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For a Hearing Regarding

“The Real Cost of an Open Border: How Americans are Paying the Price”

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Messr. Chairman Higgins, Ranking Member Correa, Chairman Pfluger, and Ranking Member Magaziner and Members of the Subcommittees, thank you for inviting me here today to discuss the important issue of impacts from the worst mass migration crisis ever to have occurred at the American southern border. And what is happening at that border is, by every possible metric on government record, the worst such mass migration in the American experience, now well into its third year with at least four million foreign nationals allowed to enter and stay in the United States for their illegal crossing efforts.

I have studied, analyzed and reported border issues for more than 17 years. First, during my 23-year career as a journalist for major media outlets through 2009. Then for nine years as an intelligence analyst for the Texas Department of Public Safety’s Intelligence and Counterterrorism Division, and since 2018 as a senior national security fellow for CIS.

In the official capacity of my current role, I have spent a great deal of the past two-and-a-half years on the ground, both sides of the border, usually with the immigrants before and after they cross. And from thousands of their testimonials, I have written the only comprehensive first draft of this historic event’s causes and effects, in my book *OVERRUN*.

In it, I document the genesis of this incredible continuous event to specific policies that went into effect on President Joe Biden's Inauguration Day, which immigrants unanimously tell me are the main reasons they decided to journey across the southern border.

The administration put a freeze on required border enforcement measures and fast-tracked release of the majority of illegal crossers into the country where they and most experts know they will stay forever.

And on their cell phones, which every immigrant has, they sent word of this incredible bonanza down trail, to home villages and all along the migration trails. And in this way, those first tens of thousands who began crossing on inauguration day quickly became hundreds of thousands a month, and then millions a year. Counting an estimated 1.7 million never apprehended, probably more than 4 million have entered the country from the border in a mere 30-month span. Perhaps as many as six million largely uneducated and needy people will be in the country before the Biden policies might first be reversed in the 2024 national elections and the floodgates closed.

Those millions of policy-enticed entries in so short a time already are - and will have - transformative impacts in the form of unplanned-for demands on public welfare and assistance programs, health care systems, Social Security, housing, labor markets, schools, and the criminal justice system.

It is too early in the crisis to measure many of these impacts – assuming anyone is willing to do this politically aversive work. But, despite political reticence to do so, Congress, researchers, media reporters and state and local governments should endeavor to measure impacts in three general areas where indicators of consequential change are already well indicated: public school burdens, unnecessary preventable crime, and unfunded burdens for local communities.

Public School Systems

Probably the very first area of civic life where most Americans will experience the impact of the Biden border crisis will be in the public schools. Local schools face the most immediately visible impacts because a main feature of the Biden border crisis, and also of the earlier Trump swell of late 2018–early 2019, was that immigrants in family groups around the world discovered a certain legal loophole – known as the Flores Settlement. The 2015-amended settlement requires DHS to release immigrant families with young children from detention within 21 days to pursue years of mostly ineligible asylum claims while living inside the United States, rather than to be deterred by detention and deportation.

Children became extremely valuable as tickets into America. So millions of people in family units brought school-aged children in for the Flores Settlement quick-release treatment. At the same time, non-Mexican children traveling without a parent learned they could exploit the Trafficking Victims Protection Act (TVPA of 2000) to gain release within three days, sparking rushes on the border of unaccompanied minors.

School-aged children poured in over the border with parents or guardians, or alone unaccompanied by the hundreds of thousands and then the millions to gain the advantage of these quick-release loopholes.

That mostly ended when former President Donald Trump introduced Remain in Mexico and Title 42 instant expulsions for all illegal entrances as a Covid control measure.

But then the Biden administration on day one opened exemptions in Title 42 expulsions, and ended the Migrant Protection Protocols, or Remain in Mexico. These moves allowed for the quick interior releases of a majority of immigrant families, unaccompanied minors, and advanced stage pregnant women or postpartum women.

The public is never told how many advanced-stage or school aged children got in through these exemptions and entered public school systems.

