



## MEMORANDUM

**To:** Members and Staff, Subcommittee on Oversight and Investigations  
**From:** Majority Committee Staff  
**Re:** Threat to Every Community: Assessing the Safety, Health, and Economic Consequences of President Biden's Border Policies

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The Subcommittee on Oversight and Investigations will hold a hearing on Wednesday, January 17, 2024, at 10:30 a.m. (ET). The hearing will take place in 2322 Rayburn House Office Building. The title of the hearing is “Threat to Every Community: Assessing the Safety, Health, and Economic Consequences of President Biden's Border Policies.”

### I. WITNESSES

- **Robert Rector, Senior Research Fellow, The Heritage Foundation**
- **Ammon Blair, Former Border Patrol Agent, Senior Fellow, Texas Public Policy Foundation**
- **Councilwoman Inna Vernikov, New York City**
- **Alex Nowrasteh, VP for Economic and Social Policy Studies, Cato Institute**

### II. OVERVIEW

This hearing will examine the crisis at the southern U.S. border and help inform future actions needed to secure the border, stop illicit fentanyl from flowing into the United States, address the public health impacts of the border crisis, and mitigate the social and economic impact of a breakdown at the southern border.

### III. BACKGROUND

On February 15, 2023, the Subcommittee on Oversight and Investigations and the Subcommittee on Health held a hearing entitled “President Biden’s Border Crisis is a Public Health Crisis.”<sup>1</sup> This hearing highlighted the Biden administration’s border policy and its impact on public health, including the increasing amount of fentanyl entering the United States.

#### **Escalating Encounters at the Southwest Border**

Since President Biden has taken office, there has been a surge in encounters with illegal immigrants at the southwest border. In Fiscal Year 2020, approximately 400,000 individuals were detained while crossing illegally, a substantial number.<sup>2</sup> However, in subsequent years, the situation has escalated. In Fiscal Year 2021, the number of apprehensions soared to 1.73

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<sup>1</sup> Energy & Commerce Committee, *Joint Oversight and Investigations Subcommittee and Health Subcommittee Field Hearing: “President Biden's Border Crisis is a Public Health Crisis”*, energycommerce.house.gov, <https://energycommerce.house.gov/events/joint-oversight-and-investigations-subcommittee-and-health-subcommittee-field-hearing-president-biden-s-border-crisis-is-a-public-health-crisis>

<sup>2</sup> U.S. Customs and Border Protection, *Southwest Border Migration FY 2020*, cbp.gov, <https://www.cbp.gov/newsroom/stats/sw-border-migration-fy2020>

million, followed by further increases to 2.38 million in Fiscal Year 2022 and 2.46 million in Fiscal Year 2023.<sup>3</sup> These escalating figures not only indicate a failure to secure our borders but also pose a significant national security threat. Despite nearly a year passing since our hearing in McCallen, Texas, the only noticeable change has been an increase in illegal border crossings and a surge in illicit substances, particularly fentanyl.<sup>4</sup> Fiscal Year 2024 is already on track to surpass the encounter numbers of each fiscal year from 2021-2023.<sup>5</sup>

**Fiscal Year Southwest Border Encounters by Month<sup>6</sup>**

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
2024 (FYTD)	240,986	242,418											483,404
2023	231,529	235,173	252,315	157,358	156,630	193,249	211,992	206,690	144,556	183,479	232,963	269,735	2,475,669
2022	164,837	174,845	179,253	154,874	166,010	222,574	235,785	241,136	207,834	200,162	204,087	227,547	2,378,944
2021	71,929	72,113	73,994	78,414	101,099	173,277	178,795	180,597	189,034	213,593	209,840	192,001	1,734,686

### Fentanyl Trafficking and Its Toll

Drug cartels persistently elude law enforcement, smuggling illicit drugs into the United States, endangering our citizens.<sup>7</sup>

In Fiscal Year 2021, Customs and Border Protection (CBP) seized 10,500 pounds of fentanyl, increasing to 14,100 pounds in FY 2022,<sup>8</sup> and 26,700 pounds in FY 2023—an 89 percent jump from the previous year.<sup>9</sup> The Drug Enforcement Administration (DEA) confiscated “379 million deadly doses of fentanyl” in FY 2022.<sup>10</sup> Fentanyl seizures continue at an alarming rate with over 74.5 million pills seized in 2023, surpassing the 2022 total.<sup>11</sup> This crisis extends far

<sup>3</sup> U.S. Customs and Border Protection, *Southwest Land Border Encounters*, cbp.gov, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

<sup>4</sup> Wilson Center, *Fentanyl Seizures at the Southwest Border: A Breakdown by CBP Areas of Responsibility*, wilsoncenter.org, <https://www.wilsoncenter.org/article/fentanyl-seizures-southwest-border-breakdown-cbp-areas-responsibility>

<sup>5</sup> *Id.*

<sup>6</sup> *Supra Note 3.*

<sup>7</sup> Drug Enforcement Administration, *Fentanyl Flow in the United States*, dea.gov, [https://www.dea.gov/sites/default/files/2020-03/DEA\\_GOV\\_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States\\_0.pdf](https://www.dea.gov/sites/default/files/2020-03/DEA_GOV_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States_0.pdf)

<sup>8</sup> U.S. Customs and Border Protection, *Drug Seizure Statistics*, cbp.gov, <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics> (last visited January 10, 2024).

