



# NATIONAL BORDER PATROL COUNCIL

**PROTECTING THOSE WHO PROTECT OUR BORDERS**

**Statement of Jon Anfinen  
On behalf of the National Border Patrol Council**

**Before the U.S. House of Representatives Committee on Homeland Security  
Subcommittee on Border Security and Enforcement Hearing Entitled:**

**“Part 1: Consequences of Failure: How Biden’s Policies Fueled the Border Crisis”**

**March 25, 2025**

Chairman Guest, Ranking Member Correa, and distinguished Members of the Subcommittee, thank you for inviting me to testify before you today. I hope that my testimony will assist the Subcommittee in better understanding how the executive actions taken by President Biden and his Administration directly resulted in an unprecedented security and humanitarian crisis along our borders and within our country.

The bottom line up front is that it did not need to happen this way, and we need to do what we can to prevent it from happening again.

My name is Jon Anfinen, and I am the Executive Vice President of the National Border Patrol Council (NBPC). My testimony is rooted in my perspective and lived experiences as a frontline Agent stationed in Del Rio Sector in Texas, as well as the observations, perspectives, and lived experiences of the Agents I am honored to represent. The NBPC is the union that represents over 16,500 frontline Border Patrol Agents and support staff that protect this country and enforce our laws each day. Unfortunately, during the four years that President Biden and his Administration were in office, frontline Agents were unable to properly protect our nation and fully enforce our laws.

The U.S. Border Patrol has always seen fluctuations in the number of encounters of aliens or “traffic” we detect crossing our borders, especially our southwest border, typically at the start of each new presidential administration. However, to say the changes we saw within the first few weeks of the Biden Administration were unprecedented is an understatement. Not only was the entire world encouraged to illegally cross our borders, primarily to abuse the asylum system, but it caused our agents to be sidelined and truly unable to do our jobs.

In effect, our job was changed from one of immigration and law enforcement to working on a virtual assembly line, simply completing one step in the process of abusing the asylum system and the United States’ immigration laws. Gone were the days of Agents patrolling in

the brush and desert, and instead, we were relegated to sit behind a computer for an entire shift, all the while being notified that groups of illegal aliens – who were not turning themselves in for apprehension – were disappearing into the interior of the country, having been spotted on cameras or reported by members of the community.

While we had no idea who these people were, where they were going, or what their intentions were at the time – all serious concerns – based on past investigations and intelligence, assessments show that many of these aliens have prior criminal convictions in the U.S. and also are likely smuggling fentanyl or other dangerous drugs into our communities. At the time, it was practically a given that someone could cross the border and be released, so the fact that some people chose to sneak in and avoid that process suggests that at least some of them are people we should be concerned about.

Not only were the previous four years a boon for the cartels in Mexico, allowing them to smuggle practically anyone or anything into the country, it created an entirely new business model for them. People have always needed permission from the cartels to cross the border, and traditionally, the cartels had to make arrangements to use smugglers to transport people via their smuggling network to their final destination. While the cartels still did that during the past four years to smuggle people who wanted nothing to do with the Border Patrol, there was an entirely different and much larger population just needed to get across the border and give up. As a result, Agents could not do their job, and instead had to watch camera footage of groups getting away to parts unknown.

To put it in context, during both of President Obama's terms, there was a total of approximately 1,089,000 gotaways. During President Trump's first term, there were approximately 549,000 gotaways. However, during President Biden's four years, there were approximately 2,000,000 gotaways, though it is generally believed the number is much higher because Agents were not in the field enough to get a more accurate count of those who absconded into the country.

Along the southwest border, specifically in Texas, where I work, cartel members in Mexico basically became ferry operators, tasked only with getting people across the river, where they were told to flag down a Border Patrol Agent. In other areas, groups were required to pay a fee and were left to get across the river on their own, resulting in what is referred to as the deadliest border in the world. We will likely never know how many people died, but here is what we do know to give you some context.

