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House of Representatives

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REP. STEPHEN F. LYNCH

Ranking Member

Subcommittee on National Security

“A ‘Caravan’ of Illegal Immigrants: A Test of U.S. Borders”

April 12, 2018 at 2:00pm; 2154RHOB

Thank you, Mr. Chairman. I'd also like to welcome today's witnesses and thank all of you for helping this Subcommittee with its work.

As evidenced by the bipartisan enactment of the 2018 Omnibus Appropriations Bill last month, there are members on both sides of the aisle who share a commitment to providing our border security and enforcement personnel with the resources necessary to perform their critical missions on behalf of the American people. This agreement, which I supported, provides a total of \$14 billion dollars for Customs and Border Protection – including \$4.4 billion dollars for CBP border and security operations and \$3.7 billion dollars for U.S. Border Patrol training, development, assets, and other activities. It also makes funding available for the hiring of 351 new border patrol agents and law enforcement officers. While the omnibus agreement was the result of hard-fought negotiation and is not a perfect bill, I believe that it does represent a meaningful step towards enhancing our border security.

However, it is imperative that the federal government utilizes these and other new funding sources provided by the agreement wisely. In the interest of national security, policies designed to secure our borders against the threat of terrorism, criminal networks, and other illicit activities cannot be based on misinformation - or derived from arbitrary presidential tweets. Rather, the strength of our border security framework is dependent on policies developed through bipartisan consideration and grounded entirely in fact. To this end, they must also be undertaken in a manner that avoids demonization, affords maximum respect to the fundamental principle of America as *“a nation of immigrants,”* and adheres to the 1951 Geneva Convention Relating to the Status of Refugees.

In view of all these considerations, it is important to review President Trump's recent decision to order the deployment of up to 4,000 National Guard personnel to the U.S.-Mexico border. Clearly, this decision is not unprecedented. Both President George W. Bush and President Obama previously invoked so-called *title 32* authority to temporarily deploy National Guard units to the southwest border to provide technical, logistical, and administrative support to the U.S. Border Patrol.

It is noteworthy that while U.S. border patrol apprehensions for illegal border crossings exceeded 1 million apprehensions in 2006 and over 460,000 apprehensions in 2010, U.S. Customs and Border Protection reports that in 2017, the agency recorded *“the lowest level of illegal cross-border migration on*

record, as measured by apprehensions...and inadmissible encounters at U.S. ports of entry.” The approximately 310,000 arrests for illegal border crossings recorded for 2017 represents the lowest annual apprehension figure since 1971.

In articulating his plan, the President stated: *“we’re looking from 2,000 to 4,000 and probably keep them, or a large portion of them, until such time as we get the wall.”* Given that Congress has not authorized funding for the entirety of the President’s desired border wall, the deployment of our National Guard units to the southwest border appears to be indefinite in duration. It also remains largely undefined in terms of scope and cost. According to the independent Government Accountability Office, the collective costs of the two previous National Guard border operations exceeded \$1.35 billion dollars. It is important for Congress to learn which priorities or programs the military will need to reprogram its funds to pay for this border operation.

In order for this Committee to examine the merits of the President’s action, today Ranking Member Cummings and I joined Ranking Members from the House Homeland Security, Armed Services, and Judiciary committees in requesting a series of documents from the Department of Defense and the Department of Homeland Security pertaining to the rationale behind the announced deployment as well as the specific activities, duration, and costs associated with this operation. This includes any memoranda of understanding that the Administration has negotiated with relevant states and the National Guard Bureau. Along these lines, it would have been very helpful for us to hear from Department of Defense and Department of Homeland Security witnesses at today’s hearing as we continue to conduct oversight of our border security policies and seek to identify commonsense steps that we can take to better secure our borders in a balanced and sustainable way.

Thank you, Mr. Chairman. I look forward to discussing these issues with our witnesses and yield back the balance of my time.

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