

**BIDEN'S BORDER CRISIS: THE
CONSEQUENCES OF FAILING TO
SECURE FEDERAL BORDER LANDS**

OVERSIGHT FIELD HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

Thursday, February 8, 2024, in Sierra Vista, Arizona

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**OVERSIGHT FIELD HEARING ON BIDEN'S
BORDER CRISIS: THE CONSEQUENCES
OF FAILING TO SECURE FEDERAL
BORDER LANDS**

**Thursday, February 8, 2024
U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Sierra Vista, Arizona**

The Committee met, pursuant to notice, at 1:30 p.m., at Cochise College, Community Room, 901 Colombo Avenue, Sierra Vista, Arizona, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Westerman, Curtis, Stauber, Tiffany, and Moylan.

Also present: Representatives Newhouse, Ciscomani, LaMalfa, Hageman, Collins, Carter, Fischbach, and Hern.

Mr. TIFFANY. The Subcommittee on Federal Lands will come to order. I am assuming the mic is on here. It sounds like it is good.

I would like to welcome everybody to Cochise College here in Sierra Vista, Arizona. And let's see here. Yes, thank you to Dr. Rottweiler? Where are you? You are right here, yes, terrific. First of all, thank you very much for the challenge coin. We appreciate that very much. And thank you so much for hosting this in your beautiful college here in Sierra Vista. We really appreciate it.

We are here for an official Natural Resources Subcommittee on Federal Lands Oversight Hearing entitled "Biden's Border Crisis: The Consequences of Failing to Secure Federal Border Lands." My name is Tom Tiffany. I am the Chairman of the Subcommittee and represent the 7th District of Wisconsin, right underneath Lake Superior.

This Subcommittee is meeting today to discuss the Biden administration's ongoing failure to secure our nation's southern border. It has become a true national security, environmental, and humanitarian crisis.

Before we begin, I would like to remind everybody about the rules of decorum for official congressional proceedings. I ask that there not be any kind of disruption regarding the testimony given here today. It is important that we respect the decorum and the rules of the Committee and of the House of Representatives, and to allow the Members and the public to hear our proceedings.

Now, we will begin our hearing with a presentation of the colors by the Tombstone High School Junior ROTC. I will ask that everyone please rise for the presentation of the colors.

[Presentation of the colors.]

Mr. TIFFANY. We will now be led in the Pledge of Allegiance by Representative Ciscomani.

Mr. CISCOMANI. Please join me.

[Group recitation of Pledge of Allegiance.]

Mr. TIFFANY. Thank you, Congressman Ciscomani.

Now, for a few additional housekeeping items, without objection the Chair is authorized to declare a recess of the Subcommittee at any time. I ask unanimous consent that the following Members be allowed to participate in today's hearing from the dais: the gentleman from Washington and the Chairman of the Congressional Western Caucus, Mr. Newhouse; the gentleman from Arizona, Mr. Ciscomani; the gentleman from California, Mr. LaMalfa; the gentlewoman from Wyoming, Ms. Hageman; the gentleman from Georgia, Mr. Collins; the gentleman from Georgia, Mr. Carter; the gentlewoman from Minnesota, Ms. Fischbach; and the gentleman from Oklahoma, Mr. Hern.

Without objection, so ordered.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I, therefore, ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

**STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. TIFFANY. I will now recognize myself for an opening statement.

I want to begin by thanking the people here in Sierra Vista for hosting us here today. It is our pleasure to be in this beautiful community. And my only disappointment, coming from northern Wisconsin, when we go to Arizona we expect 70 degrees.

I would also like to thank Representative Ciscomani and the Congressional Western Caucus, led by Chairman Dan Newhouse, for helping make this the most widely attended field hearing held by the Natural Resources Committee this Congress. We are here to discuss a vital subject, one that has doubtlessly affected everyone in this city and in similar communities throughout Arizona and the entire Southwest.

Under President Biden, the situation at the southern border has spiraled completely out of control. During his term, United States Customs and Border Protection has recorded more than 6 million encounters with illegal immigrants crossing into the United States from Mexico. Added to that are the more than 1.7 million migrants who successfully evaded border officials during the same period.

Since significant numbers of convicted criminals, known gang members, and suspected terrorists have crossed the southern border in recent years, the Biden administration's failure to apprehend, or even adequately screen the millions of people pouring into our country is an appalling security failure. Further, under President Biden's watch, a full 90 to 95 percent of the illegal narcotics carried by smugglers across the southern border makes it through without being seized. In fact, more than 90 percent of the fentanyl currently circulating in the United States enters the country this way.

And I would just say, we took a little side trip here today, and it is not hard to understand why all that fentanyl is pouring into our country when the border checkpoints are not manned because they are off having to do other things.

This helps explain why fentanyl overdose kills roughly 70,000 Americans annually, and is now the leading cause of death for Americans aged 18 to 45. Here in Arizona, the Customs and Border Protection's Tucson Sector has become the busiest in the nation for illegal drug smuggling.

You may be asking, why is the Natural Resources Committee interested in this issue? Every person in this room knows the effects of illegal immigration on our communities, but few know about the damage and destruction illegal immigration has on our public lands. We are here today to bring attention to this issue. Roughly 40 percent of the southern border is made up of Federal lands, and in Arizona, 80 percent of border lands are owned by the Federal Government.

As the immigration surge has overwhelmed official ports of entry, migrants have been pouring into Arizona's public lands, which are more remote and less easily patrolled. Each of these illegal migrants leaves behind an estimated 6 to 8 pounds of trash. Last year, more than 28,000 pounds of trash were picked up by the Federal officials in Arizona along the southern border. This is barely scratching the surface. With more than 2.4 million illegal crossings last year, it is likely that illegal immigrants left a minimum of 14.4 million pounds of trash. Let me say that again: illegal immigration is causing millions of pounds of trash to pile up on our Federal lands.

In many cases, this environmental degradation is happening in our most sensitive landscapes: wildlife refuges, national monuments, and wilderness areas. Many of you have probably been to the Coronado National Memorial, which is a mere 30-minute drive from here. A National Park Service employee at the Coronado reported that the trash piles there have grown so large that they have become resting spots for illegal immigrants, who then need to be airlifted out of this ecologically sensitive area, at enormous expense to the taxpayer.

You cannot call yourself a true conservationist unless you are willing to take a hard look at the environmental toll illegal immigration is having on our public lands. Unfortunately, with all the effects that illegal immigration is having on our society, the consequences for our Federal lands are often the last issues to receive attention. We are here today to get the message out about the importance of conserving our Federal lands and securing our border.

Today, I took the time this morning to go through the Buenos Aires National Wildlife Refuge to the Coronado National Forest, and the photos I am about to show you are from today. I want to thank Sean Wilson and his crew for escorting me out there to see what is going on.

First of all, you will see a pile of firewood. This is firewood that has been harvested in the Coronado National Forest.

Go to the second slide, if you would, the fire.

And here we have the firewood being burned. There is no permit that is being taken out on this. You, as Americans, would have to get a permit. You would have to get the right to be able to do that. This is just happening in our national forest not far from here.

Slide 3, you will see the trash and food piles all stacked up in the national forest.

And finally, we found lots of these. Catholic Charities, American Red Cross who are helping facilitate this. And I understand that their mission, they say, is humanitarian. There is nothing humanitarian about what is happening to so many migrants that are coming across our southern border, how they are being abused by the cartels. There is nothing humanitarian about it. Catholic Charities and other NGOs need to reconsider what they are doing with their facilitation of the greatest human trafficking effort perhaps in the history of the world since slavery.

As some of you may know, when on Federal lands, there are strict rules on where campsites and campfires are allowed, and permits can be required. But it appears these rules and regulations are reserved for the citizens of this country. All those pouring over illegally face zero repercussions for their blatant disregard for our public lands and the environment, as shown from our visit today. So, not only do they get free flights around our country, free health care, and access to our schools, but they also get to trash and leave human waste on our public lands as their welcoming gift.

I want to thank all the witnesses for being here today, and I look forward to the insights that each of you will bring to this important discussion.

With that, I will now recognize the Chairman of the Full Committee, Mr. Westerman, for his opening statement.

STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. WESTERMAN. Thank you, Chairman Tiffany, and thank you for your work and the work of the Subcommittee staff in organizing this Federal Lands field hearing today. These are hearings that we try to do across the country, in many different places, to address the concerns of the Natural Resources Committee, and as Chairman Tiffany noted, we have a major concern with our Federal lands on our southern border.

Again, I also want to recognize and extend my thanks to Representative Ciscomani, we are here in his district today, for his leadership on these issues and many more issues in the House. And as Chairman Tiffany said, we have several members of the Western Caucus that are with us, including Chairman Dan Newhouse. Dan, thank you for organizing the site visits and for all your work in highlighting issues that are important to the West and to rural America.

We just returned from a trip to the border to see firsthand, once again, the challenges our law enforcement personnel face securing our border under this Administration. I first came to the Arizona border in, I believe it was 2018. I see some familiar faces here, Art. And I came out here looking at the same thing Representative Tiffany was talking about, the trash on our Federal lands, how

there is a double standard in our country for an American to use our Federal lands versus an illegal coming across the border and trashing our Federal lands, as you saw in this picture. I thought we had a bad border process at the time. It was nothing, in 2018, like we are facing now.

Each trip I have made out here, and on the Texas border and other places along the border, shows me that the situation is getting worse. It is not getting better. It is unfortunate because the witnesses before us today are faced with the consequences of weak border policies that cripple the ability of our Federal, state, and local law enforcement to fully protect our people, our lands, and our freedom.

People often don't realize just how much of our southern border is comprised of Federal lands. Under the jurisdiction of this Committee, in Arizona, 80 percent of the border is Federal land, and I have personally met with CBP officials who have told me just how difficult it is to patrol the border on the Federal lands. I had opportunity to fly the border, the whole Arizona border. It is some rough country out there, some open country out there. And I live in Arkansas. I don't think the people in my state or other parts of the country realize just how vast and open and difficult this border is.

These agents, who are just trying to do their jobs, lack accessible roads and physical barriers that are proven to deter illegal immigration. In some areas, restrictive designations such as wilderness mean they must stop active pursuit of dangerous criminals because they cannot use their ATVs.

When we fail to secure our Federal lands, we fail to secure our border, and the process we have now at the border is unprecedented. Last year, roughly 2.5 million people crossed into this country illegally. That is a 43 percent increase from 2 years prior. This just isn't common sense. Our CBP agents should have the access they need to do their jobs and have operational control of the border. When we fail to do so, it leads to a series of national security, environmental, and humanitarian crises.

Due to the remoteness, Federal lands are often targeted by bad actors. Drug and human traffickers seek out remote areas to access the country. Illegal immigrants cut trails through sensitive wildlife habitat, they start wildfires, and leave behind an estimated 6 to 8 pounds of trash, as Representative Tiffany talked about. That is per person.

Illegal immigration also deters members of the public from visiting these areas. This is unacceptable. Every American should feel safe and comfortable recreating on and visiting our public lands. Unfortunately, every town is now a border town, and every state is a border state. This is true of our Federal lands as well, where the impacts of illegal immigration can be felt from miles away, I will say thousands of miles away.

In California, dangerous cartels grow illegal marijuana on Federal forest lands. The proceeds from illegal cultivation are funding cartels, human trafficking, and a host of other illegal issues. The Biden administration is housing illegal migrants on National Park Service land in Brooklyn, New York. Right here in

Arizona, illegal immigrants discard millions of pounds of trash, cut trails through sensitive wildlife habitat, and start wildfires.

Today, we will hear stories and firsthand accounts from our panel of witnesses describing the harm a porous border causes on families, ranchers, farmers, local communities, law enforcement, and, at the end of the day, on all of our citizens of our country. These stories resonate with each of us.

I want to thank each of the witnesses for being here today. I want to thank the college for providing this excellent hearing space.

And we had an opportunity to meet with Sheriff Dannels this morning. He said something, I think he put it more succinctly than I have heard it said from anybody else. He said, "This isn't just an immigration crisis anymore. It is an organized crime crisis." That is what is happening in the United States of America, and you know firsthand here in Arizona how that affects so many people.

Our Constitution says that Congress makes the laws, the Administration enforces the laws, and the judicial system interprets the laws. Congress has made laws that give the Administration the power to do eight things that could be done right now: we can end catch-and-release; we can re-instate the Remain in Mexico policy; we can enter into asylum cooperative agreements; we can end parole abuses; we can detain inadmissible aliens; we can use expedited removal; we can rein in taxpayer-funded benefits for illegal aliens; and we can issue a proclamation to suspend, to restrict entry. Those authorities are already there. There is one person, one person in the United States of America that can do that. That is the President of the United States, and I call on him today to do his job and to protect our country.

With that, I yield back.

Mr. TIFFANY. Thank you, Mr. Chairman, for your testimony. I now turn to Congressman Ciscomani, who represents this district, for his opening statement. Welcome.

STATEMENT OF THE HON. JUAN CISCOMANI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. CISCOMANI. Thank you, Chairman Tiffany, Chairman Westerman, and all of my colleagues for being here in Sierra Vista to examine what is happening firsthand. I thank you for showing up. I think showing up is a great example of the interest and the true care that we have for this issue and our resolve to do what we can on the Congress side, and continue to do that, to fix this issue.

I would also like to thank Cochise College, of course, for hosting us all here today, and I especially also want to thank the witnesses. I know every single one of you personally, and I know how busy you are, and I know how much you have been dealing and struggling with this issue for as long as you have. So, I want to say thank you so much for all of the work you have done but also being here, to lend your expertise and show my colleagues why I am so proud to represent all of you in the U.S. Congress.

And I also want to thank everybody in the audience today. Thank you for showing up. Thank you for being here. Thank you for caring. Thank you for doing all that you can as well, as this is

something that has been impacting everyone in different ways. So, I want to thank everyone for that.

As anyone in southeastern Arizona knows well, the border crisis and crises are not a new phenomenon for us. They are a result of a combination of the broken immigration system, a lack of desire by the Federal Government to enforce the laws, and just a plethora of other issues as well, and other factors. Yet, what we see here in Sierra Vista and in the Tucson Sector is quite unique compared to a lot of the southwest border. It is bad actors, cartels and organized crime, pushing fentanyl, migrants, and whatever else they want, as they have more control over the area than anyone else. And we have seen that.

The other thing that makes the Arizona border unique is that 80 percent of the southern borderland is on Federal lands. This creates extra burdens on our local and Federal law enforcement as well. CBP officials have publicly stated these vast areas of Federal land “provide transnational criminal organizations significant opportunities to cross their products, and most of them crossed by who have a criminal record, are smuggling illegal narcotics or weapons or aliens from specific interest countries.”

CBP encounters with migrants in the state’s Tucson Sector are already up over 140 percent in Fiscal Year 2024. Many people don’t know that. Many people assume that the worst part of the border crisis is happening in other states. However, it is right here, in this sector. This is ground zero for this.

At the beginning of the year, we experienced a port of entry closure here in Arizona, in Lukeville. I was very vocal against that closing. As temporary as it was, it was harmful. This is in addition to all of our Border Patrol checkpoints being closed as well. When ports of entry are closed, trade and commerce suffer. We heard that this morning from a panel as well.

That is one of the very unique things about this 2-day trip that my colleagues and I are taking. It is focused on the border security aspect of it, but it is also focused on the environmental impact, the humanitarian impact, on trade and commerce. We heard from these people at the border that are crossing trade and commerce and goods and services across of how much it impacts what is happening here. So, when the ports of entry are closed, trade and commerce will suffer, and this should be unacceptable.

But on top of that, when ports of entry are closed and overrun, migrants have been pouring into Arizona’s more remote and less easily guarded territories, namely the Federal lands. We have seen reports of smugglers and cartels actively directing migrants towards Arizona’s sparsely populated public lands, border areas, as a means of entering the United States.

One thing that is very tragic, as well, as I know we will hear from our panel is the morale of our Border Patrol agents and how much they are suffering. So, I do want to take time, at this point right now, to thank them for all their work and being on the front lines for us every single day.

Moreover, when you have bad actors, they often don’t want to be caught and encountered by CBP, so instead, to evade direction, they often are smuggled north. One of the consequences of this is that they often end up in a vehicle on a high-speed chase with law

enforcement if they are caught. That is why I introduced H.R. 5585. I am not going to say that was my idea. That actually came from a meeting that I had with local law enforcement here and Border Patrol agents, when I said, as soon as I came into Congress, what is one bill that I could pass, that we could introduce, that would address some of the issues that you have. Name me one, and they named a description of what we ended up passing.

We were proud to pass that bill through the U.S. House of Representatives last week with bipartisan support, including every single one of the Members that is at this table, that voted for that bill today. So, thank you to my colleagues for that.

This is a reality here in Cochise County, and I know our witnesses are well equipped to speak on these issues.

With that, Mr. Chairman, I yield back.

Mr. TIFFANY. Thank you, Mr. Ciscomani.

Next, we are going to turn to our witness panel. Let me remind the witnesses that under Committee Rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the "on" button on the microphone. We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

Now, I would like to recognize our first witness, the Honorable Mayor McCaa of Sierra Vista. Thank you for joining us today. Sir, you have 5 minutes for your testimony.

STATEMENT OF THE HON. CLEA McCAA, MAYOR, SIERRA VISTA, ARIZONA

Mr. McCAA. Thank you, sir. Good afternoon to the Chair and distinguished members of this Committee. I appreciate the opportunity to address this Committee regarding the issues that our city is having from the perspective of a mayor and community leader. I have served the people of Sierra Vista as mayor for the past 12 months, and prior to that I retired as a combat service-disabled veteran of the great United States Army. Additionally, I will submit my view from the perspective of a father, husband, mentor, and a pastor.

Sierra Vista has a population of 45,000, and is located about 20 miles from the U.S. border with Mexico. Sierra Vista doesn't really feel like a border town. It is a military community, home to the Army installation Fort Huachuca, which is the home of the Buffalo Soldier. But it is the greatest city in the United States, and I stand by that remark.

As I stated before, Sierra Vista is 20 miles north of Naco, Arizona, and it is rare for the dangerous border issues you sometimes read about to impact Sierra Vista. In fact, some of the national rhetoric on border issues makes it harder for us to attract businesses and visitors to our city because people assume the area is much more dangerous than it really is. I don't want to add any false perceptions about our violent crime in our community, but for the past 3 years, the trend of young people being recruited as so-called load car drivers does pose a real threat to our residents and visitors, which fuels these narratives about the violence near the

border. Often using social media, cartels in Mexico recruit residents in the United States to travel to the border, pick up migrants whom the cartels refer to as “loads,” and transport them north in exchange for money. With two main thoroughfares coming through, Sierra Vista lies in the path of those load car drivers who travel through our community to proceed north.

In 2020, the Sierra Vista Police Department responded to 19 vehicle pursuits in our city, and that total increased to 38 in 2021. By 2022, the number increased to 50 pursuits. And in 2023, we saw 70 pursuits, where our Police Department was the primary pursuing agency in 41 pursuits, and assisted in 29 other pursuits. The average speed of these load car drivers in those 41 pursuits was 90.5 miles per hour coming through our city.

Those load car drivers, who often are teenagers or young adults, are encouraged to drive recklessly through our town to discourage pursuits. This has created extremely dangerous situations to include load car drivers speeding through elementary school zones and crashing into bicyclists. Two other incidents resulted in serious accidents at major intersections in town, while one that occurred north of the city ended in a fatality.

