald Trump, former President Donald Trump. Every single one of these ideas—alligator moats, missiles into Mexico, shooting migrants in the legs, putting spikes on top of the wall—these are all the ideas on how to make our border system and our immigration system more fair, according to Donald Trump. So, obviously Donald Trump has no idea what he is talking about, and it is over and over we are seeing these horrific ideas. Now, Mr. Bier, do you think it is even possible to secure the border through force or deterrence alone as some of my colleagues are suggesting?

Mr. BIER. No, absolutely not. We have had an experiment with this for the last 50 years. We have had very high levels of illegal immigration punctuated by periods of job depression in the United States. Economic downturns do help secure the border. They talked about the most secure border in 45 years. April 2020 is not a good sample size. That is not a great way to secure the border to just destroy the U.S. economy.

Mr. GARCIA. That is exactly right, Mr. Bier, and a lot of people want to come to the U.S. through legal pathways. I am an immigrant myself. I came here as a young child, became a citizen in my early 20's. It is hard to become a U.S. citizen.

[Chart]

Mr. GARCIA. This is one of my favorite graphs here. This actually shows you our current immigration system, what the current legal

pathway system looks like. Does this seem like an easy immigration system we have for someone to actually navigate through?

Mr. BIER. No. Less than three percent of people who attempt that process get through it every year.

Mr. GARCIA. So, this system, you would say, I mean, just looking at it, looks rather complex, is probably not easy to navigate for someone seeking legal asylum or a process here. Is that correct?

Mr. BIER. Absolutely. Almost everyone needs an attorney in order to navigate this type of process.

Mr. GARCIA. And I will tell you that as someone that tried to navigate this system back here, being cheated on by numerous attorneys, cheated my family, stole money, woke up at 4 in the morning to get in lines that we were never seen at different offices. We have not had a comprehensive immigration reform in this country in 30-plus years. It has been a failure of this Congress, and if the Republicans really wanted solutions, they would actually work on fixing this system here versus the attacks on immigrants and Donald Trump's insane ideas. With that, I yield back. Thank you.

Mr. PALMER. The gentleman yields. The Chair now recognizes the gentleman from Missouri, Mr. Burlison, for 5 minutes for his questions.

Mr. BURLISON. Thank you, Mr. Chairman. Before I get to my questions, I have a short video that I would like to play, if we could get that up.

[Video shown.]

Mr. BURLISON. You know, as we saw in the video, the Biden Administration is repeatedly claiming that the Southern border policies are safe, orderly, and humane. They repeatedly claim that the border is closed and that the border is secure. They have made these claims hundreds of times in the public since coming into office. Mr. Homan, do you agree with these claims that the border is closed?

Mr. HOMAN. Of course not. We have got 1.9 million known got-aways caught on video, drone traffic, sensor traffic. Who knows how many unknown got-aways we have where they crossed the border where there is no technology. I have been on the border a dozen times in the last year. I have seen 100 percent of agents pulled off the line to process. How is that a secure border?

And a couple of things I need to straighten real quick, things that were said that were not accurate. The cages were built under President Obama. I was there. Me and Jeh Johnson went to that facility in South Texas where the cages—they want them called cages, we will call them cages—but they are chain link dividers keeping children away from unrelated adults. So, they were built under Obama, and matter of fact, I saw an image just a couple weeks ago of a Border Patrol station where they are moving people outside the station because it is overcrowded into a big cage, so it is still being used.

Second of all, the comment that the chief says it is a resource issue. Of course, it is a resource issue. They are overwhelmed. Every agent is off the line. The way you fix a resource issue is change the policies. We did not have one more Border Patrol agents on the line under Trump. We did not have one more immigration

judges under Trump. We did it by policy. So, there would not be a resource issue, if you fix the policies.

Mr. BURLISON. Now, something that was said in the video was a clip from early on where the Secretary Mayorkas made the comment, "We are not saying don't come. We are saying don't come now." What are your thoughts about that statement?

Mr. HOMAN. It does not matter what he says. The cartels are selling the actions of the Administration. Just turn on the TV and watch how these people just come across the line. Border Patrol sits there and watches them. They will process them. They have got pictures of them getting on buses and being flown all over the country. There is a reason why Democrat mayors and Democrat Governors are speaking up. The cartels are selling the very fact you are going to get processed quickly, you are going to be released quickly, you will get a work authorization.

And guess what? Secretary Mayorkas has said to ICE, being in the country illegally on its own is not enough for ICE to make an arrest. Last year they removed 142,000 in the midst of millions of people coming across. You know what? Only 5 percent—5 percent—of the 142,000 were non-criminal border entry, which means the 9 out of 10 losing their case, no one is being removed. Until they see flights going south, they are going to keep coming.

Mr. BURLISON. In fact, if I recall, Mr. Homan, when Trump took office, there was an effort by Congress to throttle or to restrict additional funding to secure the border, but yet the numbers decreased while Trump was in office. So, what was the reason for that decrease?

Mr. HOMAN. Remain in Mexico was a game changer. People could still claim asylum while they wait in Mexico. If they are really escaping fear and persecution and death, they can wait in Mexico for their hearing. The second thing was a Third Safe Country Agreement where Guatemala, Honduras, and El Salvador agreed, along with Mexico, that if you really escape in fear and persecution from your country, let us say it is El Salvador, and you get to Mexico, have you not escaped that fear?

Mr. BURLISON. You know, we have talked about the motivation, and so I want to read a quote that has come to light recently that Ms. Clark, who is a colleague of ours, said: "When I hear colleagues talking about the doors of the inn being closed, I know there is no room at the inn. I am saying I need more people in my district just for redistricting purposes," and she continued that they could clearly fit here. Does that address your questions about the reason, the motivation, why these policies are in place?

Mr. HOMAN. I certainly believe it is probably associated with a decision to overturn the Trump Census rule, and now migrants can be counted in the Census and you repropotion seats—it is going to have an effect.

Mr. BURLISON. Thank you.

Mr. PALMER. The gentleman's time has expired. The Chair now recognizes the gentleman from Florida, Mr. Frost, for 5 minutes for his questions.

Mr. FROST. Thank you, Mr. Chairman. So, since Republican politicians have no plan to address the real issues of this country—low wages, high prices, et cetera—their leaders at the highest levels

have dipped into the fascist playbook to blame communities and to blame minorities and to blame immigrants for the issues that Americans are facing, and these days, the more fear you can stoke, the better. I mean, one of my colleagues, Marjorie Taylor Greene, has called immigrants terrorists, and many on the right take their cues from their top leader, former President Donald Trump. From 2015 to just this past Monday night in Iowa, he has used fear and racism to spread false narratives. He said that immigrants are “poisoning the blood of our country,” echoing the same language used by Hitler to describe Jewish people.

Mr. Bier, why is it grossly incorrect to paint immigrants as criminals, and why is this rhetoric not only false, but dangerous?

Mr. BIER. Look, U.S. Census Bureau data is quite clear. Immigrants are about half as likely to be incarcerated in the United States as others. If you look at the illegal immigrant population, as we have at the Cato Institute, again, it is about 30 percent less, and that includes all the people that we are putting in cages just because they are immigrants. So, it is not true that they are more likely to end up in our criminal justice system, burdening our courts and our police.

And also, if you look at area studies that look at what happens to crime rates when an infusion of immigrants comes in, we have seen during the 1990’s, especially, when you had this huge wave, far exceeding anything that has happened recently, of immigrants come into major cities, there was this rebirth in the economy in those areas. They started businesses, they rejuvenated the communities, filled vacant housing, and that brought crime rates down as well. So, there are multiple mechanisms by which immigrants reduce crime and make for a more secure community.

Mr. FROST. Of course. Thank you. And, Mr. Bier, are you familiar with stochastic terrorism? Stochastic terrorism is to provoke random acts of ideologically motivated violence that are statistically predictable. Last year, a gunman murdered 23 people and injured another 22 in El Paso, Texas using the same rhetoric of invasion and the Great Replacement theory that we hear from Donald Trump and many leaders on the right. Mr. Bier, what is the point of stoking this type of hate toward immigrants?

Mr. BIER. Look, there is only two reasons why you use the word “invasion.” The first is you want to justify violence against them. Otherwise, you would say it is a violation of the law, it is illegal, you want a law enforcement response. Invasion calls for a military violent response to these people. The second reason is to invoke invasion under the constitutional clauses in which that is used. There are two. One, states can respond to an invasion unilaterally. We know what an invasion under the Constitution means. James Madison said an invasion is an act of war, so we know what a real invasion is. We know the difference between people coming to serve us and work for us versus an act of war.

Mr. FROST. So, this language fuels a lot of these hateful, violent acts we have seen?

Mr. BIER. Oh, absolutely.

Mr. FROST. So, I just hosted a roundtable in my district because my constituents are terrified about the talk that is going on up here. An amazing community leader and pastor, Father Jose,

brought up a really good point that migrants do not just want to come here, we told them to come here. And, Mr. Bier, the Statue of Liberty situated next to Ellis Island, an iconic American symbol reads, "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-toss to me. I lift my lamp beside the golden door."

To my colleagues on the other side of the aisle, let us be honest with immigrants who deserve better than what you are offering them. Do not welcome immigrants if you plan to reject them. If you keep pushing your bigoted H.R. 2 bill, then also pass this bill. I have taken the liberty of drafting it for you. It removes the Statue of Liberty, our largest symbol that tells people to come here. This is who you are, removing the fabric of America. So, I want to know which Republican who supports and voted for H.R. 2 will introduce this bill.

[No response.]

Mr. FROST. If you are going to support H.R. 2 and these bigoted measures, the least you can do is not be a damn liar. As Americans, we must reject hypocrisy and lead with love, and as long as Republican officials are more interested in peddling hate, the solutions to fixing this problem in our immigration system will only get worse. Thank you. I yield back.

Mr. PALMER. The gentleman yields. I just want to take a minute to tell you, I appreciate that Mr. Homan pointed out that the cages were there during the Obama Administration, and if the Biden Administration had wanted to, they could have removed them day one.

The Chair now recognizes the gentleman from Florida, Mr. Waltz, for 5 minutes for his questions. Your mic.

Mr. WALTZ. New Committee. All right. Different mechanism. Thank you. Thank you, Mr. Chairman.

My colleague from Florida mentioned leading with love, and I think we are going to talk about some love in the next few minutes, or true hate, which is the sexual violence against women and against these migrants. But before I get to that, in 2021, the Department of Homeland Security implemented the parole plus alternative to detention with conditions. These so-called plans allow the release of migrants from CBP custody into the country on an expedited basis without being placed in removal proceedings, and with little to no vetting and no monitoring, and without court dates. So, they are essentially just fully released. Florida has sued DHS and Federal court, asserting that DHS was ignoring Federal law, which they are, and including Secretary Mayorkas, is ignoring Federal law with this program that requires people entering the country illegally to be detained.

So, I have up here statements from the judge in Florida, Judge Kent Wetherell, who ordered Federal authorities to vacate the parole policy, and he said, "for the most part, the evidence establishes that defendants, DHS, have effectively turned the Southwest border into a meaningless line in the sand, a little more than a speed bump for aliens flooding into the country." And you can see here where, again, the judge says that essentially these policies have said come in and we are open, come. So, let us talk about the ef-

fects on these migrants that we all care about. Let us talk about leading for love as Mr. Frost from Florida has talked about.

Mr. Chairman, I would like to enter into the record that Doctors Without Borders—do not take this from me, do not take this as a partisan issue—Doctors Without Borders, an international NGO, says, 40 percent of the girls and women making this transit, that we have essentially invited them to do, are being sexually assaulted and abused. And just a series—again, do not take it from me—a series of articles: “Hundreds of Migrants Face Sex Attacks in the Darien Gap, says Doctors Without Borders.” They treated nearly 400 in 1 week alone in 2023.

“Migrant Children Sexually Abused in ‘Rape Tents’ While Crossing the Darien Gap,” according to the New York Post. The reality of women en route to the U.S., rapes and no access to hospitals. Again, rape tents and sexual violence toward migrants plague those trying to make the dangerous journey to the U.S. And finally, New York Times, “You Have to Pay With Your Body: The Hidden Nightmare of Sexual Violence On Immigrants From Cartels and Gangs.”

