

**A REVIEW OF THE FISCAL YEAR 2022 BUDGET  
REQUEST FOR THE DEPARTMENT OF HOME-  
LAND SECURITY**

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**HEARING**

BEFORE THE

**COMMITTEE ON HOMELAND SECURITY**

**HOUSE OF REPRESENTATIVES**

**ONE HUNDRED SEVENTEENTH CONGRESS**

**FIRST SESSION**

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# CONTENTS

	Page
STATEMENTS	
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi, and Chairman, Committee on Homeland Security:	
Oral Statement .....	1
Prepared Statement .....	3
The Honorable John Katko, a Representative in Congress From the State of New York, and Ranking Member, Committee on Homeland Security:	
Oral Statement .....	4
Prepared Statement .....	6
WITNESS	
Hon. Alejandro N. Mayorkas, Secretary, United States Department of Homeland Security:	
Oral Statement .....	8
Prepared Statement .....	9
FOR THE RECORD	
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi, and Chairman, Committee on Homeland Security:	
Letter .....	59
The Honorable Dan Bishop, a Representative in Congress From the State of North Carolina:	
Charts .....	26
The Honorable Andrew S. Clyde, a Representative in Congress From the State of Georgia:	
Letters .....	43
APPENDIX	
Questions From Chairman Bennie G. Thompson for Alejandro N. Mayorkas ...	61
Questions From Honorable Josh Gottheimer for Alejandro N. Mayorkas .....	61
Questions From Honorable Clay Higgins for Alejandro N. Mayorkas .....	63
Question From Honorable Michael Guest for Alejandro N. Mayorkas .....	64



# A REVIEW OF THE FISCAL YEAR 2022 BUDGET REQUEST FOR THE DEPARTMENT OF HOMELAND SECURITY

Thursday, June 17, 2021

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC.*

The committee met, pursuant to notice, at 8:30 a.m., via Webex, Hon. Bennie G. Thompson [Chairman of the committee] presiding.

Present: Representatives Thompson, Jackson Lee, Langevin, Payne, Correa, Slotkin, Green, Clarke, Titus, Watson Coleman, Rice, Demings, Barragán, Luria, Malinowski, Torres, Katko, McCaul, Higgins, Guest, Bishop, Van Drew, Norman, Miller-Meeks, Harshbarger, Clyde, LaTurner, Meijer, Cammack, Pfluger, and Garbarino.

Chairman THOMPSON. The Committee on Homeland Security will come to order. The committee is meeting today to review the fiscal year 2022 budget request for the Department of Homeland Security. Without objection, the Chair is authorized to declare the committee in recess at any point. The gentlewoman from New Jersey, Mrs. Watson Coleman, shall assume the duties of the Chair in the event I run into any technical difficulties.

Before we begin, in light of the Speaker's revised pandemic policy announcement on Monday, I want to take the opportunity to commit to working with the Ranking Member to ensure orderly, and most importantly, safe return to in-person committee operations once the House is no longer in a declared public health emergency pursuant to House Resolution 8. The health and welfare of Members, witnesses, and staff should not be a political issue and I look forward to returning to in-person committee hearings soon.

With that, I welcome the Members and our witness, the Secretary of Homeland Security, Alejandro Mayorkas, to today's hearing. Secretary Mayorkas testified before the committee in March regarding the way forward for the Department. We are pleased to have him here today to discuss DHS's 2022 budget request.

Overall, the Biden administration is requesting \$52 billion for DHS, roughly equal to the fiscal year 2021 funding level. Though there is always room for improvement, the administration's request would provide the Department with the resources necessary to meet its diverse and ever-evolving mission. The request prioritizes funding to improve Federal cybersecurity, respond to heightened domestic terrorism threats, and enhance border capabilities. It invests in creating a fairer and more equitable immigration system,

preparing local communities for the effects of natural disasters, and revitalizing the Department's research and development capabilities. It further seeks to strengthen National resiliency in these critical areas. Many of these homeland security priorities were all but ignored by the last administration. I am pleased the Biden administration is giving these matters the attention and resources they demand.

Members will have questions for you, Mr. Secretary, about areas where additional resources will be necessary, such as homeland security grants to States and local governments and cybersecurity funding given the recent cyber attacks. Be assured we will be engaging the administration on these funding needs as the appropriations process moves forward. Beyond the budget, the committee looks forward to working with the Department on a range of pressing legislative and policy matters. For example, we look forward to working with the administration completing the nomination process for the Department and seeing competent, Senate-confirmed individuals leading DHS's components, agencies, and offices once again.

I urge you, Mr. Secretary, to help ensure these remaining nominees reflect the diversity of the Homeland Department you seek to secure. With respect to legislation, we are ready to help to bring about the transformational reforms you outlined for the TSA work force earlier this month. That means enacting H.R. 903, the Rights for TSA Workforce Act, to provide better pay and protections to a work force that has steadfastly protected our transportation systems even in the face of Government shutdowns and COVID.

I also believe that we can come together to bolster cybersecurity. For 4 years, we struggled with a lack of consistent leadership from the White House on cybersecurity issues, and late last year, the chickens came home to roost as the Russians infiltrated Federal networks with a sophisticated supply chain attack. More recently, the country felt the effects of a series of ransomware attacks, including the attack on Colonial Pipeline. From Day 1, the Biden administration has sought to improve Federal network defenses, better manage supply chain risk, and work with the private sector to improve cybersecurity across critical infrastructure sectors. Much more must be done to provide funding, personnel, and authorities to address this growing threat.

