

**FORCE MULTIPLIERS: EXAMINING THE NEED
FOR ADDITIONAL RESOURCES TO DISRUPT
TRANSNATIONAL CRIME AT THE BORDER
AND BEYOND**

HEARING

BEFORE THE
SUBCOMMITTEE ON NATIONAL SECURITY,
THE BORDER, AND FOREIGN AFFAIRS
OF THE
COMMITTEE ON OVERSIGHT
AND ACCOUNTABILITY
HOUSE OF REPRESENTATIVES
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* Article, Fox News, “Brutal Killing of California Family a ‘Clear Message’ from The Cartel”; submitted by Rep. Gosar.

* Witness Testimony from May 22, 2019 Committee on Oversight and Reform hearing, ACLU; submitted by Rep. Ocasio-Cortez.

* Article, *The Washington Post*, “Amazon Met With ICE Officials Over Facial-Recognition System That Could Identify Immigrants”; submitted by Rep. Ocasio-Cortez.

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

FORCE MULTIPLIERS: EXAMINING THE NEED FOR ADDITIONAL RESOURCES TO DISRUPT TRANSNATIONAL CRIME AT THE BORDER AND BEYOND

Wednesday, March 8, 2023

HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
SUBCOMMITTEE ON NATIONAL SECURITY,
THE BORDER, AND FOREIGN AFFAIRS
Washington, D.C.

The Committee met, pursuant to notice, at 10 a.m., in room 2247, Rayburn House Office Building, Hon. Glenn Grothman (Chairman of the Subcommittee) presiding.

Present: Representatives Grothman, Comer, Gosar, Higgins, Sessions, Biggs, Mace, LaTurner, Fallon, Armstrong, Garcia, Lynch, Goldman, Ocasio-Cortez, Frost, Crockett, and Porter.

Mr. GROTHMAN. The Subcommittee will come to order. Everyone welcome.

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

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

Good morning, and welcome to the Subcommittee on National Security, the Border, and Foreign Affairs, our first hearing of 118th Congress, so a little bit of history here today. I want to thank all our Members who are here today as we continue to conduct our oversight of the Nation's southern border. Today we are examining the technology being used by the Department of Homeland Security to disrupt transnational criminal organizations and protect our border, focusing today on our ports of entry. I want to thank our witnesses for being here today to testify on behalf of the Department.

In 2022, U.S. Customs and Border Protection seized 656,000 pounds of illegal drugs, including 155,000 pounds of marijuana and 175,000 pounds of methamphetamine. CBP also seized 14,700 pounds of illicit fentanyl. The lethal dose of that fentanyl is only 2 milligrams or the amount that fits on the tip of a pencil. This means CBP seized enough of the drug to kill 3.3 billion people. Unfortunately, the Centers for Disease Control and Prevention reported in the 12-month period ending January 2022—so, that is a year old, we are going to get bigger numbers sadly soon—more than 107,000 Americans died due to drug overdose with at least 70 percent of those resulting from fentanyl trafficked across our southern border. Make no mistake, we have a crisis at our southern bor-

der and in our communities with this many people dying, which is why we chose this topic for the first hearing the Subcommittee is going to have.

We are going to have an opportunity to examine the technology and resources that work to keep our Nation safe at the border points of entry. And between points of entry, we have both the Immigration and Customs Enforcement, Homeland Security Investigations, and CBP's Office of Field Operations are both here to combat transnational criminal activity, and I am pleased to see they are both represented here today.

Emerging technologies, such as illicit substance detection devices, facial recognition technology, or something as simple as canine units, help protect the U.S. from threats coming into our country. In particular, I would like to highlight the work of CBP's canine units. CBP's canine program works to detect explosives, controlled substances, large amounts of currency which may be heading south, and even illegal agricultural products. The work of these canines and the use of other force multiplier technologies and resources allow our agents to perform their jobs in a safer and more efficient manner. When I visited the border and points of entry, I am consistently told by CBP officers that the canine units are one of the most valuable resources in their disposal. We are going to learn a little bit more about them today.

Finally, I am interested in hearing more from the witnesses regarding about their experience utilizing force multiplier technology. There have been reports that some of these resources are not used effectively because of personnel issues. Identifying patterns in which resources are not used effectively or properly is also important for this Subcommittee to examine as we work to identify policy gaps. A hundred and seven thousand deaths is too much.

I am increasingly concerned regarding reports that as record-breaking numbers of migrants cross our border, CBP officers and Border Patrol agents are spending more time processing paperwork for release or parole than actually patrolling and protecting our borders. We must also keep in mind that any given technology is only effective as the manpower available to respond. A sensor doesn't make an arrest or prosecute a case. It takes good quality law enforcement personnel.

Today, I intend to explore these issues to examine where reforms can be tailored to provide the maximum return on investment. After this hearing, I hope we will be able to identify the most vital technologies and resources utilized at the border and at points of entry that allow border agents to be successful. I also hope we can examine the need for the efficient use of personnel and resources to protect our national security from those wishing to impose harm to our country. Thank you again to each of our witnesses for participating today, and I look forward to your testimony.

Now I would like to recognize my Ranking Member Garcia for the purpose of making his opening statement.

Mr. GARCIA. Thank you very much, Mr. Chairman, and I also look forward to working with you and the entire Subcommittee on an incredibly important topic to our country. I also want to thank our witnesses for being here this morning. I think we can all agree that all of us here care about a safe and secure border. We all care

about stopping human trafficking. We all care about the fentanyl crisis, prosecuting traffickers, and using every tool available to us to shut down cartels. I also hope that we care about the humanity of migrants who are crossing the border, oftentimes out of desperation or out of suffering in their home countries.

We look forward to having a Customs and Border Protection team here, of course. They are also going to be demonstrating, I believe, some canine animal security techniques, which we look forward to seeing. And I want to thank Mr. Sabatino and Director Salisbury for being here today and for your service to our country. Thank you very much.

Now, in November 2021, President Biden and congressional Democrats passed an infrastructure bill, I believe with the support of only a few Republicans, that included \$430 million to expand Customs and Border Protection for facilities and to improve screening capabilities at our ports of entry. In the 2023 appropriations package, I believe also with the support of just some Republicans, Democrats also provided another \$130 million to Customs and Border Patrol to hire additional workers at our ports of entry and to invest in more innovative and efficient technologies to speed up our border entries. I want to mention this, because I think it is important to remind folks that we are all here committed to national security and, of course, to border security.

I also hope that this hearing helps us better understand the technologies that we use to disrupt cartels, secure our ports, and facilitate commerce. We look forward to learning how Congress can help provide and deploy resources effectively to make our country safer and, of course, is a goal that, of course, the Biden Administration shares. I am also particularly interested in this issue because I represent the Port of Long Beach and our seaports in California. The Port of Long Beach is the second largest container port in the United States, combined with the Port of Los Angeles, our sister port. They earn \$5 billion a year in custom revenues to aid in our economy across the country.

Our ports also impact 2.6 million jobs throughout the U.S. and are linked directly to work force development across the Nation. So, it is a very important issue for us as well in California. We all know that ports are important engine of commerce for this country. We oftentimes talk about what is happening at the southern border, but we also know that ports are an important part of the work that you all do, and so, we thank you for that work.

Now, it is the Federal Government's job to foster commerce and ensure that goods drive our national economy safely and quickly. Throughout our experience, particularly with the pandemic, we have seen how bottlenecks actually impact the economy very dramatically. So, we want to strive between not only security, but also commerce, and how we find that balance is really important. It is really critical that we strive to screen all vehicles and cargo for dangerous drugs, contraband and threats and do so efficiently. And that includes our ports of entry, and that includes our ports across America.

Now, we know that Mexico is our second largest trading partner with billions of dollars in goods and services and hundreds of thousands of people that come into our country every single day be-

tween our two countries. One study found actually that a 10-minute reduction in wait times for each commercial vehicle at the border could generate hundreds of millions of dollars of additional revenue each year for the American economy, with benefits extending to non-border states as well.

Now I know some people like to fantasize about sealing the border, or shutting down our asylum system, or invading Mexico, as I believe our full Committee Chairman actually mentioned on Fox News last night, but we know that those are not reasonable. They are not feasible, and they are not smart. We should be making every effort to streamline our border crossing process. We should make it easier and safer for commerce and immigrants alike. This goal means bolstering our ability to have actual lawful immigration and to address the root causes of migration in regions across the Western Hemisphere. This hearing offers us an opportunity to understand how we can further the Biden Administration's work to secure our border and disrupt cartels by using canines, technology, and other innovations at the greatest extent possible.

Now, I am an immigrant myself, and so, I am very honored to be on this Subcommittee. I look forward to talking about the immigrant experience as we move forward throughout the next few months and the years ahead. I also think we should make one thing also very clear that our problems that we have today are not solved just by border security or a wall. We have to have an orderly process, have legal pathway to citizenship, a focus on technology, and certainly ensure that we have immigration system that is fair and humane for all. We want to welcome hardworking immigrants into our communities. We want to ensure that folks pay taxes, work hard, and have actually a pathway to citizenship, one that we can all benefit from. We have always been a Nation of immigrants. We cannot stop people from wanting to come here to build better life for themselves and their future.

I look forward to productive opportunity to engage with our witnesses today. I want to thank you again for your service and for being here, and, Mr. Chairman, I yield back.

Mr. GROTHMAN. Thank you. First of all, I am pleased to introduce our two witnesses here today who have a combined 47-plus years in Federal law enforcement. Anthony Salisbury began his Federal law enforcement career as a deputy United States marshal and later joined the former United States Customs Service in 2001. He currently serves as the acting deputy executive associate director for homeland security investigations and has extensive experience countering transnational criminal organizations. And Diane Sabatino began her Federal law enforcement career in 1998 as an immigration inspector. In July 2020, she was appointed to be the deputy assistant commissioner of office field operations for the U.S. Customs and Border Protection, and as deputy assistant commissioner, she oversees over 25,000 CBP officers at 330 U.S. points of entry.

Now pursuant to Committee Rule 9(a), the witnesses will please stand and raise their right hands.

Do you solemnly swear or affirm 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.]

Mr. GROTHMAN. Let the record show that the witnesses all answered in the affirmative.

We appreciate you being here today. Let me remind the witnesses that we have read your written statements and will appear in full in the hearing record. Please limit your oral arguments to five minutes. As a reminder, please press the button on the microphone in front of you so that I and Members can hear you. When you begin to speak, the light in front of you will turn green. After four minutes, the light will turn yellow. When the red light comes on, your five minutes have expired.

I recognize Mr. Salisbury to begin his opening statement.

STATEMENT OF ANTHONY SALISBURY, DEPUTY EXECUTIVE ASSOCIATE DIRECTOR, HOMELAND SECURITY INVESTIGATIONS, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Mr. SALISBURY. Chairman Grothman, Ranking Member Garcia, and distinguished Members of the Subcommittee on National Security, the Border, Foreign Affairs, thank you for the opportunity to appear before you to discuss Homeland Security Investigations' efforts disrupting and dismantling transnational criminal organizations. My testimony today will focus on HSI's efforts to disrupt transnational crime at the border and beyond. I will also discuss HSI's focus to stop deadly drugs from making it to the streets of the United States and its efforts to deny TCOs the illicit proceeds and access to darknet vendors that fuel their operations.