Mr. Bier, what would you say to the—I mean, I could keep going—to the abuse on these millions? I mean, if you just look at the numbers and do the math, we have got just in 2 months, DHS released a quarter million, enough to fill entire stadiums.

Mr. BIER. Look, I am a father.

Mr. WALTZ. Do you disagree with the judge that essentially these policies say, come in, we are open? And I am a father of a daughter, too, which is where I think you are going, and how abhorrent this is that our policies are saying, come so you can get a job and go in the United States.

Mr. BIER. I do not want people to have to immigrate illegally. I want them to be able to come legally. Do you want them to be able to come legally? If you do not want them to be able to come legally, then this is what you are for.

Mr. WALTZ. I am for legal immigration, for orderly immigration. However, you are espousing policies that invite people to come however they can.

Mr. BIER. No, I want them to come legally.

Mr. WALTZ. And 40 percent, by gangs and by cartels and by smugglers, of these poor young girls are forever scarred and abused because of policies that the other side of the aisle and that you are advocating for, and it is disgusting, and it has to stop, and H.R. 2 would put a stop to it. So, my friend can call it bigoted if he wants. He can throw those ad hominem attacks around.

Mr. BIER. It would make it worse.

Mr. WALTZ. We are looking to put a stop to it. Let me just ask you in my remaining time, if this were Al-Qaeda and ISIS killing a hundred thousand Americans a year, more than we lost in Vietnam in 10 years, by pumping in and smuggling in chemicals, would you oppose using military resources to take down Al-Qaeda and ISIS?

Mr. BIER. I oppose the War on Terror, yes. It was a disastrous mistake. It completely disrupted the Middle East and made the problem far worse.

Mr. WALTZ. For the record, Mr. Bier has opposed the War on Terror—

Mr. BIER. Yes.

Mr. WALTZ [continuing]. To keep Americans safe. I think that is insensitive. I yield my time.

Mr. BIER. If we bomb Mexico, it will make the problem way worse.

Mr. PALMER. The gentleman has yielded. The Chair now recognizes the gentleman from Texas, Mr. Casar, for 5 minutes for his questions.

Mr. CASAR. Thank you, Chairman. Mr. Homan, you began as the Trump ICE Acting Director at the end of January 2017. Is that correct? I think the date is January 30, 2017. Does that sound more or less right?

Mr. HOMAN. Yes.

Mr. CASAR. And you recall your first month on the job, Operation Crosscheck, which was a large-scale immigration enforcement action across multiple cities, do you recall that?

Mr. HOMAN. Not specifically, but we did a lot of operations like that.

Mr. CASAR. It was a very significant operation targeting communities in multiple states, starting on February 6, 2017. The ICE officials at the time said this was about going after “criminal aliens and making us more safe.” But in my community of Austin, Texas, the majority of people arrested and separated from their families had no criminal conviction at all. Do you recall this?

Mr. HOMAN. I do not specifically recall that, but there is no prerequisite in the immigration law that says you got to commit another crime to be arrested for being in the country illegally.

Mr. CASAR. I understand that. Your ICE spokeswoman at the time said that, “The purpose of the operation was removing from the streets criminal aliens and other threats to the public,” but then a majority of people arrested had no criminal conviction. Does that square up for you?

Mr. HOMAN. I do not recall that. I find it—

Mr. CASAR. I have another question for you, sir. Are you aware that your Chief of Staff, when they were asked this question, wrote emails asking agents to come up with “top three egregious cases in order to deflect criticism and if there were not three egregious cases, go include a case from a different city.” Are you aware of that?

Mr. HOMAN. No, I am not.

Mr. CASAR. So, you are not aware of what your Chief of Staff was writing?

Mr. HOMAN. I do not know every email he writes. No, I do not.

Mr. CASAR. There was an email directly to you from DHS Secretary Kelly asking for this issue to be addressed. Then in my city of Austin, Texas, ICE officials were told they failed at this task because the egregious case that they wrote up was from before the time of the operation. Do you recall that?

Mr. HOMAN. I recall, when I was ICE Director, we arrested thousands of criminal aliens—

Mr. CASAR. You are not answering my question.

Mr. HOMAN. I do not know a specific case. I do not know a specific case.

Mr. CASAR. Reclaiming my time. Reclaiming my time. Do you recall that when you were asked whether this had to do with public safety that then Agent Laron Bryant said to Federal Judge Andrew Austin that the reason for these ICE operations was not related to a safety protocol but instead was a result of the Travis County, where Austin is, new policy that would target criminal enforcement on immigrants rather than deporting non-criminal immigrants. Do you recall this?

Mr. HOMAN. No.

Mr. CASAR. So, you do not remember that Agent Laron Bryant said that, under oath, that under you, in your first month as director, that there was a targeted operation at a city because of a policy choice from a local elected official. You do not recall that?

Mr. HOMAN. I had 20,000 people under me. I do not recall.

Mr. CASAR. You do not recall this. I understand. Let me be clear. The right wing and these so-called Trump border policies have nothing to do with keeping people safe. This is about ripping families apart, arresting immigrants, and blaming someone for our problems so we can ignore the fact that Trump and these right-wing officials are grifters and that Trump is taking millions of dollars from foreign governments to enrich himself. His main policy achievement had nothing to do with the border or migration but cutting taxes for the rich and the biggest corporations in this country. All the while, the collateral damage is kids being separated from their moms, people in cages, which we cannot deny. Mr. Homan sitting here before us said at the CPAC convention "he doesn't give a shit about that"——

Mr. HOMAN. Wrong.

Mr. CASAR [continuing]. And desperate people living in the shadows undocumented while legal pathways——

Mr. HOMAN. That is a wrong statement. That is a lie. You just said something that was not true.

Mr. RASKIN. Mr. Chairman, would you please stop the witness from interrupting our Members?

Mr. CASAR [continuing]. While legal pathways to migration remain closed and are getting even more closed. Folks here are saying they care about sexual assaults by cartels? Give me a break. The Republican policies of trying to close legal pathways toward migration is the best blessing that cartels could have ever asked for. By making it harder for people to apply for parole, by making it harder for people to seek asylum, Republican policies are exactly what the cartels would like.

You all are making the cartels money. You all are making the cartels money. By trying to slash addiction services, by trying to slash helping people with mental health, then, yes, you are helping the cartels. If I was a cartel leader, I would be picking the Republican policies being proposed in H.R. 2 every day of the week.

You have people like Governor Abbott saying he would shoot migrants coming across the border if he would not get prosecuted for murder for it. You have got Trump saying immigrants are going to poison the blood of our country. Do not come here and say that you actually care about the safety of those immigrants. If you cared,

then we would update our immigration laws for the first time since basically I was born so that people could apply safely and would not have to go to a cartel and would not have to go to a criminal organization.

Immigration is a good thing. Immigrants are less likely to commit crime, more likely to start small businesses, help us economically. Sure, the food and the parties are much better with us here, but in our system, we have to open up legal pathways, and let us not say that this is about safety because every step of the way, your Agency lied and said it was about safety while you were separating kids. I yield back.

Mr. PALMER. The gentleman's time has expired. To the witnesses, if someone says something that hurts your feelings, just leave it there and do not interrupt the Members. Respect their time. I recognize myself for 5 minutes for questions.

Mr. Homan, we have heard discussion about using technology to secure the border, but the technology really does not secure the border. It allows you to see who is coming to the border, and if you have got agents tied up processing people crossing illegally, it really does not do anything in terms of interdiction. Is that correct?

Mr. HOMAN. Could I respond to the earlier remarks, sir, that was saying I said something that was not said at all? I think it is important to set the record straight here. I never said at CPAC I did not care about family separation. What I said was, I did not care about—

Mr. RASKIN. Mr. Chairman, was he recognized for this purposes? Is this from your time?

Mr. PALMER. The Chair recognizes you. Make it as brief as you possibly can, and I think you have already said you did not say that.

Mr. HOMAN. I have never said I did not care about family separation.

Mr. PALMER. OK. That is—

Mr. HOMAN. What I said was I did not care being sued because I get to give a sworn statement and set the record straight.

Mr. PALMER. OK. I want to get back to some things here. When you have—

Mr. CASAR. Mr. Chairman, I would like to enter into record this article from Newsweek, "Trump's ICE Director Doesn't Care About Families Separated at Border." Thank you.

Mr. PALMER. The gentleman is not recognized. The gentleman is not I am reclaiming my time. It is my time. The gentleman is not recognized. Reclaiming my time. Will you reset the clock? Not 5 minutes. I think it was about 4:30. I will just be a little more brief.

OK. The point that I was trying to make is I talked with a rancher a couple of weeks ago down at the border, and he told me that since December 28th, that he had the same fence cut 77 times by people who were not being interdicted by the Border Patrol. He told me that on January 4th, 77 times in 6 days. If people are really concerned about coming in here to get a job, to seek asylum, why would they not want to be picked up by the Border Patrol, Mr. Homan? And be brief if you can. I have got a number of things I want to run by you.

Mr. HOMAN. You are talking about 1.9 million got-aways. Why didn't they take advantage of the giveaway program? Because obviously they do not want to be fingerprinted, do not want to be vetted. They do not want to turn themselves in the border.

Mr. PALMER. Is it true that the Border Patrol charges less to the people who will wade across the river and turn themselves in than they do to people that they try to get in here undetected?

Mr. HOMAN. The cartels are charged less for people that want to turn themselves in rather than getting to Chicago——

Mr. PALMER. And they are also financing this and hold these people making payments for 8, 10, 12 years to pay off the financing for paying the cartels to get them in?

Mr. HOMAN. Some, yes.

Mr. PALMER. Yes, some are doing that. The other thing that I want to point out, you said 1.9 million got-aways. Does that include people that we do not know, or is that an estimate of the ones that we know got away, we saw them, and could not catch them?

Mr. HOMAN. The known got-aways are captured on video, drone traffic, sensor traffic, or the Border Patrol sees it.

Mr. PALMER. Is it 1.9 million known or unknown or——

Mr. HOMAN. We do not know how many unknown because there are large parts of the border, like the Marfa sector, the Big Bend National Park, where there is very little technology.

Mr. PALMER. I want you to be brief because I want to hit some other things. We know that in Fiscal Year 2022–2023, we had 169 people on a Suspected Terrorist Watch List. Since 2020 it is 312. Mr. Homan, how many did it take to carry out the attacks on 9/11?

Mr. HOMAN. Nineteen.

Mr. PALMER. Nineteen.

Mr. HOMAN. And I would like to say that under Trump Administration, 4 years, we had 11.

Mr. PALMER. OK. But it took 19 to carry out the terrorist attacks. And in regard to the unaccompanied children, there are somewhere between 85,000 and 100,000 that we do not know where they are, and if it were 100, it would be a tragedy, OK? And we are not doing anything in terms of collecting biometrics or anything like that to try to find these children, and when you have got children being brought across the border as got-aways, what purpose does that serve or potentially could serve, Mr. Homan?

Mr. HOMAN. Well, based on my 30 years doing investigations and trafficking, some are going to be in sex slavery, some will be in forced labor, some will be indentured servitude. They will be forced to work.

Mr. PALMER. OK. And just to point out about the labor demand here, we have got the lowest labor participation rate in decades, so it is not just an issue of unemployment. By the way, Mr. Bier, I have ran a think tank, and I pretty well understand some of these economics. I have done a lot of work with Cato. I am very disappointed in the position that you have taken, frankly, because you do not want to have illegal drugs. It would not be a problem bringing drugs across the border under the policies you guys would advocate. But in terms of labor, the Bureau of Labor Statistics changed how they count unemployment back in 2012, 2014, some-

where in that range, and stopped counting people who are no longer looking for a job. So, that is one of the reasons why you have such a low unemployment rate.

Mr. Homan, I want to get back to what the cartels are doing here. I asked a former drug czar if we have gone from a war on drugs to a war with drugs. It is been mentioned several times that we have had over 100,000 people die from drug overdose, and that probably about half of it is fentanyl-related. Now they have added another additive to the drugs called tranq that Narcan does not work on. Does it appear, considering the source of the chemicals to make these drugs that are being provided to the cartels, that we may actually have a war with drugs and that these people are casualties?