Several more incidents resulted in motorcyclists being hit by load car drivers, but thankfully it was not a fatality, but also multiple properties have been damaged due to load car drivers hitting concrete walls.

Our Police Department also saw a significant increase in felony case submissions to the Cochise County Attorney’s Office, from 343 in 2020 to 588 in 2022. The number of felony submissions remained high last year, with 531 in 2023. I want to reiterate that this increase does not stem from the violent crimes some may fear plague communities near the border, but is largely tied to the surge of incidents related to load car drivers. These incidents tie up a significant amount of time for our Police Department’s limited manpower.

I grew up in Sierra Vista and graduated from the local high school, Buena High School—Go Colts. I have since raised my family in this extraordinary community. It is a wonderful place to call home. But recently I felt worried about my family members’ safety in a way that I have never felt before. I have encouraged family members to avoid the major highways that run through town, to stick to local streets because I know these load car drivers pose a very serious threat to their safety. I am not alone in feeling this way, as many have witnessed the reckless driving and dangerous behavior of these drivers, and many others have seen headlines about the damage and harm they have caused.

Our law enforcement officers are burning out because they are responding to speeding load cars in our county around the clock. We do not have the resources or the personnel to handle this sustained surge in illegal immigration. This county-wide issue has caused the Cochise County majors to form a coalition to stand behind our sheriff, police chiefs, and our Federal partners in crafting a letter, which I have here, to President Biden, describing our issues and noting the critical work that our officers and deputies are doing in our county to make it safe.

We urge you to make securing the U.S. border and supporting our local, county, and Federal law enforcement a top priority. Our communities depend on you. Thank you.

[The prepared statement of Mr. McCaa follows:]

PREPARED STATEMENT OF CLEA MCCAA, MAYOR, SIERRA VISTA, ARIZONA

Good afternoon to the Chair and distinguished members of this committee.

I appreciate the opportunity to address this committee regarding the issues that the city is having from the perspective of a mayor and community leader. I have served the people of Sierra Vista as mayor for 12 months and prior to that, retired as a combat service-disabled veteran of the US. Army. Additionally, I will submit my view from the perspective of a father, husband, mentor, and pastor. Sierra Vista has a population of about 45,000 and is located about 20 miles from the US border with Mexico. Sierra Vista doesn't feel much like a border town. It's a military community home to the Army installation Fort Huachuca which is the home of the Buffalo Soldier.

It has a diverse, well-traveled population, who have settled here often by choice to a quiet, safe lifestyle with a wealth of outdoor recreational opportunities. I would like to say it's the best city in the country and I will stand by that remark.

As I stated we are about 20 miles north of Naco, AZ and it's rare for the dangerous border issues you sometimes read about to impact Sierra Vista. In fact, some of the national rhetoric on border issues makes it harder for us to attract visitors and businesses to our city because people assume the area is more dangerous than it really is. I don't want to add any false perceptions about violent crime in our community. But for the past three years the trend of young people being recruited as so-called load car drivers does pose a very real threat to our residents and visitors, which fuels those narratives about violence near the border. Often using social media, cartels in Mexico recruit residents in the United States to travel to the border to pick up migrants whom the cartels refer to as loads and transport them north in exchange for money. With two main thoroughfares, Sierra Vista lies in the path of those load car drivers who travel through our community to proceed north.

In 2020 the Sierra Vista Police Department responded to 19 vehicle pursuits in our City and that total increased to 38 in 2021. By 2022, the number increased to 50 pursuits, and 2023 saw a record total of 70 pursuits where the Sierra Vista Police Department was the primary pursuing agency in 41 vehicle pursuits, and assisted in 29 other pursuits. The average maximum speed of the 41 SVPD pursuits was 90.5 miles per hour through our city.

These load car drivers, who are often teenagers or young adults, are encouraged to drive recklessly through our town to discourage pursuits. This has created extremely dangerous situations to include a load car driver speeding through an elementary school zone and crashing into a bicyclist. Two other incidents resulted in serious accidents at major intersections in town, while one that occurred north of the city ended in a fatality.

Several more incidents resulted in a motorcyclist being hit by a load car, but thankfully it was not a fatality, and also multiple properties being damaged due to load cars hitting their concrete walls. The Sierra Vista Police Department also saw a significant increase in felony case submissions to the Cochise County Attorney's Office from 343 in 2020 to 588 in 2022. The number of felony submissions remained high last year with 531 in 2023.

I want to reiterate that this increase does not stem from violent crimes some may fear plague communities near the border, but is largely tied to the surge in incidents related to load car drivers. These incidents tie up a significant amount of SVPD's limited manpower.

I grew up in Sierra Vista and graduated from the local high school, Buena High School (GO Colts!). I have since raised my family in this extraordinary community. It is a wonderful place to call home. But recently I felt worried for my family members' safety in a way that I never have had to think about before.

I have encouraged family members to avoid the major highways running through town and stick to local streets because I know these load car drivers pose a very real threat to their safety. I am not alone in feeling this way as many have witnessed the reckless, dangerous behavior of these drivers and many others have seen headlines about the damage and harm they have caused.

Our law enforcement officers are burning out responding to speeding load cars in our county around the clock. We do not have the resources or personnel to handle this sustained surge in illegal immigration. This county wide issue has caused

Cochise County mayors to form a coalition standing behind our Sheriff, Police Chiefs, and our federal partners, crafting a letter to President Biden describing our issues and noting the critical work that our officers are doing to keep our county safe. We urge you to make securing the US border and supporting local, county, and federal law enforcement a top priority. Our communities depend on it.

Mr. TIFFANY. Thank you, Mayor McCaa. I will now recognize the Honorable Mark Dannels, Sheriff of Cochise County, for 5 minutes. Sheriff Dannels.

**STATEMENT OF THE HON. MARK DANNELS, SHERIFF,
COCHISE COUNTY, ARIZONA**

Sheriff DANNELS. Thank you. Good afternoon Chairman Tiffany, Chairman Westerman, and distinguished members here today. Welcome to Cochise County, and on behalf of the citizens and my fellow sheriffs, we appreciate you.

I have served our border communities for 40 years, and prior to that I served in the U.S. Army stationed here at Fort Huachuca. I have worked with all my four major associations and the United States with sheriffs, and we have three major objectives: public safety, national security, and humanitarian.

I am proud of the relationship with all our law enforcement partners, state, local, and Federal. We work very well together. I am proud of our governors, Governor Ducey and Governor Hobbs, who have stood in our corner here in Cochise County to support us in our mission to secure our border and the rule of law. I also want to give a shout-out to my citizens here in Cochise County for their patience, their patience, and their patience. They have been through a lot here.

To best understand my presentation is to understand where we were 3 years ago. My county is one of the safest counties, based on innovative programs and efforts here and our collected governmental and prioritizations, our messaging, and yes, enforcement efforts supported by the rule of law.

My citizens and law enforcement address mostly got-aways, fight-and-flight in my county, versus those giving up.

Border-related crimes are at an all-time high in Cochise County. Death, murder and investigations, illicit drug poisonings, aggravated acts against my citizens, failure to yield, search and rescue/recovery, and yes, aggravated assaults against our law enforcement officials. My deputies in law enforcement continue to be placed in life-threatening scenarios as the cartels show no regard for citizens and those that wear a badge.

Cochise County Sheriff's Office detention bookings related to just border-related state crimes in calendar year 2022 and 2023: 2,884 people were booked in my jail for border crimes, up to murder; 566 smugglers, which is a Class 2 felony, were apprehended and booked in my jail, and that is over a 15-month window; 414 failures to yield, high-risk pursuits were booked in my jail at a cost of \$9.4 million. And I will just say this to you here. We get zero money from the Federal Government.

Fentanyl continues to poison and kill Americans at an alarming rate, as mentioned by the Chairman earlier, leaving families and communities devastated, not just here in Cochise County but in our

great nation. Arizona efforts by law enforcement are remarkable, but the war on drugs must be a priority topic and not deserted by political rhetoric. Arizona fentanyl seizures account for 51 percent of all the fentanyl seized in the country, sad to say. In the four border counties, it was 35 million pills 2 years ago, and that is up this year. In Federal Fiscal Year 2022, Arizona seized over 60 million fentanyl pills. Again, Arizona counties had 35 million, which includes four counties.

In closing, my fellow sheriffs and I have tried to partner with this Administration to include the President of the United States with high hopes to share a collective message, a collective action plan, support the rule of law, prioritize our southern border and all our borders, and provide updates towards community impacts and concerns, with no success. To this date, we have not met with the President, and that is not one sheriff.

By allowing our border security mission and immigration laws to be discretionary, these criminal cartels continue to be the true winners. Their exploitation of mankind is simply modern-day slavery, allowing thousands of pounds of illicit drugs into our country that continue to erode the core value of families, schools, and subsequently killing Americans, on average, 290 per day. It is completely unacceptable at any level. Experiencing migrant deaths without a reasonable process while Members of U.S. Congress and this Administration intentionally avoid reality is gross negligence.

Our voice of reason has been buried during what I call "intellectual avoidance" by this Administration, and yes, Members of U.S. Congress. Communities have been neglected and abandoned, relying on their own local and state resources to address a border that is in crisis mode. Our southern border, against all public, well-designed statements out of Washington, DC, is in the worst shape I have ever seen it in my 40-year career. When I look at public safety, national security, and the humanitarian, our southern border has become the largest crime scene in this country.

I am a true believer that Customs and Border Patrol are the experts of border security, while sheriffs and police chiefs are the experts of community. Together, this is a recipe of success for all communities and engagement.

I would leave you with this final statement. We all serve the priorities of Americans, based on our shared oaths of office to keep them safe, enhance their quality of life, and support the rule of law, absent political affiliation or the concern of re-election. I ask each one of you to reflect on this statement as you make your decisions to vote.

Once again, I thank this Committee for the invite and the opportunity, and now stand ready to answer questions here in a few minutes. Thank you, all.

[The prepared statement of Sheriff Dannels follows:]

PREPARED STATEMENT OF MARK DANNELS, SHERIFF, COCHISE COUNTY, ARIZONA

Good Afternoon Chairman (Bruce) Westerman, Ranking Member (Raul) M. Grijalva and the Honorable members of this subcommittee. On behalf the citizens of Cochise County and the State of Arizona, and my fellow Sheriffs, Thank You for having me.

I have served our border communities for 40 years and prior to that, as a member of our military serving in the U.S. Army stationed at Fort Huachuca located within

Cochise County. I have always been a genuine believer in my Oath of Office to protect my Country, and now my County as the duly elected Sheriff for the past 12 years. I am the past-President of the Arizona Sheriffs Association, Chair of the National Sheriffs Association Border Security, the Executive Board for Western States Sheriffs and past leadership positions with the Southwest Border Sheriffs.

All these associations share 3 Objectives:

Public Safety, National Security and Humanitarian.

In my submitted brief, I have shared with you all an overview of Cochise County and the history of our border. I have personally experienced the good, the bad and the ugly of being a border county. My office has always addressed border-related crimes, smuggling of both illicit drugs, humans, weapons and cash by our Transnational Organizations i.e. Criminal Cartels.

I am proud of our relationships with all our law enforcement partners that serve our communities.

To begin, I want to "Thank" our Customs & Border Patrol Officers and Agents who have worked tirelessly and diligently to protect this great nation. I want to "Thank" our Governors; Ducey and Hobbs and our State Congressional Members for all their support. The men and women of the Cochise County Sheriff's Office for their dedication and commitment in keeping our communities safe. To all my fellow Sheriffs that stand united for the Rule of Law in the protection of their communities. And, finally, I want to "Thank" my citizens for their patience and support in a time of crisis and disarray.

To best understand my presentation is to understand where we were over 3 years ago. My county was one of the safest border counties based on our collective governmental efforts, prioritization, messaging and yes, enforcement efforts supported by the Rule of Law.

The direct impact to my county/office:

My citizens and law enforcement address mostly Got-Aways "Fight & Flight" in my County versus those giving up.

100% Camouflaged migrants being illegally smuggled by the Cartels, price tag per UDA begins at \$7000 and up.

These smugglers include juveniles being recruited via social media by the Criminal Cartels.

Border Related Booking (Detention) Costs over the last 24 months is \$9.4 million, absorbed by my local and state taxpayers.

Border-related Crime at an all-time high:

Death/Murder investigations, Illicit Drug Poisonings, Aggravated acts against my citizens, Failure to Yields, Search and Rescue/Recovery and yes, assaults against law enforcement officials.

My deputies/law enforcement continue to be placed in life-threatening scenarios as the Cartels shows no regard for my citizens and/or those that wear a badge.

Agents, Troopers, Deputies and Officers are addressing dangerous scenarios/criminals as a direct result of an "Open Border" exploited by these criminal cartels for Violence, Fear and Greed.

Cochise County Sheriff's Office Detention Bookings related to Border:

In calendar years 2022/2023:

2884 Suspects booked into my jail for border-related crimes.

566 Smugglers (state law violation) 414 Failure to Yields

154 Non-Citizens

\$9.4 Million Cost to local/state

Fentanyl continues to poison/kill Americans at an alarming rate leaving families and communities devastated. Arizona efforts by law enforcement are remarkable, but the War on Drugs must be a priority topic and not deserted by political rhetoric. Arizona fentanyl seizures accounts for 51% of all the fentanyl seized in the country. In federal fiscal year 2022 Arizona seized over 60 million Fentanyl pills. The 4 Arizona border counties seized 35 million Fentanyl pills with an anticipated increase for 2023 Federal fiscal year.

In closing, my fellow Sheriffs and I have tried to partner with this administration to include the President of the United States with high hopes to share a **Collective Message, Collective Action Plan, Support the Rule of Law, Prioritize our southern border and provide updates reference Community Impacts and Concerns with little to no success.**

By allowing our border security mission and immigration laws to be discretionary, these Criminal Cartels continue to be the true winners, their exploitation of mankind is simply “Modern Day Slavery”; allowing thousands of pounds of illicit drugs into our country that continue to erode the core-values of families, schools and subsequently killing Americans on an average of 290 every day is completely unacceptable at any level. Experiencing migrant deaths without a reasonable process while members of our U.S. Congress and this Administration intentionally avoids reality is gross negligence.

Our voice of reason has been buried during what I call an “Intellectual Avoidance” by this Administration and yes, members of U.S. Congress. Communities have been neglected and abandoned relying on our own local and state resources to address a border that is in crisis mode.

Our southern border, against all public well-designed statements out of Washington D.C. is in the worst shape I have ever seen it. When one looks at Public Safety, National Security, and Humanitarian, our southern border is the largest crime scene in the country.

The morale of agents is extremely low, and the collective frustration is very high amongst law enforcement at all levels and most important, our citizens.

I am a true believer that Customs and Border Patrol are the experts of Border Security while Sheriffs and Police Chiefs are the experts of community, together, this is a Recipe of Success for all communities!

I will leave you with this final statement, we all serve the priorities of Americans based on our shared Oaths of Office to keep them Safe, enhance their Quality of Life and Support the Rule of Law absent political affiliation or the concern of reelection; I ask each one of you to reflect on this statement as you make your next decision to vote.

Once again, I thank this committee for the invite and opportunity and now, stand ready to answer any questions by members.

SUPPLEMENTAL TESTIMONY

U.S. House Subcommittee on Federal Lands

Introduction

Testimony of Mr. Mark J. Dannels, Cochise County Sheriff, Arizona before the U.S. House of Representatives Subcommittee on Federal Lands reference a scheduled hearing on “Biden’s Border Crisis: The Consequences of Failing to Secure Federal Border Lands.” The hearing will be held on Thursday, February 8, 2024, at 1:30 p.m. at the Cochise College, 901 Colombo Avenue, Sierra Vista, Arizona 85635.

Chairman Bruce Westerman, Ranking Member Raul M. Grijalva and Distinguished Members of this Committee, thank you for the invitation to speak to you today on this very important subject reference: Public Safety, National Security, and Humanitarian and the impact to our Federal Lands.

History of Cochise County

With eighty-three miles of international border within its jurisdiction, Cochise County plays a significant role in combating drug and human trafficking organizations and the associated violent crime which adversely affects Arizona residents and other areas throughout the United States. In 1990 the Office of National Drug Control Policy (ONDCP) designated Cochise County as a High Intensity Drug Trafficking area within southern Arizona. This designation is a direct result of overwhelming and sustained levels of illicit drug and human trafficking within Cochise County.

With 6,219 square miles, Cochise County is as large as the states of Rhode Island and Connecticut combined. The estimated population of the county in 2022 is approximately 125,000. The geography of the county consists of seven incorporated cities to include the historical town of Tombstone. Surrounded by vast areas of desolate uninhabited desert and mountainous terrain, the seven cities only represent a combined area of 215 square miles, leaving 6004 square miles of unincorporated area. These desolate areas are routinely exploited for smuggling routes by the drug/human traffickers and pose one of the greatest challenges to local law enforcements effort in establishing border security and interdiction efforts. Cochise County is the 38th largest land mass county in the United States, and is home to the United States Army base, Fort Huachuca. Throughout the history of the county ranching and farming has played a significant part in its legacy.

Unlike other border counties in Arizona, Cochise County is unique in that there are two cities in the Republic of Mexico situated on the international border within the county. The cities of Agua Prieta and Naco, with an estimated population of 80,000 and 10,000 respectively, are well known to U.S. Law Enforcement officials as staging and operational centers for one of Mexico's largest and most notorious drug cartels. The Sinaloa Cartel has long employed the use of local Mexican Drug and Human Trafficking Organizations (DTOs) to carry out the Cartel's illegal distribution and transportation of illicit drugs and humans into and throughout the United States.

These international DTOs also utilize their established smuggling routes in Cochise County to transport the Cartels illicit profits such as U.S. currency, firearms, and ammunition into Mexico. A large portion of the profit is used to sustain control over the corridor through the use of violence against law enforcement, rival trafficking organizations, and bribes of government officials.

The Mexican drug trafficking organizations operating in Cochise County are highly sophisticated and innovative in their transportation methods. Aside from the normal use of human backpackers (mules), clandestine tunnels, and vehicles, the trafficking organizations have resorted to the use of ultra light aircraft which cannot be detected by normal radar, cloned vehicles appearing to be law enforcement or other legitimate companies and the use of catapults which hurl bundles of marijuana into the U.S. to awaiting co-conspirators. The organizations utilize sophisticated and technical communications and counter surveillance equipment to counter law enforcement interdiction tactics and strategies. Scouts or observers are strategically placed along smuggling routes to perform counter surveillance on law enforcement and report their observations to those controlling the drug/human smuggling operation so they may avoid and elude law enforcement. The use of cellphones and sophisticated two-way radio encryptions for communications are standard equipment, as are night vision and forward looking infra-red devices.

Violence against innocent citizens, public officials, law enforcement, and rival drug/human trafficking groups in Mexico continues to escalate. Cochise County's law enforcement and private citizen fears of it spilling into the county were realized in 2010 when a longtime Cochise County resident rancher was senselessly murdered while inspecting fences on his ranch. Further complicating the concerns is the potential for foreign terrorist to employ drug/human trafficking organizations to smuggle individuals and or weapons of mass destruction into the United States through Cochise County.