<sup>9</sup> *Id.*

<sup>10</sup> U.S. Drug Enforcement Administration. (20 December 2022). Drug Enforcement Administration Announces the Seizure of Over 379 million Deadly Doses of Fentanyl in 2022. <https://www.dea.gov/press-releases/2022/12/20/drug-enforcement-administration-announces-seizure-over-379-million-deadly>

<sup>11</sup> *Supra Note 8.*

beyond the southern border, as evidenced by the DEAs confiscation of 384 million deadly doses of fentanyl nationwide in FY 2023.<sup>12</sup> For Americans aged 18 to 45, fentanyl overdose is the leading cause of death, and is predominantly sourced from the southern Mexican border.<sup>13</sup>

## Economic Impact

The crisis caused by record number of illegal crossings and encounters has forced the shutdown of pivotal railway crossings and border ports at Eagle Pass and El Paso, Texas, as well as other locations along the U.S.-Mexico border.<sup>14</sup> This has placed additional strain on the American economy, which already faced significant challenges from inflation and supply chain disruptions. Major freight carriers, such as Union Pacific, have reported large operating losses with the economic impact of these closures at key crossings exceeding \$200 million daily.<sup>15</sup> The repeated, temporary closure of multiple border crossings has caused significant disruption and uncertainty in trade, which affects businesses and consumers across the nation.<sup>16</sup>

## Strain on Health Care Workers

The surge in illegal border crossings has also significantly impacted the American health care system and its workers.<sup>17</sup> Undocumented migrants often rely on emergency rooms and community health centers for uncompensated care. Federal medical expenditures for illegal immigrants have soared, exceeding \$23 billion in 2023.<sup>18</sup> This influx has caused lengthy wait times for citizens and legal residents at health care facilities, which sometimes last for weeks or months.<sup>19</sup> The financial strain of providing care to uninsured illegal immigrants has led to budgetary pressures on states and localities,<sup>20</sup> prompting 11 states and Washington, D.C., to implement state-funded health insurance programs to manage the escalating costs.<sup>21</sup> These state-level responses illustrate the ripple effect of federal border management decisions on local health care resources and budgets.<sup>22</sup>

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<sup>12</sup> *Id.*

<sup>13</sup> Commission on Combating Synthetic Opioid Trafficking, *Commission on Combating Synthetic Opioid Trafficking: Final Report*, rand.org, [https://www.rand.org/pubs/external\\_publications/EP68838.html](https://www.rand.org/pubs/external_publications/EP68838.html)

<sup>14</sup> Association of American Railroads, *El Paso-Eagle Pass Closures Fact Sheet*, aar.org, <https://www.aar.org/wp-content/uploads/2023/12/AAR-El-Paso-Eagle-Pass-Closures-Fact-Sheet.pdf>

<sup>15</sup> *Id.*

<sup>16</sup> Eagle Pass Business Journal, *Migrant Surge at U. S.-Mexico Border Causes CBP's Temporary Closure of Eagle Pass and El Paso*, Texas Railroad Bridges, epbusinessjournal.com, <https://www.epbusinessjournal.com/2023/12/migrant-surge-at-u-s-mexico-border-causes-cbps-temporary-closure-of-eagle-pass-and-el-paso-texas-railroad-bridges/>

<sup>17</sup> Wilson Center, *Fentanyl Seizures at the Southwest Border: A Breakdown by CBP Areas of Responsibility*, wilsoncenter.org, <https://www.wilsoncenter.org/article/fentanyl-seizures-southwest-border-breakdown-cbp-areas-responsibility>

<sup>18</sup> Federation for American Immigration Reform (FAIR), *The Cost of Illegal Immigration to American Taxpayers 2023*, fairus.org, <https://www.fairus.org/issue/publications-resources/fiscal-burden-illegal-immigration-united-states-taxpayers-2023>

<sup>19</sup> ZeroHedge, *California Hospitals Slammed As Illegal Immigration Costs Soar*, zerohedge.com, <https://www.zerohedge.com/political/california-hospitals-slammed-illegal-immigration-costs-soar>

<sup>20</sup> KFF Health News, *States Expand Health Coverage for Immigrants as GOP Hits Biden Over Border Crossings*, kffhealthnews.org, <https://kffhealthnews.org/news/article/states-health-coverage-medicaid-immigrants-expansion/>

<sup>21</sup> *Id.*

<sup>22</sup> *Supra Note 27.*

## Impact on American's Education

The influx of illegal immigrants in the U.S. has significantly impacted the school system. In Texas, undocumented students constitute roughly 29 percent of public school enrollees,<sup>23</sup> leading to overcrowded classrooms, language barriers, and financial challenges.<sup>24</sup> Similar issues are evident in Arizona, where the high number of students from immigrant families' strains resources and affects the quality of education.<sup>25</sup> This issue extends beyond these states, as seen in a New York City high school that transitioned to remote learning to accommodate the housing of migrants.<sup>26</sup> Addressing these educational challenges requires the enforcement of existing laws and legislative actions to strengthen border security and manage illegal immigration.

## IV. STAFF CONTACT

If you have questions regarding this hearing, please contact Gavin Proffitt of the committee staff at 202-225-3641

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<sup>23</sup> Center for Immigration Studies, *The Impact of Immigration on Education*, cis.org, <https://cis.org/Parsing-Immigration-Policy/Impact-Immigration-Education>

<sup>24</sup> Texans for Strong Borders, *The Impact of Mass Immigration on Texas Public Schools*, strongborders.org, <https://strongborders.org/uncategorized/the-impact-of-mass-immigration-on-texas-public-schools/>

<sup>25</sup> Federation for American Immigration Reform (FAIR), *The Elephant in the Classroom: Mass Immigration's Impact on Public Education*, fairus.org, <https://www.fairus.org/issue/immigration-research-publications-resources/elephant-classroom-mass-immigrations-impact>

<sup>26</sup> Kerry Pickett, *NYC Students Forced Out of School After Officials Move in Nearly 2,000 Migrants*, Washington Times (Jan. 10, 2024); <https://www.washingtontimes.com/news/2024/jan/10/nyc-students-forced-out-of-school-building-after-o/>