Mr. HOMAN. I can tell you the fentanyl doses are getting more and more serious. Overdose deaths are going to happen a lot more often. The criminal cartels are making record amounts of money now, moving narcotics between the ports of entry, smuggling people and trafficking people. And for the earlier statement that fentanyl is the most common drug to come to the port of entries, I disagree. We don't know what is coming between the ports of entry because 90 percent of the agents are off the line.

Mr. PALMER. That is right, and my last point, I want to reiterate the thing about the cages. I was at the border in 2015 during the Obama Administration. Children were in those cages for a reason, and if the Biden Administration wanted that stopped, they could have stopped at day one. I yield back, and now I recognize the gentleman from Florida, Mr. Moskowitz, for 5 minutes for his question.

Mr. CASAR. Mr. Chairman, is it in order now for me to enter things into the record?

Mr. PALMER. Yes.

Mr. CASAR. Thank you, Mr. Chairman. So, what I was trying to enter into the record is the article from Newsweek saying Trump's ICE Director does not care about families separated at the border. Mr. Homan, the correct quote is, "I am sick and tired of hearing about family separation. I am still being sued over that. I do not give a shit." Right. And also, I would like to enter into the record this article saying, "Internal Emails Show ICE Agents Struggling to Substantiate Trump's Lies About Immigrants."

Mr. PALMER. So ordered, without objection.

Mr. PALMER. The gentleman from Florida is recognized.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. You know, we have failed to pass comprehensive immigration reform up here for decades, but if you listen to the witnesses, some of them, and if you listen to my colleagues, you would think the world did not begin until President Biden was elected. You would think it was dinosaurs, the wheel, Jesus, the world was flat, the world was round, Biden was elected, every problem. Like nothing happened before.

You know, people pretend like everything was just perfect, but you know what? One of my colleagues, when bringing up statistics showed why this is a farce. She brought up that President Obama deported more people than President Trump. In fact, President Obama deported more people in each term than President Trump. Well, hold on a second. If the border was not a problem until President Biden was elected, then how are we deporting all of these peo-

ple in Administrations before Trump was elected? It is because this situation has been going on for decades, so stop lying to the American people that none of this happened until President Biden was elected.

Yes, my colleagues passed H.R. 2. They did. It was a wonderful messaging bill. They knew when they passed it, it was dead on arrival in the Senate. And see, that is what this place does. The Senate passes bills that are dead in the House, the House passes bills that are dead in the Senate. They wash their hands with it, declare victory and say we did something. OK. It is fake. You do not pass a bill that you know the other chamber is not going to take and say solve the problem, and it goes for the Senate, too. It is just not on the House.

And by the way, there were some good policies in H.R. 2. There were things in H.R. 2 that I would vote for. There were things in H.R. 2 that are bipartisan to help secure the border, but there were things in H.R. 2 that were outrageous because it was never meant to become law. There are things in H.R. 2 that would potentially prevent Jews escaping the Holocaust from coming in to the country because there are all sorts of changes to asylum. If you travel through a third country, you cannot come in. There are all sorts of language in there that, again, was never meant to become law. And I do not think my colleagues, by the way, put that in there because they would want to prevent Jews from coming into this country, but we have seen what happens when there is language in laws that is not intended, like what happened with St. Louis in 1939. Well, there were laws that prevented Jews on a ship escaping Germany. We denied them because we applied things that were not meant for that situation.

And so, look, you do not have to listen to me, right? My colleagues do not have to listen to me. I want them to listen to their own colleagues, their own colleagues. Chip Roy, who is a conservative Freedom Caucus member, has said President Trump has failed to secure the border. Ron DeSantis, who ran wall commercials in order to become Governor said, "Trump didn't build the wall, and Mexico didn't pay for it." OK.

And, Mr. Homan, I appreciate your energy and passion for children. And I appreciate that you have said, you know, have you seen terrible things that keep you up at night? I have. I have seen parents in my neighborhood bury dozens of kids because they died at school because mentally ill people have access to weapons in this country and body armor and go into movie theaters and churches and schools and shopping malls and gun down children. You want to talk about a wall? You are talking to a wall. They are a wall. They do not want to help kids.

By the way, they do not want to solve this issue either. Again, do not listen to me. Just listen to the Speaker, who was caught on a call the other day saying that we cannot solve the border crisis until after the election. By the way, here is Congressman Troy Nehls giving it all away, giving it all away. Let us read this: "Let me tell you"—he is talking about immigration—"Let me tell you, I am not willing to do a darn thing right now to help a Democrat, to help Joe Biden's approval rating. I will not help the Democrats try to improve this man's dismal approval ratings. I am not going

to do it.” He is saying he is not going to do anything on the border, and he is from Texas, which needs help. He is not going to do anything because he does not want to give Joe Biden a win. You have Members of this Committee that have threatened to vacate the Speaker again if they do anything on the border. Senator John Thune has said this is a unique opportunity. He said when Trump was President and Republicans controlled both chambers, they could not get done the policies that are being discussed now.

So, look, I am willing to do stuff on the border. I am willing to do it, but they are not willing to do it because they are doing what people hate about this place. They want to use it to raise money, they want to use it to politicize it, but they do not want to solve the issue. There is a deal on the table. They can solve the issue.

Mr. PALMER. The gentleman’s time has expired.

Mr. MOSKOWITZ. Thank you, Mr. Chairman.

Mr. RASKIN. Mr. Chairman?

Mr. PALMER. The gentleman is recognized.

Mr. RASKIN. Thank you, kindly. This is just for a unanimous consent request for CBP Enforcement Statistics. I would like to submit for the record showing that encounters with individuals on the terrorist screening dataset at the Southwest border were actually higher during the Trump Administration.

Mr. PALMER. So ordered, without objection.

Mr. PALMER. The Chair now recognizes the gentlelady from South Carolina, Ms. Mace, for 5 minutes for her question.

Ms. MACE. Thank you, Mr. Chairman. This is an interesting hearing today. I think the left has lost its proverbial mind. I have heard a lot from the left today about how we are “a Nation of laws and need to follow our laws.” It is the same group of people that will not condemn violence by Antifa. It is the same group of people that will not condemn violence by Black Lives Matter. It is the same group of people that will not condemn violence, antisemitic violent protests against Jews in this country right now, and they want to lecture us about following our laws, which is complete and total BS.

Joe Biden and Alejandro Mayorkas have willfully and intentionally unleashed an invasion of this country by illegal aliens from around the world, including known terrorists, sex offenders, and drug traffickers. By systematically dismantling the successful border security policies of the Trump Administration, they flung the border wide open for any and all who wish to enter here illegally, that is on their backs. They claim their open border policies are compassionate, but the unprecedented humanitarian, national security, and economic crisis they have created is anything but.

From a humanitarian standpoint, the horrors caused by the Biden Administration’s open borders are beyond words. Criminal cartels who control the border, force illegal aliens, including women and children, into indentured servitude, sex slavery, drug trafficking, and worse, to pay their way into the United States. In fact, studies estimate 60 percent of unaccompanied alien children are exploited through child pornography and drug trafficking. If you speak to law enforcement at the border, you will hear of the rape trees—rape trees—where they hang the underwear of women and girls they brutally raped on their journey to America like a trophy.

There have been record deaths of illegal aliens, record deaths of American citizens due to fentanyl, and record profits for drug cartels at the hands of this Administration. Ten years ago, I did not even know what fentanyl was, and just in 2023 alone, I knew two people that died of a fentanyl overdose.

Open borders are not compassionate, they are evil, and I hope like hell Governor Abbott and other Governors at the Southern border let these sanctuary cities know what is going on at our Southern border and share that evil with them because this is at their hands, too, and all of a sudden they have illegal immigrants in their cities, and they do not want anything to do with them anymore. Alejandro Mayorkas has blood on his hands.

My first question today, I have heard a lot this morning, Mr. Edlow, about the left saying that legal immigration is just so darn difficult. We are a Nation of laws, but yet we cannot follow our laws. The hypocrisy is real. Just a cursory question, how many come into our country legally every year?

Mr. EDLOW. The number, I could not give you an exact number, but it is close to a million, if not over.

Ms. MACE. Yes, around 1, 1.1 million year after year, right. Can you explain how directives issued by Secretary Mayorkas have empowered drug cartels?

Mr. EDLOW. Certainly. The directives, starting with the halting deportation the first day of the Biden Administration and moving on to the enforcement priorities under Secretary Mayorkas, have made it so that drug cartels know that the majority of people that they helped to come across for one reason or another or that they exploit to help them get across are going to be not the subject of deportation or enforcement actions, and ultimately, it is going to help the cartels gain a greater foothold in the country.

Ms. MACE. I have one more question. Do you believe Secretary Mayorkas' actions and directives violate Federal law and his oath of office?

Mr. EDLOW. Well, I believe that the actions, especially in terms of the regulations, have made the border significantly less secure. They are in violation of the law, and I do believe it is dereliction of duty for him to have signed off regulations that have done that.

Ms. MACE. Thank you. I have one last question for Mr. Homan. In the infinite wisdom of state and local officials in South Carolina, there are actually zero sanctuary cities in our great state. However, on October 7, 2021, Secretary Mayorkas issued a memo directing ICE to halt immigration enforcement in so-called protected areas throughout the country. As former Acting Director of ICE, can you explain how this undermines the ability of ICE to effectively enforce the laws? Is it even possible for ICE to do their job on their current DHS directives?

Mr. HOMAN. Because there are locations where they could be an aggravated felon, a public safety threat, we are not allowed to go there. If they are within a close proximity to a school, if they are in a close vicinity of a doctor's office, and I understand humanitarian concerns, but where is the public safety concern on that? And if I can add one more thing, ma'am. Earlier I was questioned about the terrorist apprehended on Southwest border, and I just heard that Trump Administration had more. I have the CBP

webpage here I took off this morning. In Fiscal Year 2017, two on the Southern border; Fiscal Year 2018, six; and Fiscal Year 2020, three; Fiscal Year 2019, zero, for a total of 11. If you count the northern border, total of 14, Southwest border 11. Under Biden Administration, Fiscal Year 2021, 15; Fiscal Year 2022, 98; Fiscal Year 2023, 169; so far this year 30. So, we got a grand total of over 282 compared to 11 or 14, depending on what border you are talking about.

Ms. MACE. That is D.C. math for you. Thank you, Mr. Chairman, and I yield back.

Mr. LATURNER. [Presiding.] Thank you. The Chair recognizes Ms. Tlaib from Michigan.

Mr. MOSKOWITZ. Mr. Chairman, I have a unanimous consent motion. I would like to enter an article into the record.

Mr. LATURNER. Proceed.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. The article reads, "Marjorie Taylor Greene Threatens to Oust Speaker Johnson over Border Deal." Thank you, Mr. Chairman.

Mr. LATURNER. Without objection, so ordered.

Ms. Tlaib?

Ms. TLAIB. Thank you so much. Mr. Chair, if I may, I do want to begin in asking unanimous consent to enter into the record research from Immigration Forum confirming that evidence that indicates that illicit fentanyl is primarily brought to the United States by American citizens and usually through legal ports of entry.

Mr. LATURNER. Without objection, so ordered.

Ms. TLAIB. Thank you. I grew up in Southwest Detroit, and if you look at Southwest, it is the most vibrant, economy wise, but culturally, it is diverse, 20 different ethnicities, and many of my neighbors have been mixed up with the—just have been really directly impacted by the broken immigration system, and it is something we are not talking enough about. We always focus so much on the border, but let us talk about so-called "legal immigration" in our country. Mr. Bier, are you familiar with the Visa Bulletin?

Mr. BIER. Yes.

Ms. TLAIB. This is where our families go to that are United States citizens or green card holders, where they say, oh, I am going to go ahead and apply, it is for my sister, my brother in Mexico or other countries. Do you know what the average wait time for them to get adjustment of status? Not approval, because they will get approved, you know, sometimes within a year or so. But this is adjustment of status where they actually get access to a green card to actually come into the United States. Do you know how long?

Mr. BIER. Well, for siblings, it is going to be over 2 decades.