Increasingly, we see growing support for changes in the law to require reporting of certain ransomware attacks and cyber intrusions, particularly when the operation of most critical of critical infrastructure systems are implicated. With your partnership, Mr. Secretary, I think we can get there. I also think we can help shore up cybersecurity at the State and local level by ensuring dedicated grant funding is available as the committee seeks to do with H.R. 3138, the State and Local Cybersecurity Improvement Act.

Beyond these two areas, with your engagement, we have an opportunity to put the Department on a far better footing in addressing its long-standing morale, acquisition, and management challenges in a comprehensive bill. With respect to policy matters, I want to commend the administration's release this week of the first-ever National Strategy for Countering Domestic Terrorism, a promise the President made on Day 1 in the wake of the events

of January 6. We look forward to examining the strategy in both depth and hearing more detail from the DHS, the intelligence community, and the other agencies tasked with the important work and the bold plans they have to implement the strategic vision that President Biden has set forth.

Finally, I would note that you join us today, Mr. Secretary, straight from your trip to Mexico this week where you engaged your counterparts on border security and facilitation matters. Your visit followed Vice President Harris' recent trip to Mexico and Central America to work with Government leaders on addressing root causes of migration. More remains to be done, but I am pleased the Biden administration is doing the hard work necessary to address the situation at the border for the long term, while prioritizing a more secure border and more humane immigration system today.

Mr. Secretary, thank you for being here, and the committee looks forward to working with you on these critical issues and positioning DHS for success in all its missions.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

JUNE 17, 2021

I welcome the Members and our witness, Secretary of Homeland Security Alejandro Mayorkas. Secretary Mayorkas testified before the committee in March regarding the way forward for the Department, and we are pleased to have him here today to discuss DHS's 2022 budget request.

Overall, the Biden administration is requesting \$52 BILLION for DHS, roughly equal to the fiscal year 2021 funding level. Though there is always room for improvement, the administration's request would provide the Department with the resources necessary to meet its diverse and ever-evolving mission. The request prioritizes funding to improve Federal cybersecurity, respond to heightened domestic terrorism threats, and enhance border capabilities. It invests in creating a more fair and equitable immigration system, preparing local communities for the effects of natural disasters, and revitalizing the Department's research and development capabilities. It further seeks to strengthen National resiliency in these crucial areas. Many of these homeland security priorities were all but ignored by the last administration. I am pleased the Biden administration is giving these matters the attention and resources they demand.

Members will have questions for you, Mr. Secretary, about areas where additional resources will be necessary, such as a homeland security grants to State and local governments and cybersecurity funding given recent cyber attacks. Be assured will be engaging the administration on these funding needs as the appropriations process moves forward. Beyond the budget, the committee looks forward to working with the Department on a range of pressing legislative and policy matters. For example, we look forward to the administration completing the nominations process for the Department and seeing competent, Senate-confirmed individuals leading DHS components, agencies, and offices once again.

I urge you, Mr. Secretary, to help ensure those remaining nominees reflect the diversity of the homeland your Department seeks to secure. With respect to legislation, we are ready to help bring about the transformational reforms you outlined for the TSA workforce earlier this month. That means enacting H.R. 903, the "Rights for TSA Workforce Act," to provide better pay and protections to this workforce that has steadfastly protected our transportation systems even in the face of Government shutdowns and COVID.

I also believe that we can come together to bolster cybersecurity. For 4 years, we struggled with a lack of consistent leadership from the White House on cybersecurity issues, and late last year, the chickens came home to roost as the Russians infiltrated Federal networks with a sophisticated supply chain attack. More recently, the country has felt the effects of a series of ransomware attacks, including the attack on Colonial Pipeline. From Day 1, the Biden administration has sought to improve Federal network defenses, better manage supply chain risk, and work with the private sector to improve cybersecurity across critical infrastructure sectors.

Much more must be done to provide funding, personnel, and authorities to address this growing threat.

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I also think we can help shore up cybersecurity at the State and Local level by ensuring dedicated grant funding is available as the committee seeks to do with H.R. 3138, the “State and Local Cybersecurity Improvement Act.”

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Finally, I would note that you join us today, Mr. Secretary, straight from your trip to Mexico this week, where you engaged your counterparts on border security and facilitation matters. Your visit follows Vice President Harris’ recent trip to Mexico and Central America to work with government leaders on addressing root causes of migration. More remains to be done, but I am pleased the Biden administration is doing the hard work necessary to address the situation at the border for the long term, while prioritizing a more secure border and more humane immigration system today.

Mr. Secretary, thank you for being here, and the committee looks forward to working with you on these critical issues and positioning DHS for success in all its missions.

Chairman THOMPSON. With that, I recognize the Ranking Member, the gentleman from New York, Mr. Katko for an opening statement.

Mr. KATKO. Thank you, Mr. Chairman. I am pleased that the committee is holding this hearing to examine President Biden’s 2022 budget request. Thank you, Mr. Secretary, for taking time to appear before the committee today.

Mr. Secretary, a lot has happened in the homeland since you first appeared before this committee back in March. Unfortunately, a lot of it has been anything but encouraging. So, I look forward to talking about those challenges and how we can work together. I also hope to soon be conducting these hearings in person and I am very encouraged by Mr.—I am very encouraged to have these hearings in person, and I am also very encouraged that the Chairman has noted that that is going to be happening soon.