The adverse affects of the drug and human trafficking organizations operating in Cochise County not only have significantly diminished the quality of life of county residents, but also placed unbearable strain upon the budgets and resources of private and government agencies in the county.

Historically speaking, illegal border crossings into the United States are well known in southern Arizona and recognized as a part of everyday life within Cochise County and throughout the southwest border. Many years ago, Cochise County citizens were not overly alarmed when they observed a handful of undocumented aliens traveling through private or public lands in search of jobs. Unfortunately, over time these groups dramatically increased in size and became more reckless, aggressive, and violent, bringing unrest and fear to the citizens living on the border. Examples of this include reckless high-speed pursuits, assaults on citizens, rapes, kidnappings, murders, and home invasions to steal one's private and personal possessions. It was apparent the search for the American dream was being over-shadowed by these smugglers, mules, coyotes, bandits, and transnational criminals preying upon our citizens and country.

Having the true-life experience to live and work as a law enforcement officer/deputy and now Sheriff in Cochise County since 1984, it has been an educational lesson for me reference border security. I have witnessed the escalation of violence by these careless assailants on our citizens raising the question, who actually controls our borders? Cochise County has become known as the gateway to illegal activity for those unlawfully entering the United States.

History: Federal Government's Border Security Plan of the 90s

In the early 1990s, the federal government prepared a plan to address the insecure, unsafe border. At a press conference in Tucson, Arizona, a Border Patrol spokesman announced their intent to secure the populated areas of the border, specifically San Diego, Yuma and El Paso and the International Ports of Entry. These targeted areas, which I call the "Ps = Ports and Population", would be the federal government's focus points. The second half of their plan was to reroute the illegal activity/disturbances into the rural parts of the southwest border with the

thought that these cartel organizations and smuggling groups would be deterred by the rugged and mountainous regions along the border.

Since the release of the plan, many changes have taken place. Specifically, Cochise County initially increased their staffing of Border Patrol agents to a sufficient number for the threat at that time. Over the last few years, it has again decreased from a significant force to a scant number within Cochise County to secure and protect the 83 miles of international border. Infrastructure, such as metal fencing, lightning, cameras, sensors, radars, etc. have been installed between both ports and some distance beyond bringing some needed relief to this area and those that live within. Unfortunately, upgrades were halted by President Biden's executive order on his first day of office leaving our border's infrastructure in disarray. Secondary immigration checkpoints were established on routes (roadways) 20–40 miles north of the border but due to staffing shortages, remains closed most of the time.

Over the last several years, our southern border has drastically changed for the worse. I have personally experienced our once manageable border become a crisis over the last 36 months supported by the attached statistics and increased criminal activity. The Covid health pandemic placed many restrictions on foreign travel, but the conversation regarding illegal entry at our southern border was neglected by our federal leaders. The health exposure and risk experienced by law enforcement officers, deputies and agents became secondary in public restrictions and concerns. In fact, the intellectual avoidance by this administration to actively engage and support our efforts has been absent. Certain members of U.S. Congress continue to ignore our immigration laws/crisis abandoning communities as they struggle to address these challenges. I would remind my fellow elected leaders, we share the same Oath of Office to protect this great country, not to be driven by personal ideologies, but by and for the People.

Sheriffs throughout the country have worked tirelessly to engage and provide solutions, (i.e. a 16-point action plan prepared by America's Sheriffs) with Homeland Security Secretary Mayorkas with no success. As a result, the membership of Western States Sheriffs Association issued a Position statement of NO Confidence against Secretary Mayorkas and Vice President Harris.

The existing border plan has been in place for approximately 30 years and the following are some thoughts regarding the plan in current time:

- An increase in illegal smuggling/activity/illicit drugs between the protected areas (ports)
- Increase in larger groups of undocumented aliens between the protected areas (ports)
- Increase in illegal activity outside the protected areas (ports)
- Fear/Frustration increased in rural Cochise County/Southwest Border
- Ranch and Farmlands damaged due to increased illegal activity
- Property (fencing, livestock, waterlines, etc.) damaged
- Burglaries/Thefts increased in rural Cochise County/Southwest Border
- Social Media has become a venue for smuggling recruitment mainly focused on juveniles
- Violent Crimes increased i.e., Homicides, Assaults, Rapes, Drug and Human Smuggling, etc. in rural Cochise County/Southwest Border
- Transnational Cartels/Smuggling Organizations controlled and set up smuggling routes in rural Cochise County/Southwest Border
- Lack of Border Patrol Agents directly on border due to administrative processing assignments
- Secondary checkpoints were established as a secondary deterrent but remain closed the majority of the time due to staff shortages
- Lack of Re-Definition to the plan of the 90s (time erased history)
- Loss of recreational land use due to fear of criminal activity
- Economic decline
- Legacy Ranches being sold
- Lack of federally elected leaders to address unsecure border/fears creating a lack of trust and anger by citizens
- Questionable/Absent consequences by our federal government by those committing border crimes

- Undue pressure on local law enforcement/Sheriffs/Community Leaders to address issues, fear, and consequences for those committing crimes
- Lack of funding for local law enforcement/criminal justice system/corrections in order to address border crimes at the local level due to federal government lack of intervention
- Border Security shall be a Mandate, not a Discretionary program
- Border Security v. Immigration Reform (two different programs not to be blended)
- Lack of Trust and Confidence in our Federal Government

Action-Based Solutions Local-State Government

Local Solutions and Programs are no longer a thought, but a reality for bringing relief to our citizens who consciously choose to live near our borders. No better example of the importance of local law enforcement during a national crisis was the terrorist attack on September 11, 2001. First responders from local police and fire were the first on scene to address this horrific threat. Local law enforcement is best suited to best understand community needs and solutions based on the expectations of their citizens. Community policing begins and succeeds at the local level first.

As the Sheriff of Cochise County, I embrace my elected and statutory duty (oath of office to support the United States Constitution and the Arizona Constitution) to protect and secure the Freedoms and Liberties of my citizens, with or without the help of our federal law enforcement partners/policy makers. No longer a debate by those that live in the rural parts of the southwest border, the rural parts of the Southwest Border are NOT secure and are vulnerable for ALL types of transnational criminal activity.

Working with limited budgets and staffing, Sheriffs along the southwest border struggle each and every day to find ways to enhance the quality of life/safety for those they serve and bring a general sense of deterrence for those choosing our border as a venue to promote their criminal enterprises. The following bullet points are action-driven solutions implemented in hopes of bringing some relief and sense of security for those living in Cochise County:

- Balanced Community Policing (Education, Prevention, Enforcement)
- Transparency + Time = Community Trust
- Collaborated Efforts by all 3 levels of Government
- Creation of a Southwest Border Security Facility in Cochise County
- Law and Order Partnership between Sheriff and County Attorney
- Safe Street Enforcement Programs
- Private and Public Funding donations/grants to purchase upgraded equipment/communications
- Installation of New Radios/Towers/Consoles/Microwave
- Portable Radios to Citizens/Ranchers/Farmers/Schools
- Interoperability/Intelligence Sharing at all 3 levels
- Regional Application for Law Enforcement
- Financial Interdiction Unit
- Regional Border Team by Sheriff supported by Border Patrol, ICE, U.S. Forest
- Ranch Advisory Team
- Ranch Patrol
- Financial Crime Unit
- Consequence Driven Prosecution (all 3 levels)
- Virtual Cameras, Sensors, ATVs, Thermal Vehicle, Off-Road Vehicle, etc.
- Factual Situational Awareness for Media, Elected Officials, America
- Quarterly Law Enforcement Leadership Meetings
- Community Outreach Unit
- Community Meet & Greets within Communities
- Aviation Program (Helicopter & Drone)

- Positive-Interactive Use of Media and Social Media

Recommendations Federal Government

The Federal Government (elected and policy makers) has been slow to react to the voices and concerns of those living on the southwest border. Cochise County and other counties along the border have become VIP attractions, venues for those seeking to make a difference or promising change only to become another community-public safety disappointment.

The following comprehensive recommendations are directly linked to our federal leaders:

- Collective Message between Local, State and Federal
- Shared Action Plans by Local, State and Federal Law Enforcement
- Remove “Politics” and Enforce the “Rule of Law”
- Hire more Immigration and Asylum Hearing Officers for all POEs.
- Re-evaluate the plan of the 90s and build upon successes
- Political-Will required to make Border Security a Mandated Program
- Immediate need to address the Criminal Cartels (Transnational Organizations)
- Border Security First, Immigration Reform Second
- Maximize Allocated Resources such as Staffing
- Adequately Fund CBP
- Support and Embrace First-line Agents that work the border regions, they have a dangerous job and it's no secret that their frustration is high based on the unknown complexities reference their assignments, they have great ideas to share
- Secondary Checkpoints only after Primary border interdiction is satisfied by stakeholders
- Quality in life/Citizens living on border supported by Sheriffs and State Governors regarding improved security/ safety
- Funding supplement for Local Law Enforcement/Prosecution/Detention/ Criminal Justice in support of border crimes
- Continued Funding and Support for Stone Garden Program
- Empowerment with action to Border Patrol Leadership/PAICs (currently Cochise County has dedicated and solution-driven leaders that work well with local law enforcement)
- Enhanced Funding for Regional Communication and Interoperability with local law enforcement
- Bring local Law Enforcement to Border Security and Immigration discussions

Summary

Our local efforts have proven to be very beneficial in bringing over-due solutions to an unsecure border that has become a discretionary program by those federally elected leaders and policy makers that have been entrusted to protect our freedoms and liberties. As a Sheriff elected by the good people of my county, my biggest fear is another loss of life to one of my citizens and/or law enforcement officers/agents contributed to a border that is NOT secure. One would hope the priority of securing our border doesn't become just about a price tag and/or political posturing, but rather the legal and moral requirement to safeguard all of America, which so many heroic Americans have already paid the ultimate price for.

Today's opportunity to address this group instills fresh hope that our voice does matter and on behalf of the citizens of Cochise County, Arizona, our nation's Sheriffs and beyond, we hope you won't forget us and will do your Constitutional mandate to bring positive change to an over-due vulnerable situation.

I will leave each one of you with an open invitation to visit Cochise County along with a personal-guided tour and visit with our citizens to hear/see first-hand America's true rural border.

Again, thank you very much for the opportunity to share this information with you. I will be happy to answer any questions you may have.

The following documents were submitted as supplements to Mr. Dannels' testimony. These documents are part of the hearing record and are being retained in the Committee's official files:

- Sheriff Mark Dannels' Bio
- CCSO Annual Message 2024
- CCSO Annual Message 2023
- CCSO Annual Message 2022
- CCSO Border Related Issues in 2022
- CCSO Multi-Tier Border Operational Plan
- CCSO Detention Statistical Form 2023
- CCSO Detention Statistical Form 2022
- CCSO State of the Arizona—Sonora Border 2023
- Cochise County Mayors' Letter 2024
- Arizona House of Representatives 2023
- National Sheriffs Letter ref Call for Action at the Border Threat Picture 2023
- Cochise County Multi-Agency Public Safety Announcement 2023
- National Sheriffs Letter ref Eradication of Drug Cartels 2023
- National Sheriffs Letter to White House 2023
- State of Arizona Legislative Proclamation 2022
- Arizona Sheriffs Vote of No Confidence V.P. Harris 2022
- Southwest Border Sheriffs Coalition Vote of No Confidence V.P. Harris 2022
- Texas Border Sheriffs Coalition Vote of No Confidence V.P. Harris 2022
- Western States Sheriffs' Association Vote of No Confidence V.P. Harris 2022
- Western States Sheriffs' Association Vote of No Confidence Sec. Mayorkas
- National Sheriffs' Association Letter to White House 2021
- Wild life Photos on the International Border

These documents along with this testimony are available for viewing at:

<https://docs.house.gov/meetings/II/II10/20240208/116752/HHRG-118-II10-Wstate-DannelsM-20240208.pdf>

Mr. TIFFANY. Thank you, Sheriff Dannels. I appreciate your testimony.

I would now like to recognize Mr. Art Del Cueto, Executive Board Member of the National Border Patrol Council. Mr. Del Cueto, you have 5 minutes for your testimony.

STATEMENT OF ART DEL CUETO, VICE PRESIDENT, NATIONAL BORDER PATROL COUNCIL, TUCSON, ARIZONA

Mr. DEL CUETO. Thank you so much. First and foremost, I want to say that I am a proud individual that grew up in Cochise County, down in Douglas—Go Bulldogs.

I want to thank everyone for being here today. My name is Art Del Cueto. I am on the Executive Board of the National Border Patrol Council. It represents the interests of the frontline Border Patrol agents. I am here because what we are doing on the border is not working. Let me provide a few statistics and put the numbers into perspective.

Since President Biden took office, in Fiscal Year 2022 through Fiscal Year 2023, we have apprehended 6.2 million people on the

southwest border. For context, the entire population of the state of Arizona is a little over 7 million. Last year alone, we apprehended almost 2.5 million people illegally entering our country. Of last year's groups, over 35,000 had prior criminal convictions or outstanding warrants for arrest in the United States. Approximately 170 of them were on the terrorist watch list.

The number of got-aways is just as shocking. Since President Biden took office, we have observed 1.7 million people walk right into this country without being arrested. Those are just what we know of. That is more people than live in Phoenix, Philadelphia, San Antonio, or Dallas. They walked into this country without being arrested because agents were not available to arrest them.

All of this is to say, in the last 3 years of the Biden administration, we have lost operational control of our border. The drug cartels who control both narcotics and illegal alien smuggling are in control of our southern border.

I want to be clear: this crisis is not just about illegal immigration. The cartels that illegally smuggle migrants into this country are the same ones that are smuggling drugs. Those drugs impact every community nationwide. Over 100,000 Americans have died of overdose in the last year. We will have another 100,000 deaths in 2024, and every year moving forward until we secure our border.

And it is not just about the overdose deaths. The murders, muggings, and carjackings that we see on the evening news are largely a by-product of narcotics trafficking and drug addiction. This violence will not stop until we secure our border.

The question is, are we prepared to do something about it? Winston Churchill once said Americans always do the right thing, but only after we have exhausted every single option. When it comes to border security, we have exhausted every single option.

I know this hearing is about Federal lands and how the Biden administration has failed, and they have failed, to secure our southern border. Believe me, I could talk about that all day. However, I want to use the remaining time to discuss the border security supplement that was trying to get proposed through the Senate. I know that it is completely gone and it has imploded. But as many of you know, the National Border Patrol Council supported this legislation, and I would like to explain why.

As long as we continue to catch and release tens of thousands of illegal aliens into this country every month the crisis will not stop. As long as we allow illegals to game our asylum system it will not stop. As long as we do not provide Border Patrol, ICE, and USCIS with the resources and legal authorities they need to do their jobs this will not stop.

The single biggest challenge we face right now is that just about every illegal immigrant we arrest claims asylum. They are doing this not because they have a valid claim but because they know that as soon as they do that they can get released because the capacity to hold them is not there. And our immigration court system is completely overwhelmed. They know that we will release them and give them a court date upwards of 10 years from now.

The Senate legislation would have required asylum officers to screen immigrants for credible fear under a significantly higher standard. This standard was actually piloted under the Trump

administration in 2019 and 2020, and that led to about 80 percent of the illegals failing their credible fear interviews. It also precludes illegal immigrants caught at the border from having access to immigration courts. We would no longer be releasing illegal immigrants with a court date 10 years from now. Asylum officers would have decided and would deport those who fail.

Equally important, the legislation would have provided a mandatory trigger for closing the border. If the weekly average of arrests would have exceeded 5,000, the border would have been automatically closed. It does not say we would have been releasing 5,000. Everyone is sent back to Mexico. If any single-day arrest exceeds 8,500, the border would have been closed. Everyone is sent back to Mexico. Gone will be the days of the cartels that would have been flooding and overwhelming the system.

No bill is perfect. Are there things that I wish would have been included? Of course. Are there things in the package such as allowing the Administration to continue to parole migrants through the ports of entry? I don't like it. Of course I don't like it. However, on this issue, and it is an enormous issue, earlier this week we arrested over 6,600 illegal immigrants. Over 6,300 of them were released into this country within 48 hours. Tonight, we are going to apprehend a similar amount, and again they are going to get released. We need Congress to act now and give us the tools to secure our borders. Thank you.

[The prepared statement of Mr. Del Cueto follows:]

PREPARED STATEMENT OF ART DEL CUETO, EXECUTIVE BOARD, NATIONAL BORDER
PATROL COUNCIL

I want to thank everyone for being here today. My name is Art Del Cueto, and I am on the Executive Board of the National Border Patrol Council, which represents the interests of the front-line Border Patrol Agents. I am here because what we are doing on the border is not working. Let me provide a few statistics and put these numbers into perspective.

Since President Biden took office through Fiscal Year 2023, we apprehended 6.2 million people along the southwest border. For context, the entire population of the State of Arizona is a little over 7 million. Last fiscal year alone, we apprehended almost two-and-a-half million people illegally entering our country. Of last year's group, over 35,000 had prior criminal convictions or outstanding warrants for their arrest in the United States. Approximately 170 of them were on the terrorist watch list.

The number of gotaways is just as shocking. Since President Biden took office, we have observed 1.7 million people walk right into this country without being arrested. That is more people than live in Phoenix, Philadelphia, San Antonio, or Dallas. They walked into this country without being arrested because agents were not available to arrest them.

All of this is to say, in the last three years of the Biden Administration, we have lost operational control of our border. The drug cartels who control both narcotics and illegal alien smuggling are in control of our border.

I want to be clear: this crisis is not just about illegal immigration. The cartels that illegally smuggle immigrants into this country are the same ones smuggling drugs. Those drugs impact every community nationwide—over 100,000 Americans died of overdoses last year. We will have another 100,000 deaths in 2024 and every year moving forward until we secure our border.

And it is not just about the overdose deaths. The murders, muggings, and carjackings we see on the evening news are largely a byproduct of narcotics trafficking and drug addiction. This violence will not stop until we secure our border.

The question is, are we prepared to do something about it? Winston Churchill once said Americans always do the right thing—but only after we have exhausted

every other option. When it comes to border security, we have exhausted every other option.

I know this hearing is about federal lands and how the Biden Administration failed to secure the border. Believe me, I could talk about that all day. However, I want to use the remaining time to discuss the border security supplemental that the Senate is scheduled to vote on this week. I know that it has been reported that the compromise deal is imploding. As many of you know, the NBPC supported this legislation, and I would like to explain why.

As long as we continue to catch and release tens of thousands of illegal immigrants into this country every month, this crisis will not stop. As long as we allow illegal immigrants to game our asylum system, this will not stop. As long as we do not provide Border Patrol, ICE, and USCIS with the resources and legal authorities we need to do our jobs, this will not stop.

The single biggest challenge we face right now is that just about every illegal immigrant we arrest claims asylum. They are doing this not because they have a valid claim but because they know we do not have the detention capacity to hold them. And, that our immigration court system is overwhelmed. They know that we will release them and give them a court date upwards of 10 years from now. Our broken asylum laws are driving illegal immigration and the chaos at the border.

The Senate legislation requires asylum officers to screen immigrants for credible fear under a significantly higher standard. This standard was actually piloted under the Trump Administration in 2019 and 2020 that led to about 80 percent of the illegal immigrants failing their credible fear interviews. It also precludes illegal immigrants caught at the border from having access to immigration courts. We will no longer be releasing illegal immigrants with a court date ten years from now. Asylum officers will quickly decide their status, and we will deport those who fail.