Ms. TLAIB. Yes, that is just in Mexico. So, I know, for instance, my mother, when she applied, it was about 12 years for her sibling, and I remember also working, as an immigration attorney by trade, working on cases where even when that time came, it was 2 years or so after before they could even get an appointment at the consulate to adjust their status. Do you know how long it is to get U.S. citizens with children that are over 21 years old?

Mr. BIER. Again, it is over a decade.

Ms. TLAI B. Yes. I think it is really important to talk about this because there is a process and there are laws, and they are trying to follow the laws, and it is literally decades before they can actually unite with their families, and I do not think people talk about that. Mr. Bier, the other thing that they do not talk about, in Southwest Detroit, do you know how many U.S. citizens I have that are married to undocumented spouses?

Mr. BIER. I am sure it is thousands.

Ms. TLAI B. They cannot adjust their status here in the United States because of—they have a pathway. They have a pathway to go through the legal process and they are not able to adjust their status, even though they have children, they are paying their taxes, they are participating. They are my neighbors. For 2 decades they have been my neighbors and have no pathway to citizenship. Can you talk about the fact that we are so focused on all these other rhetoric and just kind of messaging and so politics, because I will be honest. I am going to tell the truth. I think both Democrats and Republicans have failed our immigrant neighbors in our country. It is not just one or this. We have.

It has been overwhelming for me to be here the last 5 years and watch us using the same rhetoric. I mean, I kid you not, I hear this thing of like prisons first, humanity later. But I see it from everyone, you know, that is trying to say they are going to be tough on immigration. I can tell you, tough on the border from the forever impeached President, from President Obama, Bush, Clinton, and so on. It has not worked. It has not united families.

It leaves them in this limbo of 10, 20 years, and some even more than that, and the fact that we have thousands of U.S. citizens literally in my community that cannot get their spouses access to a legal pathway because we have literally layered on all this bureaucracy, and there is no pathway. And that is why I think it is really important for all those advocates, everyone that continues to come to our offices, when they are talking about fix the immigration system, this is what they are talking about. They are talking about this.

Can you talk a little bit about the importance of talking about these processing times, talking about the fact that we are not actually really investing in so-called legal immigration process in our country?

Mr. BIER. Yes. So, you mentioned that, you know, it is 2 decades for a sibling, it is over a decade now, but those are just the ones who applied a decade ago. For the people who are applying right now, it is effectively indefinite because there have been so many people who have applied over the last 2 decades, that at this point, these illegal immigration pathways effectively do not exist. For Mexico, basically, you cannot apply for that family based immigration system at all. Your sponsor will certainly be dead before you can immigrate. So, at this point—

Ms. TLAI B. Yes, but all my colleagues can just go to this Visa Bulletin. Right now, do you know what they are working on for unmarried sons and daughters of U.S. citizens? They are working on 2015 applications that have been approved, but they cannot adjust their status. I think it is important because there are people that are trying to do the right thing, and we are failing them because

we do not have a process that meets the needs of our country. With that, Mr. Chair, I yield.

Mr. LATURNER. Thank you. I will now recognize myself for 5 minutes.

Thank you all for being here today, first of all, to address the worst border crisis our Nation has ever seen. The chaos we continue to see at the border did not just materialize out of thin air. It is fueled by 3 years of misguided policies from this Administration and the refusal to enforce the laws we have in place. The numbers speak for themselves: over 8 million illegal crossings, thousands of pounds of fentanyl pouring into our communities, and hundreds of individuals on the terrorist watchlist apprehended, trying to take advantage of this Administration's failure to act. Mexican cartels and Chinese fentanyl manufacturers are making billions in profits while Americans are losing family, friends, and loved ones in record numbers to the fentanyl epidemic. My home state of Kansas has seen a 73-percent increase in fentanyl overdoses, the highest in America.

It is hard to find a community in my district that has not been impacted by fentanyl, and when I talk to local law enforcement, it is clear that the epidemic is getting worse every day. It is past time to restore the rule of law, secure our borders, and implement solutions to crack down on fentanyl traffickers. That is why I supported H.R. 2, commonsense legislation passed by House Republicans, to restart construction of the wall, provide more resources to our Border Patrol agents, and end failed Democrat policies that continue to incentivize mass migration. The truth is that a country without borders is not a country at all. President Biden and Secretary Mayorkas turn a blind eye to the invasion at the Southern border, and it failed to protect American families and communities. We have no choice but to find new leadership at the Department of Homeland Security.

I want to thank the witnesses, again, for being here today and look forward to our discussion. Mr. Homan, appreciate you being here and appreciate all the work that you have done. In your testimony, you stated that more Americans are dying from fentanyl poisoning than ever, over 112,000, as the drug is pushed across our Southern border. From your experience, what inadequacies do you see in the current Administration's approach to addressing the rise in fentanyl, if you can focus on fentanyl, specifically.

Mr. HOMAN. Well, more fentanyl is getting into the country because the Border Patrol is overwhelmed. We got record numbers, as you said, 8 million encounters across the Southwest border. I have been to the Southern border a dozen times. On average, over 70 percent of agents are pulled off the line to process this humanitarian issue. I have seen sectors in the last few months where every single Border Patrol agent in that sector is pulled off the line, which leaves hundreds of miles of border open.

The criminal cartels in Mexico, let me be clear, have operational control of our Southern border. They decide what comes across, where it comes across, and who comes across, and what comes across because they will create gaps. They will send a big group of illegal aliens in one sector to take whatever few Border Patrol agents are left on patrol to seize that event because these people

are in bad shape. We got a humanitarian issue we have to deal with, and they create gaps in the system. That is when they push the fentanyl and the trafficking of women and children and the gang members that do not want to turn themselves in. That is why we have 1.9 million known got-aways.

Mr. LATURNER. I mentioned H.R. 2. How would the passage of H.R. 2 into law make a difference?

Mr. HOMAN. Because it takes into account a lot of the Trump policies which were proven effective. That is not my opinion, and we can talk about raw data. I mean, I have been hearing these numbers being thrown around. You can cherry pick the numbers as much as you want. If you are going to argue that the border is more secure under this President than it was under President Trump, it is a fallacy. It is not true.

Mr. LATURNER. Will you quickly address the job that you think Secretary Mayorkas is doing?

Mr. HOMAN. It is terrible, and let me say this, Secretary Mayorkas was the Deputy Secretary in 2014–2015 under President Obama. Joe Biden was Vice President. We had a family surge at the time. How did we address it? We built family centers, residential centers. We built detention facilities. We made them see a judge, and when they are in detention, they see a judge in 35 to 40 days, so they were not in detention long. Most of them lost their case. We put them in an airplane and sent them home, and it worked. The numbers dropped. What is he doing now? He is not detaining them. They are being released with no judge appointment, many of them, and he is not removing them. Five percent of what they removed last year was a non-criminal border entrant, which shows if there is no consequence, if you are not going to remove them, they are going to keep coming.

Mr. LATURNER. Yes. Mr. Edlow, how many green cards are issued every year?

Mr. EDLOW. The exact number escapes me, Congressman, but, essentially, Congress has proscribed that there is a certain number, a limit per family based, also employment-based, and then another 50,000 or so for diversity. So, it is about 800,000 to a million. I just cannot remember the exact number.

Mr. LATURNER. Yes. And our immigration system, is it closed down, as was alluded to? Is nothing happening? Speak to that very briefly.

Mr. EDLOW. There is plenty happening. The Visa Bulletin is something that explains kind of where we assume things are in the pipeline, given the limitations that Congress has put on the yearly number of visas that can be issued. Those numbers do get played with, though. So, you know, from 1 month to the next, there are long wait times. I am not going to sit here and deny long wait times for certain categories, but from 1 month to the next, those dates do vary kind of significantly.

Mr. LATURNER. Thank you very much, and again, thanks for being here today. The Chair recognizes Ms. Bush from Missouri.

Ms. BUSH. Thank you. St. Louis and I are here today in solidarity with our immigrant community and in opposition to the demonizing and scapegoating by far-right MAGA extremists. Let us be clear. There is a crisis right now, but it is not because the

Southern border is open or because immigrants are poisoning the blood of our country, which the Republicans and their racist cult leader, Donald Trump, want you to believe. The real crisis is one of—

Mr. CLOUD. I ask for her words to be taken down.

Ms. BUSH. No, he is not a current President.

Mr. LATURNER. The gentlelady will suspend until the motion is dealt with.

Mr. RASKIN. What were the offending words?

Mr. LATURNER. Mr. Cloud, will you state the words?

Mr. CLOUD. She mentioned that Republicans were racist.

Ms. BUSH. I did not say that. I said racist cult leader, Donald Trump, who is not a current President. So, it is not engaging in personalities.

Mr. CLOUD. The Republican Members and their—

Mr. RASKIN. Yes, she is clarifying. She is not referring to Republicans in general. She was referring to one individual who is not protected by the rules.

Ms. BUSH. Absolutely. The words say, “which the Republicans and their racist cult leader, Donald Trump.”

Mr. CLOUD. Mr. Ranking Member, I do not think that you are the one to rule on this. I think the Chair is.

Mr. RASKIN. Yes. I was stating just the rule.

Mr. LATURNER. Let us hold for just a moment.

[Pause.]

Mr. LATURNER. The rules apply only to when you are engaging in personalities of specific Members, so the comments are in order. The gentlelady can continue.

Ms. BUSH. Thank you, and so I will go back again because I want that to be clear, that there is a crisis right now, but it is not because the Southern border is open or because immigrants are poisoning the blood of our country, which the Republicans and their racist cult leader, Donald Trump, want you to believe.

The real crisis is one of irregular migration. People around the world are fleeing from extraordinary levels of violence, persecution, and natural disasters. These catastrophes that force people from their homes have been fueled by longstanding U.S. Government policies supported by presidents of both parties. Every war we fund, every government we undermine, every blockade and sanctions we impose on civilians, and every day we fail to address the climate crisis is another investment in the displacement of others.

There is also a crisis of humanity. It is shocking how our political discourse, it reduces people, actual humans, real people, who are all too often forced to flee their homes, to pawns, whose lives and rights can be traded away for weapons or some kind of perceived political gain. It is devastating how little we seem to focus on the horrific conditions they are facing. Parents and children are suffering as they try to navigate our broken immigration system and are met with cruelty and confusion. In the face of this suffering, all GOP Members of this Committee can manage to do is shout at immigrants as if they are not people.

And then there is a crisis of logic. MAGA Republicans, but also some Democrats, want to pretend that a lack of enforcement is the problem even though this Administration has doubled the number

of deportations between fiscal years 2022 and 2023, and even deported 18,000 families in that timeframe. So, unsurprisingly, this has not solved any of the underlying problems, but some folks seem to believe that if we double down on our failed policies of the past, somehow these problems will go away, but nothing could be further from the truth. The truth is that we will undermine our immigration system and make all the existing problems worse if we repeat the mistakes of the past. Failing to end our dangerous policies that fuel chaos abroad will only guarantee more people being forced to flee their homes and countries.

Right now, Congress and the Administration are signaling they are willing to use immigrant communities as bargaining chips for more war and more weapons. However, raising the credible fear standard and imposing violent enforcement policies, like mass family separation and summary deportation, would destroy our asylum system for a generation, would violate our obligations under international law, and ensure more chaos in the immigration system.

The damage caused by this chaos and inhumanity is personal for me and my constituents. My office has seen a significant increase in immigration cases in the recent months. Each one shows the human dimension of this issue, a family fleeing the horrific violence in Sudan; a mother who cannot take care of her ill child; a woman with cancer whose family members cannot visit her; a doctor whose fiancé cannot live with her; a young man whose wife died and whose family members could not attend her funeral; endless wait times for family members fleeing violence and persecution in Haiti, in Gaza, and elsewhere.

We are doing the best we can as an office to help our constituents in St. Louis as their families face these crushing obstacles, but, ultimately, Congress must act. Congress must legislate. We know what the solution is: building a just and humane immigration system and addressing the root causes of migration. That looks like expanding lawful pathways, using parole authority, increasing asylum case processing capacity, securing authorization for folks who are already here, protecting our Dreamers, ensuring that states and cities have the resources they need to process new arrivals, and ending support for war, blockades, sanctions, and other policies that disproportionately harm civilians.