Today, we have a full complement of Republican Members here who are ready to make room on the dais and work alongside our Democratic colleagues to conduct the important work of this committee in a bipartisan manner. Mr. Secretary, I don’t envy the job you have today. The President has submitted the largest budget request by far in the history of the United States, \$6 trillion. Sadly, if this fiscally irresponsible budget is enacted, our children and our children’s children, at a minimum, will be paying for it. A burden we should not place on future generations. Despite its high price tag, this budget request is out of touch with reality and more importantly, fails to prioritize many of today’s most pressing homeland security threats.

To give you a few examples, the Department of Homeland Security is asking for \$76 million for electric vehicles, but there are no additional appropriations requested for new Border Patrol agents.

CBP's net discretionary budget has a reduction of \$280 million. Overall, the fiscal year 2022 budget asks for less than .5 percent of an increase for 3 key homeland security law enforcement components: Customs and Border Protection, ICE, and the Coast Guard. When proposed funding for pay increases is set aside, these 3 agencies show a decrease from their enacted levels in the fiscal year 2022 request.

On the cyber front, the budget requests a 29 percent increase for the Department of Energy cyber activities, but only a 6 percent increase for CISA. The Biden budget simply fails to reflect the priorities that are critical to the defense of the homeland. So, I do not envy you having to come before the committee and defend this request on behalf of the administration.

I honestly just don't know how it is possible to spend that much money on a grab bag full of far-left proposals, while somehow neglecting to adequately defend the homeland. Particularly, given the rash of major cyber attacks we have had recently. Mr. Secretary, unfortunately since you were last before the committee, the crisis at the border has not gotten better. In fact, it is trending worse. Just last week, Customs and Border Protection announced that over 180,000 migrants were encountered along the Southwest Border in the month of May alone, including 121,000 single adults, over 44,600 family units, and over 14,000 unaccompanied minors.

We have also become numb to these numbers, but they continue to be staggering. The 180,000 number represents a 675 percent increase. Let me say that again, a 675 percent increase from May 2020. Despite these numbers, by eliminating border wall funding, President Biden is allowing cartels, smugglers, criminals, and traffickers to continue exploiting the border. Sadly, neither the President nor the Vice President has even bothered to visit the border. In fact, in a recent interview, Vice President Harris laughed off the idea, even though in theory, President Biden has put her in charge of the crisis. This is not a laughing matter.

One aspect of this crisis that has been highlighted and truly makes every State a border State, is the explosion of illegal drugs that have been streaming across the border. This particularly impacts my district in central New York and so many other communities across this country. According to Customs and Border Protection, drug seizures were up 18 percent in May from April 2021. Methamphetamine seizures were up 53 percent. Heroin seizures were up and so was fentanyl. There is enough fentanyl that crossed the border this year already to kill every man, woman, and child in the United States. Try and digest that.

Customs and Border Protection continues to see an alarming surge in fentanyl seizures at 56 percent higher than May 2021, than all of—through May 2021 through—let me rephrase that—which are 56 percent higher through May of fiscal year 2021 than all of fiscal year 2020. This means that more than 600 pounds of deadly fentanyl was seized every month for the last 12 months, and that is a record. In the last 6 months alone, Border Patrol seized 5,400 pounds of fentanyl, enough lethal doses to kill 1.2 billion people, or the entire population of the United States more than 3 times over.

More than 90,000 Americans died of overdoses between September 2019 and September 2020. Last year, drug overdose deaths rose by more than 27 percent in New York State alone. That is completely unacceptable, and Homeland Republicans will continue pressuring the administration to reverse its disastrous Executive Orders and work with us on stronger border security measures.

Mr. Secretary, the last time you were here, I stated that I did not want to be a bomb thrower, but wanted to work with you on solutions, and that offer remains. I have introduced several bipartisan bills including H.R. 2321 that would require Homeland Security and Federal partners to establish an agile plan to respond to irregular migration surges with benchmarks in place for activation. This legislation has received bipartisan support in the Senate, and a Senate companion is coming soon.

I would ask that you look at this legislation, as I believe it is a common-sense approach to at least our front-line law enforcement in managing the crisis at the border. While the President's request makes modest increases to CISA's budget, CISA needs sustained, robust funding to carry out its mission and nimbly respond to evolving threats. In the past 6 months, CISA has worked to mitigate multiple significant cyber incidents facing Federal networks, as well as a sharp increase in devastating ransomware attacks on our Nation's critical infrastructure.

Unfortunately, ransomware attacks are becoming a more pervasive threat and I feel that we, as a country, continue to fall further and further behind and we continue to play defense instead of being on offense when we are at our strongest. I am concerned that the President's budget included a sharper increase for other Federal cybersecurity efforts, but not CISA. Especially given the attacks CISA is tasked to defend.

How can CISA be expected to continue to address these cyber threats head-on with such a small budget, given that the global financial impact of these cyber attacks amounts to over \$1 trillion annually? Try to digest that. Over \$1 trillion annually is the cost of these cyber attacks and we are not really doing much about it with CISA.

You have also acknowledged that CISA needs to be the quarter-back for the .gov domain, and I appreciate that. I fully agree, but this budget fails to do that. I believe that CISA needs to be a \$5 billion agency in 5 years, and that is not going to happen with meager increases like you propose in this budget. I look forward to hearing from the Secretary today, but like I said, I do not envy his job. This budget proposal manages to somehow be incredibly bloated, while at the same time, lack the funding we need to protect the homeland. Thank you, Mr. Chairman. I yield back.

