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LEE

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## **CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS**

### **COMMITTEE ON THE JUDICIARY**

#### **FULL COMMITTEE HEARING ON: “THE BIDEN BORDER CRISIS, PART I”**

**WEDNESDAY, FEBRUARY 1, 2023  
10:00 A.M., (EDT)**

**9**

- Chairman Jordan and Ranking Member Nadler, thank you for convening this hearing today and providing the opportunity to discuss and highlight critical facts as it pertains to our nation's border security and the need for comprehensive and humane immigration reform.
- It is undisputable that our nation's immigration system is broken. Without enactment of comprehensive immigration reform, our nation's security will remain vulnerable.
- And while America's borders are dynamic, with constantly evolving security challenges, any all measures undertaken to implement and enforce border security must be done in a manner that allows actors to use pragmatism and common sense.

- Sadly, however, Republicans appear to be intentionally avoiding comprehensive immigration reform to keep their false narrative of a border crisis alive.
- Instead of focusing on where the real problems are rooted (such as increasing funding, resources, and coordination amongst various immigration agencies and stakeholders at the local, state and federal level), House Republicans continue their refusal to act responsibly to minimize the continuing harm caused by our outdated and inhumane immigration system.
- The unworkable proposals put forth by Republicans would shut down asylum to everyone, including those fleeing communist totalitarian regimes and unaccompanied minors.
- Mr. Chairman, the United States at its founding was a nation of immigrants.
- During the first 100 years of our nation’s existence, immigrants were of the utmost importance to our young nation and were welcomed.
- It was during this time that Emma Lazarus wrote the poem that now is forever enshrined on the Statue of Liberty:
  - *“Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore, send these, the homeless, tempest-tossed, to me: I lift my lamp beside the golden door.”*
- Sadly, today the Republican party does not hold the same reverence and desires for the benefits of immigration as our forebearers.
- Rather, Republicans have chosen to turn their backs on immigrants, demonizing them rather than treating immigrants with the respect, dignity and compassion that would recognize their innate humanity, dignity, and value.

- Instead, republicans have created false narrative that centers upon a dichotomy between safety and security on the one side and humanitarianism and compassion on the other.
- This is the United States of America.
- We can maintain the highest level of security in the world while also treating immigrants with the utmost compassion, respect, and humanity.
- Republicans would prefer to frame all immigrants as criminals or worse, who are the main culprits transporting illegal drugs like fentanyl over the border, rather than to recognize the legitimate reasons for their migration.
- However, the evidence does not prove out their theory.
- For example, drug traffickers seek to move drugs through ports of entry in trucks and otherwise rather than over or under land-based borders with migrants.
- Since Fiscal Year (FY) 2019, more than 90 percent of fentanyl, heroin, and methamphetamine seizures occurred at U.S. ports of entry.
- In fact, increasingly, drug cartels are recruiting American citizens to bring drugs through ports of entry.
- The republican narrative that immigrants are bringing illicit drugs and fentanyl into the United States while seeking asylum or attempting to cross the border illegally is flat wrong.
- Those who are coming to the border include Ukrainian's fleeing the unprovoked war with Russia; Venezuelans fleeing a dictatorial regime where hunger, poverty, violence, and political unrest have surged; immigrants from Cuba, Haiti, and Nicaragua who face

similar poverty, violence, and unrest; and those Afghan soldiers who were our allies and aided American soldiers during the War in Afghanistan but who were unable to be evacuated when Afghanistan fell to the Taliban.