But instead of supporting real solutions we know will work, MAGA Republicans want to demonize and scapegoat our immigrants for short-term political gain, so let us be clear. Giving into the extreme demands of Donald Trump and MAGA Republicans is what will undermine our immigration system. Rejecting our obligations under the Refugee Convention will undermine our immigration system. Cruelty will undermine our immigration system and our own humanity.

The real crisis is failing to act and substituting cruelty as a meaningful policy solution. We must not surrender to this failed policy approach. We must stand with the people, all the people, all of humanity, and with a fair and humane approach to immigration and foreign policy. That is what St. Louis and I will continue to push for. Thank you, and I yield back.

Mr. LATURNER. Thank you. The Chair recognizes Mr. Fallon from Texas for 5 minutes.

Mr. FALLON. Thank you, Mr. Chairman. Let us talk about facts, reality, and less about, let us say word vomit and drivel. Here is a quote, "Border is no less secure than before Biden took office." Who said that? Alejandro Mayorkas, the Homeland Security Secretary, said that under oath in front of this Congress. So, let us look at some indisputable data.

In the first 34 months of the Trump Administration, there were 1.6 million illegal encounters. Same timeframe, Biden Administration, 8 million. No less secure than before Biden took office. That is interesting. In our history, we had two outlier months, 25 years ago, nearly where we had 200,000 illegal border crossings a month. Had not happened in almost a quarter century. It has happened 20 times under Joe Biden's watch. We had in the last 2 years of the Trump Administration, believe it was six folks that were on the Terrorist Watch List, in the last 2 years, six total. Last year, 169.

The number of Russian nationals crossing the Southern border has exploded. Same with Chinese nationals. Look at the MO of what the Russians did in Ukraine. They put folks into Ukraine, and then some of them were saboteurs. It does not need to be a large percentage. Chinese nationals, a few years ago, prior to Joe Biden, there were 323 Chinese nationals that crossed the Southern border. Last year was 24,000. If they happen to invade Taiwan, what if just 1 percent of those folks are saboteurs? Opioid deaths have doubled. Mexican drug cartel profits are at record highs, and last month was the worst month of illegal encounters, cracked 300,000. Interesting to note that in Fiscal Year 2017, for the entire year, it was just north of 300,000.

Let us talk about the migrants themselves. Estimates are that 30 percent of women that cross all the way through southern Mexico to our frontier are raped or sexually assaulted along the journey. Countless numbers of migrants are shaken down by the cartels, and hundreds die. Any fair-minded person believe that the border is no less secure than under prior administrations? Three hundred thousand last month. The largest city I represent is Plano, Texas, population 300,000. Thirty-nine states do not have a population of 9 million, and yet that is what we are nearing as far as illegal encounters go.

We used to have Wait in Mexico, and now we have mass parole. We used to have to build walls. Now we have open gates. We used to have criminal deportations. Now we have American vacations paid for by the American taxpayer laundered through the NGO's. We used to put American security first, and now we see record cartel profits. We are a debtor Nation, \$34 trillion in the hole, and the liberal fallacy and fantasy that somehow this is a net financial positive for this country is just that, it is patently absurd. It is about a \$155 billion loss when you factor in we are educating foreign nationals, the medical care that is required, and the unfortunate criminal element. Again, it does not need to be a large percentage that largely prey on their own people. The border is de facto open. It is unchecked. It is unguarded.

I was in the Del Rio Sector just a few weeks ago. There are supposed to be 180 agents on the line at any given time. There were zero for days because the cartels use surge tactics where they tell these 3,000 or 4,000 migrants cross right here, and then there is

scores of miles, hundreds of miles of border that is completely unguarded, and it is a lot easier to smuggle your illegal narcotics when there is nobody stopping you.

So, when you have these liberals that virtue signal about we are a sanctuary state, we are a sanctuary city. OK, then you house these folks in your states and in your cities. And for those folks out there that believe the Biden Administration's policies on immigration and the folks here on this panel in this Committee hearing, then you put them in your homes instead of being limousine liberals that it is somebody else's problem.

Eric Adams, the Democratic mayor of New York, said that it is going to destroy New York City. So, by some people's definition on this Committee, that is a racist comment. He also said that of the 110,000 illegal migrants in the city at the time of this quote, it would cost New York \$12 billion. Well, by that math, it is going to cost Texas, my state, a quarter of a trillion dollars, but that is OK if it is Texas.

So, you can either address this problem, or pretend it does not exist by keeping your heads in the collective woke sand. And if you do not address it, you are going to rue the day you did not because you saw folks like Tony Gonzalez, Monica De La Cruz, Mayra Flores being elected because the folks, the Hispanic Americans along the Southern border, are sick and tired of the cartels, the crime, the corruption, and the chaos, and they are leaving the Democratic Party in droves. You will rue the day when you lose the election in November of next year. I yield.

Mr. LATURNER. Thank you. The Chair now recognizes Krishnamoorthi from Illinois. Oh, forgive me. Forgive me. Ms. Crockett from Texas.

Ms. CROCKETT. Thank you so much. Texas on top of Texas. Very interesting. My colleague just mentioned that we should talk about facts instead of fallacies, so I do want to make sure that we address a couple of facts, starting with the fact that Republicans claim to be pro-life, but they are anything but, considering the fact that we just had a woman and her two children that died. They drowned in the state of Texas because our Governor decided that Federal authorities should not be allowed to actually try to save those people.

Mr. FALLON. Bullshit. Bullshit.

Mr. RASKIN. Rule of order. Mr. Chairman, could you instruct the Member to not use profanity to interrupt other Members?

Ms. CROCKETT. And can we not keep running down my time?

Mr. LATURNER. We will hold your time. You will get it back. I will remind Members to have decorum during the hearing today. Ms. Crockett, you may continue. Please restore 10 seconds to her time.

Ms. CROCKETT. The fact is these people died at our border in Texas on Friday. We are here today having a hearing, and the pro-life party does not want to talk about the fact that there was basically state-issued or sanctioned death at the Texas border. There can be nothing more inhumane than the fact that we have not even decided that we are going to discuss this on the pro-life side, but you know what? I do want to talk about some other facts that we have.

Republicans cannot do the basic job that we are supposed to do. You see, in 2 days, we are scheduled to shut down. They cannot figure out how to do a budget because we are 6 months behind, but somehow they are going to solve this complex issue of immigration. I seriously doubt it. And to quote a great known as Riri, also known as Rihanna, "How about we give a round of applause, a standing ovation," because we have absolutely had nothing more than performative politics. In fact, my Texas colleague just finished his comments by specifically talking about the election in November and who is going to win it. We are not here to campaign. We are supposed to be here to legislate, but we have done everything except for legislate.

So, let us go through a few more facts. Democrats have introduced legitimate, sensible legislation to address what we are seeing. My colleagues on the other side of the aisle want to grandstand for political purposes rather than work with Democrats and fix an immigration system that has been broken for decades. Republicans continue to vilify people, including mothers and their children, and as I just said, we just lost a mother and her children. We also know that the gentlelady from Florida, who happens to be the only Member to give birth this session, specifically admitted that she actually wants a child separation policy. I cannot think of something more ironic than that particular Member specifically advocating for child separation policies.

Republicans are yelling that states do not have the tools to help with migrants, but rather than work with Democrats, Republicans are targeting communities of color and Democratic cities like Chicago, New York, and Philadelphia. And while they say that it is about Democrat-run cities, I do want to point out another similarity that they have: these are cities that are run by African Americans. So, while I know that they love to pretend as if there are no racial undertones, it is just striking to me that we specifically are going after African American-run cities.

And we talk about the Mayor of New York. I do not know when I have ever seen so much bipartisanship and agreement out of the Republicans, but they continue to talk about what the Mayor of New York has said. Let me tell you about somebody else who wants to speak out about New York, and I want to make sure that she understands that the Democrats are not the problem, but the Republicans are, and that is Cardi B. Cardi B specifically talked about her frustration because the Mayor came out and said that they do not have the resources that they need, but guess who has actually tried to give the resources to these cities and who has stood in obstruction? President Biden.

To be clear, President Biden is trying to give state and local governments and nonprofits Federal resources to support temporary food, shelter, and other services, but MAGA House Republicans are refusing to give those cities and states those resources. President Biden has tried to put 1,300 more Border Patrol agents at the border to help, but Republicans have obstructed that request. Republicans want to cut the flow of fentanyl coming into the United States. President Biden has tried to give our border agents a hundred new cutting-edge inspection devices and add a thousand additional law enforcement personnel. Republicans obstructed that re-

quest. Honestly, I cannot tell if you all are for anything other than obstruction and cruelty.

Just take a look at my Governor last week. He said, “The only thing we are not doing is we are not shooting people who come across the border because, of course, the Biden Administration would charge us with murder.” I know Governor Abbott does not understand the law, but let me say this: that absolutely would be murder. And with that, I will yield.

Mr. LATURNER. The gentlelady yields back.

Mr. CLOUD. Mr. Chairman, I would like unanimous consent to submit this article, “The Biden Administration Admits Migrant Drownings Occurred Before Border Patrol Alerted Texas Officials.”

Mr. LATURNER. Without objection, so ordered.

The Chair recognizes the gentlelady from Georgia, Ms. Greene.

Ms. GREENE. Thank you, Mr. Chairman. I serve on the Homeland Security Committee, and we have been working very hard on an investigation into Secretary Mayorkas and his failures and willfulness to break our United States Federal laws in regard to the border. Just a few months ago, two of my own constituents, Jose and Isabel Lerma, were killed in a human smuggling pursuit. A 17-year-old illegal alien, likely working for the cartels, drove illegal aliens across the border, hit them head on. This lovely American couple from my district was killed on their way to visit family.

We have Americans dying every single day, and all I hear from Democrats every time we talk about the border is they are worried about migrant rights, they claim they are concerned about children and women, and then they claim, in spite of all the evidence, in spite of the fact that over 10 million illegal aliens have crossed our border, in spite of the fact 1.9 million people, illegal aliens are in our country, got-aways, we do not know who they are, we do not know where they are, we do not know what they are doing, and in spite of the fact that over 300 Americans are dying every single day from fentanyl overdose. The numbers do not lie, but the Democrats do.

Now, this is interesting to me. Sitting in here earlier, I was listening to the discussion on jobs, and that the whole reason claimed by my colleagues on the other side of the aisle is that they want to bring in as many illegal aliens as possible, give them the amnesty, so they can fill jobs in America, and then they talked about that we have a population growth problem in the United States. They were talking about the real issue of it being the lowest population growth and why this is a problem.

Well, I think we can all say that if maybe, perhaps 63 million people were not murdered in the womb, we would not have a population growth problem, would we? That is not women’s reproductive rights. That is called abortion. It is called murder, and that has led to, yes, a population growth in America. But Democrats claimed that we have got to replace Americans with the illegal aliens to fill jobs—that is their solution, that is their solution—and take away jobs from Americans. That is their solution.

The Biden Administration is guilty of the largest human trafficking operation in history. This is human trafficking. I just traveled in airports across the country just the past few days. You know, what I saw in our airports, migrants, illegal aliens all over

in the airports. Do you know who is paying for them to travel? United States taxpayers, paying for them to travel. We are so sick of this. Everybody is sick of it. Oh, but children in cages? Is that what we want to talk about? Crying over children in cages, but yet, the Biden Administration has lost, Mr. Homan, how many children have they lost?

Mr. HOMAN. Nearly 100,000.

Ms. GREENE. Nearly 100,000. But they have accused you and former President Trump and the previous Administration of all kinds of horrific things. How do you feel about that?

Mr. HOMAN. It is ridiculous. I testified earlier, illegal immigration was down 83 percent toward the end of Trump Administration because of all the policy put in place. When 83 percent less people come in, how many women are not being raped? How many children are not dying on the border? How many Americans are not dying from fentanyl overdose because the Border Patrol is on the line seizing more fentanyl? How many women were not sex-trafficked? How many billions of dollars did cartels not make?