[The statement of Ranking Member Katko follows:]

STATEMENT OF RANKING MEMBER JOHN KATKO

Mr. Chairman, thank you for holding this hearing to examine President Biden's 2022 budget request, and thank you, Mr. Secretary, for taking time to appear before the committee today. Mr. Secretary, a lot has happened in the homeland since you first appeared before this committee back in March. Unfortunately, a lot of it has been anything but encouraging, so I look forward to talking about those challenges and how we can work together.

I also hope to soon be conducting these hearings in person. I am encouraged that the Chairman has noted that will be happening soon.

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Mr. Secretary, I don't envy the job you have today. The President has submitted the largest budget request, by far, in the history of the United States—\$6 trillion dollars. Sadly, if this fiscally irresponsible budget is enacted, our children and our children's children at a minimum will be paying for it—a burden we should not place on future generations. And despite its high price tag, this budget request is out of touch with reality and more importantly fails to prioritize many of today's most pressing homeland security threats. To give you a few examples:

- DHS is asking for \$76 million for electric vehicles, but there are NO additional appropriations requested for new Border Patrol agents, and CBP's net discretionary budget has a reduction of \$280 million.
- Overall, the fiscal year 2022 budget asks for less than half a percent (or 0.3 percent) of an increase for three key DHS law enforcement components, CBP, ICE, and the Coast Guard.
- When proposed funding for pay increases is set aside, CBP, ICE, and the Coast Guard show a decrease from their enacted levels in their fiscal year 2022 requests.
- On the cyber front, the budget requests a 29 percent increase for the Department of Energy's cyber activities, but only a 6 percent increase for CISA.

The Biden budget simply fails to reflect the priorities that are critical to the defense of the homeland. And so, I do not envy you having to come before the committee and defend this request on behalf of the administration. I honestly just don't know how it is possible to spend that much money on a grab bag of far-left proposals, while somehow neglecting to adequately defend the homeland particularly given the rash of major cyber attacks we have seen recently.

Mr. Secretary, unfortunately, since you were last before the committee, the crisis at the border has not gotten better. In fact, it is trending worse. Just last week, CBP announced that over 180,000 migrants were encountered along the Southwest Border in the month of May alone, including 121,000 single adults; over 44,600 family units; and over 14,000 unaccompanied minors. We have almost become numb to these numbers, but they continue to be staggering—the 180,000 number represents a 675 percent increase, and let me say that again, 675 percent increase from May 2020.

Despite these numbers, by eliminating border wall funding, President Biden is allowing cartels, smugglers, criminals, and traffickers to continue exploiting the border.

Sadly, neither the President nor the Vice President has even bothered to visit the border. In fact, in a recent interview, Vice President Harris laughed off the idea, even though, in theory, President Biden has put her in charge of the crisis.

This is no laughing matter.

One aspect of this crisis that has not been highlighted, and truly makes every State a border State, is the explosion of illegal drugs that have been streaming across the border. This particularly impacts my district in central New York and so many other communities across this country.

According to CBP, drug seizures were up 18 percent in May, from April 2021. Methamphetamine seizures increased 53 percent, heroin seizures increased 7 percent, and fentanyl seizures increased 9 percent. CBP continues to see an alarming surge in fentanyl seizures, which are 56 percent higher through May of fiscal year 2021 than all of fiscal year 2020. This means that more than 600 pounds of deadly fentanyl was seized every month for the last 12 months—and that is a record. In the last 6 months alone, CBP has seized 5,400 pounds of fentanyl, enough lethal doses to kill 1.2 billion people or the entire population of the United States more than 3 times over. More than 90,000 Americans died of overdoses between September 2019 and September 2020. Last year, drug overdose deaths rose by more than 27 percent in New York State alone.

This is unacceptable, and Homeland Republicans will continue pressuring the administration to reverse its disastrous Executive Orders and work with us on stronger border security measures. Mr. Secretary, last time you were here, I stated that I didn't want to just be a bomb thrower but wanted to work with you on solutions—that offer remains. I have introduced several bipartisan bills, including H.R. 2321 that would require DHS and Federal partners to establish an agile plan to respond to irregular migration surges with benchmarks in place for activation. This legislation received bipartisan support in the Senate earlier this month. I would ask that you look at this legislation, as I believe it is a common-sense approach to at least assisting our front-line law enforcement in managing the crisis at the border.

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Unfortunately, ransomware attacks are becoming a more pervasive threat, and I feel that we, as a country continue to fall further and further behind—we continue to play defense instead of being on offense. I am concerned that the President's budget included a sharper increase for other Federal cybersecurity efforts, but not CISA, especially given the attacks CISA is tasked to defend. How can CISA be expected to continue to address these cyber threats head-on with such a small budget given that the global financial impact of these cyber attacks amounts to over \$1 trillion annually?

You have also acknowledged that CISA needs to be the quarterback of the .gov, and I fully agree, but this budget fails to do that. I believe that CISA needs to be a \$5 billion agency in 5 years, and that is not going to happen with meager increases.

I look forward to hearing from the Secretary today, but like I said, I do not envy his job. This budget proposal manages to somehow be incredibly bloated while at the same time, lack the funding we need to protect the homeland.

Thank you, Mr. Chairman.

Chairman THOMPSON. All the Members of the committee are reminded that under committee rules, opening statements may be submitted for the record. Members are also reminded that the committee will operate according to the guidelines laid out by the Chairman and Ranking Member in our February 3 colloquy regarding remote procedures. Again, I welcome our witness, the Secretary of Homeland Security, Alejandro Mayorkas. With objection, the Secretary's full statement will be inserted in the record. I now ask Secretary Mayorkas to summarize his statement for 5 minutes.