During President Obama's two terms, there was an average of approximately 370 deaths at the border that were detected per year, with FY12 being the worst with approximately 470 deaths.

During President Trump's first term, there was an average of approximately 280 deaths at the border that were detected per year, with FY 20 being the worst with approximately 250 deaths.

And during President Biden's four years, the average was approximately 690 deaths at the border that were detected per year – FY 22 was the worst of his four years with over 900 deaths, the highest number of deaths in any year going back as far as I have been able to research. That was an average of 75 deaths per month in that fiscal year, not to mention the bodies that were encountered by local officials, straining county resources by filling up morgues in counties up and down the border. For example, Maverick County, where Eagle Pass, Texas is located, had to bring in refrigerator trucks to store the bodies of unidentified people who died trying to illegally enter the country because their morgue was full, something that increasingly happened up and down the border as illegal crossings continued to increase.

Because of the massive increase in tragic and horrific incidents, some agents – those who were fortunate enough to be in the field and not processing – were tasked with search and rescue or body recovery efforts. And while search and rescue operations and providing medical care are not unusual tasks for Agents, we had never seen it on this scale.

We have hundreds of Border Patrol Agents trained as Emergency Medical Technicians (EMTs), who are supposed to be deployed in the field to help people in areas with limited emergency medical services (EMS) and resources. Instead, they were frequently tasked with screening asylum-seekers at processing facilities or as the migrants were loaded onto buses to head to the processing facilities. In addition, when contracts were spun up to provide medical services within the facilities, that didn't mean EMTs were automatically deployed to the field because there was always processing to do. This often resulted in non-EMT Agents being the ones on the scene to try and rescue people who were sick and dying, including those who had no chance of survival.

In the Del Rio Sector, when crossings were at their worst, some months involved an average of more than one death per day. Several children, sometimes entire families, were swept away by the deceptively calm-looking water in the Rio Grande River, causing Agents and local EMS personnel to scramble to launch rescue efforts or recovery efforts – either was just as likely.

I remember one incident in particular in August 2022 in Eagle Pass, Texas, where a toddler and an infant – two siblings – had gone under the water while a family crossed the river. Agents on the boat unit responded, pulled some of them from the water, including the kids, and performed CPR on the kids, doing the best they could to save them. The toddler passed away, and the infant went to the hospital, but passed away a few days later.

The Agents did their best to save them and then spent the rest of the day dealing with questions from the Customs and Border Protection (CBP) Office of Professional Responsibility (OPR), like “How long did you perform CPR? Who told you to stop performing CPR? How many rounds of CPR did you perform?” Congress previously tasked CBP OPR with investigating the death of people in our custody and providing a report to Congress

within 72 hours, which has caused Agents who have dealt with traumatic events to relive those events over and over in an attempt by OPR to figure out if they needed to report a particular death to Congress.

The month after these two siblings drowned, eight people died in one drowning incident as they were swept away by the river – this just kept happening, over and over.

Things like this weigh heavily on our Agents, as does the never-ending flow of children generally being put in dangerous situations. A lot of our employees are parents, and most of us can see our own kids when we look at small children playing on the ground in a processing facility, sitting in the dirt at the border, or when their lifeless body is pulled from the river. Situations and incidents like these, which became the norm under the Biden Administration, contributed to a significant increase in mental health challenges faced by our Agents.

Since FY2015, CBP has had 101 employee suicides, with 83% of those involving U.S. Border Patrol and Office of Field Operations employees. In 2022, when the border crisis was peaking, there was a 50% increase in employee suicides when compared to the previous seven-year average. And while their reasons for committing suicide are typically unknown, we do know that having to deal with objectively terrible and sad things at work, day in and day out, does nothing to help anyone's mental health.

For many years, CBP tried to pretend that suicide was not a problem for the workforce, typically by not acknowledging that an employee committed suicide. In recent years, however, CBP has devoted significant resources to addressing this situation, including recruiting Operational Psychologists, Resilience Specialists, and even a suicidologist to tackle the problem.