President Trump's policies saved lives, saved lives. The wall saves lives. Why? Because the most vulnerable, the families and the females and children, they cannot climb the wall. They are going to go places where there is not a wall, and what is going to be there? Border Patrol agents to deal with the humanitarian and health issues that are going to come across. Our policies save lives. Record number Americans have died on this Administration with fentanyl. A record amount of migrants have died on the Southwest border, illegal aliens, 1,700, read about that. These policies are not humane. They are killing Americans, killing migrants at record levels.

Ms. GREENE. That is right. Killing people every single day while forcing the American taxpayer to pay for the human trafficking, that is exactly what the Biden Administration is doing.

I am looking forward to the next Administration where we are going to have the largest deportation system that has ever been witnessed in human history because the American people deserve to have a safe country, safe borders, and I will finish up with this. We will be impeaching Secretary Mayorkas because he has broken the laws, and these are the laws that Joe Biden, himself, put in place. Thank you, Mr. Chairman. I yield back.

Mr. GROTHMAN. [Presiding.] Thank you very much. You have Mr. Goldman over there? Yes, there he is.

Mr. GOLDMAN. Yes. Thank you, Mr. Chairman, and thank you for our witnesses for coming here today. I think one thing that gets confused a lot when we have these hearings is that there are allegations that Democrats and President Biden do not want to secure the border, want open borders. In fact, my friends on the other side of the aisle have said that they are trying to facilitate the fentanyl trade and fentanyl from coming into the country. But the irony, and my colleague from Texas, Mr. Fallon, said this at the end of his 5 minutes is he questions whether or not the Biden Administration is serious about addressing the problems at the border.

Well, it is quite ironic because right now, this very day and for the last 5 weeks, the Biden Administration, the White House, and Secretary Mayorkas have been negotiating with a bipartisan group

of senators to actually address the problems at the border, but you know who has not been involved in that? House Republicans, and instead, what they are doing, as you just heard from Ms. Greene, is trying to impeach Secretary Mayorkas for his failure to address the border while he is negotiating to address the border. And then, even if there is a bipartisan agreement in the Senate, the Republican leadership in the House has already determined that it is dead on arrival. They have not seen the agreement, but they just know that it is dead on arrival. Does that, Mr. Bier, sound to you like someone or some party or some group of people who are trying to address the problems at the border?

Mr. BIER. This Administration has been trying from day one to get attention of Congress to try to pass immigration legislation, and they have gotten no takers.

Mr. GOLDMAN. Because, am I correct, Mr. Bier, that the fundamental core problems that cause some of the issues at the border require legislative fixes? They cannot be done through solely executive action. Is that correct?

Mr. BIER. Absolutely. They need new authorities to deal with the legal immigration system, in particular.

Mr. GOLDMAN. Now, Mr. Edlow, I know you ran USCIS, and you have testified about how the backlog of asylum applications is a significant problem because it incentivizes even those who may not qualify to try to come here because they will be able to stay for years. Is that a fair assessment of the concern about the backlog of the asylum applicants?

Mr. EDLOW. That was not what I was saying about the affirmative asylum applicants, but as far as defensive people coming across? Yes, they get to come in. They will eventually get work authorization. Actually, under some of these regulations, they get it very quickly.

Mr. GOLDMAN. Well, but regardless of when they get it, they apply for asylum and it takes years, right? And so, you would agree with me that fewer than 50 percent of asylum applicants are granted asylum when their case is finally heard. Is that right?

Mr. EDLOW. Again, I am not sure. We are talking about the people coming in from the border? Or are you talking about total? Because those are different numbers.

Mr. GOLDMAN. Well, I am talking about the total, but the point is, is that there is a backlog, and as the head of USCIS, do you think that 1,600 more asylum officers to process asylum applications would help to reduce the backlog, and, therefore, not incentivize more people to come?

Mr. EDLOW. If those officers were going to be placed for affirmative asylum applications for people who have been in the pipeline for a number of years, yes. However, that is not what they are doing.

Mr. GOLDMAN. Great. Because you know what was in President Biden's supplemental? Seven hundred and fifty-five million dollars for USCIS to hire 1,600 asylum officers to go through the backlog. Now, Mr. Homan, do you think that it would be helpful to hire additional CBP officers, Border Patrol agents, or border processing coordinators so Border Patrol agents can do their job and try to secure the border and fight drug trafficking and human trafficking

coming over the border? Would those additional officers have helped you when you were heading that department?

Mr. HOMAN. Hiring more officers to process more quickly, release more quickly, are just going to bring more people.

Mr. GOLDMAN. I'm not asking about—what I asked, I asked separately about CBP officers, HSI officers, Border Patrol agents, security enforcement officers. Would that help to secure the border?

Mr. HOMAN. This is not a resource issue. It is a policy issue.

Mr. GOLDMAN. That is not my question. My question is, would it be helpful? Would it be helpful? The answer is of course—

Mr. HOMAN. Of course, adding more Border Patrol agents is always helpful.

Mr. GOLDMAN. Exactly, and yet, this Republican Party does not want to add \$4.46 billion that was in the President's supplemental appropriations request to go to the Customs and Border Protection to fight the fentanyl trade, to fight human trafficking, to try to take away the American-made guns from the cartels who control both, and this Republican Party will not do anything. I yield back.

Mr. GROTHMAN. Just a minute. We are going to have a hard time because we are going to, just so you know, we are going to wind up on the Floor here. So, we want to squeeze in as many people as possible. Mr. Cloud?

Mr. CLOUD. Thank you, Chair. Thank you all for being here. As we know, the executive branch has one job, and that is to enforce the laws of the land, not to make the laws of the land. This Administration has all but given up on securing the border, and now it is actually deploying resources to counter states like Texas that are actually doing the Federal's job in doing their best effort to secure the borders.

We talk to people on the ground. I was there just 2 weeks ago, and the way they described it, they said right now it is like you are holding a bucket in front of an open fire hydrant, and what our friends on the left want is more buckets. What you need to do is cap the fire hydrant, and what we have done, and what we have seen the Biden Administration do, is turn our Customs and Border Protection into a customs and border processing, much to the disdain of many of the people who are there serving and doing their best effort to deal with the Biden Administration.

My district in South Texas has felt the consequences firsthand for years. Just recently, Goliad County law enforcement reported finding 16 different cartel stash sites, one of them the largest in the country at the time, connected to drug activity, human trafficking, or both. They found them on private property, and, of course, they were being operated without the owner's permission. Also in my district, just a few weeks ago, a 6-year-old girl was murdered in her own home by a man who had overstayed his visa and should have been subject to removal. No doubt the border has been challenging for a while, but Trump was able to make a lot of headway and get as close as we have been for a while in securing our border. He succeeded where I would say the Biden Administration failed, but that would assume that their goals were to actually secure the border.

Mr. Homan, could you explain because there is a lot of effort from this Administration to blame Texas, to blame Congress, say-

ing we need more money, we need more authorities. Could you explain the difference between the authorities and resources that the Trump Administration had at their disposal versus the Biden Administration?

Mr. HOMAN. Yes, and of course, and you hit right on point, your first statement. When we talk about more Border Patrol agents, of course we can always use more Border Patrol agents, but not to carry buckets. More Border Patrol agents are only meaningful if we secure the border and let them do their national security job. But look, the difference is clear. I mean, under the Trump Administration, illegal immigration was down to a 40-, 45-year level, depends on what timeframe we looked at, and he did it because Remain in Mexico program, people were still claiming asylum, but they were not going to be released in United States until they had the hearing.

We had the first safe country agreements, agreements with Central American countries of Guatemala, Honduras, and El Salvador, that if you are really escaping fear and persecution in El Salvador and you get to a free country, have you escaped that fear and persecution? You should be claiming asylum there because it is not about asylum. We know most of the asylum claims in the Southern border are fraudulent because most of them will get orders of removal. And the wall works. You know, people want to say the wall does not work. The wall works. The wall takes the most vulnerable people, women, and children who cannot get over that wall, takes them to a place where there is not a wall, where Border Patrol is there to deal with the humanitarian issue.

And last, I will say for the men and women of the Board Patrol, if I may. I have seen videos in the last few days where people are going down the border, screaming at Board Patrol agents that they are racist, they are trafficking women and children. The only humanitarian group on that border are the men and women wearing green. These are patriots, they are heroes, they are the finest law enforcement officers in the world, and they are being attacked by the left and some on the right as being traffickers. These men and women, their morale is in the toilet. They are doing everything they can. They have saved thousands of lives every year. So, for both sides, I saw a video this morning. It just agonized me that you want to pick on the men and women on Border Patrol who put their lives on the line every day to defend this Nation. God bless the Border Patrol. I salute what they are doing.

Mr. CLOUD. Yes, thank you very much. Thank you for mentioning that. They are giving their best effort under tremendous, tremendous circumstances and an Administration that does not really support them. So, but to be clear, the Biden Administration did not lose any authorities that the Trump Administration had, right?

Mr. HOMAN. The Remain in Mexico program was found by the highest courts in land to be legal. They could institute that tomorrow, and it would be a game changer.

Mr. CLOUD. Right, and they have just as much, if not more, resources available at their disposal from what—

Mr. HOMAN. It is not a resource issue. It is a policy issue.

Mr. CLOUD. Yes.

Mr. HOMAN. They change the policies and get back to the Trump-era policies, they could solve 85 percent of this problem.

Mr. CLOUD. Now, interestingly, an entire cottage industry surrounding this catastrophe has budded up, from processing to transporting, the NGO's that are happening. A lot has been made of family separation, and you have mentioned it, but if you can mention again, how many children has the Biden Administration lost? And then could you speak to the lives lost on the journey as well and the human side. I know I have visited a facility in my district where 30 to 50 percent of the young women admitted to being assaulted along the journey.

Mr. HOMAN. Nearly 100,000 children are missing. This Administration released them to so-called sponsors we cannot find, but we do know we found many working the midnight shift in meatpacking plants, many in forced labor, many in indentured servitude. We know that we have lost right around 1,700 aliens who have died on U.S. soil making this trip. That is not counting the Darien Gap, which is the thousands in Mexico and Central America.

When you make promises that you can cross this border illegally, you will be released, you will get work authorization, and you cannot be removed because ICE cannot remove somebody that is in the country illegally just for being here illegally. The Secretary said that. When you make those types of promises, plus free healthcare, the most vulnerable people in the world are going to put themselves in harm's way of the cartels, and that is why record amounts, not only Americans, are dying from fentanyl, 112,000 last count, a record number of migrants are dying every day on the border.

And I said earlier, while we are here talking today, women are being sexually assaulted and a child is going to die tonight because they think this border is open and they are going to keep coming.

Mr. CLOUD. Thank you. I believe my time is up. I yield back.

Chairman COMER. [Presiding.] The Chair now recognizes Mr. Khanna from California.

Mr. KHANNA. Thank you, Mr. Chair. Mr. Homan, you have said that you plan to lead the largest mass deportation operation in history. Is that your aspiration?

Mr. HOMAN. The largest illegal migration crisis on the border is going to have to result in the largest deportation operation because most of them will get ordered removal.

Mr. KHANNA. I am just using your words. I guess you stand by that.

Mr. HOMAN. Yes, absolutely.

Mr. KHANNA. What is that? Does that mean that you are telling the American public—I am just trying to understand—if there are 10, 11, 12 million undocumented, I do not know how many do you think, any one of those folks, if you are in charge is going to face potential deportation?

Mr. HOMAN. I think if you are in the country illegally, you need to be concerned because you are in the country illegally.

Mr. KHANNA. So, you are telling basically any American today or any undocumented person here today, 11 million, that your goal,

if you get power again, is you are going to lead the largest mass deportation of all of them, correct?

Mr. HOMAN. The biggest illegal alien crisis on the Southern border remains that people cross——

Mr. KHANNA. I did not——

Mr. HOMAN. No, no. You have to put it in perspective. If you believe in due process and have the right to claim asylum, have the right to due process and see a court, when those final orders are issued, if they are not executed, then what the hell are we doing? Shut down the——

Mr. KHANNA. I just want people to know what happens if you come into power. You have been pretty candid about it.

Mr. HOMAN. Yes.

Mr. KHANNA. And so, you know, I think it is important for people to understand. Now, I assume that you reject this Great Replacement theory, correct?

Mr. HOMAN. The numbers are the numbers.