Equally important, the legislation provides a mandatory trigger for closing the border. If the weekly average of arrests exceeds 5,000, the border is automatically closed. Everyone is sent back to Mexico. If any single-day arrest level exceeds 8,500, the border is closed. Everyone is sent back to Mexico. Gone will be the days of the cartels flooding the zone and overwhelming the system.

No bill is perfect. Are there things that I wish were included in this package and were not—yes. Are there things in the package such as allowing the Administration to continue to parole migrants through the ports of entry that I don't like—yes. However, the cost of inaction by Congress on this issue is enormous. Earlier this week we arrested over 6,600 illegal immigrants. Over 6,300 of them were released into this country within 48 hours. Tonight, we will apprehend a similar number and do the same this. We need Congress to act now and give us the tools we need to secure the border.

Mr. TIFFANY. Thank you very much, Mr. Del Cueto, for your testimony.

Now, I would like to recognize Mr. John Boelts, the Vice President of the Arizona Farm Bureau. Mr. Boelts, you have 5 minutes.

**STATEMENT OF JOHN BOELTS, VICE PRESIDENT, ARIZONA
FARM BUREAU, YUMA, ARIZONA**

Mr. BOELTS. Thank you, Chairman Tiffany, Chairman Westerman, members of the House of Representatives, and members of this Committee. Thank you for coming to southern Arizona, and good afternoon.

I come before you today to thank you for your attention to our man-made crisis at our southern border. Farmers and ranchers in Arizona and neighboring states are in many ways on the front lines of this public policy disaster, and I will mention just a few of those ways in my limited time.

Ranchers, their families and employees raising livestock and managing public and private lands in the areas near our border with Mexico face extraordinary challenges with inadequate support from our Federal Government. The safety of these hardworking

people, their families, and property is in danger most days and nights due to the lack of law enforcement by Federal agencies responsible for border security in these areas. People seeking to enter our country without passing through a legal port of entry are breaking Federal law. The damage these people do to the public and private lands while entering unlawfully is unacceptable, and the refuse they leave behind is remarkable. Is it too much to ask that the ranchers of southern Arizona, California, New Mexico, and Texas be able to raise their livestock and families without being overrun by illegal immigrants and drug runners?

Where I live in Yuma County, my neighbors and I grow fresh produce such as lettuce, spinach, melons, broccoli, and cauliflower in season this time of year. And the foods that we are growing are mostly eaten raw by people all over the United States and Canada. We have nearly 50,000 people working in agriculture in my small community, of which over 8,000 workers are H2-A workers, over 15,000 are commuter workers who travel into the United States daily to work and return to Mexico each night, and the rest of our workforce is comprised of citizens, naturalized citizens, and permanent residents card holders. Our workforce in Yuma County is legal, and we have an abundance of legal commerce and activity in my community that is happening daily. That is the backdrop to the mess that we observed since December 2020. It has really been going on for decades, but it has been particularly egregious since around December 2020.

We have individuals and families numbering in the thousands entering our country through areas that are not ports of entry on a daily basis. This humanitarian crisis is happening along our county roads in rural areas of my county, just like it is on the rest of the lands along our southern border. We face unique challenges having food crops of the kind that are normally eaten raw growing in open fields. We cannot have trespassers entering these fields, passing through these fields, leaving garbage in these fields, or even worse defecating or urinating in or near these fields. These fresh produce crops are unharvestable if they are exposed to these sorts of risks of contamination from human pathogens, and if they are contaminated in any way they are just simply not usable. A huge waste of natural resources, energy, and money.

It has been a very commonplace situation the last few years, especially in farmland, about 40,000 acres, that is very close to our southern border, and this poses an enormous liability risk and financial hardship to farmers and fresh produce shippers, and it impacts our domestically grown food supply in a big way. Is it too much to ask that the farmers of southern Arizona, California, New Mexico, and Texas be able to raise their crops without being overrun by illegal immigrants and drug runners? I don't think it is.

Requiring asylum seekers to seek legal status to immigrate at a Consulate of the U.S. State Department and to have robust enforcement of our laws at the border would restore safety and an environment only conducive to legal commerce in our border regions. We have been facing an extraordinary level of illegal entries into the United States along our southern border these last few years. There were 371,036 encounters dealt with by Customs and Border Protection just in December 2023.

I will close by calling on all of you, the Members of Congress here, and your colleagues back in DC, and this Administration to act, and act swiftly, to address the crisis we have at the border. It is time to act and put forth meaningful policies that address the problem and give our border communities, law enforcement, and the families that live along this border a reprieve. This is not, and should not be, a political issue. It is time to put partisan politics aside and solve our border crisis. Thank you.

[The prepared statement of Mr. Boelts follows:]

PREPARED STATEMENT OF JOHN BOELTS, VICE PRESIDENT, ARIZONA FARM BUREAU

Good afternoon Chairman Tiffany and Members of the Committee. My name is John Boelts, and I am a farmer from Yuma County, Arizona. I volunteer as the First Vice President of Arizona Farm Bureau. I come before you today to thank you for your attention to our man-made crisis at our southern border. Farmers and ranchers in Arizona and neighboring states are in many ways on the frontlines of this public policy disaster, and I will mention just a few of those ways with my limited time.

Ranchers, their families and employees raising livestock and managing public and private lands in the areas near our border with Mexico face extraordinary challenges with inadequate support from our federal government. The safety of these hardworking people, their families and property is in danger most days and nights due to the lack of law enforcement by federal agencies responsible for border security in these areas. People seeking to enter our country without passing through a legal port of entry are breaking federal law. The damage these people do to the public and private lands while entering unlawfully is unacceptable and the refuse they leave behind is remarkable. Is it too much to ask that the Ranchers of Southern Arizona, California, New Mexico and Texas be able to raise their livestock and families without being overrun by illegal immigrants and drug runners?

Where I live and farm in Yuma County, my neighbors and I grow fresh produce such as lettuce, spinach, melons, broccoli and cauliflower in season which spans from August through July. These foods that we grow are mostly eaten raw by people all over the US and Canada. We have nearly 50,000 people working in agriculture in my community of which over 8,000+ workers are H2-A program workers, over 15,000 are commuter workers who travel to the U.S. daily to work and return to Mexico each night and the rest of our workforce is comprised of citizens, naturalized citizens and permanent residents card holders. Our workforce is legal in Yuma County and we have an abundance of legal commerce and activity in my community. That is the backdrop to the mess we have observed since December 2020.

We have individuals and families numbering in the thousands entering our country through areas that are not ports of entry on a daily basis. This humanitarian crisis is happening along county roads in rural areas of my county just like it is the rest of the lands along our southern border. We face unique challenges having food crops that are of the kind that are normally eaten raw growing in open fields. We cannot have trespassers entering those fields, passing through these fields, leaving garbage in those fields or even worse defecating or urinating in those fields. These fresh produce crops are unharvestable due to risks of contamination from human pathogens if they are contaminated in any way, not to mention the extremely difficult humanitarian situations that arise from people living or passing through areas without adequate restroom facilities or shelter. These sort of situations have become far too common these last few years, and pose an enormous liability risk and financial hardship to farmers and fresh produce shippers. Is it too much to ask that the farmers of southern Arizona, California, New Mexico and Texas be able to raise their crops and families without being overrun by illegal immigrants and drug runners?

Requiring asylum seekers to seek legal status to immigrate at a Consulate of the US State Department and to have robust enforcement of our laws at the border would restore safety and an environment only conducive to legal commerce in our border regions. We have been facing an extraordinary level of illegal entries into the United States along our southern border these last few years. It was January, 2021 the last time we saw less than 10,000 entries per month on our southern border, and in December 2023 there were 371,036 encounters dealt with by Customs and Border Protection. The vast majority of these encounters were at the southern border of the United States.

Farmers and farm workers, ranchers and ranch workers and all of our families live and work on these lands along our southern border. If you had over 300,000 people invading your place of work or your community every month you too would feel this crisis. Probably the most interesting group to discuss these matters with are first generation immigrants like those that work for me on my farm and those who live in my community. These people and their families have spent 10s and sometimes hundreds of thousands of dollars of their own resources to legally immigrate into our country. Sometimes that process took a decade or more and was a financial challenge for multiple generations. These first generation immigrants that I know shake their head in disgust at what they see happening today.

We currently have bad public policy governing legal immigration into our country that does not meet our needs. We lack adequate resources for true border security. We have bad public policy for handling asylum seekers that is creating havoc in our border communities and on public and private property. We have had inadequate legal pathways for most immigrants who would seek a legal path to immigrate into the United States to work in agriculture and many other fields of work. These are not new situations necessarily but our lack of action to simply and definitively resolve these matters is why I refer to these as a man-made crisis. We have the ability to address these issues, but we simply choose not to.

I call on Congress and this administration to act and act swiftly to address the crisis we have at the border. It is time to act and put forth meaningful policies that address the problem and give our border communities and families reprieve. This is not and should not be political and it is time to put partisan politics aside and solve our border crisis.

Mr. TIFFANY. Thank you, Mr. Boelts. I would like to recognize Mr. James Chilton, a ranch owner from Arivaca, Arizona. Mr. Chilton, good to have you back before the Committee. You have 5 minutes.

**STATEMENT OF JAMES CHILTON, RANCHER, ARIVACA,
ARIZONA**

Mr. CHILTON. My name is Jim Chilton. I am a fifth-generation Arizona rancher from Arivaca, Arizona, a small town approximately 55 miles southwest of Tucson. The ranch includes private property, State School Trust lands, and Federal grazing permits, in the Coronado National Forest. My ancestors drove cattle from Texas to Arizona Territory in 1885, and our family has been in the ranching business in Arizona for about 139 years.

My border concerns are similar to those of most ranchers in the Tucson Sector, regardless of whether their ranch is located adjacent to the international border or 100 miles inside the border.

The ranch is roughly 50,000 acres, and the image that Chairman Tiffany showed of this camp is adjacent to our ranch. Our ranch has an exposure of about 14 miles to the international boundary, and the wall crept out from the west, east, and was stopped by President Biden on his first day in office.

Are we going to show the film? OK. Thank you.

For about 10 years, I have collected film from hidden motion-activated cameras of drug packers, previously deported persons, and illegal crossers through our ranch. Of approximately 100 trails traversing our ranch we have only five cameras, so these video images are a small sample of the persons entering through our ranch. Since January 2021, these cameras have recorded 3,050 images of unlawful border crossers. My testimony today hopefully can be given, on a thumb drive, to each Congress Member for the record. It is hard evidence.

These filmed border crossers, as you can see, are wearing camouflage clothes, carpet shoes, and have almost identical backpacks. This is in stark contrast to other border crossers reported in the news along the international boundary in Arizona, California, and Texas, who wear casual street clothes and include women and/or children. There are no images on my cameras for the last decade of any women with children.

On the south end of the ranch, which is 5.5 miles of the international border, there are now large numbers of people coming across who are women and children, and they walk towards the “No More Deaths” camp that you showed on your opening statement.

Most critically, are any of the 3,050 terrorists? Not knowing who is crossing is a national security matter. The video documents a fivefold increase compared to what we were documenting, on average, during the Trump and Obama years. Mexican cartel scouts occupying our mountaintops guide these border crossers. During the last 4 months I have not seen a single Border Patrol agent patrolling these known border entrance trails, since most agents are totally overwhelmed processing undocumented migrants.

Please refer to my testimony for my specific recommendations for securing the border at the border. We have to secure the border at the border.

Thank you. I will be happy to answer any questions.

[The prepared statement of Mr. Chilton follows:]

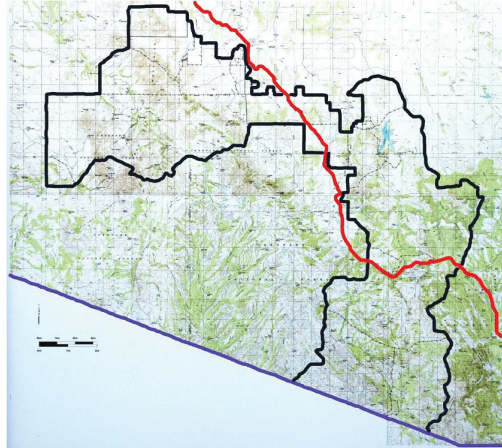
PREPARED STATEMENT OF JIM CHILTON, RANCHER FROM ARIVACA, ARIZONA

My name is Jim Chilton. I am a 5th generation rancher from Arivaca, Arizona. Arivaca is a small rural town approximately 55 miles southwest of Tucson, Arizona. Our ranch is adjacent to the town and extends south to the international border with Mexico. The ranch includes private property, State School Trust lands and three federal grazing permits in the Coronado National Forest. Our entire family, my wife of 60 years, are blessed to be able to preserve our western ranching customs, culture, and heritage dating back to our pioneering ancestors who drove cattle from Texas to Arizona Territory in 1885. Our family has been in the cattle business in Arizona for about 139 years. We have a long-term view of the necessity to be excellent stewards of the grasslands we carefully manage. We are honored to have received various valued awards for resource conservation and wildlife stewardship.

Chilton Ranch and the International Border

Our family ranch is in a corridor identified as among the most active for drug smuggling and human trafficking in the Nation. My comments generally relate specifically to the portion of the border at the southern edge of our ranch extending from Nogales, AZ to Sasabe, AZ. However, my border concerns are similar to those of most ranchers in the Tucson Sector regardless of whether their ranch is located adjacent to the international boundary or one hundred miles from the border.

The following is a map of our beef-producing family ranch. Please notice that the southern end of the eastern part of the ranch is the international boundary for about five-and-one-half miles. Mexico is just across the fence. Our ranch boundary goes north and west bordering three other ranches. Border crossers on the western side of the ranch go through our neighbors' grazing lands and then through our Federal land pastures.



Chilton Ranch boundaries—South of Arivaca, Arizona and west of Nogales. Five-and-one half miles of the southern end of the ranch is the United States/Mexico international border. The 50,000-acre ranch, like many western ranches, is composed of U.S. Forest Service grazing allotments, State Trust and private land. The blue line is the international border with Mexico and the red line is the Ruby Road that runs through much of the ranch.

International Border Crossers on Chilton Ranch

For about ten years, my wife Sue and I and my friends at *Secure Border Intel* have collected motion activated camera film of drug packers, previously deported persons, criminals and other illegals crossing through our ranch. Of approximately 100 trails traversing our ranch, only five have hidden motion-activated cameras. As a consequence, our video images of crossers represent a small sample of the probable border crossers trespassing through our ranch.

Since January 2021, these cameras on our ranch have recorded evidence of **3,050 images of unlawful border crossers**. Importantly, my Testimony today includes a computer thumb drive of the 3,050 photographed crossers (the actual film footage can also be googled at: <https://youtu.be/j2pzKHRwmeY?feature=shared>).

On their way north through our southern pastures, illegal border crossers are wearing camouflaged clothes, carpet shoes and often identical backpacks. Almost all are men, in stark contrast to other border crossers along the international boundary in Texas, who wear casual street clothes and include women and/or children. There have never been any women with small children observed on our motion activated cameras during the last decade. Approximately only two percent—of these 3,050 intruders—do appear to be women. Why would a woman hike twenty to or more miles over this rugged mountainous terrain when other women just walk across the border and look for immediate apprehension, expecting to be released into the interior of the nation with a court date five or more years in the future? Are they being trafficked in the sex trade? Were they previously deported for an adjudicated violation of our laws?

Who are the 3,050 individuals and why are they being allowed to successfully sneak into our nation over rugged mountains and rough terrain? One Border Patrol intelligence officer estimates 20% of these crossers are drug packers while other knowledgeable individuals claim the percentage of drug packers on our video evidence is likely significantly greater than 20%. **Most critically, are any of the 3,050 trespassers TERRORISTS entering our country to do Americans harm? Securing the border at the border and vetting potential entrants is, in fact, a national security issue.** There are reports that over one hundred seventy different countries' inhabitants have crossed into the United States during the Biden years including Chinese, Russians, Iranians and persons from middle eastern countries.

The aforementioned video documents approximately a five-fold increase compared with what we were documenting during the Trump and Obama years in the number of totally unknown international entrants seeking to evade detection and interdiction by choosing this route.

During the last four months, as I was out on our place working, checking cattle, waters and fences, I have not seen a single Border Patrol agent patrolling these known border entrance trails on our ranch since most agents are reassigned to immigrant-flooded and totally overwhelmed locations. There, out of view of these drug routes on our ranch, they struggle with the impossible requirement to deal with economic asylum seekers whom they are mandated to release into the nation under the catch and release policy. Since this is a rugged, between-ports-of-entry route, it is highly probable that border crossers choosing this rough, mountainous route are exceptionally motivated to evade detection and know they are ineligible for asylum status.

Mexican Cartel Scouts

What is most outrageous to me, is that Mexican Cartel scouts, occupying our ranch mountain tops on US soil, guide these border crossers. The scouts communicate with cartel operatives through encrypted satellite phones with radio function. Scouts are also equipped with the finest binoculars, night vision and backpack roll-down solar panels. Their purpose is to know where the Border Patrol is at all times and guide the Cartel drug packers or persons ineligible for asylum to sites where Cartel operatives inside the United States can pick up and then distribute the drugs and people throughout the Nation.

Drugs Crisis

From my perspective, it is impossible to separate the drug crisis from the immigration issue. Some border crossers are repeat professionals who work for the Cartels and walk back to Mexico after each fentanyl, heroin, methamphetamine or cocaine delivery. In addition, the Cartel forces other undocumented persons to pay to traverse the international boundary either in cash or at a discounted rate if they pack drugs. Those crossing in this area are reportedly charged about \$3,000 if Mexican, \$7,000 to \$10,000 when from South America or \$25,000 to \$75,000 for Asians. Some groups, after paying the Cartel to cross, are unaware that they are being used as decoys and led into probable detection to distract the Border Patrol while the Cartel is running drugs into the United States five to ten miles away.

Government reports indicate a massive increase in fentanyl traffic through the Arizona border. The precursors of this drug arrive from **China**, are off-loaded at Mexican seaports to be processed in Mexican labs, packaged and hidden for transport. This is **chemical warfare**. Many Border Patrol officers who were formerly trying to put a dent in this border disaster, have been dispatched to help handle the diversionary tactic of floods of undocumented immigrants crossing the border in other Tucson Sector locations and the Rio Grande River in Texas. This tactic clearly opens the between-ports rural ranching trails with unfinished border wall openings to nearly unimpeded passage. President Biden has signed a bill to hire 87,000 new IRS agents to “**patrol**” **Americans** and zero new agents to patrol illegal immigration and drug packing.

Need to complete the Wall

On our ranch, five miles of the Trump wall were well-started, but still under construction, when President Biden was inaugurated on January 20, 2021. One of President Biden’s first executive orders was to stop all construction on border security structures. At the end of the Wall on our ranch, there is a four-strand barbed wire cattle fence for over five more miles leaving a “convenient” gap of no wall at all along the international boundary right in a favored entry point for the Cartels. In addition, five additional large gaps, where gates were designed to be installed across water gaps and international Boundary markers, were left unfenced because of Biden’s executive order.