- I intervened on behalf of one Afghan soldiers who was detained while seeking asylum, Mr. Abdul Wasi Safi.
- Mr. Safi served bravely and courageously alongside American soldiers in the War in Afghanistan.
- He fought for American democratic values, the values of freedom, peace, democracy, civil rights, and civil liberties for all.
- When the Taliban regained control of Afghanistan more quickly than anyone expected, he fled his country through three continents facing dangerous conditions to seek asylum at the Southern Border of the United States and was subsequently taken into custody by Customs and Border patrol.
- Working with all the federal agencies involved and a top-notch legal team for Mr. Abdul Wasi Safi, I was able to ensure that all government orders against Mr. Safi were lifted and he was freed.
- In his capacity as a member of the Afghan military, Mr. Safi helped American soldiers and America now has a responsibility to keep our promise and help him as he seeks asylum in the United States of America.
- Instead of recognizing the patriotism of Mr. Safi, Republicans would prefer to frame all immigrants as criminals or worse.
- Republicans must recognize that migrants make their way to the American border through treacherous conditions for a wide range of reasons, some like Mr. Safi and others who are seeking asylum and safety as they flee humanitarian crises in their own country.

- The Democrats understand and are prepared to work with Republicans to create a plan that both ensures the security of our borders and ports and expands legal pathways for migrants that come to our borders in legitimate need.
- The current immigration law, the Immigration and Nationality Act of 1990, was established over thirty years ago and is ill equipped to deal with the realities before us today.
- The unresolved issues with the current immigration law have been further exacerbated by the Trump Administration policy referred to as Title 42.
- Under Title 42, migrants who are apprehended at the southern border can be expelled without any legal process.
- In contrast, under normal processing (Title 8 of the U.S. Code), migrants who present themselves at or between ports of entry are screened to determine whether they are fleeing persecution and if the individual is removed, they are sent back to their home country and all their biographic information is captured, allowing for more expeditious processing if they return.
- However, because most migrants are expelled to Mexico under Title 42, without any biographic information taken, those migrants are able to attempt to cross our border again and again.
- These repeat attempts to cross the border further drive the Republican narrative that there is a crisis at the border and that the border is out of control.
- Mr. Chairman, few ideas are more central to who we are as Americans than the notion that people should be judged based on their own merits as individuals and not judged or labeled as criminals and rapists based on their race or nationality.
- Immigrants make invaluable contributions to American innovation, the American economy, and the American Dream.

- Immigrants bring new ideas and fresh perspectives to our companies and our communities.
- Immigrants are workers and taxpayers who complement the domestic workforce and make contributions large and small to our everyday lives, and they are also our neighbors.
- In Texas, immigrants are part of the social fabric.
- Texas immigrants own 43,500 homes in Texas and pay \$340,500,000 in annual mortgage payments and their households contribute \$2,234,800,000 in federal taxes and \$1,265,200,000 in state and local taxes each year.
- Annually, these households generate \$10,519,000,000 in spending power in Texas and help power the national economy.
- Rather than recognize the value immigrants provide, and working with Democrats to find a solution, Republicans have continued to support the Trump Administration's radical inhumane, and racist immigration policies that only seem to weaken the US economy and undermine our national security and moral standing in the world.
- Democrats take this complex humanitarian crisis seriously.
- We are prepared to address the root causes of migration, improve border security, and create additional legal pathways for people to enter the United States.
- The minority witness Judge Ricardo Samaniego, El Paso County, Texas provides clear examples in his testimony of what real solutions at the border look like.
- He describes the need for central coordination between federal, state, and local governments working together to put forth and implement viable solutions and processes to create a commonsense immigration plan that meets the needs of our time.

- My State's governor, Governor Abbot, insists on playing political games by busing migrants to the Vice President's home rather than recognizing the humanity that all people, especially those in crisis, deserve.
- The Governor of Texas refuses to recognize the root causes of migration and to collaborate with the federal government to implement reforms that aid migrants who are seeking asylum and that would ensure that migrants are treated with dignity and humanity.
- As a nation of immigrants, the United States has set the example for the world as to what can be achieved when people of diverse backgrounds, cultures, and experiences come together.
- We can and should seize this historic opportunity pass legislation to ensure that we have in place adequate systems and resources to secure our borders while at the same preserving America's character as the most open and welcoming country in the history of the world and to reap the hundreds of billions of dollars in economic productivity that will result from comprehensive immigration reform.
- Fundamentally, we must live up to basic principles of humanity by addressing comprehensive immigration reform.
- Thank you, Mr. Chairman, I yield back my time.