While Agents were doing their best to hold on during the worst and most tragic days we've ever experienced as Border Patrol Agents, a large chunk of the country, media, Congress, and the Biden Administration did everything they could to demonize us.

In one very public example that I was able to observe up close and personal, Agents assigned to the Del Rio Sector's Horse Patrol Unit were deployed to the land underneath the port of entry in Del Rio, Texas, after thousands of Haitian immigrants began illegally crossing the river from Mexico in September 2021. A day after we hit our highwater mark of almost 15,000 people under and next to the bridge, the spot where most people had been crossing the river was shut down, causing them to start crossing in a different location downriver.

The Horse Patrol Unit was asked to help deter some people from crossing at this new location, and while doing so, pictures and video were recorded of them doing the job they were trained to do: use horses to detain people. Some folks in the media immediately

mischaracterized what was taking place, claiming that agents were carrying whips and were whipping these Haitian immigrants, which was ultimately determined to be false.

However, what followed was an unprecedented attack on these Agents and the U.S. Border Patrol itself. While DHS leadership initially asked people to pause and wait for an investigation to be completed, it was not long before the administration's tone changed. President Biden stated that the immigrants were "strapped" and said, "I promise you those people will pay. They will be investigated. There will be consequences." Vice President Harris stated that the agents' behavior was "horrible," it evoked images of slavery, and that there "needs to be consequences and accountability" because "human beings should not be treated that way."

In the end, it was confirmed that the agents were not carrying whips, and they were not using anything else as a whip, ultimately clearing them of the misconduct allegations. But not before the media frenzy turned the lives of them and their family's upside down.

The result of all of this: even with strong Congressional funding and support, the Border Patrol has been unable to grow our workforce and recruit and retain enough Agents to properly secure our border because who wants to start a new career when the administration clearly does not support the mission or the Agents performing it?

The bottom line is that situations like this and the overall demonization of an entire agency have led to CBP and the U.S. Border Patrol being unable to hire enough Agents to account for attrition for several years. And when we do have a year where we happen to have a net gain, it is only by a relative handful of Agents because too many incumbent agents have decided they had enough and retired as soon as they were eligible to do so.

We currently have approximately 19,500 Border Patrol Agents on duty to protect our border. Of this number, more than 2,500 are eligible to retire – today. These agents could literally put in their retirement papers and be gone tomorrow. Another 4,000 agents will be eligible to retire in the next four years. In total, we are looking at nearly one-third of our current workforce potentially leaving in the next four years.

Why does this matter? Because under the last administration, we had approximately two million illegal aliens observed on Border Patrol surveillance platforms walking right into this country without being arrested. We saw them, but we literally did not have enough agents to arrest them. That is what happens when you do not have enough manpower to meet the mission.

Similarly, we lack something as simple as reliable transportation to allow Agents to perform that mission. As of the end of FY 2024, over 50% of the U.S. Border Patrol's vehicle fleet was retirement-eligible. Of those vehicles, approximately 1,100, or 7%, are on track to be replaced, but they will take anywhere from nine months to two years to receive. The average time from ordering a new vehicle to its delivery is approximately 403 days. Due to

the age and worn state of our fleet, vehicles are being used far longer than intended, resulting in millions of dollars in additional maintenance costs and forcing newer vehicles to be used more frequently, thereby drastically shortening their already relatively short lifespan. In some locations, we have vehicles being used over 16 hours per day, as one Agent waits for another Agent's shift to end so they can take the same vehicle back to the border.

President Trump recognizes these challenges. He has proposed increasing Border Patrol Agent pay and offering retention bonuses to keep the agents we already have. In addition, he has proposed recruitment bonuses to add an additional 10,000 agents above our current staffing level. I hope that all of you will support these initiatives as they are brought forward in reconciliation and through the FY 2026 appropriations process.

I thank the Subcommittee for the invitation to be here and for your time this morning. I look forward to answering any questions you may have.