Criminal organizations in the 21st century do not limit themselves to a single crime. These organizations have evolved beyond just narcotic smuggling and are now involved in the associated crimes of weapons trafficking, human trafficking, human smuggling, money laundering, and others, all of which HSI investigates. These criminal organizations also use technology to disguise their illicit enterprises. To this end, HSI's investigative efforts must be technologically savvy and broad in scope to fully identify and dismantle these enterprises.

HSI combats TCOs by using its unique and broad investigative authorities to enforce over 400 Federal laws to investigate a myriad of crimes and target TCOs from multiple investigative angles. This includes attacking TCOs' abilities to procure U.S. origin firearms and the illicit proceeds that motivate their crimes. Simply put, HSI attacks the entire illicit network. HSI is the premier law enforcement agency best positioned to attack the cartels and TCOs at each phase of the supply chain to exact maximum damage and have cascading effects against illicit networks.

HSI's international presence is a key facet of its approach to counter transnational organized crime. The largest international investigative presence of all DHS components, HSI comprises hundreds of HSI special agents strategically assigned to 93 offices in 56 countries. These efforts enable HSI and its partners to prevent dangerous narcotics and other illicit goods from reaching our borders and stop illicit southbound flows of illegally derived currency and weapons. The effectiveness of our international counter narcotics efforts is greatly enhanced by HSI's Transnational Criminal Investigative Unit, or TCIU, Program. TCIUs are composed of vet-

ted foreign law enforcement officials and prosecutors who lead some of HSI's most significant extra territorial investigations and prosecutions targeting TCOs.

HSI established 12 TCIUs around the world, including in Mexico, made up of officers and prosecutors from Mexico's attorney general's office. Mexican cartels operate on an industrial scale when procuring precursor chemicals from abroad used in the production of fentanyl and other drugs. One way HSI is attacking the illicit narcotics supply chain is through Operation Hydra. HSI's Operation Hydra, an intelligence-based counter narcotics operation designed to identify the precursor supply chain of TCOs involved in the production of illicit drugs, is central to HSI's current counter supply chain efforts.

Operation Hydra's methodology blends traditional investigative and analytic techniques with interagency collaboration, industry partnership, and computer-based analytic tools to identify, disrupt, and dismantle TCO chemical supply. In the last two years, Operation Hydra is credited with seizing or disrupting the delivery of approximately 1 million kilograms of precursor and dual-use chemicals destined for use by narcotics production labs in Mexico. Moreover, since October, HSI seized over 1,200 pill presses and component parts used to make fentanyl and other drugs as part of HSI's counter opioid strategy. The interdiction of these shipments plays a key role in disrupting the TCO's ability to produce a finished product before it even gets to our borders.

Domestically, HSI's Border Enforcement Security Task Forces, or BEST, represent one of the Agency's premier tools for turning border seizures into TCO-toppling investigations. The primary mission of the BEST is to combat existing and emerging TCOs by employing the full range of Federal, state, local, tribal, and international law enforcement resources. There are currently 86 BESTs, comprised of nearly 1,000 law enforcement officers and personnel representing more than 200 agencies and national guard units. In addition to the BEST, each of HSI's 253 offices located in all 50 states and multiple U.S. territories dedicates assets to combat TCOs. As CBP deploys new technology at the southwest border ports of entry, it will likely increase the number of CBP-origin seizures. As a result, HSI will need additional staffing to support the investigations and prosecutions of port of entry seizures to conduct the complex investigations which dismantle TCO threats to the homeland.

Thank you again for your opportunity to appear before you and for your continued support of HSI and our enduring efforts to dismantle transnational criminal organizations throughout the world. I look forward to your questions.

Mr. GROTHMAN. Thank you. Ms. Sabatino?

STATEMENT OF DIANE SABATINO, DEPUTY EXECUTIVE ASSISTANT COMMISSIONER, OFFICE OF FIELD OPERATIONS, U.S. CUSTOMS AND BORDER PROTECTION

Ms. SABATINO. Chairman Grothman, Ranking Member Garcia, and distinguished Members of the Subcommittee, thank you for the opportunity to appear today to discuss CBP's efforts to combat the dynamic threat of transnational criminal organizations and prevent the entry of dangerous illicit drugs, including fentanyl, to our Na-

tion's ports of entry. I am proud to represent the more than 30,000 dedicated frontline personnel of the Office of Field Operations who work tirelessly every day to protect our border, our homeland, and our communities. I appreciate this Committee's focus on force multipliers and the opportunities to amplify the capabilities of the work force at our ports of entry, our most valuable and prevalent resource in the Office of Field Operations.

As you are aware, the reach and influence of transnational criminal organizations, or TCOs, continues to expand across our borders. And TCOs have sophisticated and well-funded networks and continually adjust their criminal operations to circumvent detection and interdiction by law enforcement. For example, TCOs continue to produce and smuggle drugs like synthetic opioids, including fentanyl, that can be concealed and transported in smaller quantities. And most illicit fentanyl is synthesized in Mexico, and like other illicit drugs, including cocaine and methamphetamine, large volumes are encountered and seized at our southwest border ports of entry. It is brought in by privately-owned vehicles, concealed within commercial vehicles, and even on pedestrian travelers. And although much less frequently now, we also encounter fentanyl and other synthetic opioids in international mail and express consignment shipments. nationwide, CBP seizures of fentanyl continue to increase, and, specifically, the Office of Field Operations seized nearly 12,000 pounds of fentanyl in Fiscal Year 2022, an increase of 31 percent over Fiscal Year 2021 and 200 percent over Fiscal Year 2020. And so far, this fiscal year, we are on track to surpass last year's total fentanyl seizures by the middle of spring.

Each and every seizure is absolutely critical. Seizures remove dangerous drugs from illicit supply chains, deny TCOs the valuable profits, but also give us critical opportunities to conduct post-seizure analysis with the ultimate goal of identifying criminal organizations and illicit supply chains, and we partner with HSI in support of these investigations and prosecutions that they pursue. But we certainly don't wait for illegal drugs to arrive at our ports of entry. We use aggressive and multi-layered enforcement approach that leverages advanced information, analytics, intelligence, sophisticated detection and scientific laboratory capabilities, and strong partnerships to combat transnational threats while also facilitating the high volume of lawful travel and trade.

Our National Targeting Center and our local port analytical units use advance information and law enforcement intelligence records to identify suspect high-risk shipments, cargo, and travelers before they reach our borders. And our highly skilled frontline personnel use their law enforcement expertise, experience, and all of the available information and technology to prevent the entry of dangerous drugs and people. All CBP operational environments have sophisticated detection technology, including non-intrusive inspection systems, commonly called NII, that reliably and quickly detect the presence of suspect illegal narcotics.

And canine operations also provide invaluable detection capabilities, and our training program maintains the largest and most diverse law enforcement canine training program in the country. And CBP was the first law enforcement agency back in 2017 to develop a discipline to detect fentanyl with canine units. And today all Of-

office of Field Operations concealed human and narcotic detection canine teams have completed training to include the odor of fentanyl and fentanyl analogs and are currently scoping missions to support other countries with developing this capability.

Beyond detection and interdiction, CBP officers use various field-testing devices and work with onsite and remote scientists to also rapidly screen and identify suspected controlled substances, and our partnerships are absolutely critical. We work closely with our law enforcement partners, certainly starting with Homeland Security Investigations, to share information and collaborate in joint enforcement operations to identify, target, and disrupt illicit drug activity. It is this collaborative approach that leads to investigations, prosecutions, and ultimately the dismantling of TCO networks and operations. We are going to continue to prioritize and dedicate resources to counter TCOs and disrupt the flow of illicit drugs across our borders.

So, thank you for the opportunity to testify today, and I look forward to your questions.

Ms. SABATINO. And, Chairman, at this time, I have the privilege of introducing Mr. Thomas Salvati. He is a CBP canine instructor, and one of our incredibly valuable canine team, CBP officer, Stephanie Salas, and her partner Villy, and the team again, one of our most valuable resources in the field in the interdiction of narcotics deployed to ports of entry across the country. And like all OFO canine teams, Officer Salas and Villy are trained in concealed human and narcotics detection, including fentanyl, and will be providing a brief demonstration of their skills.

Mr. SALVATI. Good afternoon, everybody.

Mr. GROTHMAN. Thank you.

[Demonstration.]

Mr. SALVATI. My name is Tom Salvati. I am the canine trainer for JFK port of entry. We will just give you guys a small demonstration of what our canines do on a regular basis. So, a lot of times our dogs are cross-designated, so it will be all different environments, but we are very successful in mail facility. So, in just a minute, a mail operation for the day.

So, whenever there is a lineup, this particular box here has the odor of fentanyl in it. There are about 35 grams of pure fentanyl. You will see the dog come in. Officer Salas will walk in here. Villy is a pedestrian dog, stray dog, so she will come in and search everybody in here and then the box when she sees the box.

So, this will be the box here. I hope you guys can see, and it is in a metal concealment with the fentanyl in the metal concealment there, so it is all contained. I will get Officer Salas.

[Audio malfunction in the hearing room.] We train on a regular basis

[Audio malfunction in the hearing room.]

Ms. SALAS.

[Audio malfunction in the hearing room.]

Mr. SALVATI.

[Audio malfunction in the hearing room.]

Mr. GROTHMAN. I would just like to ask you one question just so the Committee knows, and I want you to comment on it. One of the times when I was down on the border and one of the reasons I

wanted you to bring the dogs in here is we saw a dog sniff out fentanyl that was in a gas tank. And I thought it was incredibly impressive given, you know, if you have a gas tank, that is, you know, it smells like gas, it is such a strong thing, you wouldn't be able to think you could detect anything. But I wonder if you could just comment a little on the capability of a dog sniffing out something even when you put it in something like a gas tank full of gasoline. We would figure there is no way in the world anybody would be able to detect that if you hit it there. Could you kind of comment on how people try to—

Mr. SALVATI. The canines know

[Audio malfunction in the hearing room.]

Mr. GROTHMAN. OK. Thank you very much. I appreciate you guys stopping in and very impressive. Caution the rest of the Members of the panel, it is not always this fun. OK. Thank you. OK. And I will now recognize myself for five minutes for questions. First of all, for Mr. Salisbury.

We know that tens of thousands of Americans are dying every year from fentanyl, the vast majority of which is coming from the cartels across the southern border. Can you describe how transnational criminal organizations have adapted in recent years to exploit vulnerabilities in our border strategy and what HSI is doing through its investigations and prosecutions to stay a step ahead and make some traction in actually disrupting their activities?

Mr. SALISBURY. Thank you for the question. So, when we talk about transnational criminal organizations, they constantly evolve. They constantly try to exploit the vulnerabilities they identify. And so, HSI as the second largest Federal law enforcement agency in the U.S. Government charged with addressing the TCO threat coming across our border, obviously we try to develop the partnerships.

A couple of things that we do. First of all, as we try to push these crimes further away from the U.S. border, we try to develop relationships downrange with foreign governments. As we do that, we try to develop the TCIUs. HSI's ultimate goal is to push these crimes further and further away from the U.S. border and our communities. So, that requires the robust relationships overseas working with the Department and the host nations that I described in my opening statement.