Mr. KHANNA. Now, this conspiracy theory of Great Replacement, that somehow there is an intentional effort to replace white Americans with Americans who look like me, you reject that theory, correct?

Mr. HOMAN. Yes. I do not think it is about replacement.

Mr. KHANNA. Mr. Edlow, do you clearly reject the Great Replacement theory?

Mr. EDLOW. Yes. That is not what this is about.

Mr. KHANNA. Would you reject Charlie Kirk, who has said that the Great Replacement theory is something that more Republicans should embrace? Would you reject his characterization?

Mr. EDLOW. I am not aware of his characterization at all.

Mr. KHANNA. If he is advocating for the Great Replacement theory?

Mr. EDLOW. I can only speak to myself. I am not——

Mr. KHANNA. Would you reject any person who advocates for the Great Replacement theory?

Mr. EDLOW. I am not supporting——

Mr. KHANNA. Mr. Homan, would you reject Charlie Kirk?

Mr. HOMAN. I do not know what his intention is. I mean——

Mr. KHANNA. Would you commit to not going on “The Charlie Kirk Show” again if he is advocating the Great Replacement theory? And what Charlie Kirk has said is that he was pleased that Vivek Ramaswamy finally talked about the Great Replacement theory on the campaign trail, and the Great Replacement theory is basically that there is some intentional idea of replacing White Americans with Brown and Black Americans for additional votes or the diluting of America. You have rejected that?

Mr. HOMAN. I would have to have a discussion with Charlie Kirk and find out what he means by what he says.

Mr. KHANNA. But you reject the theory, correct?

Mr. HOMAN. It depends on what his meaning of his theory is. What does he mean by that?

Mr. KHANNA. Well, I mean——

Mr. HOMAN. I mean, I read stuff in the media every day about me that is not true.

Mr. KHANNA. What is it that you would think is a reasonable view of it?

Mr. HOMAN. Again, I do not think what is happening is replacing White Americans. I think it is bringing in large group of people who the left thinks will be future Democratic voters or going to change them out with the Census numbers, going to change the seats in the House and all that is done. But I would have to talk to Mr. Kirk and find what his views are and what he means by—

Mr. KHANNA. But you believe there is an intentional effort? By who? To try to get more Democratic voters? I mean, what is it that your belief is?

Mr. HOMAN. I have been asked why I think they support open borders and bringing millions of people in, and as I testified earlier—you were not here—I do not understand why anybody would want an unsecure border. I do not see any downside in a secure border, so there has to be some sort of political—

Mr. KHANNA. The last question on this is, is that just your speculation? I mean, that is a very serious charge to launch on it—

Mr. HOMAN. It is just one option out of many. Do I have direct evidence it is happening? No.

Mr. KHANNA. And who do you think is doing it, the Democratic Party operatives or other people? I mean, who is leading this in your view?

Mr. HOMAN. You know, I think you need to ask the Administration why did he open the border, and why did he want millions of people crossing the border be released in the United States. That is a question for them.

Mr. KHANNA. Mr. Bier, do you have any sense that this Administration does not believe in secure borders, and what would be the top three policies that you would implement to secure the border?

Mr. BIER. Well, first of all, this Administration is removing record numbers of people and, in fact, a higher percentage of people who crossed the border than were removed in 2019 and 2020. So, the idea that they have no interest in this, they do not want to remove people, I mean, if they did that, why did they have cages? Why do they have all the things that you have talked about? It is logistical issues. Congress has funded 34,000 beds, and that is how many people arrive in 4 days at the border. That is why people are being released.

The solution to this is legal immigration. We need to resolve how we want people to come to this country, have a conversation about that, and once we agree that people are good, immigrants contribute to this country, then we can have a conversation about how should they come, what is the way, what is the mechanism, because right now there is not any for the people who are showing up at our border.

Mr. KHANNA. Thank you.

Chairman COMER. The gentleman's time has expired.

The Chair now recognizes Mr. Timmons from South Carolina.

Mr. TIMMONS. Thank you, Mr. Chairman. I just want to point out that this is the U.S. Congress, this is the Committee on Oversight and Accountability, and we are having a hearing titled, "The Biden Administration's Regulatory and Policymaking Efforts to Undermine U.S. Immigration Law." I have heard from my colleagues

across the aisle a number of different lines of logic surrounding this hearing, and I just do not understand where they are coming from.

In the last 3 years, we have had millions and millions of non-Americans cross the Southern border illegally claiming asylum. Mr. Homan, what is the number that you use because I have heard 5, 6, 7 million people in the last 3 years. What is the number you—

Mr. HOMAN. Encounters?

Mr. TIMMONS. Correct.

Mr. HOMAN. We are just short of 8 million.

Mr. TIMMONS. And you are using a term. What is that term?

Mr. HOMAN. Encounters.

Mr. TIMMONS. Encounters.

Mr. HOMAN. Come across the border.

Mr. TIMMONS. So, you can just estimate how many people have been released into the country?

Mr. HOMAN. We know at least 2.4 million.

Mr. TIMMONS. And how many got-aways do you think there are? How many people did we—

Mr. HOMAN. One-point-nine million known got-aways.

Mr. TIMMONS. OK. So, let us go back. Before Biden was sworn in, Trump had a number of policies in place, Remain in Mexico. He was actively constructing a physical barrier across the Southern border. He was using technology to surveil the Southern border and the Border Patrol was funded, and they were able to manage their caseload to a fairly good degree under his Administration. Is that true to say? Would you agree with that?

Mr. HOMAN. Yes.

Mr. TIMMONS. So, day one, Biden gets sworn into office, and he signs an executive order ending Remain in Mexico. He altered the asylum and the parole laws to make them more favorable. He facilitated and enticed people all over the planet to go to Mexico to then cross the Southern border illegally and claim asylum for whatever they think is a credible fear, which that definition is constantly changed. But the fact is, the Border Patrol does not have the ability to say that is not credible fear. You get a court date years down the line, and we spend our taxpayer dollars to send these millions of people all over our country. And Heritage estimates that the cost annually of that is \$400 billion. I actually think it is far higher because when these people are living in our country, they are using our healthcare system. They are using our education system. They are using our infrastructure, and we do not really have a good estimate. I mean, I think it is probably closer to \$750 billion annually. What do you think the cost of Biden's policies are, taxpayer dollars wise, annually in this country?

Mr. HOMAN. I have no idea.

Mr. TIMMONS. Would you agree it is hundreds of billions—

Mr. HOMAN. Oh, absolutely. Absolutely, and your point is—

Mr. TIMMONS. OK.

Mr. HOMAN [continuing]. Asylum at the border. You are exactly right. There is massive asylum fraud going on. Even the Democratic expert next to me has said they are coming in for a job. They are coming for a job, that does not qualify for asylum.

Mr. TIMMONS. And I just want to point out, I am fully in favor of immigration. We are \$34 trillion in debt. The only way we can

solve that is by growing the economy, which involves people coming to this country, but they got to come through the front door. And I was in Eagle Pass, Texas 2 weeks ago, and as we were giving a press conference, a family of four almost drowned, and they were saved, and they did not die. But just 2 days ago, people drowned in the river because they are coming in illegally, because they are not coming through a port of entry, so we have a major problem. It is a crisis, and the costs of these policies, it is hard to even put a number on it financially, but then you have lives, you have lives, as you have talked about.

The No. 1 cause of death for Americans aged 18 to 45 is fentanyl overdose. Hundreds of thousands of people have died in the last 3 years. We have already gone over the financial cost, taxpayer dollars. The last thing I will say is just misery. The amount of misery of people coming in this country illegally, whether it is because of indentured servitude because the cartels are profiting tens of billions, hundreds of billions of dollars off of this, it is just awful, and all of this is because of President Biden signing his damn name. All he has got to do is sign it again. Reinstate Remain in Mexico. We were in the Del Rio border sector with the head of the border sector, and he said if we reinstate Remain in Mexico, if this President, President Biden, reinstates Remain in Mexico, 75 percent of the problem will be gone.

And that is why we are here. We are here because our country is drowning in insane amounts of illegal immigration. I am going to read you a quote, and I am going to let you guess who it is from. "I don't see an ending to this. I don't see an ending to this. This issue will destroy our city. We have a \$12 billion deficit that we are going to have to cut even more. Every service in this city is going to be impacted, all of us." You think that was from somewhere on a border town in Texas?

Mr. HOMAN. New York City mayor.

Mr. TIMMONS. New York City mayor. It is the New York City mayor. Mr. President, you got to sign your damn name. Reinstate Remain in Mexico, solve this problem. I yield back.

Chairman COMER. The Chair now recognizes Ms. Porter from California.

Ms. PORTER. Thank you, Mr. Chair. Republicans seem, as Mr. Timmons just did, to acknowledge that immigration can benefit our economy, and they seem to say the problem is unlawful arrival. So, let me take them for a minute at their word. And most Americans agree with this, by the way, that lawful immigration is a boon to our country and to our economy. Let us understand why, and then let us look at why that is not the solution to this problem. Mr. Bier is the U.S. population growth rate declining?

Mr. BIER. It is down 90 percent from its historic highs.

Ms. PORTER. OK. Can you have a growing economy and a declining birthrate in the long term?

Mr. BIER. You can have economic growth with a declining birth rate, but it is more difficult.

Ms. PORTER. OK. And I think we can all look at examples around the world of countries that are struggling with this. So, our population will start to decline in just a few years, in 2030, if current immigration and demographic trends continue, correct?

Mr. BIER. That is right.

Ms. PORTER. So, if population does begin to decline, what are some likely harms to the U.S. economy?

Mr. BIER. Well, look, you look at the Social Security system, if we do not have another 30 million workers available by 2034, then the Social Security Administration expects us to have, then we are facing a situation where taxes are going to have to go up a lot in order to fund the system, and that is going to be a catastrophic hit to taxpayers and/or to Social Security benefits, one or the other. So that is one example.

Obviously, economic growth is going to be impacted as more people retire. We have heard about the employment rate going down. Well, that is because people are retiring, not because fewer people are working. If you look at the prime age employment rate, it is high, but that is not enough to make up for all the retirees that are no longer working.

Ms. PORTER. And, Mr. Bier, collectively, even if we just look at Social Security, forget collectively. If we just focus on Social Security, we are talking about in the next few decades, trillions of dollars of shortfalls that could effectively decimate Social Security.

Mr. BIER. Yes, absolutely. You are talking about over \$12 trillion deficit in the short term.

Ms. PORTER. OK. So then let us say we agree that we need lawful immigration, and I hear our witnesses and our colleagues on the other side saying, well, lawful immigration, I am for that, I am just not for unlawful immigration, so let us talk about this. Of the people who apply, who use the system, and they follow the rules, which I think Americans think we should, they apply for a green card, what percentage of them get it?

Mr. BIER. That is 3 percent. So, 97 percent do not get one.

Ms. PORTER. Three percent. I hear all the time from people that they would like people who want to seek a life in this country to follow the rules and “get in line,” but there is no line at all for many, many countries. Can you explain that?

Mr. BIER. Right. So, some countries, you know, you can apply for the lottery, right, you know, if you are from a country without a large, legal immigration flow already to the United States, but for many countries—Mexico, India, China, Central American countries, Venezuela, now—they are banned from even applying for that that green card lottery. So, there is no direct path for them. If they do not have a U.S. citizen family member in the United States, they are out of luck unless they are an extremely highly skilled individual. You know, Ph.D., master’s degree in STEM has a chance, you know, again through the H-1B lottery. So, we got lotteries on top of lotteries, even for the highest skilled people.

Ms. PORTER. So, I think this is a really important point for the American people to understand and really important for Democrats to stake out here what is our position on immigration, and it is that immigration is a huge benefit to our economy from which we all benefit, whether we are generations passed from coming to this country, or new immigrants, every one, every American benefits from a strong, stable, globally competitive economy, and we have to have legal immigration to get there. That is platform one, in my view.

The second platform is we want people to follow the rules, to have an orderly system, but we have to be honest. Despite the efforts of the Biden Administration, there is still—because Congress has failed, Republicans and Democrats have failed our economy and the American people, because we have not created an orderly system, you cannot wait in line if there is no line. You cannot take your turn if we do not provide a chance to get to the front, to get a chance to apply.