**STATEMENT OF ALEJANDRO N. MAYORKAS, SECRETARY,  
UNITED STATES DEPARTMENT OF HOMELAND SECURITY**

Secretary MAYORKAS. Chairman Thompson, Ranking Member Katko, and distinguished Members of the committee, good morning. Thank you for the opportunity to be with you again today.

The 240,000 public servants in the Department of Homeland Security are confronting increasingly complex and dynamic threats. We have a broad mission set and my dedicated colleagues across the Department are up to the challenges we face. As we will discuss in more detail today, it is the resources afforded by this Congress that will help ensure we can continue to effectively meet our mission and recruit and retain our Nation's most talented professionals. I welcome this opportunity to discuss several key agency priorities for fiscal year 2022 set forth in the President's budget for the Department of Homeland Security.

First, the President's budget provides for more effective and modern port and border security, including a \$655 million investment toward modernizing our land ports of entry. At our ports of entry, the budget includes an additional \$47 million to integrate Customs and Border Protection detection capabilities in addition to investments in border surveillance technology. Notably, there is no request for additional border wall construction.

The budget reflects the President's commitment to rebuilding our immigration system into one that is fair, efficient, and upholds our Nation's values and our laws. It includes a new discretionary request for \$345 million for U.S. Citizenship and Immigration Services to tackle our backlog of applications and petitions and to sup-

port up to 125,000 refugee admissions per year. To ensure the safe and humane treatment of migrants at the Southwest Border, the request includes \$163 million for medical needs for those in Customs and Border Protection custody.

In recognition of the growing threat of cyber attacks against both the public and private sectors, the President is requesting new resources for the Cybersecurity and Infrastructure Security Agency which leads DHS in interagency efforts to defend against today's threats and promote cyber resilience. It provides \$2.1 billion for cyber activities, which builds on the \$650 million already provided to CISA in the American Rescue Plan to respond to Government-wide breaches and boost cyber defenses. It will also allow CISA to enhance its cybersecurity tools, hire qualified experts, and obtain support services to protect and defend critical infrastructure and Federal information technology systems.

In recent years, the Federal Emergency Management Agency has stepped up to confront increasingly costly, devastating, and frequent natural disasters. FEMA has also taken the lead in our efforts to deliver and expand access to COVID-19 vaccines. As a result, the agency helped to vaccinate more than 5 million people and helped stand up more than 1,000 community vaccination centers. I am grateful for their efforts on both of these fronts, especially as they focus on addressing the existential threat of climate change.

The budget invests \$532 million above the fiscal year 2021-enacted level to confront climate change in an equitable way, including significant investments in pre-disaster planning, climate resilience, grant programs, and FEMA's work force.

Finally, under the Biden-Harris administration, our Department has made it a top priority to address domestic terrorism, which is the most lethal and persistent terrorism-related threat to the United States today. The fiscal year 2022 discretionary request includes \$131 million to support innovative methods to prevent domestic terrorism while respecting privacy, civil rights, and civil liberties. It also supports critical research on the root causes of radicalization, enhanced community outreach, and funding for locally-driven efforts.

I am honored to support and represent the dedicated DHS work force. Their commitment to the dynamic homeland security mission is unwavering, and I vow to do everything in my authority as Secretary to ensure they are resourced, compensated, and recognized appropriately. On behalf of the Department, I ask for your continued support in providing the resources we need to meet our critical mission.

Thank you again for the opportunity to be here today. I look forward to discussing the President's fiscal year 2022 budget priorities for the Department, and I welcome your questions today. Thank you.

[The prepared statement of Secretary Mayorkas follows:]

PREPARED STATEMENT OF ALEJANDRO N. MAYORKAS

JUNE 17, 2021

Chairman Thompson, Ranking Member Katko, and distinguished Members of the committee: It is a privilege to appear before you today to discuss the Department of Homeland Security's (DHS) fiscal year 2022 budget.

On a daily basis, the more than 240,000 men and women of DHS respond to our Nation's most serious threats. DHS employees rise to every challenge, and the challenges are many. DHS is aggressively pursuing the administration's priorities and addressing some of the most critical and evolving threats to the United States. We are focusing on defeating the COVID-19 pandemic, advancing technology for border security while promoting a humane and efficient immigration system, combatting Domestic Violent Extremism, and detecting, mitigating, recovering from, and responding to malicious cyber attacks. I would like to highlight the work we have undertaken so far at DHS under the Biden-Harris administration, as well as the priorities included in the fiscal year 2022 President's budget.

#### RESPONDING TO THE COVID-19 PANDEMIC

COVID-19 has impacted every facet of American life, and DHS has been integral to the effort to successfully and equitably distribute COVID-19 vaccinations across the country. The Federal Emergency Management Agency (FEMA) helped vaccinate more than 5 million people at our community vaccination sites and remains committed to assisting Government and nonprofit partners to help defeat this deadly pandemic. FEMA helped stand up over 1,000 Federally-supported community vaccination centers. FEMA has provided more than \$4.6 billion in support of vaccinations across the country.

