



**Statement of Jeh Charles Johnson, Secretary
U.S. Department of Homeland Security**

**Before the
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Committee on Appropriations
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Chairwoman Mikulski, Ranking Member Shelby, and Members of this Committee, thank you for the opportunity to testify today about the Department's efforts to address the recent rise of unaccompanied children and adults with children crossing the southwest border in the Rio Grande Valley in South Texas.

The recent and dramatic rise in illegal migration across our border, from Honduras, El Salvador and Guatemala, presents a major challenge to the United States. Particularly because so many of those crossing our border are children, there is also a humanitarian dimension to this problem, which the U.S. Government is bound and determined to respect. As Americans, we will adhere to domestic and international law, due process, and the basic principles of charity, decency, and fairness. But, in the final analysis, our border is not open to illegal migration.

Our message is clear to those who try to illegally cross our borders: you will be sent back home. We have already added resources to expedite the removal, without a hearing before an immigration judge, of adults who come from these three countries without children. We have worked with the governments of these countries to repatriate the adults quicker. (Indeed, while in Guatemala City two days ago, I personally witnessed a flight of repatriated adults returning home.) Within the last several months, we have dramatically reduced the removal time of many of these migrants. Within the law, we are sending this group back, and we are sending them back quicker.

Then there are adults who brought their children with them. Again, our message to this group is simple: we will send you back. We are building additional space to detain these groups and hold them until their expedited removal orders are effectuated. Last week we opened a detention facility in Artesia, New Mexico for this purpose, and we are building more detention space quickly. Adults who brought their children here expecting to make it to the nearest bus station in the U.S. were surprised that they were detained at Artesia. They will be sent back quickly, with the sad recognition that the large sum of money they paid a criminal smuggling organization to get them to the U.S will go to waste.

Then there are the unaccompanied children. As I have said many times, the long journey for a child, in the custody of a criminal smuggling organization, from Central America to the United States is dangerous. Many of the children are exploited, abused and hurt. Under our laws, an unaccompanied child from Central America must be transferred from the Department of Homeland Security (DHS) to the Department of Health and Human Services (HHS) and placed by HHS in a situation that is in the best interest of the child. But, the removal proceeding against the child continues. Every child will retain the right, like adults, to assert a claim of asylum or seek other protections. But, unless the child has been granted asylum or some other protection in this country – and the vast majority will not – he or she will be sent back and we seek additional resources to do that quickly.

Those who cross our border illegally must know there is no safe passage, and no free pass; within the confines of our laws, our values, and our resources, they will be sent back to their home countries.

I am grateful that the Senate Appropriations Committee included in its fiscal year 2015 DHS Appropriations Bill an additional \$164.5 million to address this surge in unaccompanied children. However, given the current dramatic increase in apprehensions and activities associated with unaccompanied children and family groups, the resources necessary to appropriately address this issue are simply not available within the current fiscal year 2014 budget or the proposed fiscal year 2015 appropriation. To effectively address this emerging crisis, the President has requested emergency supplemental appropriations of \$3.7 billion to comprehensively address this urgent humanitarian situation, including \$1.5 billion for DHS to support more detention and removal facilities and enhanced processes as well as increased activities to disrupt and dismantle the human smuggling organizations that bring these individuals across U.S. borders.

Put plainly, without supplemental funding, in August U.S. Immigration and Customs Enforcement (ICE) will run out of money and DHS would need to divert significant funds from other critical programs just to maintain operations. Likewise, the Department of Health and Human Services (HHS) will be unable to address the influx of children by securing sufficient shelter capacity, leading to more children being held at short term border patrol processing stations for longer periods of time. Going forward, HHS will be unable to set-up more stable, cost-effective arrangements for these children, Border Patrol agents will have to be re-assigned from their border security work to assist at facilities housing children, and ICE will lack the resources needed to sufficiently maintain and expand detention and removal capacity for adults with children who cross the border illegally. Without additional funds, the Department of Justice (DOJ) will be unable to keep pace with its growing caseload, leading to longer wait times for those cases already on the docket. And absent dedicated resources in Central American countries, we will not make progress on the larger drivers of this humanitarian situation. For this reason, supplemental resources are urgently needed to continue forward with the aggressive response that the Administration has deployed to date.