Based on publicly available data, it's difficult to estimate just how many school-aged children brought in over the border joined the estimated 49 million children enrolled in American public school systems.¹

But national enrollments would have had to include a bulk of the 545,000 unaccompanied minors enticed by policy to cross since 2019 – 388,748 of them just since 2020. Hundreds of thousands more would surely have crossed in to enroll among the 1.9 million foreign nationals apprehended as family units from 2018 to date. Up-to-minute data is not yet available but, as of 2021, 11 million public school students from immigrant-headed households (legal and illegal) accounted for nearly one out of four students in public schools, more than double the 11 percent in 1990 and more than triple the 7 percent in 1980.²

As for the hundreds of thousands that have certainly driven those percentages much higher since 2021, school districts across America had to enroll them under a 1982 Supreme Court ruling regardless of immigration status, numbers, costs, and hardships.

What might those be?

Spiking enrollments that force school districts to hold successive tax-hiking bond elections to purchase portable classrooms, build new schools, expand existing schools, hire more administrators, janitors, security officers, school cafeteria workers, and hire more English as a Second Language teachers, according to complaints leaching into the public realm.

For instance, in and around New York City, a significant surge of 5,000 immigrant children flooded into four counties in a single eleven-month span through August 2021, posing a \$139 million unplanned burden on New York taxpayers to educate them.³ The arrivals of mostly teenage boys created a classroom crisis that strapped educational resources and aided gang-recruiting efforts, the *New York Post* reported. In May 2022, New York City education officials grappling with older illiterate teen immigrants who have gone years without formal education

agreed to launch a pilot program that would all 400 “newcomers” fan out to identified high schools where they can learn English.⁴

In Austin Independent School District, teachers protested in April 2022 about a 400-student influx of immigrant teenagers from Central America at its International High School and Eastside Early College High School campus.⁵ Teachers complained they were left to give instruction in hallways and conference rooms. Similar scenarios are unfolding more quietly in school districts across America.

For what that may look like in extreme form, parents whose children attend public schools across the United States need look no farther than Cleveland Independent School District (CISD) in East Texas’s Liberty County about 40 miles northeast of Houston. A sprawling new community called Colony Ridge, whose new and established residents – and CISD’s School Superintendent - universally acknowledge that many are illegally present in the United States, has boomed inside the CISD’s 143 square miles to some 60,000 as of 2021.⁶

In 2019, the growth driven by largely immigrant children prompting the Texas Education Agency to label CISD a “hyper-growth” district.⁷

CISD Enrollments exploded from 3,693 K-12 students and four main schools in 2011-2012 to more than 12,000 in 2022. From four schools, CISD is now 12 schools and 60 portable classrooms funded by continual bond elections and with plans for a \$1.2 billion expansion to twenty more schools over the next decade to accommodate an anticipated student body of 20,000 students as Colony Ridge continues a massive migration-fueled expansion. A decade ago, CISD was 40 percent Hispanic. Now it is 90 percent and very different from the old country days.

In 2022, I traveled to CISD and Colony Ridge as part of research for my book *Overrun* and interviewed students, parents, teachers and the superintendent Stephen McCandless. From them, I learned that the district’s ills there take many forms. Classroom and school overcrowding have required portable classroom farms, sharp spending increases to hire new teachers and bus drivers, continual requests for voters to approve bonds to build new schools, fallout from language barriers and uneven education levels, less individualized teacher time per student, poorer academic performances for all, and public safety concerns.

What I learned from public records and my interviews was that most of the new students can’t speak English. Those with limited English proficiency rose from 20 percent in the 2011-2012 school year to 55 percent in 2021-2022. English-as-a-Second Language curricula now makes up more than half of all school curricula. The entire teaching staff is required to obtain state ESL certification or an equivalent one, and expensive and time consuming endeavor requiring constant management. The majority of parents speak limited English too and stay away, some for fear of deportation.