Additionally, we look to identify the money flows and the gaps that the cartels utilize to come across the border. So, we use that ability from our legacy customs days in Treasury and our legacy immigration days to identify how these cartels will attack the vulnerabilities that I identified. Money, certainly, as you see cartels today, there is a shift toward cyber. There is a shift toward cryptocurrency. They are certainly trying to hide and invent new ways to smuggle goods into this country. Every day is different. Every day we identify new means and methods, and that is our job to identify and dismantle these cartels through a plethora of means. We have task forces on the border, and we exercise all our authorities to attack the cartels at every angle from money, merchandise, and people.

Mr. GROTHMAN. OK. Thank you. Ms. Sabatino, this question is for you. How are canine units integrated into overall security appa-

ratus and points of entry, and what role do they play in the larger context of border security?

Ms. SABATINO. Thank you for the question, Chairman. Our canine assets are one of a number of tools that we employ at our ports of entry to interdict narcotics, an absolutely critical tool. Certainly, you know, in the deployment of that, we are looking at risk associated with, you know, data that we have, the number of seizures and by environment to where we are seeing the volume coming through. They are integrated in teams. They rove in pre-primary operations, they rove in our cargo operations, and, again, work special operations with our CBP officers.

Mr. GROTHMAN. OK. For either one of you, how will a combination of enhancing technological resources and other force multipliers work to disrupt cross-border crime and start to get the crisis we see at our southern border, where the cartels are running rampant and bringing in daily narcotics, under control?

Ms. SABATINO. I will start. CBP is currently fostering a whole-of-government approach to combating the flow of fentanyl, and our efforts start certainly with our primary DHS partner, Homeland Security Investigations. But we are also working closely with DEA, the Department of Justice, DOD, the intelligence community, to name a few, to increase efforts to commercially disrupt the fentanyl supply chains themselves. I mentioned earlier leveraging through our National Targeting Center advanced information in our port analytical units, and sharing and collaborating with our partners, and making sure that we all have visibility on the information, on the threat of the narcotics coming through. Sorry, sir.

Mr. GROTHMAN. No, go ahead.

Ms. SABATINO. OK. But we are also designating a single point of contact within the National Targeting Center to enable a holistic approach to planning to tackle the fentanyl threats, operationalizing all things fentanyl through one cell in our organization, and partnering also with the industry to ensure that they are aware of what the illicit supply chains are, how their lawful supply chains can be corrupted or compromised by transnational criminal organizations. And we are also aligning our expansion and enhancement of NII technology at our ports of entry, and certainly appreciate the investments that Congress has made in supporting our Non-Intrusive Inspection Technology Program with significant deployments across the southwest border over the next two-and-half years.

Mr. GROTHMAN. OK. Could you give me exactly what your plans are? Are there plans to expand the canine units, and how many do you have now, and how many do you think you are going to end up with, say, two years from now under current plan?

Ms. SABATINO. Our last increase in canine teams was in 2019. We currently have 712 positions allocated, and that includes 59 supervisory level positions. Actively on board, we have 488 canine teams that are deployed to our ports of entry and 114 expected to complete training and be deployed this year. That will leave us with about 51 vacancies, and our goal is to fill those vacancies in the upcoming Fiscal Year and to complete training by the end of this Fiscal Year to beginning of the next fiscal year.

Mr. GROTHMAN. OK. I will cutoff my questions now at five minutes. I just do want to make one comment. It was stated that we have to find a way for people to get here legally or become citizens legally. Last year, we had over a million people sworn in as new citizens. That was the most we have had since 2006, so it is not like nobody can figure out how to get here legally. There are a million people here coming in legally.

OK. Now I recognize my Ranking Member, Mr. Garcia, for his five minutes. Mr. Garcia.

Mr. GARCIA. Thank you, Mr. Chairman, and I want to again thank our witnesses for your service and for your testimony, and I just want to begin by just establishing some facts. I know we are going to have a lot of great questions here from the Committee. Director Salisbury and Commissioner Sabatino, thank you both. I know you are both a professional career, national security—career servants, public servants, and I just want to thank you for that service.

I know it has also been mentioned by some on this Committee, so I want to clear it up. Have either of you ever received an order to stand down directly from the White House or stop enforcing the laws that you are tasked to enforce?

Ms. SABATINO. No.

Mr. SALISBURY. No, not for HSI, sir.

Mr. GARCIA. Thank you very much to both of you. I say that because of course you have heard this claim over and over again, that somehow the border is open, that we are not enforcing our laws, and that we are directing our career law enforcement officials to not follow our laws at the border.

I want to return to a point that was raised in the opening remarks. I know millions of American jobs, workers, and families, as we know, rely on the commerce that flows in and out of our borders every single day and at our ports of entry, especially at our southern ports of entries. In 2021, American goods and services traded with Mexico totaled more than \$725 billion, making Mexico our second largest trading partner. And in that same year, American exports of goods and services to Mexico supported an estimated 1.1 million jobs in our country. So, we obviously need to be smart about how we manage our ports of entry, how we achieve security. And we also have to ensure that our inspections are done quickly and efficiently.

Now, given the jobs and, of course, the commerce that is at stake with Mexico and our other partners, efficient ports of entry should, of course, be a bipartisan issue. Playing politics at the border have devastating effects on the American people and our economy, and we have seen that recently. We probably just remember just recently when Governor Greg Abbott from Texas ordered state troopers to conduct unnecessary examinations of commercial vehicles coming from Mexico. That obviously was a political stunt. That action alone cost us \$9 billion in GDP here in the U.S., and those are the types of stunts at the border that do not work and certainly are causing harm to our relationship, not just with Mexico, but also with all of our trading partners.

I want to thank you both for your work and particularly want to focus especially on how important it is to process our ports of entry

efficiently and to ensure that they are secure. I want to start with Commissioner Sabatino. Can you just briefly explain how processing effective screening at our ports of entry not only makes us safer, but promotes commerce in our American economy?

Ms. SABATINO. Thank you for the question, Ranking Member. Certainly, and we strive to utilize technology and innovation to streamline our operations at ports of entry and have undertaken significant efforts to automate as many processes as possible. It is really important for us to give our CBP officers, our agriculture specialists, all our frontline personnel, the tools that they need to effectively do their job. In order to do that, we need to remove administrative burdens from them, and by doing that, we go paperless, we go automated, we go touchless in our environment.

So, technologies such as non-intrusive technology, force multipliers like canines, but also using facial biometric comparison technology in our passenger environments, the implementation, that goes across air, land, and sea. You know, in our land border environment, the modernization of truck manifest, again receiving advanced data in advance of the arrival of cargo shipments that, you know, we see in the air and maritime environment, that was much more automated previously with the deployment of the truck manifest deployment.

Mr. GARCIA. And, Commissioner, also on that point, can you also talk about sea ports of entry?

Ms. SABATINO. Yes.

Mr. GARCIA. Because I think oftentimes, we spend a lot of time talking about the southern border, which is obviously very important, but our sea ports are an incredible part of our national economy. And could you also mention our sea ports of entry and what is happening there?

Ms. SABATINO. The most significant percentage of volume in terms of value of imports comes through our maritime ports of entry, again, and it cuts across all of our environments, in automating, going paperless, leveraging opportunities for submission of paperwork. The Vessel Entrance and Clearance Program is one of them where we are deploying a resource in the automated commercial environment to allow a carrier to submit electronically data that we used to require paper packages for, saving a million hours for CBP and countless hours for the trade as well as gas, you know, resources and expenditure. So, we look at efficiencies in terms of removing administrative burdens, again, giving our officers and frontline personnel the opportunity to do what they do best.

Mr. GARCIA. Thank you, Commissioner. I think to your point, I think it is important to note that there is so much commerce, in fact, a larger impact to our economy what is happening through our seaports as ports of entry, which we rarely focus on, which is an incredibly important piece of our national economy. So, I want to thank you for the technology you are putting in place. I hope that this Committee and the full Committee can also focus on the bigger picture of what is happening at our ports of entry, and including seaports as part of that conversation is really critical. So, thank you, and, Mr. Chairman, I yield back.

Mr. GROTHMAN. Thank you. I will next call on Congressman Gosar from Arizona.

Mr. GOSAR. Thank you, Mr. Chairman. Just last week, four Americans crossed the border in Northern Mexico for a medical procedure. All four of them were shot at and kidnapped. Two of them died. The White House made sure to let us know that “these sorts of attacks are unacceptable.” Well, that is just great, but if these attacks are really unacceptable, we should have a protocol in place to avoid them. We can’t stop American citizens from making decisions to cross the border into Mexico, but what we can do is to keep the violence down in Mexico out of the United States. We have a name for that kind of protocol. It is called “border security.”

As long as you don’t have a real southern border with a real wall, and real-enough agents, and the right technology necessary to properly police it, we might as well call what just happened down in Northern Mexico a domestic terror incident. Until America has real, distinct, and adequately defended borders that clearly signal to both citizens and foreigners where our Nation ends and the unrestricted cartel-dominated war zone begins, the Mexico cartels problem is our cartel problem. And every drop of American blood, every sex trafficking victim, every fentanyl overdose is on the Biden Administration’s hands until they get serious about border security, close the gaps, and use every available means to protect Americans from the hell coming across our southern border.

I think it is worth getting to the bottom at how exactly the Biden Administration has gotten soft on the border and how their policies have emboldened the cartel-style-like executions occurring across this country. Yes, Americans deserve to know why the border crisis isn’t just at the border anymore. It is coming to your town, even Mayberry.

I would like to submit for the record January 19, 2023, article from Fox News entitled, “Brutal Killing of a California Family a Clear Message From the Cartel. Sheriff Warns: ‘They Were Targeted’.”

Mr. GROTHMAN. Without objection, so ordered.

Mr. GOSAR. For both witnesses, do the illegal aliens you encounter have connections to the cartels?

Mr. SALISBURY. So, from HSI’s perspective, we identify all types of cartel activity. As you stated, the cartels’ reach is far and wide into the United States. So, as we —

Mr. GOSAR. Nobody crosses without the cartels, right?

Mr. SALISBURY. So, what we do know is that the cartels will hold the pathways into the country, for sure.

Mr. GOSAR. So, there is a connection. Ma’am?

Ms. SABATINO. I think to say that we absolutely have seen the exploitation of migrants coming up into the U.S. through the southern border, vulnerable to the transnational criminal organizations. I think distinct from in between the ports of entry, at the ports of entry, I can’t say definitively that the TCOs are involved in every single arrival to our ports of entry because there are more commercial means to get there.

Mr. GOSAR. Got you. So, 6 million illegal aliens have entered the U.S. during the Biden Administration. Compare that to 647,000 illegal alien encounters in President Trump’s last Fiscal Year in office. How has the surge of illegal aliens affected your jobs, to be kind of concise, please?

Ms. SABATINO. Certainly, at ports of entry we have looked for ways to streamline and be as efficient as possible because at ports, again, the admissibility processing of individuals is just one part of the operation.

Mr. GOSAR. So, it is more of a secretarial duty than there is actual enforcement, right?

Ms. SABATINO. With respect to, I am sorry?

Mr. GOSAR. Processing. You are to facilitate processing.

Ms. SABATINO. No, I am talking about, like, the legitimate travel and trade of individuals is also a significant responsibility of ours, but the processing of individuals includes interviews by our CBP officers at the front line to identify and further identify threats to the U.S.