As Secretary, I have no greater obligation than that of ensuring the health and safety of our workforce, 80 percent of whom are front-line employees. Five days into the Biden-Harris administration, DHS launched Operation Vaccinate Our Workforce (VOW) to accelerate the administration of COVID-19 vaccines on a voluntary basis to front-line DHS employees. On the first day of the Biden-Harris administration, less than 2 percent of our front-line workers who elected to receive the vaccine had been vaccinated. Today, that share has grown to more than 77 percent. Prioritizing the health and safety needs of the DHS workforce has enabled us to fulfill our mission even in a constrained COVID-19 environment. Operation VOW partnered with the Veterans Health Administration, a world-class health care system, to get COVID-19 vaccines into the arms of our front-line personnel.

Our public health and medical professionals from the Chief Medical Officer's staff participated in the whole-of-Government approach to combat the pandemic by serving on the Federal Healthcare Resilience Task Force, the Medical Countermeasures Task Force, and deploying as part of a tactical medical assistance team. These efforts resulted in life-saving Personal Protective Equipment preservation best practices; the accelerated development, manufacture, and availability of COVID-19 medical countermeasures; and the implementation of novel clinical and operational interventions that saved lives in diverse communities across the Nation.

#### ADDRESSING THE CHALLENGES AT THE BORDER

Since April 2020, the number of encounters at the border has been elevated due to on-going violence, natural disasters, food insecurity, and poverty in the Northern Triangle countries of Central America. This resulted in a substantial strain on the processing, transportation, and holding capacity of the U.S. Border Patrol. In response to the COVID-19 pandemic, the recommended temporary holding capacity within all Border Patrol facilities had also been reduced by up to 75 percent to allow for increased physical distancing and to reduce the further spread of the disease. Compounding this challenge is the fact that the previous administration dismantled our Nation's immigration system, terminated the Central American Minors program, and cut hundreds of millions of dollars in foreign aid to the Northern Triangle countries of Guatemala, El Salvador, and Honduras. As a result, the recent surge in unaccompanied children presented a serious challenge for DHS and our colleagues at the Department of Health and Human Services (HHS). We have made significant progress on this front.

On March 13, I directed FEMA to support a Government-wide effort to safely receive, shelter, and transfer unaccompanied children to HHS care and custody, and on-ward to a verified sponsor. FEMA immediately integrated and co-located with HHS to look at every available option to support a quick expansion of HHS's physical capacity for the care and custody of unaccompanied children, and to support HHS in managing overall operations. FEMA has deployed more than 100 employees to help HHS identify locations for emergency shelters, oversee construction, and manage operations.

Additionally, U.S. Citizenship and Immigration Services (USCIS) has trained and deployed more than 350 of its personnel to virtually interview unaccompanied children and potential sponsors, in order to provide case management for unaccompanied children in HHS custody at Emergency Intake Sites (EIS). As of June 14,

2021, USCIS personnel have conducted approximately 10,000 interviews and recommended more than 7,000 children for release to a sponsor. U.S. Customs and Border Protection (CBP) also constructed additional soft-sided facilities and stood up the interagency Movement Coordination Cell to bring together colleagues from FEMA, HHS, U.S. Immigration and Customs Enforcement (ICE), and CBP to share a common operating picture. More than 700 additional DHS volunteers stepped up to help through the DHS Volunteer Force.

Between March 13 and May 1, FEMA assisted in the activation of 14 HHS EIS facilities. EIS facilities are operating in Texas, California, and Michigan, increasing the potential temporary bed capacity when fully staffed by 19,987 beds, or 1,999 percent.

This additional bed capacity, along with improvements in the process of safely releasing unaccompanied children to sponsors, has resulted in a massive reduction in the number of unaccompanied children in CBP custody—from 5,767 at its peak on March 29 to 685 on June 11. During this same period, the number of unaccompanied children who have been in custody longer than 72 hours has decreased from 4,078 at its peak on March 29 to 2 on the morning of June 11, while average time in custody for unaccompanied children has fallen from 133 hours on March 29 to 23 hours on the morning of June 11. This progress was made, moreover, while CBP encountered 18,000 unaccompanied children in the month of April. For the 7-day period ending on June 10, CBP transferred an average of 392 unaccompanied children per day to HHS's Office of Refugee Resettlement, approximately 60 percent of CBP's total unaccompanied child population on a given day, and keeping pace with daily encounters.

On January 20, DHS announced it would suspend all new enrollments in the Migrant Protection Protocols (MPP) program. Under MPP, approximately 70,000 individuals were forced to return to Mexico while awaiting their immigration proceedings. On June 1, 2021, as directed by the President in Executive Order 14010, I completed my review of MPP and terminated the program. As part of the administration's phased approach to restore safe and orderly processing at the Southwest Border, DHS began processing into the United States certain individuals who were enrolled in MPP to allow them to pursue their legal claims before the Department of Justice's (DOJ) Executive Office for Immigration Review. The Department worked closely with interagency and international organization partners as well as the government of Mexico. This innovative and efficient process to address certain individuals who were enrolled in MPP is a testament to our ability to process individuals into the United States in a way that is humane and efficient while still enforcing our immigration laws and maintaining border security and public health.

#### STOPPING THE THREAT OF DOMESTIC VIOLENT EXTREMISM

As threats against the Nation evolve, it is critical that the Department adapts quickly and efficiently when necessary to meet any threat against the people of the United States. Domestic Violent Extremism (DVE) is typically fueled by false narratives, conspiracy theories, and extremist rhetoric spread through social media and other on-line platforms. The lethality of this threat is all too real, as witnessed during the attack on the U.S. Capitol on January 6, 2021, and recent attacks across the United States, including against Government buildings, personnel, and minority groups. DHS is prioritizing addressing this threat while improving the quality of our intelligence gathering and analysis, information sharing, and DVE detection, prevention, and response efforts.