Many of the new students were teenagers who couldn't read or write. Broad language barriers suppress academic achievement. Student-teacher ratios range in the upper thirties per teacher for certain core classes. It's crowd control, not education, one teacher told me. Some of the statistics are alarming. Nearly half of Cleveland High School's students were considered to be at risk of dropping out. Nearly 60 percent of Cleveland Middle School's 2,238 students were considered at risk of dropping out.⁸

"Texas Education Agency says they have a right to a free public education," McCanless told me. "And I can't put a fourteen-year-old in a second-grade class, so we put them in an age-appropriate grade level and we give them all the supports we can, and then you're like, 'how do we teach a fourteen-year-old how to read!?' I mean, that should have been learned in first or second grade. But we have to do it. We're doing it. We have some now. And then the state tells us they're expected to take the state test!"

"How are they doing on the tests?" I asked. "How do you think?" McCanless replied.

The district has repeatedly asked voters to approve massive tax-spiking bond elections, an \$85 million one in 2017, a \$198 million one in November 2019, another for \$150 million in 2021, another for \$115 million in 2022. Weary voters approve some and reject others.⁹

Keeping up with this problematic growth is a nonstop desperate struggle that has left students with sub-par education and caused the flight of pre-existing students to other cities and towns. The growth has spawned a wide variety of social problems never seen in CISD's history.

McCandless and teachers told me of gang formation, drug trafficking and violence came into the school system with the "newcomers." "And we have dealt with them. And I have expelled them."

No one seems to be systematically tracking these transformative kinds of impacts anywhere in America's public schools.

But while the case of CISD is in many ways extreme, there can be no doubt that school districts across America are undoubtedly experiencing similar pain to greater or lesser degrees, suffering in silence.

A Great Unnecessary Crime Wave

For years, advocates of a borderless United States have pointed to academic-seeming "studies" that compare illegal alien criminality to American citizen criminality and then conclude that Americans commit more than the illegal immigrants.¹⁰ Its progenitors cite the comparison to nullify concerns about illegal immigrant crime. They use it to argue that the American people should leave the illegal immigrants alone and more properly tend to American citizen criminals.

The result of these comparative "studies" is that while America keeps busy with the ostensibly more real problem of US citizen crime, the nation's leaders let the illegal immigrant flow continue unimpeded since that population is so much less worrisome.

But this “comparative research” diverting concern from illegal immigrant crime constitutes one of the greatest academic and intellectual frauds in the annals of immigration studies.

The notion that these two groups should be compared is intellectual misconduct of the highest order, a sham campaign that almost surely has extended the unnecessary carnage against American citizens and lawful residents. The comparison studies factory is a sham because illegal immigrants, and especially those with knowable criminal histories, are uniquely subject to government deportation and detention, which does not exist for American citizens and lawful residents.

So, unlike every crime committed by American citizens, every crime committed by illegally present immigrants with criminal histories was avoidable. Because illegal immigrants are constantly subject to entry blockage and removal, all of their crimes must be counted as a 100 percent net-gain increase of a social ill that hurts real people in the worst imaginable ways on a consistent, long-term basis.

Conversely, American citizens and lawful residents, obviously, are not subject to a national government apparatus in place to block and remove them from American territory so that they are not present to commit crime. America is stuck with its criminal citizens before, during, and after every crime they commit. The DHS detention and removal machine cannot and will not ever prevent a single crime by an American citizen.

That is a Grand Canyon–sized difference between the two groups disqualifying them for comparison in crime or anything else, like how often both use public assistance. Immigration enforcement will always eliminate or reduce the presence of illegal immigrants who commit crimes but never American residents. Americans have no choice but to suffer every single American citizen–committed crime but should never have to suffer one single illegal immigrant– committed crime.

Illegal immigrant crime is notoriously difficult to measure because doing so is politically aversive to government agencies in politically liberal precincts. But in addition to sudden painful public school enrollments, most Americans will suffer more crime committed by more illegal immigrants. Most U.S. states do not keep track of crime committed by illegal immigrants, and neither does the federal government.

Only Texas tracks much of its crime by noncitizenship and its data is likely indicative of crime trends in other large-population states.