Mr. SALISBURY. So, from HSI's perspective, the more goods, the more people coming across, our criminal investigations are on a razor's edge. So, we have to identify the needle in that proverbial haystack to try to find razor focus criminal investigation. So, as more people come across the border, same as more goods, it gives the cartels more ability to hide. It gives these illicit networks more ability to hide. So, we do need to increase our efforts to basically sort through the extra volume of both personnel and/or if a merchandise flow increases as well. So yes, it would increase what HSI needs to look at in order to find the razor focused criminal investigations and criminal activity.

Mr. GOSAR. In Fiscal Year 2022, CBP seized 656,000 pounds of illegal drugs to include 14,700 pounds of fentanyl, the majority by weight, at ports of entry. Now they are actually adding atrazine, you know, making it a drug that cannot be used with narcan to reverse it. Are you seeing that activity from the cartels in regards to increasing illegal transport?

Ms. SABATINO. I would have to get back to you, sir, on that specific narcotic. I don't have information on that right now.

Mr. GOSAR. It is a horse sedative that doesn't allow Narcan to actually work when somebody overdoses.

Ms. SABATINO. Understood. We will take that for followup.

Mr. SALISBURY. We certainly heard some intelligence and some source information. To answer your question more broadly, the cartels will adjust, adapt. As I said in my opening, you know, it was HSI's very successful operations attacking the precursors. As we attack the precursors, we see the cartel shift to try to get different analogs that will get them what they need to make their final product. So, it is a constant shifting game of cat and mouse, so they will shift the analogs and the precursors needed as HSI attacks those routes and other precursors.

Mr. GROTHMAN. Thank you. Mr. Goldman from New York.

Mr. GOLDMAN. Thank you, Mr. Chairman. I am very happy to hear that my colleague from Arizona is concerned about domestic terrorism. Unfortunately, his colleagues in the majority on the Homeland Security Committee last week rejected an amendment by the Democrats to add domestic terrorism to the oversight plan, so hopefully, Mr. Gosar can speak to his colleagues about that.

The fentanyl crisis is real, and it has been growing for a long time. It has affected just about every community around the country. But it is disingenuous and counterproductive for the majority

to try to mislead the public by making this a partisan issue as they did last week when they brought a witness in front of the Homeland Security Committee to bash President Biden's response at the border because her sons had tragically died from fentanyl. Unfortunately, for them and for her, the children were killed in July 2020, during the Trump presidency. So, I hope that we can start to move past the partisanship and address this real problem that we have. And I lean on my 10 years of experience as a Federal prosecutor where I worked very closely with all sorts of law enforcement, including both of your agencies, and I thank you very much for all of your work.

It is clear that the Mexican cartels and other transnational criminal organizations have expanded their power and criminal activity in recent years and have certainly preyed on the opioid crisis. Director Salisbury, can you talk a little bit about how the Mexican cartels have evolved over the last 10 years or so?

Mr. SALISBURY. Yes, I can. So, as you see, the cartels will look at anything and any mechanism they can to make money, mostly off narcotics. So, we have actually seen this history lesson before when we see methamphetamine. Traditionally, when I first started law enforcement in the late 90's, methamphetamine was predominantly manufactured in the United States. We saw the Mexican cartels basically take over the stronghold of it, bring in precursors from China, India. And they basically took over the manufacturing process and pumped it into the United States at such massive amounts that it basically stopped the domestic supply of methamphetamine.

So, the cartels now have this cheap option with fentanyl, very profitable, same thing. They are basically reinventing what they did in the past. They are getting in the precursors. They are bringing in the ability to manufacture this and use their routes into the United States to pump this across the border. So, the cartels are always looking for new lanes, avenues to exploit and they see dollar signs with fentanyl. It is cheap to make. The precursors are currently available from China, and as they pump it in, they are going to be licking their lips on how much money they are going to make.

It is important to know, as we talk to our foreign partners, right now it is predominantly a U.S. issue. A lot of our other partners in Europe haven't quite seen the issue. So, we do have a chance here to kind of stop the spread of fentanyl from around the world as we deal with the opioid epidemic on our own soil.

Mr. GOLDMAN. You mentioned in your opening statement, I believe, that guns travel south over the border from the United States to Mexico, to the cartels, while the fentanyl travels north. Are we essentially exporting our guns from the United States to Mexico in return for them sending fentanyl?

Mr. SALISBURY. So, what I can tell you in regards to weapons trafficking, it is a major priority for HSI. HSI does recognize that the United States is a source country for weapons, with criminal organizations sending weapons southbound not only to Mexico. We see it going to the Caribbean, South America, and to Europe, so we certainly see the weapon flows getting into the hands of the criminals. It is a major priority for HSI to stop this illicit southbound

flow of weapons to getting in the hands to fuel the violence. Without the weapons, the cartels don't have as much teeth. They can't scare. They can't intimidate. They can't kill. So, weapons are a key component of any criminal organization, and certainly weapons from the United States, which is a key priority for HSI and our partners at CBP, to stop the illegal southbound flow of weapons.

Mr. GOLDMAN. You had mentioned some of the international partners. I am curious how you view the cooperation that you have gotten from the Mexican Government over the past several years?

Mr. SALISBURY. So, I was previously assigned to Mexico in 2010 to about 2012–2013, and also now. So again, through our international operations office, we do have foreign-vetted units. The Mexicans have provided that through the embassy. We have cooperation. It ebbs and flows with higher-level political issues that arise, but at our level, working relationship, we do share joint investigative binational investigations with our vetted unit with Mexico.

Mr. GOLDMAN. And then my last question is, can you describe a little bit the additional capacity and authorities that you have received from the Biden Administration to attack the cartels and fentanyl crisis over the past couple of years?

Mr. SALISBURY. So, in order to attack the TCOs, we have most of the authorities we already need. HSI is a new agency under the Department Homeland Security at 20 years old, but we come from Customs, legacy Customs. Our authorities are old, going back to the creation of the United States of America. So, we have authorities. The biggest authority that we are still looking for and there is ongoing discussions is right now, of all the cross-border crimes we investigate, Title 21 is gifted to us in a limited agreement through DOJ. So, Title 21 is the narcotics charges for the United States, so right now we don't have that standalone authority. There are ongoing conversations both at senior department and within Congress on getting us Title 21 authority.

Outside of that, you know, personnel is always the issue. There is a lot of cross-border crimes. We can get spread thin, but the men and women of HSI are out there every day working with our partners to pursue these cross-border crimes.

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

Mr. GROTHMAN. Mr. Higgins from Louisiana.

Mr. HIGGINS. Thank you, Mr. Chairman. I thank our witnesses for being here today.

Commissioner Sabatino, could you step through, for the record, your chain of command above, ma'am, beginning with President Biden and Secretary Mayorkas and coming down through your chain of command? Can you identify the chain of command above you?

Ms. SABATINO. Yes, certainly beginning with the President down to Secretary Mayorkas, to our Acting Commissioner Troy Miller, to my direct leadership, which is Executive Assistant Commissioner Pete Flores.

Mr. HIGGINS. So, you are two positions and chain of command removed from Secretary Mayorkas? Just to clarify for the record based on what you just said.

Ms. SABATINO. At least two removed, and that essentially is our chain of command, yes.

Mr. HIGGINS. Is there more?

Ms. SABATINO. No.

Mr. HIGGINS. So, you are two positions and a chain of command removed from Secretary Mayorkas? I am just asking for clarification.

Ms. SABATINO. Yes.

Mr. HIGGINS. OK. Ma'am, thank you for your service. As a Thin Blue Line brother, I very much appreciate the work that you do to help secure our Nation. In the course of your command, did you have ongoing conversations, communications, emails, maybe text messages, with your chain of command up, obviously?

Ms. SABATINO. I would say my primary communications with Executive Assistant Commissioner Flores, on occasion I will be acting for him and engage with the acting commissioner.

Mr. HIGGINS. OK. Thank you for that clarification. Do you have direct communications by telephone or email, texts with Secretary Mayorkas?

Ms. SABATINO. I don't recall having direct communication with him one-on-one. Certainly, I have participated in meetings where he has been present.

Mr. HIGGINS. When you said, "participated in meetings," would those be in-person or virtual?

Ms. SABATINO. I believe they have all been virtual.

Mr. HIGGINS. They have been virtual. Again, thank you for that clarification. So, you do recall interactions with Secretary Mayorkas, directly in virtual communications, and yourself and at your level of chain across DHS will be present, how many people will be on it, commonly, in a virtual communication with Secretary Mayorkas who is leading the meeting?

Ms. SABATINO. Yes, I think that could range from five to six, seven people to large groups.

Mr. HIGGINS. There you go. Just give us a picture there. So, you have had, during the course of your service, over the last couple of years, would you say a handful of direct communications wherein Secretary Mayorkas was leading that meeting?

Ms. SABATINO. At least a handful.

Mr. HIGGINS. At least a handful. And they were all virtual, ma'am?

Ms. SABATINO. I believe so, yes.

Mr. HIGGINS. OK. Thank you for that. That is interesting. Madam, regarding vessels and vehicles screened at the ports of entry, I have observed operations many, many times in my trips to the border, and I am always impressed by the professionalism and the focus of the men and women that work in long shifts. Many of them will work in doubles. They work in two eight-hour shifts. Is this common under your chain that you have your men and women working in two eight-hour shifts?

Ms. SABATINO. We actually have a pilot currently in place to limit only to volunteers to work eight-hour overtime shifts on top of their current tour of duty they are assigned to.

Mr. HIGGINS. The normal eight-hour shift. So, you do have men and women under your command working 16 hours a day? My understanding is they work five days. Is that correct?

Ms. SABATINO. Yes, and that is why I think there is a discrepancy in that we do have alternate work schedules. Some normal tours of duty could be 10-hour shifts, they could be 12-hour shifts, but depending on what the work schedule is and alternate days off.

Mr. HIGGINS. Thank you for that clarification. Regarding vehicles and vessels that are screened, just to clarify for the American people, my final question, a vehicle coming through a port of entry is screened with technology, electronic screening that we won't go into the details of, but it is essentially viewed with technology by men and women under your command. That is the initial screening for vehicle, is that correct?

Ms. SABATINO. We currently scan in personal vehicles one percent to two percent coming across the southwest border. With the deployment of technology over the next two-and-a-half years, we expect to increase that to 40 percent.

Mr. HIGGINS. And of the vehicles and vessels that are screened with technology, some are pulled aside for secondary search by actual agents and usually dogs, correct?

Ms. SABATINO. Yes, they could be referred for a variety of reasons.

Mr. HIGGINS. And in that secondary search, is that where you make your drug seizures?

Ms. SABATINO. It could be something that is identified right on a primary, depending on the concealment, but it also could be secondary NII screening that could identify anomalies in a search done in our secondary areas.

Mr. HIGGINS. And you had stated that the percentage of secondary screening was what? Let me let you state that.

Ms. SABATINO. So, for passenger vehicles, it is currently one percent to two percent.

Mr. HIGGINS. One percent to two percent.

Ms. SABATINO. And for commercial vehicles, it is 15 percent to 17 percent, with an increase to about 70 percent with the deployment of new technology.