This section of Arizona, including our ranch border, was just described by a Trump-era highly informed, highly placed Border Patrol spokesman as leading the entire border in “got-aways”—crossers who are **not** apprehended. In my opinion, President Biden must finish the wall, including all of the planned fiber optic cable, electronics, sensors and cameras. Then, ports of entry on the Mexican border need to be staffed and equipped to interdict the flood of drugs over-whelming these ports. The recent “mobbing-Texas tactic” and now the “mobbing strategically-selected California and Arizona entrance points tactic” guaranteed that between-port ranches and farms along the entire international boundary were likely to remain under Cartel control and undefended from Cartel operations.



Jim Chilton and cousin Jerry Chilton at the end of Trump wall on our ranch. Large gaps were unfinished and fiber optic cable, electronics, sensors and cameras were not installed when the wall construction "stop order" was given.

Border Crosser Human Tragedies

There are intolerable human tragedies and abuses faced by border crossers, especially women. Crossers currently have no feasible option but to cross in the hands of the Cartel. It is reported by Alvaro Enciso, a Tucson citizen who puts crosses out to mark death sites, that about 4,100 border crossers have died just in Southern Arizona since 1990. Huge numbers of near-death experiences are common along with innumerable serious injuries. Women are often abused and raped. The Border Patrol, which is a first-class search and rescue team, together with humanitarian organizations spend much of their time saving mostly lost and abandoned would-be crossers in distress. These human tragedies could be avoided by securing the border at the border.



Trump wall construction was halted by President Biden on January 20, 2021, leaving large gaps in the wall where numerous washes cross the International Boundary. Five border gaps on the Chilton Ranch are open doors for Cartel border crossers.

Need to Secure the Border at the Border

There are tremendous advantages to finishing construction of the Wall and closing the gaps in the Wall between Yuma, Arizona and New Mexico. To achieve border control, and ensure that rural Arizona is not the “sacrificed route,” effective structures and strategies must also be implemented all the way across Arizona’s borderlands. Most importantly, a completed Wall must be conscientiously patrolled 24/7 and must include surveillance technology. Congress needs to require the Wall to be completed together with the appropriation of the necessary funds.

Border Patrol

We want to emphasize that we support and deeply appreciate the Border Patrol. The agents are polite, well trained and there is a sincere effort by top officials in the Tucson and Nogales Stations to listen to and try to address ranchers’ border issues in our area. We, however are incredibly concerned that due to the massive invasion of economic asylum seekers, Border Patrol checkpoints along Arivaca Road, Sasabe Road and along other roads heavily used by drug packers have been **closed for months** and there is absolutely minimal presence of agents along the border since agents are focused on processing border crossers. I am concerned that drugs are flowing into the interior of our Nation without an attempt to impede vehicles from transporting drugs across our country from known crossing points.

Recommended Border Action

As a sovereign nation, the United States should have complete control of its borders and therefore **only accept legal immigration**. In my opinion, the following actions need to be considered:

1. Complete the construction of the Wall, including all of the planned fiber optic cable, electronics, cameras, and sensors that alert Border Patrol to approaching persons in time to interdict them.
2. Hire and train enough Border Patrol Agents to **secure the border at the border**, together with, if necessary, national guard and military assistance and back-up.
3. Require the Border Patrol to have **complete presence at the Wall**, 24/7, to arrest any person attempting to get over, under, or through the Wall.
4. Immediately deport apprehended arrested illegal intruders.
5. Retain sufficient welders and other maintenance personnel 24/7 to immediately repair any successful breaches or cuts in the wall.
6. Ports of entry on the Mexican border need to be staffed and fully equipped to prevent, to the degree possible, drugs and undocumented individuals from entering our country.
7. Require true asylum claim seekers to be processed at United States embassies, consulates or other government properties **in foreign nations** utilizing the internet backup personnel in the United States to assist in the processing.
8. Persons seeking economic opportunity do not qualify under the asylum category and need to return to their countries and submit an application for legal admittance.
9. As we understand the measure on border security currently being considered in the U.S. Congress, it permits the flood of economic opportunity claimants for asylum/admission to the U.S. to continue virtually unabated. We need to stop this end run around the legal immigration procedures and limitations.
10. Double or triple the current number of **legal** immigrants permitted to gain qualified entrance into our nation with effective vetting following the legally prescribed procedures. We welcome LEGAL immigrants in a number that can be assimilated and can contribute their future to this nation; we oppose flooding the United States with completely unvetted persons.

Advantages of Securing the Border at the Border

The following are some of the advantages to completing the wall together with effective border patrolling and appropriate technology:

First, multiple reports state hundreds of people crossing the open border sections of our Nation have been on the terrorist watch list. How many border crossers from terrorist nations including Russia, China, ISIS, Iran and other parts of the world have successfully entered our country through routes like those on our ranch with-

out Homeland Security's knowledge. Where are they, what are their plans and when and where will they strike? It took only 19 terrorists to demolish the World Trade Center, and murder citizens and first-responders in New York and attack the Pentagon and people working there.

Second, it is outrageous that Mexican Cartel scouts with satellite phones and other military-grade equipment are free to occupy strategically-selected hilltops for dozens of miles inside Arizona including on our ranch. The cartel scouts know where the Border Patrol is at all times so they can carefully guide drug packers, and people whom they know are not eligible for asylum, through the steep wooded canyons and along approximately one hundred smuggler trails on our ranch. Border Patrol officers report that only 20% of the illegal crossers on our ranch are apprehended while others argue that arrests are fewer than 20%. Securing the border at the border would stop the occupation of Arizona border ranchlands by these foreign cartel operatives and their clients.

Third, environmental costs of the current failure to effectively stop the flood of crossers are well-documented. Much of the border area includes national forests, conservation areas, national monuments, Indian reservations and wildernesses. These designated areas are open routes most used by the cartel-led operations because they are the least accessible to Border Patrol surveillance. The Border Patrol reported at a meeting we attended that undocumented crossers have left a reported average of 8.5 pounds of trash apiece on these lands. It is estimated that over 25,000 tons of garbage have been dropped by crossers in the Tucson Sector alone since 1992. Additionally, thousands of miles of wildcat roads and trails have had severe adverse environmental impacts.

Fourth, we have been burglarized twice by south-bound drug packers who, after depositing their drug load at GPS sites or safe houses, stole laptops, cameras, firearms, including historic pieces, and other valuable items they steal to carry on their return to Mexico. This is a typical situation for those of us near the border all across the Tucson Sector. Ranchers in the border area cannot leave their homes unguarded even for a few hours since their homes and ranch buildings are often broken into if someone is not on guard duty. It can be hours before law enforcement can respond to rural calls.

Fifth, Arizona borderland residents, ranchers and farmers as well as national conservation areas have suffered hundreds of millions of dollars in property damage due to major forest fires set intentionally as decoy operations or accidentally by illegal crossers. The human and property costs of these fires, like the Monument Fire, the Murphy Complex Fire, Chiricahua Fire and the Horseshoe Fires and many other fires, must also be figured into the cost of NOT securing the border at the border. We have estimated that U.S. Forest Service costs in one year to fight fires caused by border crossers just in Arizona borderlands were about \$600 million. We understand that illegal crosser-caused Forest Service fires are accounted for on the Forest Service books rather than more accurately charged to Homeland Security. The actual cost of fighting crosser-caused forest fires is hidden from the public.

Sixth, we are subjected to anti-ranching activist claims of over-grazing resulting from the constant entrance of Mexican cattle through the breached border. In order to try to reduce these devastating impacts on my grazing program, I personally added barbed wire to the Normandy barriers which were installed to reduce Cartel-managed vehicle access where the Wall had been left unfinished, and cattle, as well as Cartel "clients" were coming in (then that was cut and in came the Mexican cattle), then I welded on reinforcing rod across major entrance points (that was bent back and the crossers and the Mexican cattle came right through), and finally, I spent a lot of money on inch-and-a-quarter PIPE and took a skilled welder to one of these entrance points where we worked all day welding pipe onto the Normandy barriers. So far, this last step is still in place and is now limiting cattle intrusion.

The emotional cost to our families is summarized by noting we are all very much aware of what happened to rancher Larry Link the day after he reported a load of drugs on his ranch and was then murdered and to Sue Krentz's husband Rob when he went out to check his ranch waters and was killed (including his dog) by an illegal who then escaped into Mexico. Recently, myself and others in our area have been called and told NOT to go to our border pastures because competing factions of drug cartels were, at that point, conducting armed warfare ON U.S. PROPERTY on this side or just south of the border over control of these valuable unsurveilled drug trails.

Seventh, opponents of effective border control in rural areas advocate prioritizing cross-border wildlife-roaming **over** interdiction of cartel operatives. We disagree.

The route through our portion of southern Arizona, the drug traffic and the passage of potential terrorists makes this today's Ho Chi Minh Trail .

Eighth, wildlife genetic diversity on both sides of the border can be achieved along with border security by legally transporting animals as scientifically deemed appropriate. Large mammals can be transported with safe capture across the border to promote genetic diversity while birds can fly over and small animals and reptiles can easily slip through the bollard-style wall. In addition, American engineers can create wildlife friendly, effectively managed passages at some parts of the wall to facilitate wildlife connectivity with Mexico. The "wildlife" currently facilitated by these unguarded portions of the border has two legs and is headquartered in Sinaloa, Mexico.

Mr. TIFFANY. Mr. Chilton, thank you for your testimony. And now Members of the dais, we are going to take 5 minutes for each of you for questioning, and I am going to start out, and I am going to start out with you, Mr. Chilton.

We talked about the environmental degradation, the garbage, the pollution that is out there on lands here, including Federal lands, in southern Arizona. Is that accurate that this problem has been getting worse?

Mr. CHILTON. It has been getting worse. It is an environmental degradation. Witness Del Cueto stated that there have been millions of people apprehended. Bottom line, if you have 3 million people coming across the border at 8.5 pounds of garbage apiece, that is 12,500 tons of trash. I get very tired of riding through my ranch and seeing and observing trash left by these crossers.

Mr. TIFFANY. So, you have seen a massive increase over the last couple of decades. Is that correct?

Mr. CHILTON. That is correct.

Mr. TIFFANY. Thank you very much.

Mayor, I want to turn to you. You mentioned about social media, about how they use that to be able to facilitate these illegal crossings. We have a Federal law that prevents someone from breaking the law. So, in other words, let's say you took out an ad in a newspaper and you said, "Hey, drive your car down to the southern border and you can pick up a bunch of people that are hauling fentanyl." That would be illegal under Federal law. Do you think that law should be enforced in regard to the social media companies?

Mr. MCCA. Chairman Tiffany, yes, sir, I definitely do, and the Sheriff can talk for days on this one. That is how these load car drivers get their marching orders. They get a text, they get a phone call, meet here, the car is stationed probably at Walmart or Target, keys are on the tire. Pick up the car, drive south, pick up the load, and drive north.

Mr. TIFFANY. Yes. So, we had a Vice President from Microsoft say that, I believe it was one of the social media companies that said that, yes, our platform gets used to be able to facilitate these illegal crossings. I think it is about time that the social media companies, who are quick to censor some people, that they do their job to prevent these illegal transactions from going on.

Sheriff Dannels, I want to talk about fentanyl for just a second. What is the most significant action that happened over the last few years that has led to increased fentanyl coming into the United States of America?

Sheriff DANNELS. Well, Mr. Chairman, let me just say this. The biggest thing is when we defer our Border Patrol, who are the frontline agents on the line, and put them in processing and other duties assigned you shut down the checkpoints, you shut down a lot of your aerostats along the border. Long story, I call it the “infrastructure fracture” when it comes to CBP. You have opened up the border, and the more agents you take off the border, the more opportunities. The cartels are the true winners in this, and they are exploiting our borders with that knowledge.

Mr. TIFFANY. So, in other words, Sheriff, on January 20, 2021, when President Biden, in effect, declared open borders, that is largely what precipitated this massive increase of fentanyl coming into our country. Is that right?

Sheriff DANNELS. Yes, I would agree.

Mr. TIFFANY. Yes, and I stopped today at a Border Patrol checkpoint. It has not been manned for a long time, and it is not the fault of the Border Patrol. It is because they are being babysitters at this point. It is terribly unfortunate.

And by the way, I asked Secretary Mayorkas in a hearing, I sit on the Judiciary Committee. Sheriff Dannels was there, in Washington, DC. He cited the same exact testimony. It has not changed in the three times I have asked Sheriff Dannels this question. And I asked, “Who is not telling the truth?” because Secretary Mayorkas said to us, “No, the actions of January 20, 2021, are not the reason why fentanyl has increased the way it has.” I said, “Who is lying, the Sheriff or you?” Of course, he would not go after Sheriff Dannels because he is above repute amongst not just local citizens here in Arizona but amongst the people of the United States who have worked with him. Secretary Mayorkas was not telling us the truth.

The final thing I would say in my closing couple of seconds is I really appreciate the testimony of Mr. Del Cueto, and I understand the position that the Border Patrol took in regard to the bill that was released by the Senate. But I would just point out a couple of things to you in regard to the Senate bill.

The President can declare an emergency under that bill at any time and have open borders. Do you think for a second the current President would not declare an emergency and allow open borders to happen?

Furthermore, one of the lead authors said over the past weekend, “Under that bill the border never closes,” and went on to say, just today, that our priority is not American citizens. It is the people who are here illegally.

I now recognize the Chairman, Mr. Westerman, for 5 minutes.

Mr. WESTERMAN. Thank you, Chairman Tiffany, and thank you again to the witnesses for being here. I have read all of your testimonies and I appreciate the time and the effort that you put into it and the information that we were able to get from your testimonies.

Sheriff Dannels, we received a briefing from you this morning, and in your testimony you talked about the \$9.4 million. But you had another stat that you didn’t say today but you said this morning that wasn’t in your testimony about nationwide, I believe you said a half a billion dollars of costs have been incurred by local law

enforcement because of the failure to secure the border. Could you elaborate on that?

Sheriff DANNELS. I can. It is called SCAAP, sir, State Criminal Alien Assistance Program, which is money allocated by the Federal Government, you all, Congress, that is to help local and state jurisdictions offset costs for those that are incarcerated that are illegally in the country. Since 2009, the 15 Arizona sheriffs are owed over half a billion dollars by you all, and we would like to have our money. We get about 5 cents to the dollar on SCAAP right now, which has been ineffective to house, especially in a crisis over the last 3 years.

Thanks to the state of Arizona and the two governors I mentioned, Governor Ducey and Governor Hobbs, and the money we have set aside for our programs, they are helping us offset those costs that otherwise my citizens there in Cochise County would have absorbed.

Mr. WESTERMAN. Mr. Del Cueto, as I mentioned, it has been a few years back since I made my first trip to the Arizona border. We spent a lot of time out on the ground. I saw the piles of trash, the camouflage clothes, the carpet-covered shoes, the backpacks, the water bottles, all the trash that was discarded. And I saw firsthand how the people coming across the border were avoiding Customs and Border Patrol, that they had lookouts in the mountains radioing down. I visited many other places along the border. In Texas, it is a whole different story. You see people in plain clothes walking up, and it is almost like they finished the marathon when they see the Border Patrol agent. That is who they are looking for. They want to turn themselves in and claim asylum.

So, with everything that has happened with the mass numbers in Texas, it appears that is where all the crossings are happening, but on our visit this morning your colleague told us that in 2020 there were 60,000 apprehensions in the Tucson Sector. Today, there are 10 times more than that. I was shocked to learn that, even with more wall being built, more access along the border, and these are people that are trying to avoid getting caught that come across this sector.

What do you think has caused the increase here, and why is that not being focused on more than the masses that are crossing in Texas? It is a tragedy everywhere it is happening.

Mr. DEL CUETO. It is the lack of consequences from this Administration. They realize that if they cross they just have to claim asylum and they get released. So, what has been happening in Arizona is you are still having the large groups that are coming through here, and they are in more remote areas. So, the drive from when agents arrest these individuals to an area of processing is sometimes well over 1 or 2 hours away, and I think that is some of the issue. So, that is 2 hours where the agent is now away from the line that allows the drug smugglers to start bringing their drugs and everything else into the country.

Now, realistically, you are seeing a lot more focus in Texas because the governor in Texas has done a fantastic job of allowing the media and having other law enforcement in those areas that are able to talk about it and see what the problem is. Out here in Arizona, it has been a little bit harder for individuals to see what

is happening. And I can tell you specifically, I think it is approximately right over 60 linear miles with Mexico, and it is very limited access to media or anyone else to go out there.

As an example, when you are seeing the mass groups that were coming in, in Texas or in areas of Lukeville at the same time, that area, particularly an area called the San Miguel gate, was experiencing over 1,000 individuals that were entering every single morning, and all they had in that area were two agents to watch over 1,000 people.

Mr. WESTERMAN. Thank you. Mayor, I was shocked in your testimony, you are the Mayor, you grew up here, and you have actually advised your family to stay off the main thoroughfares. We are almost out of time but I can only imagine what it is like if you used to recreate on the Federal lands here how much of a discouragement it would be to use the public lands. And to our ranchers and farmers, thank you for what you do. Much of what our Committee works on deals with rural America.

I will leave with you a quote by a famous writer named Aldo Leopold. He said, "There are two great spiritual dangers of not living on a farm. The first is when you think food comes from the grocery, and the second is when you think heat comes from the furnace." I know it is hard to get young people to go into farming today and into ranching, and it makes it exponentially more difficult when you are in an area dealing with the things you are dealing with, with the border crisis. So, thank you, and I yield back.

Mr. TIFFANY. The gentleman yields.

I want to correct one statement. Earlier I attributed a quote which was to Senator Murphy, who is one of the authors of the Senate bill, and I want to be precise in what he said. He said, "Our strategy has failed to deliver for the people we care about most, the undocumented Americans that are in this country."

Now I would like to recognize Mr. Curtis for 5 minutes.

Mr. CURTIS. Thank you, Mr. Chairman. As I have reflected, waiting for my turn, I don't want to be too dramatic, but this just may be the most important hearing that I have attended in my 7 years in Congress. If you think about 100,000 lives lost to fentanyl, if you think about the many impacts that we have talked about today, this is incredibly important, and I hope the American people are watching.

This is my third trip to the border in several years. I have been under President Trump's administration and President Biden's administration, and I came today with the specific purpose to learn about the control of the border. And what I learned is that the border is controlled, not by the U.S. Government but by the cartels. They control who comes, they control when they come, and where they come into the United States. I thought that was our job in the United States. They even control if they come. I was shocked to learn that if those who want to cross the border are not willing to pay the thousands and thousands of dollars that they could be shot by the cartel coming across the border.

Every fact here points to the complete failure of President Biden and his policies, or perhaps a better way to describe it is lack of policies.

As just one example, as we arrived at the border today we were greeted by a wall, almost as far as the eye could see. Imagine my surprise to learn that that was President Obama's wall, the 20-foot wall. Towards the end of the wall you could see where it climbed to 30 feet, President Trump's wall, and then, symbolically after that, no wall, representing no policies, no effort, no ability to deal with what is happening here. And, of course, the piles and piles and piles of unconstructed wall laid on the ground next to the wall.

Sheriff, it was quoted earlier, but I want to restate this because all of us were impacted by this. You said, "We are not dealing with an immigration issue. We are dealing with an organized crime issue." Could you explain that a little bit so that everybody else can understand what you meant by that?