So, the fundamental problem here is we have a broken immigration system, and what we are seeing in terms of unlawful immigration. We should not be blaming people seeking a better life. We ought to be willing to look in the mirror in this body in the Capitol and take responsibility for our failure to update the immigration system and to create an orderly way to boost our economy. I yield back.

Chairman COMER. The Chair recognizes Ms. Boebert from Colorado.

Ms. BOEBERT. Thank you, Mr. Chairman. The failure in our immigration system is a wide-open Southern border. There are folks who are waiting in a so-called line. As Mr. Bier said, most countries do not have a line, they have a lottery, and they are banned from even applying. We have the most generous system in the world for bringing in legal immigrants into our country.

And it is so interesting, fascinating, to hear my colleagues on the other side of the aisle debate this and counter every other argument that they have in their policies. They are saying they want economic growth, and the only way to get so is through indentured servitude, is to putting moms and their children in the hands of cartel who, Mr. Homan, you have said that it is the cartel who have operational control at our Southern border. Is that not correct, sir?

Mr. HOMAN. They absolutely do.

Ms. BOEBERT. So, we are going to risk putting lives in the hands of the cartel to bolster our economy. My colleague just asked if our birth rate was declining here in America, and the answer was yes. Well, of course it is. We have nearly 1 million abortions in our country a year, over 60 million abortions since this has been illegal, and if that is an issue, well then, we need to address that.

If we want an incline in our birth rate, well, let us look at our own country first rather than putting folks in the hands of the cartel and putting their lives in danger so they can do, as my colleagues on the other side of the aisle say, pick our fruit, pick our crops. Aren't the folks who are coming here to seek the American Dream deserving of the American Dream, or are they only deserving to clean our toilets, fold our beds in our hotels, the sheets, and pick our crops? I think the American Dream is worth much more than that, and that is why we are the most generous Nation in the world when it comes to legal immigration, accepting nearly 1 million legal immigrants each year.

Now, Mr. Homan, as someone who oversaw a significant downturn in illegal border crossings under the Trump Administration, what do you believe has been the biggest driver in skyrocketing increase of illegal immigration through our Southern border under the Biden Administration?

Mr. HOMAN. The Biden Administration's policies, catch and release. They know if they cross the border illegally, they will be processed in record time because the Administration keeps sending more resources at the border not to secure the border but to process and release.

Ms. BOEBERT. Right.

Mr. HOMAN. As long as, you know, you can cross the border, be released, get flown or transported to the city of their choice at taxpayer's dime, get lodging, healthcare, three squares today, they are going to keep coming because there is no consequence.

Ms. BOEBERT. Thank you, Mr. Homan. Now, in Colorado, we have seen fentanyl deaths absolutely explode, and thousands of illegal aliens shipped in into my state of Colorado. How do you think that the American family has been most impacted by the failure of this Administration to secure a border and keep this, what I consider a weapon of mass destruction, out of our country?

Mr. HOMAN. Well, it is a poison, and there are a couple of things. First of all, I have not seen this Administration hold China accountable for providing the precursors to the cartels in Mexico used to create this poison. I have not seen any accountability from this Administration holding Mexico accountable for not taking on the criminal cartels. And the fact is, while 300 children are going to die every day, hundreds every day, and this is not going to stop with open borders. Because despite what people have said here today, I have done this for 34 years. I have investigated criminal cartels. Much of the fentanyl is coming through the port of entry. I do not argue that. Most of the fentanyl is seized at a port of entry because that is where they stop every vehicle. But between the port of entries and maritime from the Coast Guard, you cannot make a statement saying most of the fentanyl comes through the port of entry when you do not know what the hell is coming between the port of entry, especially when most Border Patrol agents are no longer on patrol.

I testified earlier, I had been to several sectors in the past year where every single Border Patrol agent was pulled off the line for days, a hundred miles of border. The criminal cartels are going to use the road of least resistance, and that is where there is not a law enforcement officer.

Ms. BOEBERT. Yes, Mr. Homan, that is a great point because we do hear about the ports of entry a lot in this Committee room. But we do not know what is coming across the border where it is wide open and there are not Border Patrol agents. And I love that you also highlighted the fact that the funding that is going to our border is simply to process more illegal aliens, not to secure our border.

Now going back to Colorado, Jose Guadalupe Menjivar-Alas, an illegal alien, and forgive my pronunciation of his name, but he is an illegal alien who has four previous convictions in Colorado for alcohol-related driving offenses and was previously deported 4 times and recently crashed his vehicle and killed a 47-year-old woman, Melissa Powell, and her 16-year-old son. The Biden regime absolutely has blood on its hands for their failure to secure our border and actually hold this criminal alien accountable and is resulting in the deaths of women and children here.

There are many excuses that we hear from the other side, and, unfortunately, one of them is to bolster our economy and that our Social Security system is going to decline. Mr. Bier, you said that we have to raise taxes on the American citizen?

Mr. BIER. No, no, definitely not.

Ms. BOEBERT. You said taxes will have to go up to fund the Federal Government.

Mr. BIER. That is what I expect Congress will do.

Ms. BOEBERT. Oh, well, if I am here, we will not.

Mr. BIER. Good. Thank you.

Ms. BOEBERT. But this is something that we have to address so we are not having to fund \$200 million annually in illegal aliens in my state of Colorado alone. Gentlemen, I thank you so much for your time here, for your testimonies, and for getting information to the American people, and I hope we get the Southern border secured quickly.

Chairman COMER. The Chair now recognize Mr. Donalds from Florida.

Mr. DONALDS. Thank you, Mr. Chairman. Gentlemen, thank you for coming out today. I really appreciate it.

Mr. Edlow, real quick. It was said in previous testimony that roughly 3 percent of people who apply through the legal process of coming into the United States through the green card program—3 percent of all that apply actually get approved. Is that accurate? Is that an accurate description?

Mr. EDLOW. I have not heard that number, so I do not want to talk about this percentage itself. I can tell you, Congressman, there are close to a million people that get green cards every year through the various pathways, and plus all the people that come in, have applied for asylum or have gotten in through refugee status, and then ultimately became permanent residents, green card holders at that point, too. So, there is a robust process by which people are becoming green card holders every single year.

Mr. DONALDS. So, there is a robust process upon which people are coming into the United States.

Mr. EDLOW. Yes.

Mr. DONALDS. Mr. Bier, you know, I saw you over there, heard your testimony over there. Do you agree with that statement?

Mr. BIER. Oh, absolutely not. If you compare the United States to other countries, it would take about 70 million people showing up in the United States tomorrow to get our immigrant share of our population to equal what we see in Australia, 35 million to get to where it is in Canada. The United States is an outlier for having a restrictive immigration policy.

Mr. DONALDS. Mr. Bier, do you think it is the appropriate for the American Government to model that of Australia and other countries around the world?

Mr. BIER. I think we should do what is in our best interest, and I think immigration can benefit the United States if done legally and in an orderly manner.

Mr. DONALDS. Mr. Bier, do you think it is in the Nation's best interest to have a massively open Southern border that is largely controlled by the drug cartels?

Mr. BIER. Absolutely not.

Mr. DONALDS. So, Mr. Bier, a followup question to that. Do you think it is wise for the Biden Administration to reverse its protocols at the Southern border?

Mr. BIER. Its own protocols?

Mr. DONALDS. Yes.

Mr. BIER. I do not understand.

Mr. DONALDS. Do you think—

Mr. BIER. Why would they reverse its own protocols?

Mr. DONALDS. Well, let us go back. You just said that the current situation at the Southern border is not in the Nation's interest. It is not wise for the Nation to have that.

Mr. BIER. Yes.

Mr. DONALDS. And since the basic predicate of this hearing by any objective measure is that the policy prescriptions by Joe Biden since he became President has led to a massively open Southern border, do you believe it is in the Nation's interest for President Biden to reverse course on his policy prescriptions when he became President on January 20, 2021?

Mr. BIER. I do not agree with the premise. His policies did not cause this.

Mr. DONALDS. So, his policies have not allowed for 3 million entrants into the country through wide open asylum and disassociation from detention?

Mr. BIER. Sure, people definitely came. I do not dispute the numbers.

Mr. DONALDS. Do you deny that—

Mr. BIER. Biden's policies do not—

Mr. DONALDS. Do you deny the fact that the drug cartels are going to make \$12 billion a year?

Mr. BIER. Yes.

Mr. DONALDS. Trafficking people into the United States?

Mr. BIER. Yes. We should defund the cartels by letting people come to this country legally. Then they would not have to hire a cartel man.

Mr. DONALDS. Mr. Bier, how would they cross the Southern border, which is largely controlled by the drug cartels on the Mexican side of the border? How would they trespass that?

Mr. BIER. They would get on a plane. They would get a visa and get on a plane.

Mr. DONALDS. So, what you are advocating for is that the policy of the United States of America is that people can basically hop an airline or come to the United States of their own volition and free will?

Mr. BIER. If they get vetted by the U.S. State Department, what is wrong with that?

Mr. DONALDS. Do you believe the U.S. State Department has the capability of vetting that many people?

Mr. BIER. Absolutely. All legal immigrants are paying fees in order to get vetted. They want to be vetted—

Mr. DONALDS. Mr. Bier, we are talking about same State Department under Tony Blinken that could not evacuate 10,000 Americans from Afghanistan, that could not evacuate Americans out of Israel, where you had Members of Congress go over to Israel to get 246 Americans out because the State Department was busy send-

ing text messages and dropping voicemails into people's cellphones, that U.S. State Department can process millions of people coming into the United States?

Mr. BIER. Yes. I mean, certainly the State Department has its challenges. But if you look at where it started, at 83 percent visas being cut by the last Administration, I mean, they gutted the State Department's visa processing, which is why they were not able to get Afghans out of Afghanistan.

Mr. DONALDS. Mr. Bier, I have a final question for you. We will leave Afghanistan for another day. I disagree with you, but I will leave that. I have a separate question for you. Do you believe that the United States' current policy with respect to work authorizations, Medicare—essentially public charge doctrine with Joe Biden's Administration changed from the Trump Administration—do you believe that that would only juice immigration into the United States if people coming to apply for asylum directly through the U.S. State Department, that it would only increase the influx of people because they will be able to take advantage of the vast amount of the welfare state in the United States of America? Do you think it would bring more immigrants or less immigrants?

Mr. BIER. Look, I do not support immigrants being on welfare. I mean, I am not exactly sure what the question is. I think that the city of New York has unfortunately decided to put everyone up in a hotel room and make their taxpayers pay for it. That is a bad choice for them. You know, the Federal Government has a limited role in deciding what New York State's or New York City's policies are.

Mr. DONALDS. So, real quick question. Sorry, Chairman. Real quick question, quick followup to that, and I will ask all three of you actually. If you are going to have open borders, can you have a welfare state at the same time, Mr. Edlow?

Mr. EDLOW. No.

Mr. DONALDS. Mr. Homan?

Mr. HOMAN. No. No.

Mr. DONALDS. Mr. Bier?

Mr. BIER. It has got to be restricted, and it is. Our legal immigration system restricts benefits to new legal permanent residents for 5 years.

Mr. DONALDS. Mr. Bier, I would strongly disagree with you because people are getting a lot of benefits the second they come into the United States of America, and it is wrong. I yield back, Mr. Chairman.

Chairman COMER. The gentleman yields back. Votes have been called about 10 minutes ago. So, I want to thank our panel for being here today. This is one of the biggest issues in America. I think everyone that watched this hearing sees there are two schools of thought on this. This was very insightful testimony today. I appreciate everyone's leadership on this issue. With that, and without—do you have anything to—

Mr. RASKIN. Just one thing for the record, Mr. Chairman. Unanimous consent request for a document that comes from our friends at Judiciary Committee, which is a broad overview of all the immigration reform bills that are in this and in the prior two congresses.

Chairman COMER. Without objection, so ordered.

With that, and without objection, all Members will have 5 legislative days within which to submit materials and to submit additional written questions for the witnesses, which will be forwarded to the witnesses for their response.

Chairman COMER. If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 1:44 p.m., the Committee was adjourned.]