Combatting this violence requires a whole-of-Government and whole-of-society approach, which I have already initiated at DHS in collaboration with key partners, including the DOJ, to help ensure the violence and assault on democracy that occurred on January 6 does not occur again. DHS has established a new, dedicated domestic terrorism branch within the Department's Office of Intelligence and Analysis, and recently established a new Center for Prevention Programs and Partnerships, replacing the Office for Targeted Violence and Terrorism Prevention. Further, DHS is increasing training opportunities for law enforcement partners, including through threat assessment and management programs related to DVE. DHS has also undertaken an internal review of the potential threat of DVE within the Department.

In February, I designated, for the first time, combatting DVE as a "National Priority Area" for the fiscal year 2022 State Homeland Security Program and Urban Area Security Initiative grant program. As a result, State, local, Tribal, and territorial governments are required to spend 7.5 percent of their DHS grant awards combating this threat. On March 24, the Department made \$20 million available through the Targeted Violence and Terrorism Prevention Grant Program to help

communities across our country develop innovative capabilities to combat terrorism and targeted violence.

#### BOLSTERING CYBERSECURITY AND RESILIENCE

Our Nation faces constant cyber threats from nation-states and criminal groups alike. Last month, the United States suffered a significant ransomware attack against its critical pipeline infrastructure. Over the past months, we discovered several intrusion campaigns impacting the Federal Government and critical infrastructure. As the Nation's lead agency for protecting the Federal civilian government and critical infrastructure against cybersecurity threats, the Cybersecurity and Infrastructure Security Agency (CISA) serves a central role by enabling greater visibility into cybersecurity threats, strengthening incident response capabilities, and driving improvements in security practices. Congress recently empowered and further strengthened CISA through several provisions in the fiscal year 2021 National Defense Authorization Act (NDAA) and funding in the American Rescue Plan Act of 2021 that the Department is now focused on implementing.

On May 12, President Biden issued an Executive Order to protect Federal Government networks and to bolster our Nation's cybersecurity. This Order will empower DHS and our interagency partners to modernize Federal cybersecurity, expand information sharing, and dramatically improve our ability to prevent, detect, assess, and remediate cyber incidents across the Federal Government. We are actively working to implement the Executive Order to help agencies improve their security posture, develop a standard playbook for incident response, and establish a Cyber Safety Review Board comprised of public and private-sector stakeholders.

In addition to the NDAA and the Executive Order, I announced a series of 60-day "sprints" to mobilize action across the Department focusing on specific priority areas. The first sprint was dedicated to elevating the fight against ransomware, a particularly egregious type of malicious cyber activity. The second is dedicated to building a more robust and diverse workforce at the Department and beyond, including a DHS cybersecurity hiring sprint during the 60-day sprint and the development and launch of several other workforce-focused initiatives. Subsequent sprints will focus on better protecting industrial control systems, strengthening cybersecurity in the context of our transportation systems, and safeguarding the integrity of our election infrastructure.

#### FUNDING PRIORITIES FOR FISCAL YEAR 2022

The fiscal year 2022 President's budget provides \$1.2 billion for effective and modern port and border security, which includes \$655 million for modernization of land ports of entry (POE); investments in modern border security technology and assets; and investments in modern facility design and construction. The budget includes no additional funding for border wall construction, and requests that Congress cancel remaining border wall construction balances upon passage of a fiscal year 2022 appropriations act. To expand our detection capabilities, CBP Air and Marine Operations seeks enhancements to aircraft sensors and additional aircraft acquisitions critical to surveillance along the Southwest Border. The fiscal year 2022 President's budget includes \$28 million for the first land interdiction configuration of the Multi-role Enforcement Aircraft, which integrates with the \$9 million request for the U.S. Border Patrol small Unmanned Aircraft System program. The integration of these border security technologies will provide a common operating picture for law enforcement. At the POEs, CBP officers continue to optimize Non-Intrusive Inspection technology, seeing through barriers, and detecting concealed contraband. A \$47 million investment builds on their continued integration and deployment along our borders, while maintenance and system support ensure reliability on the front lines.

The fiscal year 2022 President's budget also supports the promise of a fair and equitable immigration system that both enforces our immigration laws and reflects the Nation's values. The budget includes a 50 percent increase for case management services within the ICE Alternatives to Detention program. This funding is intended to ensure non-citizens are made aware of their legal obligations and it promotes a more transparent immigration system. In addition, this proposal reflects a new discretionary request of \$345 million for additional staff, equipment, and support services to administer the Nation's legal immigration system. These enhancements will provide resources to reduce application and petition backlogs and allow USCIS to interview enough refugees to admit up to 125,000 annually. Additionally, to ensure the safe and humane treatment of migrants at the Southwest Border, the request includes \$163 million for medical services for those in CBP custody. This funding covers intake health interviews, medical assessments, on-site diagnosis and treat-

ment of basic medical conditions, and comprehensive follow-up and monitoring in austere conditions.

The fiscal year 2022 President's budget continues on-going investments in CISA to address critical and pressing cyber, physical infrastructure, and emergency communications security issues. Accordingly, \$2.1 billion is requested for cyber activities including \$408 million for the National Cybersecurity Protection System and \$325 million for the Continuous Diagnostics and Mitigation program. This request builds on the \$650 million already provided to CISA in the American Rescue Plan Act of 2021 to respond to the recent Government-wide cyber breaches and boost U.S. cyber defenses. It will also allow CISA to enhance its cybersecurity tools, hire highly-qualified experts, and obtain support services to protect and defend Federal and critical infrastructure information technology systems.