Sheriff DANNELS. Well, Congressman, we are dealing with an issue where the border, our southern border and northern border, let's not be absent to that, is controlled, ingress and egress, by these criminal cartels for violence, fear, and greed. There is just no other way around it. CBP knows it. Locals know it. Law enforcement knows it. We see it every day. And I talk to my fellow sheriffs, the crime, the tragedies that they are bringing to our country, not just the borders; this is America's problem, the criminal cartels, these organized transnational organizations are destroying our country, one pill at a time, one entry at a time.

Mr. CURTIS. We talked about the millions of crossings. Is it fair to say that at the low numbers people are paying \$5,000, \$6,000 per crossing?

Sheriff DANNELS. That is correct, Congressman.

Mr. CURTIS. And those are the low numbers.

Sheriff DANNELS. The higher countries of interest, the higher the price. We have seen it all the way up to \$21,000 and plus.

Mr. CURTIS. Thank you. Mr. Del Cueto, tell me why Utahns should care about what is happening here. We live a long way away from this, but could you help Utahns understand why this impacts them and how this impacts them?

Mr. DEL CUETO. Because the drug cartels are not just operating here. They are not just making their money off of what they sell on our southern border or in border states. They are making their money off of what they sell throughout the entire country. And when you are looking at what is being apprehended or where these individuals are being apprehended, it is known that the drug cartels operate in over 160 different countries worldwide. And because of that, they are going to continue to operate in different states within the United States, including Utah.

Mr. CURTIS. Yes, that has been a fact. Our fentanyl deaths in our state have increased dramatically in correspondence with the numbers coming across the border.

Mayor, I was the mayor of Provo, Utah, for 8 years, and listen, I think anybody that is a mayor walks on water, and I appreciate that.

Mr. MCCAA. Thank you, sir.

Mr. CURTIS. I can't imagine financially how you budget for the impact of this. Do you have any sense how this impacts your budget?

Mr. MCCA. Sir, my police chief, the deputy chief is here. When we have load cars that come through town we have 66 sworn, but all those 66 sworn are sectioned out when we have a load car come through town, because we don't know when they are coming, where they are coming. The Sheriff and the deputies do an amazing job of trying to keep the load cars out of town, but some come through town and we have to man all posts because we have a lot of intersections, we have a lot of families.

As a matter of fact, one load car came down to our high school, which we had to lock down the high school, lock down the schools, so that takes away our resources.

Mr. CURTIS. And we are out of time, but I can't even imagine. That is one aspect of it. Health care, every aspect of this has to impact your budget.

Mr. MCCA. Yes, sir.

Mr. CURTIS. Let me just say quickly, I have introduced recently into the House a bill that would actually reimburse states who send law enforcement help to Texas, and we hear you loud and clear that you can't afford this, and I certainly, with my colleagues, will look for ways to get you help.

Mr. Chairman, I yield my time.

Mr. TIFFANY. Thank you for your questions, Mr. Curtis. Now I would like to recognize the gentleman from Minnesota, Mr. Stauber, for 5 minutes.

Mr. STAUBER. Thank you very much, Mr. Chair, for holding this important hearing, and Representative Ciscomani, thanks for having us down here. Your staff is doing a great job.

We talk about the southern border. What is happening at the southern border also affects the northern border. I represent northeastern Minnesota, so if you are looking at a map, the farthest right, eastern part of Minnesota, almost to that little notch and beyond. And that is the Grand Forks Sector, and you know that, Mr. Del Cueto. There are two agents on duty tonight, two, in over 500 miles. Do you know why? Because they are down here processing, or they are in their offices processing for what is happening down here.

So, we have two borders, folks. And this is my third time, as well, coming down here, and I will just share with you a terrorist on the watch list got through the border of California, ended up in Minnesota, was there for almost a year before we realized that he was on the terror watch list, and took him into custody. But in that 8 or 9 months it is alleged he was involved in arms sales. And then when you talk about the 1.7 million got-aways, 1.7 million got-aways, I want to remind the people that it took 19 terrorists to do that bastardly attack, 9/11. So, we don't know who they are, where they went, and what their intentions are, and that doesn't count the 85,000 children, we don't know where they are.

And to the men and women in law enforcement who are wearing the uniform today, and in plain clothes, we thank you from the bottom of our hearts for what you are doing. As one of only a few Members in Congress that has ever worn the uniform, I have a good idea what you are going through. And Sheriff, when your folks are chasing, that is the most dangerous thing they can do, but the men and women put their lives on the line for the safety of us.

Representative Fischbach, myself, and others from the Minnesota Delegation, we sent a letter to Secretary Mayorkas, asking how did that terrorist get into the state of Minnesota. And Mr. Chair, I want to put that in the record, if I may.

Mr. TIFFANY. Without objection.

[The information follows:]

**Congress of the United States
Washington, DC**

February 2, 2024

Hon. Alejandro Mayorkas, Secretary
U.S. Department of Homeland Security
300 7th St SW
Washington, DC 20024

Dear Secretary Mayorkas:

We are writing to you with extreme concern about an internal federal memorandum, obtained by the *Daily Caller*, which revealed that an Al-Shabaab terrorist entered the United States illegally and lived freely in Minnesota for nearly a year until he was recently arrested on January 20, 2024. Secretary Mayorkas, your southern border policies, which encourage the free entry of military-aged, foreign national men, are directly endangering Minnesotans and all Americans.

While this unnamed terrorist was apprehended in January 2024, he had been in the country since March 13, 2023, after illegally crossing the southern border in San Ysidro, California. When apprehended at the border, the Terrorist Screening Center determined that the screening results concluded this individual was misidentified as an affiliate of Al-Shabaab and he was subsequently released. On January 18, 2024, the Terrorist Screening Center corrected its mistake and redetermined that the individual is a confirmed member of Al-Shabaab. Throughout the ten months this terrorist was loose in the United States, reports state that he was involved in arms trafficking.¹

It is unacceptable that the Department of Homeland Security wrongly allowed this terrorist into our country through the southern border after identification concluded he was on the terrorist watch list. Sadly, this is just one example of the Biden Administration's policies that have led to this crisis. Since President Biden took office, 361 individuals on the terrorist watchlist have been encountered at the country's border.²

However, these statistics are only from individuals who were screened at the border and do not account for all the illegal immigrants who were not. Since the Biden Administration took office, there have been 1.7 million individuals who evaded apprehension and entered our country, their affiliations unknown.³ Bad actors are exposing vulnerabilities in national security policies created by the Biden Administration and our constituents, as well as everyday Americans, have to pay the price.

Given the news of the apprehension of the Al-Shabaab terrorist in Minnesota, we respectfully request the answers to the following questions:

1. To provide transparency, will the Department of Homeland Security release the internal federal memorandum that the *Daily Caller* obtained to Congress?
2. What factors led the Terrorist Screening Center to conclude the individual was misidentified as an Al-Shabaab terrorist at the southern border and justified his release?

¹ Taer, J. (2024, January 29). Exclusive: Terrorist caught illegally crossing the border was allowed to roam free for nearly a year, Memo says. The Daily Caller. <https://dailycaller.com/2024/01/29/exclusive-terrorist-caught-illegally-crossing-border-allowed-roam-free-nearly-year-memo-says/>

² U.S. Customs and Border Protection. (2024, January 26) CBP Enforcement Statistics. <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>

³ Border Sector Chiefs confirm operational impacts of Border Chaos: Increased Gotaways, closed checkpoints, and empowered cartels. Committee on Homeland Security. (2023, December 20). <https://homeland.house.gov/2023/12/20/border-sector-chiefs-confirm-operational-impacts-of-border-chaos-increased-gotaways-closed-checkpoints-and-empowered>

3. What factors led the Terrorist Screening Center to determine that their initial assessment at the border was incorrect and a reassessment was needed?
4. Does the Department of Homeland Security have any information of what the Al-Shabaab terrorist was doing in the United States, including his activities in the State of Minnesota or his involvement in arms trafficking, between entering the country in March 2023 and his arrest in January 2024?
5. Are you willing to provide a briefing, either classified or unclassified, to the Minnesota congressional delegation about the events surrounding the arrest of the Al-Shabaab terrorist?
6. What steps is the Department of Homeland Security taking to prohibit this from occurring again and to ensure terrorists are detained at the border?

Again, we are extremely troubled by the recent news of the known Al-Shabaab terrorist being in the country for almost a year. We thank you for your prompt consideration of our questions to provide transparency to our constituents and the American people.

Sincerely,

Tom Emmer
Member of Congress

Brad Finstad
Member of Congress

Michelle Fischbach
Member of Congress

Pete Stauber
Member of Congress

Mr. STAUBER. Sheriff Dannels, first off, this is the first time you and I met.

Sheriff DANNELS. Correct.

Mr. STAUBER. You are impressive.

Sheriff DANNELS. Thank you.

Mr. STAUBER. Your service, your get-it-done attitude, and your truthfulness, and I am appalled that as a leader, a law enforcement leader, in this county that you have not received a response from our President, from the National Sheriffs' Association, to meet with him. That is appalling.

Sheriff DANNELS. It is.

Mr. STAUBER. Sheriff Dannels, can you elaborate on any instances of red tape, whether it be permitting challenges or otherwise, that is holding back your department from taking necessary action or making necessary investments to better respond to this border crisis?

Sheriff DANNELS. Yes, and thank you for the fine comments. Thank you. I am humbled.

Let me say this. We have presented a 16-point action plan to Secretary Mayorkas. I actually hand-carried that to him, accompanied by about 10 other sheriffs. Four months later, I asked him where we were at with that 16-point action plan, which was put together by the nation's sheriffs around the country. He stated to me, "Did you give me something, Sheriff?" We have never heard back since. We have sent a minimum of four letters to the White House to meet President Biden on behalf of the four major county sheriffs' associations, with no response. And that has been reconfirmed over and over, to meet with us. This is the first President in modern-day history not to meet with one sheriff in this country, and we call that insulting.

The other thing that is really hurting us is a failure to prioritize our southern border by this Administration, the failure to follow the rule of law, the failure to have judicial oversight, and most important is the failure to have our CBP agents working alongside us because they have been redeployed for other administrative duties. We need our agents back and our officers back from the Federal Government, and to be allowed to do their job.

Mr. STAUBER. Totally agreed.

Mr. Boelts, Mr. Chilton, thanks for your testimony. I only have 20 seconds left. Mr. Chilton, with the number of people crossing your lands and wreaking havoc on your crops and the garbage, what does it cost you personally?

Mr. CHILTON. We have tried to answer that question and it costs me, personally, about \$60,000 a year. But the real cost is the concern that my cowboys and my family might be violated, get caught between Border Patrol and the illegals in a gunfight.

Mr. STAUBER. Mr. Chair, can I use 30 more seconds?

This President today, without any legislation, by executive action, can end catch-and-release, re-instate Remain in Mexico, enter into asylum cooperative agreements, end parole abuses, detain inadmissible aliens, use expedited removal, rein in taxpayer-funded benefits for illegal aliens, and issue a proclamation to suspend or restrict entry. This is the exact same thing that Chairman Westerman just said. He can do that in 5 minutes by Executive Order, and I yield back.

Mr. TIFFANY. I believe the gentleman from Minnesota directed the question to both Mr. Chilton and Mr. Boelts. Mr. Boelts, do you want to address that question of the cost to your operation as a result of illegal immigration?

Mr. BOELTS. Thank you, Mr. Chairman. Representative Stauber, myself and my neighbors, it costs those of us operating roughly the 40,000 acres that are closest to our international boundary anywhere from a couple hundred thousand a year in cleanup to several million dollars a year. It just depends.

We had a unique situation where a whole group of Haitian immigrants, who were a little bit unique compared to most immigrants and asylum seekers, folks entering the country illegally. They camped out alongside one of our fresh produce fields and one of my neighbors', and stayed there for a couple of days. They were unique in that they weren't walking across the border and saying, "Here I am. Where is my free bus ticket, my free meal ticket, my free airline ticket, and my hotel room?" They were less trusting of Federal and local authorities, so they camped out for a couple of days, mostly women and children. You don't want people sitting next to your fresh produce field who you can't get to leave. So, that was a unique situation. But yes, unbelievable quantity of trash, refuse, trampling of crops. It is extraordinary.

And the worst part about it is most of the folks that I mentioned in my testimony that legally work in agricultural fields in my community, the first- and second-generation immigrants, ask them what they think about what is going on today. They are appalled. These are people that spent tens of thousands of their own hard-earned dollars. Sometimes it impacted multiple generations. And they sit there and work every day and watch our government. They

worked hard to become part of this country, a legal part of this country. They pass through checkpoints. They pass through ports of entry. They did it legally, and they are extremely appalled. Many of them are the ones out here picking up the trash, refuse, and trying to make use of the crops behind this tragedy.

Mr. TIFFANY. I would now like to recognize the gentleman from Guam, Mr. Moylan, for his questioning.

Mr. MOYLAN. Thank you, Mr. Chairman, and thank you, everyone, for being here today to participate in this very important hearing. I just wanted to expand a little bit more in talking about the financial side of this impact we are seeing from this influx of migrants.

My district is from Guam, and it is not as impacted exactly as the issues you are facing, but my constituents know all too well the feeling of being left to deal with a large number of migrants without adequate financing support from the Federal Government.

My first question is for Mayor McCaa. Thank you for your extensive Army service, sir, by the way, and thank you for coming today to discuss how your community has been impacted by this migrant crisis. You mentioned some of the numbers, but I just really want you to expand and help us see it even clearer, the impact that your local town budget that you are using to provide the services, such as police, fire, and hospitalization, that is being taken away from your residents. This money has been taken away from your budget.

What is being neglected? How can you continue on this way without the Federal Government coming in and giving you that support?

Mr. MCCAA. Chairman Tiffany, Representative Moylan, thank you. Our budget is being impacted. We have our CEO of the hospital; he is in the room as well. He had said that our hospitals are overcrowded. Emergency rooms are overcrowded. Our resources, again, our police resources, we only have 66 sworn, but when load cars come through town, again, every sworn detective, even our own deputy chief, have to go out on the road. That takes away from our citizens. That takes away from our communities.

Our budget, I don't have the hard numbers but I can get those to you after this is concluded.

Mr. MOYLAN. That is fine. I am actually thinking, are you having to neglect basic services for your residents because of the lack of budget, or the amount of budget that you have to use in order to provide these services to these illegal migrants?

Mr. MCCAA. Yes, sir.

Mr. MOYLAN. For example, what other things are being neglected?

Mr. MCCAA. Just regular patrols around town, sir, regular patrols that keep our communities safe.

Mr. MOYLAN. Sheriff, do you want to add onto that?

Sheriff DANNELS. Yes, if I could add a collective statement on that. Under just the jail bookings I shared earlier, over 3 years ago our percentage of border-related crimes in our jail estimated were 5 to 10 percent. We are pushing 44 percent of all the crime in our jail is border related. That is a collective statement of every community in this county for law enforcement, that is what they are addressing in their communities too. It is relevant.

Mr. MOYLAN. How is your retention rate with your officers, and new recruits as well?

Sheriff DANNELS. It is a serious challenge because we spend 40 to 45 percent of our time dealing with some kind of border crime. When you guys were at the border down there, I got back in my car and they were looking for a load vehicle, as you were sitting at the border. We deal with it all day long. Whether it is a death, whether it is a tragedy, whether it is a high-risk pursuit, we are dealing with it.

And let me just say, and it hasn't been discussed, I think it is really important, if I get the privilege on this is the threats towards law enforcement, I have seen agents where they tried to cut their throats, I have seen troopers drug by the smuggler drivers, I had two deputies almost killed last year. One is still off the job, and I am sitting there at the hospital. They didn't think he was going to live, from an incident from a load driver going 100 miles an hour. Are we sick of it? Yes, we are real sick of it. We are sick of it, and we are asking for answers. But these officers, these deputies, these agents, and these troopers are putting their lives on the line, and thank you all for supporting that. Thank you, sir, for what you said on that, wearing the badge with us. We need your help on that.

Mr. MOYLAN. I would be happy to help, but I just wish our President would be more involved in this. You expressed some dangerous situations going on here. You are pleading for help. You have the facts in front of you. Yet, I don't understand why the Biden administration hasn't taken the time to come and stand by your side and do what is right.

Sheriff DANNELS. And just to add on that, I was on President Biden's transition team on behalf of National Sheriffs'. I shared the stories and the good efforts that we are doing, the reality of our conversation. I was shocked, disappointed, and, again, frustrated that on Day 1, the first week, he declared the southwest border a non-emergency, which puts us in this position even worse than we have ever seen it. It is frustrating.

I spoke to the White House, Tom Perez, along with four other sheriffs just recently. I begged for a meeting with the national sheriff leadership, and it has been crickets ever since.

Mr. MOYLAN. I thank you for your service, and the rest of the panel and those coming here today.

Mr. Chairman, thank you very much.

Mr. TIFFANY. The gentleman yields. I would like to recognize Mr. LaMalfa, from California, for 5 minutes.

Mr. LAMALFA. Thank you, Mr. Chairman, and thank you all for gathering here today for us to be able to interact with you. I have made a couple of trips to the border, and today just underlines how futile what we are doing, or what this Federal Government is doing, is. It is appalling. And my wish is not to politicize this per se. But for President Biden to come on the TV and say, "Well, the Republicans could have been doing something about this." Hogwash. I mean, they held all three branches from 2000 to 2022. They could have done anything they want on the Democrat side with their dominance. Any legislation they wanted, they could have

done it, all right. And they did not act. Instead, they have opened the gates even wider.

Nobody wants to hear this partisan stuff. I get it. But you have to lay the problem where it is. So, for us to be taking up this situation with Secretary Mayorkas, a lot of people say, "Oh, it is just a political stunt. You are going to impeach this guy, right?" He has earned it, OK. He has lied to the public. He has lied to Congress. He has not done his job. No, maybe you-know-what rolls downhill. Maybe the orders are coming from the top. But he could do honorable things and either speak against it or resign himself if he finds what is going on, what his orders are, so abhorrent.

So, we will be doing that again this coming week, and maybe we can get our act together and actually see that through, and make the statement on that, and hold him accountable. That is what it is about. It is not a political stunt.

With that, I am a farmer in Northern California in my real life, and I wanted to ask a couple of questions of Mr. Boelts and one of Mr. Chilton, as well. Mr. Chilton, let me start with you. Again, we were out there a minute ago looking at the fence line, and all that fence material that we paid millions and millions of dollars for, a lot of them have date codes on it. They are like from October/November 2020, that material has been laying there.

Did I not hear there was a situation for a while where people with private property right up against the border, that there were folks helping fund and put up fence on private lands and the ability to do that? Mr. Chilton, was that something that was offered to you or available to you, or has that since been tossed out by a court or something? Do you have that availability of somebody building privately and getting the funding to fence off your land?

Mr. CHILTON. The 5.5 miles of international border on my ranch is all Federal land. The problem is they cross Federal land and then cross my private property. Private people have a difficult time getting the approval of the Federal Government to put in walls.

Mr. LAMALFA. OK, thank you. Yes, I knew it was going to be tough. Well, we still have these gaps in it, and we couldn't see them all where we were, but we know about them. On our previous trip down to the Yuma area, you could see the gaps. It is ridiculous, people just streaming across. Biden promised about 2 years ago, "We are going to fill in the gaps." I guess they have done a little bit of it now, but it is ridiculous.