It is too early as of this writing to guess the extent to which alien crime that will result from the Biden border crisis.

But if the past is any indicator of the future and the Texas numbers can indicate problem scope, America is in for a sustained unnecessary crime wave of preventable murder, rape, child abuse, burglary, felony theft, drug trafficking, alien smuggling, and drunken driving manslaughter on a higher permanent scale.

The Texas Department of Public Safety learns the immigration status of suspects booked into local jails through a program that submits fingerprints to the FBI for criminal history and warrant checks, and to DHS, which returns immigration status information on those whose fingerprints were already on file (which is not all of them).¹¹

The glimpse is limited and not a reflection of much almost certain higher totals, but it is telling about the trend line ahead across America. Between June 1, 2011, and July 31, 2022, these 259,000 illegal aliens were charged with more than 433,000 unnecessary, preventable criminal offenses. Those included 800 homicide charges (resulting in 374 convictions as of July 2022), 822 kidnapping charges (resulting in 265 convictions), 5,470 sexual assault charges (resulting in 2,593 convictions), 6,485 sexual offense charges (resulting in 3,065 sexual offense convictions), and 4,945 weapons charges (resulting in 1,723 weapons convictions).

What the Texas data show is that hundreds of dead people should be alive, thousands of sexual assault and sexual offense victims should never have suffered the trauma, and tens of thousands of assault charges involving victims would not have been hurt.

The Texas data also shows that criminal aliens took up police time and clogged up the American justice system that could have been more dedicated to American criminals. Thousands of drug, burglary, robbery, and weapons charges need not have jammed the Texas criminal justice systems at taxpayer cost.

The Texas program found that another 10,590 illegal aliens were identified while they were in Texas state prisons over the past decade. Among them were prisoners serving time for 119 more unnecessary homicides.

Back to Liberty County's massive settlement of Colony Ridge, legacy residents are increasingly alarmed by criminal atrocities never seen before. On April 29, a five-time deported Mexican national who owned a home in neighboring San Jacinto County allegedly murdered five members of a Honduran family that lived next door after they complained that his firing of a semi-automatic assault-style rifle at 11 p.m. was keeping the baby awake. He allegedly killed mothers and children, two of whom miraculously survived the massacre under the bodies of their parents who died shielding them.¹²

That one made national news but many other atrocities and evidence of Mexican cartel operations in the area did not, such as the April 2023 murder of two former area middle school students found riddled with bullets in a car.¹³

In 2020, an illegal alien from Mexico who settled in Colony Ridge chained two house cleaners to a bed and sexually assaulted them in a blackmail scheme during which he took nude photos.¹⁴ The nightmare ended when one of the women attempted an escape in her vehicle but didn't make it; her assailant managed to shoot her to death and set her car on fire with her inside before fleeing back to Mexico. Border Patrol caught him trying to cross again in California a short time later.

In 2016, owners of a Colony Ridge lot who were clearing it of brush discovered the decomposing remains of a single mother of five children named Esmeralda Pargas-Nunez, 42, who'd been reported missing a month earlier. It took two years, but homicide detectives tracked down her alleged killer to Houston in 2018, another woman named Sabrina Olarosa Garcia, and charged her with murder.¹⁵ This was evidently part of a kidnapping scheme in Houston where the alleged murderer first lured her victim to a meeting.

In September 2022, passersby in Colony Ridge found the body of a 16-year-old Honduran girl who'd been shot to death and dumped in a ditch by the side of a road, still wearing her uniform from her [work busing tables](#) at a local restaurant. Gang unit police [arrested three foreign nationals](#), all under 21, and charged them with the murder of Emily Rodriguez-Avila, [citing "gang overtones"](#) as a motive. The family shipped her body back to Honduras for burial.

In June 2022, a Liberty County dog [brought home a human hand](#), which led to the discovery of a badly decomposed body of a man who had been buried with his gun. Police couldn't identify the corpse and were left to post photos of the clothing in hopes someone would recognize them.