Mr. HIGGINS. Thank you. Mr. Chairman my time has expired. I yield.

Mr. GROTHMAN. Ms. Ocasio-Cortez from New York.

Ms. OCASIO-CORTEZ. I thank the Chairman for recognizing me. You know, there is a lot that is currently being unfolded with the Biden Administration with respect to certain border policies. And, Ms. Sabatino or Mr. Salisbury, I understand you both are not in the policymaking aspect of it, so I won't harp on that element of things. But, Ms. Sabatino, you had raised a little bit earlier today about some of the technologies that are currently being deployed at the border and included the deployment of facial recognition technology. And I will be candid, this is something that has been of extraordinary concern to us here in the Committee. What we are seeing in prior hearings, and we have held quite a few hearings on this, is the internal and baked-in biases within facial recognition algorithms in certain technologies.

But let me take a step back. Ms. Sabatino, are you aware of the Trump Administration's previous policy of metering?

Ms. SABATINO. We refer to queue management to ensure the, you know, manageable throughput of the flow of traffic at our ports of entry.

Ms. OCASIO-CORTEZ. And under the Trump Administration, or, you know, just in general, that goal was to really, essentially cap and limit the number of asylees seeking protection under, you know, inciting these capacity restraints. But rather than eliminating the practice that clearly violates international and domestic law, people are free to seek asylum at our border. I am very concerned that the Biden Administration is moving this online with the CBP One app. Ms. Sabatino, migrants and asylum-seekers at the border have to use the app to request asylum, correct?

Ms. SABATINO. We do see migrants that haven't necessarily used the app that we will process at ports of entry. But what the CBP One application does, it puts it in the hands, removing intermediaries and potentially limiting exploitation by TCOs of the migrants themselves, but allows for the efficient and effective processing by CBP officers.

Ms. OCASIO-CORTEZ. Thank you. Ms. Sabatino, you know, and I want to cite a little bit about some of the previous work the Committee has done and introduce witness testimony from the ACLU during the May 22, 2019, oversight hearing, titled, "Facial Recognition Technology: Its Impact on Our Civil Rights and Civil Liberties," and that articulates the dangers of the technology in government use. In this Committee, we have gone through great lengths to prove that facial comparison and recognition technology is racially discriminatory. And we have done this on a bipartisan basis, and we found in 2019 that Amazon's algorithms misidentified the gender of darker-skinned women in about 30 percent of their tests.

Ms. OCASIO-CORTEZ. Additionally, this technology, and I would also like to submit to the record documentation from *The Washington Post* that Amazon had met with ICE officials over its facial recognition systems that could identify immigrants. And what we saw therein was that that technology incorrectly matched the faces of 28 Members of Congress with those of people who were arrested for crimes elsewhere in the United States. In the summer, the American Civil Liberties also conducted that study. And then on top of that, what we are starting to see now is early reporting from the CBP One app that migrants from Africa and Haiti are reportedly demonstrating much more difficulty in using the facial recognition app deployed by CBP One.

Ms. OCASIO-CORTEZ. My concern is that while we already have quite a few folks using the CBP One app, the Administration seems to be signaling with this proposed rule change that they are going to try to make that the primary mode of this. And I am very concerned about the implementation of that exacerbating through technology racial inequities that already exist in our system. Once the app is fully implemented, can asylum seekers who lack a smartphone or internet access and, therefore, cannot schedule an appointment through CBP One be turned back when they present themselves at a point of entry should the proposed rule be enacted?

Ms. SABATINO. I certainly would like the opportunity to give you a full, comprehensive briefing on our biometric facial comparison technology because it is the algorithm that we use that is distinguished from other algorithms. That is high performing, and we have some very significant statistics and technical high-match rates with respect to countries of citizenship.

The issues with the CBP One app that were noted based on the data and the analysis that we did, it was not the facial biometric comparison. It was the liveness detection that was determining if this is a real person. And that liveness detection issue, which has been resolved because now we have limited it to one individual per unit or group family units, you know, more specifically, but that certainly was, you know, a capacity issue with the liveness detection, and that is where the data errors were coming from. We saw significant decrease in those data errors once we made it possible for just a primary and a group to do the liveness detection. It certainly cut down on the bandwidth for the liveness app.

But in terms of the biometric facial comparison because we don't track ethnicity, we look at technical match rates based on countries of citizenship. And certainly, for an example, a couple of different regions, Middle Eastern countries, 99.6 percent match rates, African countries, 99.5 percent match rates, North American countries, 98.9 percent technical match rates, and there are others. But I think looking at the holistic program that we use, and certainly offer a more fulsome briefing specifically on the business use cases we have. And I think, you know, making the distinction, we use the biometric facial comparison at a time and a place when an individual is normally expected to present themselves for identity verification, and we do not conduct surveillance with the facial biometric technology.

Ms. OCASIO-CORTEZ. And do you know if—

Mr. GROTHMAN. The gentlewoman's time has expired.

Ms. OCASIO-CORTEZ. Thank you.

Mr. GROTHMAN. Congressman Biggs from Arizona.

Mr. BIGGS. Thank you, Mr. Chairman. Ms. Sabatino, when you talked about the number of canine units that you have, were those the canine units that are in OFO or the entire CBP?

Ms. SABATINO. These are specific to the Office of Field Operations.

Mr. BIGGS. How many canine units are in CBP, if you know?

Ms. SABATINO. I don't have that number, sir. I can get back to you on that.

Mr. BIGGS. You guys use dogs very effectively. I mean, I have seen lots of demonstrations been done. In San Ysidro—I was with the Chair, and we saw the gas. That was fascinating, but they don't have anywhere near the same number of canine units in CBP to deal with between ports of entry, do they?

Ms. SABATINO. I would have to defer to my colleagues on the Border Patrol, sir.

Mr. BIGGS. You know it is true. OK. See, density meters, density readers, you guys have those at the ports of entries, right?

Ms. SABATINO. We do employ a number of small handheld technology at—

Mr. BIGGS. I have seen them at Mariposa, as well as in San Ysidro, and as well as in other ports of entry as well. In other words, you have great equipment at the ports of entry that are essentially a force multiplier, right?

Ms. SABATINO. Yes, absolutely, we have a number of equipment.

Mr. BIGGS. We don't have those same tools between the ports of entry because we don't see the same type of border crosser between the ports of entry, right?

Ms. SABATINO. You know, sir, I can speak to what happens at the ports of entry.

Mr. BIGGS. OK. Very good.

Ms. SABATINO. The technology there.

Mr. BIGGS. Very good. Do any of your officers ever provide parole to those who illegally enter the country through ports of entry?

Ms. SABATINO. We have certainly—

Mr. BIGGS. Three hundred sixty thousand people got paroled last year. How many came through ports of entry?

Ms. SABATINO. I would have to get the breakdown of that number. I can share with you certainly the last four months of encountered that we had.

Mr. BIGGS. What is that? How many got paroled?

Ms. SABATINO. Through our programs? I apologize, sir.

Mr. BIGGS. While you are looking, I am going to go to Mr. Salisbury. Mr. Salisbury, HSI is embedded into ICE, correct?

Mr. SALISBURY. Yes, we are directed under ICE.

Mr. BIGGS. Right. You guys don't remove individuals who have deportation orders. Is that correct? That is not HSI's responsibility?

Mr. SALISBURY. That is correct. HSI is a criminal enforcement arm.

Mr. BIGGS. Right. So, ICE, when the director said and the President said we are going to have 100-day moratorium on deportations even though you have 1.2 million people who had due process and deportation orders, that would be a countermand to the law. But you guys didn't receive that because that is not what you do.

Mr. SALISBURY. Homeland Security Investigations is only focused on—

Mr. BIGGS. Yes, you don't do that, so you didn't receive that order to violate the law. You didn't receive that, right?

Mr. SALISBURY. HSI solely proceeds with—

Mr. BIGGS. So, you didn't receive that order?

Mr. SALISBURY. Correct.

Mr. BIGGS. There. It is that simple. Back to you, ma'am, Ms. Sabatino.

Ms. SABATINO. Apologies, sir. So, for the last four months in October, we saw 26,505; November, 27,651; December, 30,428; and January, 28,155.

Mr. BIGGS. So, averaging between 26,000 and 30,000 roughly for the last four months, 360,000 last year. CBP One is going to provide to four nations ostensibly up to 360,000 additional parolees through ports of entry. Secretary Mayorkas, who is in both of your direct chain of command, has testified before Congress that parole is to be granted on a single individual case-by-case basis. I have read the law. That is what it says. The granting 30,000 a month, is that a single, case-by-case basis?

Ms. SABATINO. Well, I think we do evaluate, and our CBP officers interview all of these individuals that come across, and there are certainly——

Mr. BIGGS. So, prior to the Biden Administration, there had never been more than two dozen or so parolees, parole grants in a year.

Ms. SABATINO. I would have to go back and——

Mr. BIGGS. No, I am telling you. That is the fact. That is the testimony we have had previously, multiple hearings.

Ms. SABATINO. I think depending on the circumstances, there could certainly be more examples where parole has been utilized.

Mr. BIGGS. More than two dozen in a year?

Ms. SABATINO. Yes.

Mr. BIGGS. OK. I would love to see that because our testimony that we have received repeatedly is that about two dozen have been kind of the high, normally about 12 to 15, very individualized basis. This Administration, however, is now going up to 300,000. That sounds pretty generic to me. That doesn't sound like an individual case-by-case basis.

So, when we look at force multipliers, if you really want to get to the force multiplier, and this doesn't go to you, Mr. Salisbury or maybe even you, Ms. Sabatino, because you guys, you said you didn't receive these, but I think the parole issue is a problem. How about enforcing the law, you enforce the law? That is your best force multiplier. That would include things like removals of 1.2, now up to about 1.5 million people who have had due process and removal orders. With that, I yield back.

Mr. GROTHMAN. Thank you. Mr. Frost of Florida.

Mr. FROST. Thank you, Mr. Chairman. I just want to start with a reality check from my colleagues for people watching back at home, that the individuals most responsible for smuggling fentanyl across our borders are not migrants. In fact, in prior years, American citizens have accounted for more than 86 percent. The statistics has been thrown around a lot. It looks like it is not sticking for everybody. Eighty-six percent of fentanyl tracking convictions at the border have been U.S. citizens, not foreign nationals, not undocumented immigrants and not asylum seekers—Americans. And, Dr. Salisbury, have you seen any evidence that the expansion of legal pathways for immigration would bring more fentanyl into this country?

Mr. SALISBURY. Current legal pathways or pending?

Mr. FROST. Current legal pathways.

Mr. SALISBURY. So, no. HSI looks to identify any and all pathways that get exploited, so no, we have not——

Mr. FROST. So, the answer is no?

Mr. SALISBURY. Correct.

Mr. FROST. OK. Thank you. Thank you. And instead of shutting down our asylum system, like some folks on this panel have, you know, suggested and people are suggesting, we have to strengthen the way that we process most vulnerable populations seeking help, which is right, at our border.

In 2020, CBP rolled out the CBP One phone app in an attempt to streamline border processing, and I am just going to kind of continue on the line that Ms. Ocasio-Cortez was talking about. The

CBP One app has been plagued with racial bias concerns and other issues that have hindered legitimate applications, migrants, and asylum seekers. The app also requires migrants to have a smartphone, to have strong cell service, to have a Wi-Fi signal, and it has been called by some people the asylum ticket master because of the high rates of failure and difficulty for folks to obtain an appointment.