This emergency supplemental request is a direct result of the urgent situation in the Rio Grande Valley. In fiscal year 2013, CBP apprehended approximately 24,000 unaccompanied children at the border. By the end of June of this fiscal year, that number has already doubled to more than 57,000, and it continues to climb. We are preparing for a scenario in which the number of unaccompanied children apprehended at the border could reach up to 90,000 by the end of fiscal year 2014.

I know that additional money alone will not fully address the challenge we face, and we do not make this request lightly. While building capacity is necessary, we must also ramp up our ability to safely and quickly return the influx of these recent border crossers, which is exactly what we are doing.

As I have previously testified, we have established added capacity to deal with the processing and housing of the children and families and we are actively exploring additional options. To process the increased numbers of unaccompanied children and family groups in Texas, DHS has brought the children to our processing center at Nogales, Arizona before any unaccompanied children are sent to HHS, to whom DHS is mandated by law to transfer custody once they are

identified as unaccompanied children. We are also arranging additional processing centers to handle the rise in the RGV, including adding a 1,000 bed processing center in McAllen.

Critically, DHS is also building additional detention capacity for adults who cross the border illegally in the Rio Grande Valley with their children. For this purpose DHS has established a temporary facility for adults with children on the Federal Law Enforcement Training Center's campus at Artesia, New Mexico. The establishment of this temporary facility will help CBP process those encountered at the border and allow ICE to increase its capacity to house and expedite the removal of adults with children in a manner that complies with federal law. Artesia is one of several facilities that DHS will use to increase our capacity to hold and expedite the removal of the increasing number of adults with children illegally crossing the southwest border. DHS is ensuring that after apprehension, families are housed in facilities that adequately provide for their safety, security, and medical needs. Meanwhile, we will continue to expand use of the Alternatives to Detention program to ensure compliance with notices to appear before immigration judges for removal proceedings. DHS has also surged USCIS officers to hear credible fear claims and conduct the screening process. DOJ is temporarily reassigning immigration judges to handle the additional caseload. These immigration judges will adjudicate these cases as quickly as possible, consistent with all existing legal and procedural standards, including those for asylum applicants. Overall, this increased capacity and resources will allow ICE to return certain migrants from Central America to their home countries more quickly.

DHS has brought on more transportation assets to assist in the effort. The Coast Guard loaned air assets to help transport the children and families between CBP facilities. ICE is now leasing charter aircraft to transport unaccompanied children to HHS custody.

Throughout the Rio Grande Valley Sector, we are conducting public health screening for all those who come into our facilities for any symptoms of contagious diseases or other possible public health concerns.

In order to effectuate the safe and timely return of these migrants, we are engaging with senior government officials of Guatemala, El Salvador, Honduras, and Mexico to address our shared border security interests, the underlying conditions in Central America that are promoting the exodus, and how we can work together to assure faster, secure removal and repatriation.

Just yesterday I returned from Guatemala. Joined by SOUTHCOM Commander General John Kelly and Ambassador Thomas A. Shannon, I met with President Otto Fernando Pérez Molina to discuss the urgent situation and to express our commitment to work with Guatemala to stem the flow of individuals, address the root causes of the influx, and to expand the capacity of these countries to receive and reintegrate repatriated migrants.

As a part of these international engagement efforts, the United States has committed foreign assistance resources to improve the capacity of these countries to receive and reintegrate returned individuals and address the underlying security and economic issues that cause migration. This funding will enable El Salvador, Guatemala, and Honduras to improve their existing repatriation processes and increase the capacity of these governments and nongovernmental organizations to provide expanded services to returned migrants. Additional resources will support community

policing and law enforcement efforts to combat gang violence and strengthen citizen security in some of the most violent communities in these countries.

DHS has also added personnel and resources to the investigation, prosecution, disruption, and dismantling of the smuggling organizations that are facilitating border crossings into the Rio Grande Valley. ICE Homeland Security Investigations (HSI) is deploying 60 additional criminal investigators and support personnel to their San Antonio and Houston offices for this purpose, as well as supplementing this with additional intelligence and programmatic support from ICE headquarters. ICE will continue to vigorously pursue and dismantle these human smuggling organizations by all investigative means to include the financial structure of these criminal organizations.