The Gulf and Sinaloa Cartels invested in Colony Ridge from its earliest inception, they said, financing lots for local operatives to run safe houses through which they move smuggled drugs and people from the border to interior America. They were using them still to smuggle people coming in under Biden.

Evidence of cartel involvement dates to the earliest days of the illegal-alien settlement boom. To at least 2013, when federal, state, and local investigators raided a Mexican drug cartel's marijuana grow operation on 300 acres in Liberty County, finding explosives, 6,000 marijuana plants, worker bunk houses, and guard towers.¹⁶ Local police at the time called it the "largest and most sophisticated marijuana-growing operation" in the county's history.

In July 2021, the DEA broke that dubious record with the new biggest drug bust in Liberty County history with a raid that broke up a multimillion-dollar methamphetamine manufacturing lab operating inside one of the Colony Ridge dwellings.

During a recent trip, a police investigator drove me around several town neighborhoods pointing out high-end brick homes where cartel management figures lived before they were busted or moved away.

This kind of criminality grew so problematic by 2021 that the fearful town leaders of Plum Grove established a first police department that works in concert with two county-paid bilingual constables that Liberty County funded to exclusively patrol Colony Ridge.

The addition of several police officers amounts to a drop in the ocean, one officer from the region told me. Drive-by shootings, stealing, and drug trafficking are rampant, victimizing mostly the new community.

Indeed, a five-month-long gang and narcotics investigation by the Liberty County Sheriff's Office came to a dramatic end in December 2021 with the arrest of two 15-year-old boys and a 17-year-old boy who were part of a violent drug-trafficking racket in Colony Ridge.¹⁷

After three or four months where the boys would engage in gun battles with drug buyers who wouldn't pay on time, local police had to investigate. When the day came to make arrests, the armed 17-year-old rammed a police car during a pell-mell car chase near Plum Grove, fled home, and barricaded himself in his house until a SWAT unit had to extract him and a girlfriend inside, who also was arrested amid drugs that were found.¹⁸

If those who committed these crimes were in the country illegally, none of this should have happened since they and their parents would not be present if immigration laws were followed.

Within Texas, which probably is emblematic of many other states, Liberty County reflects a microcosm of what unnecessary crime can look like anywhere large numbers of foreign nationals who are only thinly vetted settle. Much more of this is on the way to communities across America, whether anyone systematically records it or not.

American cities and towns feeling under siege

The pain of unfunded impact from the White House's mass illegal immigration crisis can be heard in the ever-lengthening lists of cities and towns forced to contend with unmitigated inflows of needy immigrants from the southern border.

Cities as far north as Chicago and as far west as Denver are squealing in pain from unfunded burdens of having to shelter, feed, clothe, medically treat, and support never-ending inflows of needy, uninsured, limited English-speaking immigrants from throughout the world.

Cities such as Washington DC, New York, and Chicago have declared states of emergency and demanded federal bailouts that will come at the taxpayer expense to feed, house, and care for tens of thousands of illegal immigrants allowed into the country to stay under Biden policies.¹⁹

No one wants to share the pain of sudden massive influxes of dependent, needy immigrants in New York, the ultimate not-in-my-backyard issue. New York City and 30 state counties are locked in litigation over plans to export immigrants to them as 15,000 new immigrants a month pour into the city.²⁰ Nine New York State counties were suing to block New York City's immigrant-export operations.

American citizens, including veterans, are displaced from city-run homeless shelters as towns and cities fill up all available public spaces, to include public school auditoriums and college dorm rooms. Cities and towns along the Texas border have declared border-related disasters and emergencies, to include Brownsville, Laredo, and El Paso. One town 400 miles from the border, Cold Spring one county over from Liberty, declared a migration-related emergency as recently as June because of a "massive surge of drug and human smuggling" associated with the border crisis.²¹

As the Biden border crisis grinds on and on, expect the silent majority of cities and towns across America to add their voices of pain and protest to the lengthening list. They will do so because their leaders have correctly assessed that this massive new population of needy foreigners will burden and transform their communities without their say-so.

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