This is something that really concerns me, especially as a former ACLU staffer, thinking about people's civil rights, civil liberties, and the ability for people to seek asylum at the border no matter what the color of their skin is. And like it was stated before, we are still receiving information, anecdotes, stories, photos from NGO's at the border that are saying the darker your skin color is, the more difficult it is for you to use this app and be processed in a timely matter.

Commissioner Sabatino, what is CBP doing to make the app more equitable and accessible? I know you said that it has been handled and it is being worked on, but we are still receiving these anecdotes. We are still receiving these stories from NGO's. What are you all doing to remedy this?

Ms. SABATINO. Now certainly looking and evaluating all of the data that we have available to us, and again, what we saw with respect to the data errors wasn't related to the biometric facial matching. It was liveness detection, and it was a capacity issue. And over the last several weeks, we have made that enhancement, limiting the number of people required in a group to do that liveness detection, which has significantly cut down on those data errors.

You know, with respect to the populations that we are seeing for the Title 42 exceptions, you know, we can say that the predominant population has been Venezuelans, followed by Haitians. We have also seen a significant increase since the enhancements to the app of family units or groups traveling to the border. I personally had the opportunity to speak to several NGO's in South Texas that were highlighting these challenges that were relayed to us, and again, we are continually evaluating the performance of the application.

Mr. FROST. Yes. With Title 42 expiring in May, do you know whether CBP is exploring other technologies or process to streamline the border process because from what we have heard, it is moving toward everything being on the app.

Ms. SABATINO. And the goal for us with leveraging the application, again, this is to limit the data entry and the administrative burdens on CBP officers and make it a more streamlined process to ensure that they have the time to do what they need to do and talk to—

Mr. FROST. And I think it being a streamlined process is important for everyone, but what we are seeing, again, from NGO's, the photos or stories we are getting is that it is not streamlined for people who have darker skin. Commissioner Sabatino, how is CBP addressing the technological bias against people with darker skin tones with the CBP One app?

Ms. SABATINO. I think certainly working with our partners south of the border, directly with the NGO's, as well as, you know, our

partners in the Government of Mexico on ways to support and streamline and enhance bandwidth, we do see that, you know, not to say every single individual has a phone, but it is very prevalent that individuals have access to at least a smartphone that we have encountered, you know, in the operations.

Mr. FROST. Thank you.

Ms. SABATINO. But the bandwidth issues do fall in Mexico, and we are working with them.

Mr. FROST. Thank you. Thank you. I am also concerned about individual privacy as OFO implements the technology of facial recognition at airports, corporations, airlines having access to the data bases. And what we are seeing is that they are not necessarily complying with restrictions on the retention of that, of this facial recognition information for commercial use. Commissioner Sabatino, what steps has CBP taken to ensure that its external parties don't exploit and misuse traveler photos and information?

Ms. SABATINO. We have published a number of privacy impact assessments. We are trying to be as transparent as possible as to what is done with the data, how is it used, how is it transferred, how is it stored, and those are publicly available on the DHS website. But also, as part of a GAO recommendation going back several years, we do conduct audits, but our partners don't have access to our data base. Our airline partners, they simply take a photo, it goes behind the CBP firewall and is matched to a photo that is in a preexisting gallery based on the advanced passenger information that we have. And that photo was templated. It can't be reverse-engineered or exploited, but we do audits of our partners to ensure that they aren't retaining that photo. But there is no biographic information also attached to those photos, and certainly offer again a more fulsome briefing on the biometric comparison program.

Mr. FROST. Thank you. I yield back.

Mr. GROTHMAN. Thank you. Pat Fallon from Texas.

Mr. FALLON. Thank you, Mr. Chairman, and congratulations.

[Audio malfunction in the hearing room.]

Ms. SABATINO. Yes.

Mr. FALLON.

[Audio malfunction in the hearing room.]

Mr. SALISBURY. Yes.

Mr. FALLON. And I fully agree with

[Audio malfunction in the hearing room.] Thank you. It only passed 33 to 26. Five Democrats voted for it, all 28 Republicans voted for it, but 26 Democrats didn't agree with that statement, which is remarkable. That is why we took great care in crafting it to ensure that it was just pretty much that statement. And it is a simple one, and I am glad that you both agree because I do as well. And is it also true, Commissioner Sabatino, that when migrants transit through Mexico, that the cartels like to charge, I don't know, for lack of a better term, maybe a transit fee they are charging these migrants.

Ms. SABATINO. We have absolutely seen instances where the migrants are being targeted by criminal organizations or moved by criminal organizations and exploited for money.

Mr. FALLON. And it is a pretty good sum of money, too. It is in the low thousands?

Ms. SABATINO. The costs range, but we have seen substantial sums.

Mr. FALLON. And before this Administration, had we ever had a month where we saw more than 200,000 encounters with migrants at the border?

Ms. SABATINO. I don't have the information to validate that, sir.

Mr. FALLON. And fortunately, we did look it up, and it had never happened before. And yet, we had 10 months in a row under this Administration where we had 200,000 illegal border crossings or greater. Which leads me to believe that if you have that many more folks that are crossing the border illegally, and the cartels are charging them a tax or a fee, that is making the cartels stronger than they have ever been because from what we have ascertained, it is hard to say exactly, but the narcotic trafficking alone is about \$25 billion a year, what the cartels are making, and an additional \$12 billion now with all the illegal migrant taxes that they are hacking on, which is making them stronger, which is making, unfortunately, Mexico a de facto narco state.

And then so I, you know, I firmly believe that open borders and an immoral border for the folks that live north of it and the folks who live south of it. So, in Fiscal Year 2022 alone, we had 98 individuals on the Terrorist Screening Data base that were apprehended at the southern border. Already in Fiscal Year 2023, we have seen 53 folks that were on the same watch list that have been apprehended. In May 2022, an Iraqi native was arrested in connection with an alleged plot to assassinate former President George W. Bush. The man was linked to both Rasheed Daesh, and he was said to regularly be conducting surveillance on President Bush's home and offices, and planned to smuggle terrorists into the United States through the southern border. This is what happens when you have a very porous border. This is one of several examples that highlight the consequence of vulnerabilities that we have at our southern border.

In March 2022, the commander of USNORTHCOM stated before the U.S. Senate that, "Most of the GRU members in the world are in Mexico at the moment"—those are Russian intelligence personnel—and they keep a close eye on their opportunities for influence in the United States. In Fiscal Year 2022, CBP encountered 36,271 illegal aliens from Russia, which is startling. Since the beginning of the new fiscal year, there have been 21,234 Russian illegals encountered by CBP. At the southwest border specifically, there were over 21,000 encounters with the Russian nationals. Last year and about the same amount through January already. So, as you know, most illegals don't carry any documents and records, so it is hard to ascertain who they are. In most cases, officers must rely on whatever the alien tells them to include what country they are from. Finding cracks in that story would require a good interview, which takes time and resources.

So, for Commissioner Sabatino and Director Salisbury, if a person that has never been to the United States is arrested while entering illegally, what is the likelihood that the records check our

officers run will reveal the person's real identity and provide any criminal background from the other nations?

Ms. SABATINO. Certainly at ports of entry employing all the tools that we have, you know, our records checks, our system verifications are one tool that we use, the highly trained CBP officers skilled in interview techniques for individuals who are referred to secondary who don't present documents. But there are a variety of different types of documents that people potentially have in their possession that are identity documents, but aren't necessarily travel documents. But also, for individuals, again, collaboration and information sharing with our foreign partners is also absolutely critical for us to further identify individuals that show up at our ports of entry. So, it is a myriad of tools that we use, you know, including our ability to look at technology that they have and media exploitation as well.

Mr. FALLON. OK.

Mr. SALISBURY. The same thing. Sir, with our investigations, we are aware and leading and working with the entire U.S. Government on organizations that are and willingly trying to bring dangerous individuals into United States. So, our ability to identify them and who they are among the masses of migrants trying to get in is critically important in HSI. We do employ technology and relationships in foreign governments, as well as utilizing biometrics and relationships with the intelligence community to basically try to identify these organizations and stop them from bringing anybody for nefarious purposes in the United States.

Mr. FALLON. OK. Thank you, Mr. Chair. I yield back.

Mr. GROTHMAN. Thank you. Ms. Crockett from Texas.

Ms. CROCKETT. Thank you so much. I have just got a couple of questions. No. 1, seemingly my colleagues from the other side of the aisle have decided that migrants are somehow synonymous with cartels in the drug trade. Is that something that you can agree with, that migrants are synonymous with the cartel in the drug trade? Each of you.

Ms. SABATINO. I will take it first. I think certainly migrants, the vast majority are potentially vulnerable to exploitation by cartels.

Mr. SALISBURY. I would concur with that. The migrant community can be exploited by cartels and other nefarious actors, correct.

Ms. CROCKETT. Thank you. Additionally, we have heard a lot of talk about seemingly open borders under President Biden. And there is almost an insinuation that the cartels are somehow in cahoots with Democrats, and that is the reason that things like, you know, more fentanyl is coming across the border. I would imagine that both of you agree with me that there is no evidence that there is any agreement with the Administration to allow for nefarious actors from cartels to get their drugs across the border, correct?

Ms. SABATINO. I would agree with that.

Mr. SALISBURY. I would agree with that also.

Ms. CROCKETT. OK. Finally, before I move on to Texas, we talked about the fact that you seemingly have implemented a lot of different tools in dealing with cartels. And I think one of the things that my colleagues don't understand is the level of sophistication that these cartels have. Seemingly they believe if you get more dogs, then that is going to resolve all the issues that we have with

the drug trade. Would you agree with me that it is important to employ every single tool that you can find, including technology, because as you do one thing, the cartel advances and they change, and they are basically a moving target at times because this is what criminal enterprises do?

Ms. SABATINO. I agree that it is a comprehensive whole-of-government issue: technology, canines, our personnel, which are our most valuable resource—all critical tools. Certainly advanced information, partnerships with our other government, you know, law enforcement partners, as well as international partnerships, all play a role.

Ms. CROCKETT. You just mentioned something that really matters a lot to me. You mentioned international partners. For some reason, my colleagues on the other side of the aisle continue to insinuate that immigration is just a U.S. issue. But you would agree with me that it does take partners being in communication about what is going on and their help in enforcing and making sure that some of these people never even make it to our border, correct?

Ms. SABATINO. Yes, and certainly agree with Director Salisbury in highlighting, you know, identifying pathways.

Mr. SALISBURY. Yes. No, essentially, without our foreign relationships, our ability to combat TCOs would be very one-dimensional and domestically based. And certainly, HSI's goal is to work with the partners, the foreign partners, make them better and push these crimes and criminal activities further away from our own borders.

Ms. CROCKETT. OK. And finally, my colleague from Texas brought up some Texas things. Let's talk about when we get a Republican policy on immigration. We have talked about Governor Abbott, who is a failure on so many accounts in my book, but let's talk about what happened when he decided that he was going to employ his enhanced security tactics. I don't know how many of you remember this. We don't have Fox News on here, but we do have CNN as well as the Texas Tribune and exactly what they said about that.