Mr. Boelts, when you are talking about the people trampling through the fields there, I would like to give you more time to emphasize on what the losses are on that, because in California, we have implemented very tough, what is it, phytotoxicity rules on the leafy green crops and such. You can't get anything out of them. They are even talking about screening over orchards there so if birds are flying over you don't get bird feces on the fruit, and stuff like that. I mean, they don't live in the real world sometimes. But what do you have to deal with as far as the cost, the other preventative measures, because they are out there anyway, in order to protect your crops and get your crops so they can pass health and food inspection to get them to market? And what is the cost to your industry?

Mr. BOELTS. Mr. Chairman, Representative LaMalfa, yes, it is an extraordinary situation. Basically, if we have any animal or any human being, these are where pathogens come from, right? Human pathogens are carried by people, and they are carried by wildlife and domesticated animals.

So, we are very cognizant of it. We are evaluating fields before they are planted, at planting. During the growing of the crop we are especially attentive. And then immediately prior to harvest evaluations happen.

On a field-by-field basis, roughly an acre of fresh produce can be worth \$5,000 to \$6,000 before a knife is put to it and it is harvested. So, we are obviously trying to make the best use that we can of—

Mr. LAMALFA. Like talking for your industry, are we talking tens of millions in losses? Are farmers looking at what they are dealing with there and saying, “Maybe I am just not going to plant these particular crops by the border.” That sort of thing?

Mr. BOELTS. There are definitely some lands that are not put into fresh vegetable production. They are left in other crops for that specific reason. There is fencing going in. There is crop lost every year because they are not just being physically trampled but just when folks that are not properly trained enter a field you have to section off that area of the field.

It is an ongoing issue. Our particular issue is largest in the very western part of our county on or near the Cocopah Reservation. There is no fencing on the Cocopah Reservation. That is a unique situation for our State Department, the Cocopah Tribe. It is not just a problem for us farmers that are farming Cocopah land. It is an extraordinary problem for the Border Patrol. There is a concentration up there, resources dedicated there because of there being no wall.

There is some Normandy fencing, but even that has been penetrated with vehicles running people and smuggling drugs. So, it is an extraordinary problem. It has been going on for decades.

Mr. LAMALFA. OK, thank you. If you are not growing it here, and I am not growing it in the Central Valley because they are taking the water away and giving it to fish, or in my district where the marijuana cartels, because of the border, are making water and land unusable, we have a gigantic problem. Thank you.

Mr. WESTERMAN [presiding]. The gentleman’s time has expired. The Chair now recognizes the gentleman from Oklahoma, who is also the Chairman of the House Republican Study Committee, Mr. Hern, you are recognized for 5 minutes.

Mr. HERN. Thank you, Mr. Chairman, but I really want to recognize your new Congressman, Congressman Ciscomani. He has done a fantastic job for you all representing this most important issue in Congress to us all. I often say, and I said it certainly this morning, there are a lot of people in Congress that talk about things they know nothing about. It is wonderful to have somebody there that actually has lived it and seen it in his entire life. So, thank you, Juan.

[Applause.]

Mr. CISCOMANI. Thank you, my friend.

Mr. HERN. You are hearing us all, and it is so great for us to be here and to be able to vent to people that live this every single day. And I know in your hearts and in your minds you are saying, "They are here. What are they going to do?" We are on your side, and this is almost like us just talking to each other. And it is so great. You have a great sheriff here, as was mentioned earlier, you know, all law enforcement. It is so refreshing across the country. And I want you to know that he is backed by county sheriffs across this nation.

I just had a roundtable this past week in my district, back in Tulsa, Oklahoma, and this same narrative, it is everywhere. "Congressman, what are we going to do about the southern border? We have fentanyl issues. It is killing our people. And it is a travesty. We have human trafficking. Homeland Investigation Services are just turning people loose. They are not letting us arrest people."

And, unfortunately, Mr. Boelts, I think you said this earlier, it should not be a partisan issue, but it is, and it is sad. It is not a partisan issue to go through that precheck line at the airport and make sure there are not criminals when you are sitting beside somebody, but you all, every single day, are living the same kind of threat in your towns, your communities, your homes. Many of us up here have been to the southern border numerous times, in Texas that gets the most highlight. But as the CBP Chief said a minute ago, we are seven times, eight times worse than that, anywhere on the Texas border. It is a travesty what is going on across this nation's southern border, a travesty.

We saw an article, and I think more and more people, I think we can thank Governor Abbott for what he has done to send or allow people to leave Texas and go to these sanctuary cities because now you have our colleagues on the other side of the aisle that are putting pressure on this, and in Washington, DC. There is nothing more impactful than politics. And the President knows that there is a real problem now, and he is trying to figure out how to do it.

And you heard my colleagues talk about the eight items out there. Sheriff or anybody up here, of those eight items which would have the biggest impact on the invasion across our southern border.

And before you answer that I just want to say one thing. If you haven't seen how people now are starting to report this, if you saw "60 Minutes" on Sunday night talk about what was happening 60 miles east of San Diego, where TikTok was instructing people around the world on how to come to this particular point, something as similar as the end of the wall that we just saw out here just a minute ago, just droves of them. And CBS "60 Minutes" reported that there were 600 Chinese illegal immigrants that came across that one hole in the wall in a 3-day period, and TikTok instructed them on how to do that, how to bring them 7,000 miles away.

So, Sheriff, if you could talk to us about the eight items, which one of them that the President could implement quickly, and what impact it would have.

Sheriff DANNELS. Well, the biggest thing I would say is this, and I have said this for the last several years, is you have to acknowledge that there is a problem. We just finally heard that several weeks ago from President Biden that the border is not secured. We have the Vice President, the border czar, that has not engaged with the border communities, mayors, sheriffs, and beyond. So, he has acknowledged it. Now let's prioritize it. Let's engage our community leaders to get to the table, and we can fix it.

At the beginning of the day, we wake up with the communities. At the end of the day, we go to bed with the communities. But the more you neglect communities, the worse this is going to get. We need to prioritize and enforce the rule of law.

And I have to say one last thing that I think is so important, that Secretary Mayorkas and I spoke about 3 years ago. I said, "We have to have enhanced judicial oversight on credible fear, asylum claims, because right now they are exploiting it." He said, "I 100 percent agree with you, Sheriff." That was 3 years ago. We are nowhere different than we were 3 years ago. I will leave it at that.

Mr. HERN. If you saw what the President said today, which proves what my colleagues have said, nothing has changed since President Trump was in office. The only thing that has changed is that President Biden has undone all the things that President Trump did that started slowing the crossings of the border. He said today that "since Congress cannot do something, I guess I am going to have to implement Executive Orders." So, he has known all along that he has had the ability to do this, and that they have been discussing this for months. And there have been people dying across this country because of illegal fentanyl flowing, and you all have been suffering.

So, I just want you to know, those are the facts, and he was the one that put that out today that he was going to have to do Executive Orders.

I yield back.

Mr. TIFFANY [presiding]. The gentleman yields. I would now like to recognize the gentlelady from Wyoming, Ms. Hageman.

Ms. HAGEMAN. Thank you. Mr. Boelts, I had the pleasure of visiting the Yuma area last year, although unfortunately it was for the purpose of understanding the scope of this crisis. I want to discuss how the current failure to defend Federal borderlands and secure the southern border is impacting you, and I want to focus on the impact it has on Yuma agriculture.

I was incredibly fascinated to learn that between November and March, as much as 90 percent of our nation's leafy vegetables like lettuce are grown in Yuma. Mr. Boelts, you touch on this in your testimony, but I want to give you more time to discuss the burden of individuals crossing through non-ports of entry has on agriculture in your community. What does this do for crop production? What I specifically would like to get to is can crossing through your fields result in mandatory significant crop destruction?

Mr. BOELTS. Mr. Chairman, Representative Hageman, thank you for attending and visiting our area down in Yuma and for being here. I hope it has proved extraordinarily educational.

Yes, I think the most impactful thing is just the sheer numbers that Customs and Border Protection is trying to deal with, and

then us, as farmers, that are operating those public and private lands in the proximity to the border.

When folks enter into a field if they are not properly trained that pretty much ends the harvestability of that particular area. At \$5,000 to \$6,000 an acre, that is roughly the size of a football field. We are talking about tens of thousands of acres that immediately border our international boundary, and that is just in that one part of our county where the traffic is heaviest.

Again, I urge the Federal Government to work with the Cocopah Tribe. If they were to work with the Cocopah Tribe and then get some additional wall, get some additional resources put there, and then if we were able to handle the asylum seekers differently, we would dramatically cut the number of people that Customs and Border Protection is having to interdict that are not crossing through ports of entry, and that would be extraordinary.

And the unusual thing is that in our community we are short of workers every day to do work in our fields. A good friend of mine recently approached Border Patrol about visiting some of the folks who are seeking asylum and who have entered our country without documentation that are being held temporarily. He approached them about asking them if they wanted to join the H2-A program. He addressed over 900 folks that had entered our country illegally, awaiting transportation or appointments with courts, and he received zero takers on his opportunity to go to work.

Ms. HAGEMAN. They are not here for jobs. They are not here for opportunity.

Mr. BOELTS. At least not in the areas where they are crossing, for sure.

Ms. HAGEMAN. OK. I am going to give a couple of metrics I would love to have more time to address the Ag issue. I grew up in Wyoming, on a ranch. I have been farming, handling water issues pretty much my entire life, so I feel for both of you. But I want to give a few metrics on something that I think is very important for what we are discussing today, and that is specifically the environmental impact of the illegal crossing.

For a NEPA environmental review process it takes approximately 6.1 years. To obtain a 404 permit under the Clean Water Act it takes 10 or more years and costs hundreds of thousands of dollars. Over \$1.7 billion is spent each year by the private and public sectors obtaining wetlands permits to be allowed to undertake even the slightest disturbance to a creek or waterway.

I had a case several years ago, I am a water attorney and I had a lawsuit in Wyoming where one of my clients cleaned out an irrigation ditch, affected 2.1 acres of land on his own property. The EPA concluded that that was a navigable water of the United States, brought a lawsuit against him, and when we went to trial he was facing penalties of almost \$65 million for cleaning out an irrigation ditch on his own property.

The irony is that none of the individuals or companies undertaking a NEPA analysis or a 404 permit would ever be allowed to cause the type of environmental degradation and destruction that the cartels and illegals are causing throughout the southern border, as shown in the photographs that we saw today.

I think we have to acknowledge something, and that is that the Biden administration has gone to war with the American public. They have elevated the financial interests of the cartels above and against us. They are turning a blind eye to the environmental destruction that is being caused by the cartels and the illegals, and we are being punished for it. We not only have the economic impact, we not only have the impact on our farms and our ranches, our communities, our law enforcement officers, but our creeks, our waterways, our Federal lands, and our private lands are being destroyed by illegal immigration, and this Administration is doing nothing about it.

Again, I wish I had more time to discuss all of these issues with you, but it is something that we, as Congress, have to address to make sure that we are not losing some of our most valuable resources because this Administration refuses to secure our border.

With that, I yield back.

Mr. TIFFANY. The Representative from Wyoming yields. I would now like to recognize the gentleman from Georgia, Mr. Carter.

Mr. CARTER. Thank you, Mr. Chairman, and thank you for allowing me to waive onto this Committee. Gentleman, I do not serve on the Natural Resources Committee but I do serve on the Energy and Commerce Committee as well as the Budget Committee.

Let me tell you about the Energy and Commerce Committee. Just recently, I have been honored to be chosen as Chair of the Subcommittee on Environment and Critical Materials and Manufacturing. Well, I will be quite honest with you. I have set a number of goals with my priorities of what I want to accomplish in the environment setting but I haven't really thought about this until I got here, and then all of a sudden I hear about the impact that this is having on our environment. So, know that you have influenced another Committee of Congress to take action on things that we need to be taking action on, and that is very important.

I also serve, within the Energy and Commerce Committee, on the Communications and Technology Subcommittee, and I understand that this is a problem, Sheriff, where we are hearing that the cartels are using the internet to get people and to bring people in to help the people across the border and to do all kinds of things, that we need to address Section 230. And we have known for a long time, but not because of this. This was not one of the reasons why. And we need to address that as well.

On the Budget Committee that I serve on, and Mr. Mayor, I was a mayor in a former life too, and you heard Mr. Curtis say that. You better be careful. They may sentence you to Congress one day. But I know the budget impact. I know the impact that this can have on the budget.

I say all that to tell you that, yes, this is the Natural Resources Committee, but it is much more than that. This issue is impacting all of America. I represent the entire coast of Georgia. I am not sure you can get any further away from this area than you can where I represent. But this is a big issue for us.

By profession I am a pharmacist, and I will tell you that the fentanyl problem, the crisis that we have in the country, killing 200 people every day, the No. 1 killer, as the Chairman told you,

of adults 18 to 45. As a pharmacist, I was embarrassed. I made a mistake. I was in a town hall meeting and I referred to it as fentanyl addiction. And a mother stood up and corrected me, as she should have, and she said, "No, sir. It is not fentanyl addiction." She said, "My son took one pill and he's dead. It's fentanyl poisoning." It is poisoning our citizens.

And then I hear, Sheriff, that the price of fentanyl has plummeted. And you know, it is simple economics. It is just telling you, supply and demand, the supply in America right now is decreasing the price. What can we do to help you in that respect? I know we need to address it, Sheriff, on the internet. Now I am going to do that when I get back to Washington. I am going to do that. I am going to address that and explain to my colleagues why we need to do this. How else can we help you?

Sheriff DANNELS. Well, Congressman, I will say two things. The war on drugs needs to be re-addressed. We are losing so many good Americans every day, especially our young ones, that are attached, best friends, to social media. That is a tragedy. That is a true tragedy.

The second thing is this. We have to hold social media accountable. And I appreciate the hearing you all just did in DC recently. I think you made an impact on that. And I will say this to you. When you can go on social media right now, anyone in this room, to include yourselves, and buy a fentanyl pill and it is delivered to your house, in our community we call that a drug dealer, but for some reason they are immune from doing that. Something has to change on that, and thank you for doing what you are doing.

Mr. CARTER. Thank you, and thank you for bringing that to my attention.

Folks, this is the eighth time in the 10 years that I have been a Member of Congress that I have been to the border. Every time it has gotten worse, and now it is worse. I want to tell you what I have learned since I have been here, and this is important. First of all, I want to continue to thank Customs and Border Patrol agents for the outstanding work that they are doing, the outstanding work that they continue to do.

I learned today, during this trip, that we have more non-Mexicans coming across the border than we do Mexicans. I didn't know that before I came down here. That has to be of concern to us.

I also learned that the price of fentanyl has plummeted. That tells us the supply.

But Sheriff, you made a comment that I think all of us are going to take with us, and that is that this is not an immigration problem; this is an organized crime problem. And until we realize that in this country, we are not going to be able to do anything about it. We are at war with the cartels, and we need to start acting that way and responding that way.

I can't thank you all enough for what you do for our country. Thank you, Mr. Chilton. Thank you all for being here, and I yield back.

Mr. TIFFANY. The gentleman yields. I would like to recognize the Chairman of the Western Caucus, Mr. Newhouse, for 5 minutes.

Mr. NEWHOUSE. Thank you, Mr. Chairman, and thank everyone for being here. Thank you for allowing me and other members of the Western Caucus to sit in on what has turned out to be a very important conversation.

I don't think it is too bold of a statement to say that I think this topic that we are talking about today is the No. 1 issue facing our nation today. And I just want to thank everybody here, all of our panelists for participating, all of the Members of Congress for being here, and all of you in the audience for taking an interest in helping to solve this problem. I can't imagine what it would be like living in what we have been told is the best city in the country, and I will not dispute that, but you must have a heck of a challenge every single day, and I want to tell you, we appreciate what you are going through. And we want to be helpful. That is the point of this hearing today, to try to be helpful.

The alarming rate of illegal border crossings and the impact that it is having across this nation just proves every single day that whether you are in northern Wisconsin, as the Chairman is, or southwestern Arkansas, where our Committee Chairman is, or whether you are in central Washington, or anywhere in the country, we now join southern Arizona as being a border state. The impacts are felt everywhere.

We are very frustrated in central Washington. We, like everybody else, have seen a dramatic increase in the number of people dying from fentanyl and fentanyl poisoning. I put together what I call my Central Washington Fentanyl Task Force. We brought together members of law enforcement, judges, medical professionals, counselors, educators, even drug addicts, to try to come together with ideas to help solve this problem.

And certainly education and prevention are important, but one thing that we have been told by some people is you might as well forget about trying to stop the flow of drugs into the country. We can't touch that. We can't deal with that. We are not going to be able to make any difference there. And I want to ask Sheriff Dannels, maybe Mr. Del Cueto, what you think about that. Is that a futile effort on our part, as a country, to stop this?

Sheriff DANNELS. The return on that, Congressman, is going to be a challenge. I agree with that. But we can do it. We truly can do it. This is a social problem in our country that we have to address at the homeland first, but we can't address it here until we secure our borders. There is no other way to say that.

And this is not just a government problem. This is a citizen problem. The good Congressman from California asked about the border and the private funds and if I can answer that. Long story short is we had a fundraiser several years ago where the citizens of this great state put money forward. We took those funds here in Cochise County and put in a virtual system that covers the whole state of Arizona and parts of New Mexico, 1,300 cameras strong, that is watched 24/7 here.

We all have to do our part, just like you mentioned, and if we can't recognize that people are dying every day because an illicit drug and a criminal cartel is killing us, then shame on us, as this country. We can do a better job.

Mr. NEWHOUSE. Thank you.

Mr. DEL CUETO. There are tons of drugs coming across the border because there aren't enough agents out there watching the line. I know often it has been said if you hire more agents you can put them out there on the line. Under this Administration, the more agents you are going to hire they are just going to put them in the processing centers so they can process individuals faster.

The only way you are going to stop this is if you stop giving the incentives and you actually have some type of consequence for the individuals that are crossing. The cartels, yes, they control the border. They realize that they can flood one area of the border, send as many individuals as they can. They know all the agents in that area are going to be forced to go into the processing centers, and that is when it gives them the opportunity to bring their drugs across.

Now you have seen some of the camera footage that Mr. Chilton has put up. I know Sheriff Dannels has camera footage, videos, that I am sure he has shown you. But the reality is you don't have cameras across that entire border, and the drug cartels are very much aware of that. So, there are tons that are coming in that we don't even know are coming in. There are individuals that are coming in that have been apprehended on the terrorist watch list, but at the same times those individuals have been apprehended with other large groups, and the other individuals in that same group may come from the same area of the world that they have come through, but if they are not on the terrorist watch list they are asking for asylum and they are getting released as well. You need to stop just allowing them to be released, and you have to have true consequences for the crimes that are being committed.

Mr. NEWHOUSE. Thank you. This is a hearing on the impact of public lands. I am a farmer myself in central Washington, so I really relate to the testimony of you two gentlemen as it relates to the impact on your farms. I can only imagine, Mr. Chilton, you mentioned the safety of your family, of your workers, trying to farm, trying to ranch under these circumstances has to be challenging. I hear it is expensive. And I wish we could spend another hearing just on this subject alone because it is so important.