We have increased CBP staffing and detailed 115 additional experienced agents from less active sectors to augment operations there. On June 30, I announced the immediate deployment of 150 U.S. Border Patrol agents to the Rio Grande Valley Sector to augment illegal entry detection efforts while enhancing processing and detention capabilities.

Our plan of action is comprehensive and wide-reaching. However, the measures that we have taken – which have been critical and must be sustained – are and will continue to be costly. Many of these activities were not contemplated at the time Congress passed the fiscal year 2014 DHS appropriations act. With such a dramatic increase in the number of unaccompanied minors and family groups being apprehended, significant additional resources are needed. As a result, the President sent a letter to Congress on June 30, providing an update on the Administration's efforts to address this situation and requesting congressional action on emergency supplemental appropriations legislation to support the following:

- an aggressive deterrence strategy focused on the removal and repatriation of recent border crossers;
- a sustained border security surge through enhanced domestic enforcement, including interdiction and prosecution of criminal networks;
- a significant increase in immigration judges, reassigning them to adjudicate cases of recent border crossers, and establishing corresponding facilities to expedite the processing of cases involving those who crossed the border in recent weeks;
- a stepped up effort to work with our Central American partners to repatriate and reintegrate migrants returned to their countries, address the root causes of migration, and communicate the realities of these dangerous journeys; and
- the resources necessary to appropriately detain, process, and care for children and adults.

Specifically, the President has requested your support on emergency supplemental appropriations legislation providing DHS with \$1.5 billion for fiscal year 2014 and 2015 costs related to surge in unaccompanied children and families. Of this amount, \$433 million is included for CBP and \$1.104 billion is included for ICE.

Of the \$433 million included for CBP, \$329 million is for operational costs to include care, feeding, and transportation costs of unaccompanied children and family groups. In addition, this amount would provide \$35 million for new processing and detention facilities at Nogales and

McAllen. Finally, the request supports CBP's efforts to detect and interdict unaccompanied children across U.S. borders, including \$29 million for increased CBP support of the Border Security Task Forces, particularly along the Southwest Border, and \$39 million for an additional 16,526 flight hours (above the level in the President's FY15 Budget request) and 16 additional crew members for CBP's Unmanned Aircraft Systems.

Of the \$1.104 billion included for ICE, \$995 million is for operational costs to include the detention, alternatives to detention, prosecution, and removal of family groups, as well as transportation costs of unaccompanied children to HHS custody. Another \$109 million is included to support increased efforts to detect, disrupt and dismantle efforts to smuggle unaccompanied children and family groups across U.S. borders.

The requested amount would include \$116 million for operational costs associated with the transportation of unaccompanied children to HHS custody, and \$879 million for 6,350 additional family unit beds, 23,000 additional alternatives to detention participants per day, additional prosecution capacity, and related transportation and removal costs for family groups. Finally, the request strengthens ICE efforts to detect and disrupt efforts to smuggle unaccompanied children across U.S. borders, including \$46 million for 179 additional members of the Border Security Task Forces, particularly along the Southwest Border, \$38 million for additional domestic and international investigations and intelligence support, and \$6 million for Operation Torrent Divide.

As the urgent situation presented by the influx of unaccompanied children and families in south Texas continues to evolve, we will look to use every available tool to ensure that we are addressing these challenges and changing circumstances, including the potential use of transfer authority if necessary and appropriate.

Finally, I want to once again thank Chairwoman Mikulski, Ranking Member Shelby, and Members of this Committee for this opportunity to testify and for the strong support that I have received from the Committee since becoming Secretary of the Department of Homeland Security. We are committed to continuing to work closely with the Committee and Congress on this critical issue, and to keep you informed. DHS is updating Members and staff on the situation in conference calls two times a week, facilitating site visits to Border Patrol facilities in Texas and Arizona for a number of Members and their staff, and providing daily updates to the Appropriations Committee on border apprehensions data.

In cooperation with the other agencies of our government that are dedicating resources to the effort, with the support of Congress, and in cooperation with the governments of Mexico and Central America, I believe we can stem this tide and address the broader issues. The requested supplemental funding is critical to enabling the Department to fulfill its mission and address the dramatic surge in unaccompanied children and families in a manner that maintains border security and reflects our laws and values.

Thank you for listening and I look forward to your questions.