We know that in the midst of the pandemic, we were having supply chain issues, unfortunately, whatever policy that our Republican Governor decided to employ. Instead, what it did was it cost us hundreds of millions of dollars and literally rotting food. So, my question to you is, I know that you are not policy wonks, and I applaud you for not having to do the policy side of things. But right now, what we are dealing with is one team that is arguing that the borders are somehow open, seemingly because of Democratic policies, regardless as to whether or not they specifically said that that is what they are insinuating. And it is my understanding that you all work hard every single day, whether there is a Democrat that is in control or whether there is a Republican.

And so, my question to you, my final question has to do with Operation Lone Star and Governor Abbott. If we were to employ similar tactics to what was employed during this time, do you believe that this would be more helpful or less helpful to the U.S. American people?

Ms. SABATINO. You know, with respect to ports of entry, they are economic engines, and it is really important for us to be able to be

effective and efficient in managing the flow of traffic through our ports of entry. And, you know, solutions, you know, that result in impeding commerce can be incredibly challenging for the economy. But we are always working with our partners to find ways to work together to ensure, you know, that we are enforcing, you know, the, you know, counter narcotics, counterterrorism missions, while at the same time making sure that we are not putting up impediments to that lawful throughput of travel and trade.

Ms. CROCKETT. Thank you so much.

Mr. GROTHMAN. Mr. LaTurner of Kansas.

Mr. LATURNER. Thank you, Mr. Chairman. Mr. Sabatino and Ms. Salisbury, I appreciate you both taking time to be here, and thank you for your dedication to securing America's borders and protecting our communities. This past November, Secretary Mayorkas told me in a hearing on the Homeland Security Committee that he believes our southern border is secure. I have been to the border multiple times, and I can tell you that the Secretary's claim could not be farther from the truth. Over 1 million illegal immigrants have already crossed our southern border this fiscal year, and we are only five months in. This worsening national security and humanitarian crisis is unsustainable. A country that can't secure its borders is not a country at all.

Mexican cartels and other criminal organizations are taking advantage of President Biden's lack of action. Record amounts of fentanyl is being smuggled across our wide-open border and into our communities. Roughly 300 Americans are dying every day of fentanyl overdoses. That is 1 death every 8.5 minutes. This deadly drug is killing more young adults than car crashes and suicides. My home state continues to be impacted by the fentanyl epidemic. Over the past few years, Kansas has seen a 73-percent increase in fentanyl-related overdoses, one of the highest increases in America.

Earlier this year in January, a 15-year-old freshman at Lansing High School named Nicholas Cruz Burris acquired what he thought was a Percocet pill from a drug dealer soliciting him over Snapchat. The next morning, his mother, Rhonda, went to wake him for school, only to find him dead in his bed. This is a picture of Nicholas, 15 years old, and this is happening to young people all across this country. The time for action was yesterday. Our Federal Government is failing at a core constitutional duty, enforcing commonplace border security, and safeguarding our citizens. We can and must do better, and families like that of Nicholas Burris demand it of us.

Mr. Sabatino, would you agree that the vast majority of fentanyl coming into this country is being made by precursor chemicals primarily from China, manufactured by drug cartels in Mexico, and then smuggled into the United States both through and in between ports of entry?

Ms. SABATINO. That is what we see with about 84 percent interdicted at ports of entry.

Mr. LATURNER. Fentanyl has sadly become the leading cause of death for Americans between the ages of 18 and 45. Last year, Customs and Border Patrol seized approximately 14,700 pounds of fentanyl. The DEA considers just two milligrams of fentanyl to be potentially a lethal dose. So, the work of your Agency has likely

prevented millions of deaths. I commend you for your collective efforts, but as we have seen, despite the valiant work of CBP, the drug is still flowing into our country. Of the force multipliers that CBP's disposal, is there one you find most effective at combating fentanyl explicitly?

Ms. SABATINO. Again, we have to leverage-integrated tools, but our partnerships and the collaborative approaches to identifying these illicit supply chains is critical. We can't wait for these things to come to our ports of entry. We are not going to seize our way out, you know, of interdicting narcotics. We have to develop those partnerships. And again, going back to the great partnership we have with Homeland Security Investigations, and, again, establishing a cell to focus on all things fentanyl is a priority for us.

Mr. LATURNER. Mr. Salisbury, can you please elaborate upon how Homeland Security Investigations acts in concert with Joint Terrorism Task Force factions within the DOJ and FBI?

Mr. SALISBURY. Yes, thank you for that question. So, HSI is the largest investigative arm of the Department of Homeland Security partners with the FBI and the JTTF, the Joint Terrorism Task Force. We are currently, next to the FBI, the largest participating member on the JTTF of criminal investigators. So, we supply information. We utilize our authorities in support of national security investigations with the JTTF, working in concert every day with DOJ and the other partnerships on the JTTF.

Mr. LATURNER. It has been reported that in 2021, 86 percent of the FBI's Joint Terrorism Task Force disruptions of terrorist activity were achieved with significant HSI involvement. Can you describe what significant HSI involvement means?

Mr. SALISBURY. Yes. So, going back to HSI's unique authorities and investigative skill sets, you may have national security risks, but it may be not able to be proved. A lot of national security risks may be involved in counter-proliferation investigations, export violations, money laundering, all of which HSI excels at. So, HSI will employ every investigative priority under its mandate to explore all these criminal organizations and take them apart for whatever criminal activities they may be currently proceeding with.

Mr. LATURNER. Again, thank you both for being here. I yield back, Mr. Chairman.

Mr. GROTHMAN. OK. All the way from Massachusetts, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Chairman. Let me congratulate the Chairman and the Ranking Member for the new responsibilities, and I want to thank the witnesses for their willing to help the Committee with its work. Mr. Salisbury and Ms. Sabatino, I, along with Mr. LaTurner and other Members on this Committee, have gone to the border many, many times, as well as to Guatemala, El Salvador, Honduras, to try to figure out and better understand the push factors and the influence of cartels on what is happening on the border because, as you have said, Ms. Sabatino, you know, we don't want to be confronting this at our border. We would like to act behind those countries from which a lot of these migrants are coming from.

In the past, we have had a good cooperative relationship with those countries—Honduras, Guatemala, El Salvador. Is that still the case today? I know that in the past we have had a special task

force in the Guatemalan Highlands, which was somewhat of a less-governed area, and we had a good special forces team there working in that area on drug interdiction and keeping tabs on the cartels. Is that still going on, or is that—

Mr. SALISBURY. So, yes HSI maintains great relationships in all those countries. We certainly look to develop relationships with the State Department post in host country, and we also develop vetted units with the foreign law enforcement officials in order to further our cases. So yes, all those relationships continue to be robust. They are constantly developing, and we are constantly looking at better ways to partner with our foreign partners.

Mr. LYNCH. OK.

Ms. SABATINO. I think with respect to CBP, certainly we support capacity-building efforts in a number of different countries, including in South and Central America. We also have deployments of, you know, individuals through our Container Security Initiative, you know, in key port locations where they support operations and get to see shipments before they come to the United States.

Mr. LYNCH. Let me followup on that. Commissioner Sabatino, you previously testified that nearly 14 million cargo containers arrive at our land ports of entry every year, and those containers are in addition to the millions of pedestrian and passenger vehicles that cross into the United States on an annual basis. Our security at the southern border depends on the resources that we are willing to dedicate to our ports and to your men and women. To this end, you know, I, in the past, have supported the omnibus appropriations bill that was enacted under the previous administration, providing \$6.4 billion for Customs and Border Patrol security operations. That was a 24-percent increase from the previous year. So, given the millions of inspections that CBP generally conducts, it is critical that they optimize their resources to both facilitate commerce and bolster border security.

Commissioner, how would additional funding for technology investments that have been raised earlier in the hearing increase the number of vehicles that CBP's Office of Field Operations can scan for drugs or other contraband?

Ms. SABATINO. Thank you for the question. Certainly, our non-intrusive inspection technology, in 2019, we received \$564 million for technology to deploy to the southwest border to increase scan rates, the mentioned POVs, from 1 percent to 2 percent, to about 40 percent, and commercial vehicles for about 15 percent to 17 percent, to about 70 percent. We greatly appreciate what was given to us in Fiscal Year 2023: \$177 million for ONS, just over \$15 million for outbound, \$10 million for the development of artificial intelligence and machine learning, which is also going to be critical.

As the number of scans that we do goes up, we are not going to be able to staff that with officers—we wouldn't have a footprint to get everyone in the room to look at those and adjudicate those scans. So, that is going to be critical work for us over the next year. We did receive about \$45 million for deployment civil works, the installation of that technology over the upcoming fiscal year, and another \$18 million for the technology that is going into the Gordie Howe Bridge on the northern border.

Mr. LYNCH. OK. My time has just about expired. Thank you both for your good work. Thank you for your willingness to come before the Committee and help us with our work. Thank you. I yield back.

Mr. GROTHMAN. Thank you. Ms. Mace from South Carolina.

Ms. MACE. Thank you, Mr. Chairman, and I want to thank you both for being with us today. And I know you are getting a lot of different questions from a lot of different angles, and I appreciate the time and effort you have done to prepare for this hearing today. You have one of the most important jobs in the country, both from a national security standpoint and the integrity of our immigration system.

Every town is a border town. I am from South Carolina, but two years ago, we had a member of MS-13 gang in Beaufort County. I don't know what the hell he was doing there. We have had fentanyl overdoses. We have had law enforcement, you know, get exposed to that and be hospitalized, and we have seen what the millions of illegals in the cartels have done coming across our country and how it has affected every community across the Nation.

I am interested to hear from both of you today on some of the tech things that have been mentioned, technology. We had a hearing early on in this session about the Border Patrol and technology, and one of the things mentioned was that they have more needs for technology. But I just wanted to ask both of you if you could just speak a little more broadly about the effectiveness of the biometrics technology that you are using. I would like to hear just a little more about how effective it is in tracking individuals who may pose a security risk or, you know, coming through ports of entry.

Mr. SALISBURY. Yes. So, obviously technology does play a key part of what HSI is trying to do. We are looking to find and identify more leads more efficiently. As we generate investigations, we generate a large volume of information, some of it is good, some of it is bad. So, technology, like data analytics out of our innovation lab, key—they focus agents in the right areas.

In reference to biometrics, we found biometrics being very useful, particularly in human smuggling investigations, where, again, the smuggling organizations are focused on bringing in illicit actors, nefarious individuals into the United States. So, partnering with the intelligence community and the Department of Defense, yes, biometrics has been a key part.

Ms. MACE. One quick question on that because I only have five minutes.

Mr. SALISBURY. Yes.

Ms. MACE. But are the biometrics, are they used both on legal citizens coming across the ports of entry and those who are crossing over illegally? Is it both?

Mr. SALISBURY. So, from HSI's perspective, we use it on a razor focus. If it is focused toward a criminal investigation, so it could be both, depending on the nature and the makeup of the criminal organization we are looking at.