But thank you all for being here. Thanks for being part of the solution. And I see this as just a start of the conversation between us. We need to stay closely in touch, so thank you very much, Mr. Chairman.

Mr. TIFFANY. The gentleman yields. I would like to recognize the gentlelady from Minnesota, Ms. Fischbach, for 5 minutes.

Ms. FISCHBACH. Thank you, Mr. Chair. First of all, I just want to say thank you, Representative Ciscomani, for the invitation down, and thank you to the Western Caucus, and thank you to the Chair, because I think it is so important that we have these meetings and we are out and about and we are actually looking at the border, not just talking about it, and we know what is going on, and we are talking to the people that it affects.

And I also thank you for waiving me onto the Committee. I actually sit on Ways and Means, but we are doing the field hearings too, and I see such great value in them. So, I really appreciate the community welcoming us and such hospitality. And I also really am pleased to see that you are all together on this. This is a huge

issue for you, and you want to make sure that we are helping you and not hindering what is going. So, I appreciate you all being here, and actually, I have constituents here, if you can believe, because they are just so excited to come down and see me.

I am just teasing. They are here for other reasons than to see me. But they are concerned about the border too, and that is one thing. Representative Stauber represents one-half of the northern border in Minnesota. I represent the other half in Minnesota. And I mentioned this to the Sheriff earlier. We are already getting reports that we are having illegal crossing there. So, maybe very soon we are going to be seeing the same problems, unfortunately, so we need to make sure that we are doing what we can to help you secure and do what you can so that we can do the same when we need to.

But I think there have been a lot of great questions, a lot of great comments. And since I am second to last, what I want to do is give everybody, I have 3 minutes, if you have anything that you wanted to say that you weren't offered the opportunity to, here to just finish up. If there a comment you want to make, kind of last chance, unless Representative Collins decides to turn over some time. And it looks like Mr. Del Cueto has something?

Mr. DEL CUETO. Yes, ma'am. Look, we understand that there are things that President Biden can do, but we know he is not going to do them. And that is why we need bills and laws to come through so we can actually hold him accountable and actually get things done. H.R. 2 happened to be the perfect bill. There was no attacking it. But we need to pass bills. We can't just say, hey, he can do this, or he can do that, because we are aware of what he can do, but we are also aware of what he is not going to do. We need Congress to work together and get bills across so we can stop what is happening on our southern border.

It doesn't matter if you are right wing or left wing. The drug cartels do not care. They just want to come into the United States, harm American citizens, and if we continue just pointing a finger at one way or the other, we are never going to get anything done. Thank you.

Ms. FISCHBACH. And Mr. Del Cueto, can I ask, are you engaged with both parties in Congress or whoever is on that? Because we need your engagement before it gets to that point if there is a bill, but the input on the policy. So, I would love to see you engaged with that as it is produced.

Mr. DEL CUETO. The National Border Patrol Council is engaged with both sides, and we do have a good relationship and we are able to talk to certain individuals on either side. Obviously, we have better relationships with some than with others, but yes, we are engaged with different sides to try to get the right things done.

Also, aside from your question, I want to thank Congressman Ciscomani for putting this together and coming down here. I will add that he is one of the Congressmen in Arizona that has continuously been engaged and continuously makes phone calls, asking not just what is going on with the border but also asking how the Border Patrol agents themselves are doing. So, I want to thank you for that.

Ms. FISCHBACH. And I appreciate making sure you are engaged in making those suggestions on policy because that is what we need. And I believe someone else had another comment. There you go. I am sorry.

Mr. CHILTON. I am stunned that nobody has talked about securing the border at the border, finishing the wall. You can't tell me that the U.S. Government can't secure the border if it wants to. We need to complete the wall. We need to put the fiberoptic communications in, the sensors in, the electricity, and put the military, if necessary, or the National Guard on the border. We need to secure the border at the border.

[Applause.]

Ms. FISCHBACH. Thank you very much. And does anybody else want the last word?

Sheriff DANNELS. As elected sheriff, you know I am going to say something. I will say this. I did the meeting interview a while back and they asked me, similar to what you have all made, and I appreciate the kind comments to all of us here on the panel, but, "Sheriff, why do you do what you do?" No. 1, we signed up for it, just like you all have. But they really hit that hard, you know, we have given up, we are not going to do it anymore, we are not going to do it anymore. And I made a comment and I want to share it with the people in the audience today and you all today, that is, I was elected to promote this quality of life of the citizens of this county, to enforce the rule of law. The day I give up hope is the day we are in a hell of a lot of trouble here in Cochise County, and we are never going to give up hope. We, as leaders today, have to stand united, state, local, and Federal. If we can do that in this country, this problem will go away.

So, thank you for the opportunity to address that.

Ms. FISCHBACH. And thank you very much, and thank you all for being here. I appreciate it. Thank you to the whole community coming together to address this. And you heard so many folks have been here numerous times, have been to the border. I know that we have to address it, and I know that these folks continue to come down. And the fact that, what, 12 or 13 of us showed up to come down here to see what is going on, we will do our best, we will do what we can, and we appreciate your support and help too.

So, thank you very much, and I yield back.

Mr. TIFFANY. The gentlelady yields. I now would like to recognize the other gentleman from Georgia, Mr. Collins.

Mr. COLLINS. Thank you, Mr. Chairman. As an old trucker from Georgia in his first term in Congress, I ran on several different things, and the border issue was right up there as No. 1, securing that border. Mr. Chilton, you took the words right out of my mouth, that walls work, and we need to finish that wall.

When I have been up here over a year, I have had the opportunity to go, I think this may be my seventh or eighth field hearing. And most of the time we sit in DC, and we hold these hearings, and haul these intellectuals in from Harvard and Yale, you know, the ones that know everything. But that isn't where the real story is at. And it is nice to come out here to see real people, and to look out there and see on your face the concern that you have, not just for you but for your family and for your kids.

I represent about 20 counties, and we have a county that is barely 1,500 people. Man, they are losing a person, more than one person a month, to fentanyl. And this is up in the North Georgia Mountains, good blue-collar people.

Sheriff, sometimes I like to rant and don't ask questions, but I have to know something because I am like Representative Buddy Carter here. I did not know, I thought that when you wanted to cross the border you shelled out, I don't know how these folks have \$8,000 to \$10,000. I thought they were poor and couldn't afford nothing. But I thought that you just came here, shelled out money, and you went across the border. But from what I understand, and I want you to elaborate just to tell the American people exactly how this works. Because apparently there are certain sections of the border that you go across, depending on who you are, what you are, and this thing is way more organized than just a ferry boat ride across the river.

Sheriff DANIELS. Congressman, you are exactly right on that, and thanks to your sheriff and your district that came out and spent some time with us too, Sheriff Long. But it is true. It is the gatekeepers by the cartels that control the fees, control who comes across the country. As my friend here from Border Patrol will tell you, too, it is \$7,000 and up, based on who you are and who is taking the money from you. And a lot of those people, Congressman, don't have the money, so they become servants. And that is where that word, the modern-day slavery, and it is amazing that we are allowing that to happen, to come to the country. They are servants to the cartels for labor, sex, enforcement, whatever the case may be. We have to address the cartels, not as a political body but a criminal body. And you have heard me talk about that earlier today too.

So, it is a tragedy what is going on with these cartels, and it is sad that we are down here, state, local, community leaders, doing everything we can while the White House and Members of Congress are turning their back on that criminal cartel, because they are the ones winning here.

Mr. COLLINS. I appreciate that. The criminals that are coming across, they don't respect our borders. They don't respect that trash or the firewood. They don't respect our law enforcement or our laws.

I want to tell you all something. The hearings I have been on, the Federal Government doesn't give a rat's butt what you think. It is complete overreach. It is completely out of control. It is dominance. It is dominance over the American people to push us far left into a socialistic society. And if they can import people, like the people you have seen out there with these protests, that don't have any respect for law enforcement, then they have more voters in the country.

The thing I think I want to get across today is, and I want two things to come across. No. 1, by God, the political winds are changing in this country. Sir, you are exactly right. That border bill the Senate put out there, it was crap. I am glad they didn't take it up. H.R. 2 has been sitting over there in the Senate for almost a year. Hell, it has enough dirt on it you could plant produce in it. But they are not going to take that up. Of course, they are not. They

are not going to take up anything. They are not going to do those eight suggestions. I have them posted outside my wall. They are not going to do that. That would interfere with their agenda.

But I tell you what, November is coming quick. Biden had all three houses when he first came in. If they wanted to really pass a border law they could have done it then. What chamber were they missing? Nothing. We can fix that in November. If we put the right people in place up there, and by God, we will let these folks know that came into this country illegal, it is time to go home, because if you don't want to go home, we are going to pick you up and we are going to send you home, because it is time to take our country back.

Mr. Chairman, I yield back with that.

[Applause.]

Mr. TIFFANY. The gentleman yields. I would now like to recognize Mr. CISCOMANI for 5 minutes.

Mr. CISCOMANI. Thank you, Mr. Chair, and well, again, I am the last one. I just want to thank again everyone here on the table for being here, for listening so attentively to the witnesses. That is what I do. This is where I get my information, so now you know. If you like what I am saying up there, it is because I listen to the right people here.

I am not sure, though, if I totally appreciate Mr. Carter trying to encourage Mr. McCaa over there running for Congress. I mean, I just got here. OK. But Mr. McCaa, thank you for what you do.

Mayor, I will start with you real quick. I have a few questions and only 5 minutes left, of course. But, we often hear about the partisanship on the border issues, and one thing I talk about in Washington all the time, that it may be partisan in Washington, and it is. We have seen it. But I always say that at home it is not. At home, we have mayors on both sides of the aisle, county supervisors on both sides of the aisle, constituents on both sides of the aisle that care about this. And I think by this panel we have a clear example of that. By people in the audience we have a clear example of that.

Can you talk about that, how this issue is not a partisan issue here at home?

Mr. MCCAA. Yes, sir. Chairman Tiffany, Congressman Ciscomani, the letter that we wrote to President Biden on January 5, it doesn't have Republican or Democrat on it. We have seven mayors here in Cochise County that have gathered a coalition, Democrats, Independents, as well as Republicans, to back our sheriff, to back our police chiefs, and our Federal partners. We wrote a letter to him. We haven't heard. The only person I heard from was Representative Ciscomani. We carbon-copied the Vice President, Mr. Mike Johnson, Senator Sinema, Senator Kelly, Representative Juan Ciscomani, Governor Katie Hobbs, my dear sheriff, we always talk every day, but I have not heard a squeaking wheel from anyone else.

Mr. CISCOMANI. That is a shame.

Mr. MCCAA. We, as mayors in this county, are gathered together because we have an issue here. We have a problem, and we are going to back our sheriff and our police chiefs, and we are going to make sure that Washington hears our voices.

Mr. CISCOMANI. I love that, and if there is something that I want my colleagues to take away from this is that example, that this is not a partisan issue at home. At the border it is not. In Washington, where we fight every day, it is, but right here it is not.

Sheriff Dannels, real quick, we met back in December, we discussed the burden of the border crisis on the County Attorney's Office and the increasing crime rates here. Can you elaborate a little bit on what crime you see and how the county is dealing with it?

Sheriff DANNELS. First of all, Congressman, thank you. We are honored to have you serving us here. And I will say in the short tenure you have been in Congress you have been the most engaged U.S. Congressman I have ever dealt with, so thank you so much for leading us and everything you are doing. We are honored to have you, I will say it again.

Mr. CISCOMANI. Thank you.

Sheriff DANNELS. Our biggest threat is the international draw to Cochise County by the cartels, through social media, coming down here. They are bringing their criminal baggage, their stolen cars, their warrants, teenagers. We had a case out of Ohio where a fugitive came down here with a 17-year-old missing and exploited child from the state of Ohio. We see it all here, and the murders and the tragedies from our citizens and death along our highways.

We had a third-grader walking to school and came across a migrant that had come across the border illegally, died in the back seat of the smuggler's car. They rolled his body out along the highway, and here comes a third-grader going to school. You name it, we see it, Congressman, and that is what I am saying. We have to do something different because we are changing lives every day in this country because we are doing nothing. Thank you.

Mr. CISCOMANI. Thank you, Sheriff. I have been spending the night tour with you, and you are still very active out there, making stops yourself, and I appreciate that.

Speaking of that, I will go to Mr. Del Cueto here. On that same note, on the agents, and today you are wearing a really nice suit and a tie, and I appreciate that.

Mr. DEL CUETO. Thank you.

Mr. CISCOMANI. But every time I see you, though, you are working out in the field. You have actually been injured on the job due to the attacks that you have received yourself. The same goes for the agents that work there, that you represent so fervently every single day, and you speak on their behalf. And you and I have talked about this before.

My last question here will go to you. Can you talk a little bit about the morale of the agents right now, and what they are facing? What is happening in terms of the turnover, and what that means for the force, as well.

Mr. DEL CUETO. The morale is the lowest that I have ever seen it. I remember when I first started I would see agents that would get near the point of retirement and many of them would ask for extensions so they could stay. Many other agents would stay until it was time for them, mandatory, to leave the job. Right now, you are getting so many agents that the first thing they do, as soon as

they are eligible, they are leaving the job. They are just saying they cannot deal with it. A lot of it is because they have an Administration, they have leadership within the agency that has not backed them up. We have talked about it, and we have seen what happened with the horse patrol and everything else. It is getting so difficult for agents to be out there and actually do their job, and do it knowing they are doing the right thing, but obviously always underneath a microscope, and we have an Administration that just will not back them up for what they are doing. The morale is the lowest I have ever seen in my entire career.

Mr. CISCOMANI. Thank you for what you do, and thanks to everybody on the panel. With that, I yield.

Mr. TIFFANY. The gentleman yields. Mr. LaMalfa, you asked for 1 more minute. I will give you 1 more minute.

Mr. LAMALFA. It is just an action I will throw, an action people can take. Mr. Del Cueto, I appreciate your passion on that. We passed legislation in DC to do these things. On September 29, under Speaker McCarthy, we had in a continuing resolution tough border policy, and we were shot down by some of our own dummies on that one.

But previously, last May, on May 11, H.R. 2 passed the House on a partisan vote, 219 to 213, and it is sitting over in the Senate. So, if people want something to do, call your United States Senators from Arizona that profess to be moderate, and ask them, "Where is H.R. 2? Why is that not moving in order to fix this?"

One more thing you can do is call the White House on the eight points that Mr. Stauber listed, that the President could do without having to pass a bill through Congress or blame us or anything. He could do that by executive action and it wouldn't even be unconstitutional. On those eight points he could take action. Folks, demand those actions and we will see some results.

Thank you, and God bless you.

Mr. TIFFANY. The gentleman yields. And we are going to conclude this hearing, but first the Chairman of the Natural Resources Committee made a commitment at the start of this session to have hearings across the United States of America, and we have been fulfilling that commitment, including we went to Guam earlier, in 2023. We have been having hearings across the United States of America, and I appreciate him keeping that commitment. And I would like to give the Chairman of the Full Committee another little bit of time for brief closing remarks.

Mr. WESTERMAN. Thank you again, Chairman Tiffany, and thank you to everyone here today for the hospitality that you have shown to us, for the interest you have, to all of our panelists, and to all the Members who took time from very, very busy schedules, from all parts of the country to come here today.

And the reason we are here is because this is important. This is extremely important. And I can tell you, when I became first Ranking Member of the Natural Resources Committee and then Chairman of the Committee, hearings on border security weren't what you would think the Natural Resources Committee would be addressing. But this problem infiltrates all of our country, from sea to shining sea, and Alaska and Hawaii and our territories as well.

And to illustrate that, I ended up in New York City, of all places, on National Park Service land in Brooklyn, where this Administration waived every environmental law, they waived NEPA, they waived the Endangered Species Act, they waived the Historical Preservation Act, in 1 week to build migrant shelters to process illegal migrants in New York City. So, don't tell me that this doesn't affect every nook and cranny of our country.

We all took an oath to uphold the Constitution. Our Committee has full jurisdiction over Federal lands, 35 percent of the southern border is Federal lands, and things happen on those lands from the actions of illegal migrants that American citizens would be arrested for, would be fined or arrested for. That is not right.

This sounds partisan. A lot of the things we say sound partisan, but I want to try to be as nonpartisan as I can be and just talk about the facts and the data.

Since 2020, the number of illegal crossings has gone up exponentially. We saw it right here in the data that we learned today that in 2020, 60,000 people were being apprehended. It is 10 times that much today.

The facts are when President Biden came into office, he undid every policy that was there that was aimed at securing our border and opened up the border. Why he did that, I have no idea. I don't see who benefits from that. Mr. Del Cueto, you made an excellent point. I don't think this President is going to do anything that he is not forced to do, and that is why we passed H.R. 2, because Congress wanted to force him to do the right thing. That is also why the Senate will not take it up and why he would never sign it into law, and it is also why anything that he would sign into law would not force him to do anything that he doesn't want to do.

So, we are going to continue fighting for you, we are going to continue fighting for our constituents across this country, and we are going to continue to make sure that Americans control Americans, not Mexican cartels and drug lords and despicable people that are controlling it right now.

Mr. Chairman, I yield back.

Mr. TIFFANY. Yes. Thank you, Chairman Westerman. And just a public service announcement, on Sunday down at the Chilton Ranch you are welcome to join them. They are going to be installing more cameras. Is that correct?

Mr. CHILTON. Sounds correct, sir.

Mr. TIFFANY. So, you are welcome to join them down there as they install more cameras down on the ranch.

OK. I would like to thank all the witnesses for their valuable testimony and the Members for their questions. Members of the Committee may have some additional questions for our witnesses today, and we will ask that they respond to them in writing. Under Committee Rule 3, members of the Committee must submit questions to the Committee Clerk by 5 p.m. on Tuesday, February 13, 2024. The hearing record will be held open for 10 business days for your responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 3:59 p.m., the Committee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Submission for the Record by Rep. Tiffany

**Chilton Ranch LLC
Arivaca, Arizona**

February 13, 2024

Hon. Thomas P. Tiffany, Chairman
House Natural Resources Committee
Subcommittee on Federal Lands
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Tiffany:

Thank you for permitting me to present Testimony at your Committee hearing in Sierra Vista, Arizona, February 8, 2024. Recently, a reporter called my attention to an answer I provided to your important question about the cost to me, a border rancher, resulting from the thousands of illegal trespassers crossing through my ranch. A portion of my answer included the annual cost of the trespassers was \$60,000.

May I respectfully explain the estimated \$60,000 per year cost to me:

1. Fixing 13.5 miles of surface pipelines cut by unlawful aliens seeking water; these water infrastructure improvements are the only reliable source of water for cattle or wildlife on the entire ranch.
2. Picking up trash left by border crossers;
3. Cattle dying due to their ingesting of plastic bags discarded by intruders;
4. Regularly (roughly every 48 hours) inspecting twenty-four different wells by two cowboys rather than one cowboy due to border safety concerns; and
5. Ensuring 32 wildlife and stockwater troughs/float valves have not been damaged by crossers and then repairing the frequently encountered damage.

Please consider sharing this letter with the Honorable Members of the Committee. If the international **border were secure at the border**, I would not have the aforementioned costs.

Thank you for all you do for all of us all of the time.

Respectfully,

Jim Chilton