Ms. SABATINO. Certainly, since the implementation of our biometrics facial comparison program, starting back in 2016, we have encountered over 1,700 imposters. Primarily it was about just over 1,600 of those who were identified at our southwest border ports

of entry. So, we have facial biometrics deployed in our air environment, our maritime environment, cruise passenger, and our pedestrian land border environment. A focus of ours over the next year is going to be to get the right technology in place to incorporate that. The program has simplified arrival into the vehicle environment in our land border, challenged by finding technology that can capture usable images that we can use for the facial biometric matching program. So, it really is removing an administrative burden, and a part of the streamlined process, you know, at our ports of entry, take officers away from those administrative burdens. You know, give them the tools that they need and let them do what they do best, which is to talk to people to determine intent, and interview people.

Ms. MACE. And then what are each of your Agencies doing and working on the security and privacy of biometric data that is collected? What sort of steps are taken to protect that information and data?

Ms. SABATINO. And certainly, going back to the implementation of U.S. visit back in 2004, we have been taking fingerprints and photographs of in-scope, you know, foreign nationals dating back to that time certainly with the advantage of facial biometrics. And it really goes back to the 2002 legislation that was passed, requiring us to biometrically confirm the entry and exit of individuals coming in and out of the United States at our ports of entry.

It has been a long endeavor in that. We received that mission in 2013, testing multiple modalities, iris, fingerprints, and photos, and we landed with photos because everyone knows how to take a picture. Everyone knows how to take a selfie. It is not intimidating. And it is the most streamlined process for us to do without creating major disruptions in the infrastructure investments for outbound air passenger.

Ms. MACE. And I have got 30 seconds left, and either of you can answer this speed round, but what is next? What do you need from Congress to do more, better, faster, more efficiently?

Ms. SABATINO. I think certainly the opportunity to brief on the full biometrics program, the technology, the continued support that we have for the non-intrusive inspection technology, also looking to make investments in intelligence resources for intel research specialists who can operationalize information, put the jigsaw puzzle of intel together to provide to our analytical units at our ports to target, you know, more effectively.

Mr. SALISBURY. Certainly, as we increase our investigative capabilities and our technology capabilities, it is going to require more agents to back that up, so technology is great. It allows agents to be focused. But we do need to followup with that in order to make criminal investigations. So, technology will never replace the men and women actually pursuing what the technology uncovers, so we will inevitably need more agents on the field working these investigations.

Ms. MACE. Thank you, Mr. Chairman, and I yield back.

Mr. GROTHMAN. Thank you. Mr. Sessions from Texas.

Mr. SESSIONS. Mr. Chairman, thank you very much, and my thanks to both of you for your service, not only to the country, but your continued diligence to making sure that the American people

have soundness in those that represent us in key decisionmaking roles.

I think you knew before you came up here that we have two sides of the story that will be told up here, and there is certainly a feeling that Republicans accuse Democrats of being soft on immigration and soft on criminals. I am one of those that makes that conversation because I believe that what is happening at our border, what is happening in our cities, what is happening across this country, supports that viewpoint. We have people arrested all over the country, thousands of pieces of fentanyl and other lethal items, and the person, when arrested, gets out without bail. They just release them. We are concerned about this.

I would like for you to be able to leave here today knowing that there are people want and expect you to do your job to capture these people, to keep them away from America, to send them back, to use the necessary resources that would include bio identifications and other markers, pictures that would be necessary to protecting us. We need this. And I recognize the Democratic Party, including our President, are completely against the tools that are necessary to protecting our children.

I am getting ready to be a grandfather within the year. I am worried about our children. I am worried about our schools. I am worried about the places of influence and these drug cartels that have marketing force all across this country now. There are people that don't understand that there are people who get away. Those that got away many times have huge backpacks on them. I have been to Fort Huachuca. I have watched just east of there, packs of people coming by. And so, a couple hours from real-life people who are with the Border Patrol who had interdicted those people, but they sooner or later caught them as they got closer to the highway. They found backpacks full of drugs. There is a reason why they didn't want to be caught.

So, I would like for you, as you leave today, to recognize that we up on the Hill have two sides of the story, and yet we can't get away from the narrative that millions of people are impacted by drug cartels. Their long reach into communities is no longer just the largest cities in this country. They are rural, and they are across many, many, many states. This is a huge problem, and it won't get better because we are allowing not just tens of thousands but millions of people to come here. And we are inviting them by the President of the United States, by the Secretary of Homeland Security who refuses to even acknowledge the issue and the problem that we have.

Being from Waco, Texas, it is easy for me to look up and to see law enforcement that is diligent about catching people, holding them accountable, judges who will put them in their proper place. I would like for you to take, in the minute I have got left, and talk to me about U.S. attorneys across the border and about your relationship to have put these criminals in jail and to detain them, either one of you.

Mr. SALISBURY. So, the U.S. attorney's offices' relationship with HSI is critical. Otherwise, we are investigating, wasting a lot of taxpayer money and energies without getting prosecutions, so our relationships on our priorities seem strong across the board. All our

criminal matters that HSI pursues, we have great relationships with DOJ, high level relationships. Certainly, we have—

Mr. SESSIONS. And the effectiveness of these U.S. attorneys?

Mr. SALISBURY. So, the effectiveness of the U.S. attorneys pushing the HSI priorities in the criminal investigations, we have a great relationship, and those investigations are moving forward. And over 20,000—

Mr. SESSIONS. So, you feel successful?

Mr. SALISBURY. I feel we need to do more given what we are doing. We always strive to do more. I think the men and women of HSI would recognize that we are doing everything we can, and we want to do more so, yes, sir.

Mr. SESSIONS. Sure. I have seen throughout my career—my father was U.S. attorney for the Western District of Texas, chief judge for the Western District of Texas, an FBI director for the United States of America. And during that period of time, he, like you, devoted himself to trying to keep this country safe. I hope you will leave today, dust each other off, and thank each other with a pat on the back for your service to a great Nation. Mr. Chairman, I yield back my time. Thank you very much.

Mr. GROTHMAN. Thank you very much, Mr. Sessions, and I am going to call upon Mr. Garcia, if he wants to make a closing statement.

Mr. GARCIA. Thank you very much, Mr. Chairman. Of course, I want to thank our witnesses again today, and I want to highlight something that has been mentioned a few times, and that is that our ports of entry are really engines of commerce and are places where our economy is succeeding in the U.S. because of the work that you are all doing and because of the commerce that is happening across our ports of entry.

We also know that we want to improve the economy, improve our ports of entry. We really got to focus also on a safe and secure process for processing commerce, and I think that is something that we are all obviously interested in on this Committee, and clearly both of you are as well. Border security is also about ensuring that our economy is strong and that we are also providing an orderly process. It is something that the Administration is working on and something I know that all of us are committed to as well.

And, while I should not need to remind everyone, just as an important reminder for everyone here, but every single Republican that is a part of this Subcommittee actually voted against funding for Custom Border Patrol's efforts at the border just recently. And so, there has been a lot of concern about the border, a lot of concern about how we are going to support the work you are all doing, but the Republicans that have been asking you questions today actually all voted against that funding.

They voted against \$230 million against technology, against funding to improve operations between our ports of entry. That happened in the appropriations package just recently. They also voted against \$60 million for more personnel for CBP and \$70 million for non-intrusive inspection technology at the ports of entry that was also part of the appropriations package. They also voted against \$430 million in funding to build out ports of entry with

non-invasive inspection technology to detect illegal narcotics and fentanyl coming into our country.

So, as we hear a lot about, I am taking on fentanyl and supporting all of you, every Member of the Subcommittee actually voted against all of that. That, of course, was in the Infrastructure Investment and Jobs Act, so I think it is important for us to be serious about border security. And House Democrats are, and I want to thank you again for your testimony. And, Mr. Chairman, with that, I yield back.

Mr. GROTHMAN. Thank you. I just want to make a few comments on the comments before we leave today. First of all, I will emphasize one more time, it has been said part of our problem is that it is difficult for people to become citizens legally and that is why we have a problem at the border. I will remind people that last year we had a million people sworn in as citizens legally, the highest since 2006. I don't think anybody could say it is impossible to become a citizen the old-fashioned legal way. I try not to be a partisan person, but since President Biden has taken office, we have gone from having 20,000 to 238,000 people in a month come across our border, and which some people would say illegally. When you go up by a factor of more than 11 to 1, it is hard not to be incredibly critical of the Biden Administration.

I think that is also the reason why we have low morale at the border, and when people imply that somehow the Border Patrol are not ordered to do their job, the problem or the frustration for them, and morale is low, and I have been on the border seven or eight times, is that when so many Border Patrol agents are processing people asking for asylum and being let in here, they don't have time to guard the border. And that is why I think we have so many people streaming across the border between points of entry is because the Border Patrol, which should be guarding those areas, is too busy doing paperwork as the result of decisions made by the Biden Administration.

I will try to be bipartisan here in my criticisms. I wish President Trump had appointed Steve Miller to be in charge of the border policies earlier. I think he made a big mistake in waiting so long for that to happen. I will also point out that something has been made of it. Most of the fentanyl is found at points of entry. I think one of the reasons, and the Border Patrol will tell you this as well, one of the reasons they get more fentanyl at the points of entry is because they aren't catching it, hardly at all, between the points of entry because they are busy doing paperwork. And if they had enough people to guard the other areas, they would get a lot more fentanyl there as well. I think further evidence of where this Administration stands, and I think Representative Biggs did a good job pointing this out, not a halt, entire halt, but way less deportations than we have had in the past, which shows where the heart of the Biden Administration is.

I also point out that, you know, it is considered an insult to interpose the cartels with immigrants coming here. The vast majority of immigrants who come here off our southwestern border are having to pay the cartels to come here. So, in addition to other problems resulting from too many people crossing the southern border, we are enriching the cartels. Every time you are down there,

they tell me, a Mexican 5,000 bucks, somebody from India 20,000 bucks, but the cartels are getting very enriched with the current policy.

I would like to thank you guys for bringing in the dogs. Obviously, I am a fan of dogs. That is one of the reasons we had these hearings, and hopefully the publicity we got for dogs will result in more dogs being available for you and other agencies in the upcoming budget and perhaps earlier. I mean, one of the things that frustrates me about this, I guess 108,000 people are dying every year of illegal drug overdoses. I don't think this Administration, or this Congress has done enough. I mean, it is just a number, it is just a statistic, but it is such a huge statistic. I don't think the average American realizes, you know, how great that is.

My talking point is, it is twice the number of people who died in the Vietnam War over 12 years, every year. And if that many people were being died in murders, man, they would be screaming for doubling the police forces of this country, screaming for more people in prison, but instead, there seems to be a total lack of urgency when so many young people are dying of these illegal drug overdoses. And I hope that in the future Congress and state legislators don't let their dislike for putting more people in corrections stand in the way of stopping this huge amount of death that we are having from the illegal drugs.

Something has been said about our relations with countries in Central America. I think, well, first of all, if you go to the border, your Border Patrol will tell people that the people coming here are not necessarily coming here out of desperation. Whether they look at the fact they all seem to have cellphones, or the clothes they are wearing, or insofar as they find out what their occupations are, the Border Patrol will tell you, this is not poor people coming out of desperation. It is just that things are best in America. And I think the best thing we can do for other countries is educate them on freedom, value of the free market, and that prosperity does not come from a big government. And I think, unfortunately, too many other countries around the world haven't got the message.

But in any event, thank you for being here. You did a wonderful job. We will check you off at an A, and we are done. Thanks.

[Whereupon, at 11:57 a.m., the Subcommittee was adjourned.]