In a constantly-evolving security environment, the Transportation Security Administration (TSA) continues to leverage emerging technology and enhanced screening. In fiscal year 2022, TSA will invest \$127 million in the Secure Flight program, a risk-based, intelligence-driven watch-list program to identify potential threats. To balance the need for increased security without restricting freedom of movement for legitimate travelers, the fiscal year 2022 President's budget includes \$104 million to expand TSA's Computed Tomography (CT) screening capability. CT screening is the most impactful property-screening tool available today, leveraging 3D imagery and detection against non-conventional concealment methods, while eliminating the need for passengers to remove electronic items from carry-on bags. Recognizing long-term strategic goals, TSA also seeks to invest in their essential personnel through a Transportation Security Officer service-pay strategy, as well as the critical infrastructure supporting the more than 55,000+ personnel of TSA.

The fiscal year 2022 President's budget reflects FEMA's continued intent to execute its mission while managing resources efficiently and effectively. This includes coordinating response and recovery missions and maintaining a highly-regarded and well-trained cadre of employees ready to respond to on-going and future disasters. The budget invests \$532 million above the fiscal year 2021 enacted level to confront climate change, including significant investments in pre-disaster planning and resilience efforts, climate resilience grant programs, and investments into FEMA's incident management workforce. FEMA programs include a resilient infrastructure and communities grant program, which prioritizes climate resilience projects in vulnerable and historically underserved communities. FEMA has projected \$18.8 billion for the Disaster Relief Fund, providing immediate assistance to families and communities affected by disasters to rebuild and recover. In addition to advancing long-term strategies via this request, FEMA remains focused on the on-going COVID-19 response and will continue working with partners to defeat this deadly pandemic.

The U.S. Coast Guard is in the midst of the largest recapitalization effort in its history, an effort critical to building the Coast Guard our Nation needs to meet increasingly complex National security threats and to advance America's economic prosperity. In fiscal year 2022, the Coast Guard seeks to continue its momentum in this effort, with \$170 million for Long Lead Time Materials for Polar Security Cutter No. 3, as well as \$597 million supporting the construction of Offshore Patrol Cutter construction. The fiscal year 2022 President's budget also adds \$116 million for sustainment and crewing of new cutters, boats, and aircraft, as well as \$194 million to address maintenance backlogs on Coast Guard surface and aviation assets.

The men and women of the U.S. Secret Service protect our Nation's highest elected and appointed leaders, visiting foreign heads of State, facilities, and major events. The fiscal year 2022 President's budget includes \$2.6 billion to support the Secret Service's critical missions, ranging from continued investment in Fully Armored Vehicles to empowering State and local law enforcement through partnership with the National Computer Forensics Institute.

I have outlined above some of the many operational successes and challenges throughout the Department and the fiscal priorities included in the fiscal year 2022 President's budget for DHS. The strategic investments that each DHS component initiates directly impact the readiness, preparedness, flexibility, and success of the Department in its mission to secure the homeland.

I am honored to support and represent the dedicated DHS workforce. Their commitment to the dynamic homeland security mission is unwavering, and I vow to do everything in my authority as Secretary to ensure they are resourced, compensated, and recognized appropriately. Therefore, I ask for your continued support in providing the resources we need to meet our mission.

Thank you for the opportunity to appear before you to discuss the Department's fiscal year 2022 President's budget submission. I welcome any questions you have at this time.

Chairman THOMPSON. I thank the Secretary for his testimony. I remind each Member that he or she will have 5 minutes to question the witness. I now recognize myself for such questioning.

Mr. Secretary, when you last testified before the committee in March, you stated you would certainly be reviewing the events that led up to the horrible day of January 6. Since then, DHS has been assessing its capabilities to address domestic terrorism and prevent a January 6-like attack from happening again. Just this week, the Biden administration, as you said in your opening statement, released the Nation's first National Strategy for Countering Domestic Terrorism which tasks DHS and other agencies with the important work of combatting this persistent threat. What is the status of your review into what happened on January 6 as it relates to DHS?

Secretary MAYORKAS. Thank you very much, Mr. Chairman. We have, indeed, reviewed the events that led up to the tragic events of January 6, and our review is on-going. I think that we are predicated on 3 pillars of our work to combat domestic terrorism.

No. 1, we base it on intelligence and information gathered by law enforcement. We are data-driven. No. 2, we are focused on ensuring that while we do this critical work, we protect civil rights, civil liberties, and the rights of privacy of each member of the American public. Third, and importantly, that we are ideology-neutral, that we look at any ideology, of false narrative, of mis- and disinformation with respect to ideologies of hate and radicalization, and critically, and this is what is a distinguishing factor, their connectivity to violence, regardless of the politics of any ideology, and that we address it. This has been a long-standing challenge and I note, for example, the 2017 attack on Republican Members of Congress at our baseball stadium. It is vitally important that we keep that principle in mind that we are ideology-neutral and we are focused on the connectivity to violence, which is unacceptable in our country.

Chairman THOMPSON. Thank you very much. As you know, the majority of Members who come to Washington do so by air. I have heard from flight attendants and others in the airline industry about the alarming uptick in unruly passenger incidents aboard planes in the last year. Some of these episodes have included violent assaults on flight attendants and TSA officers. I am gravely concerned that this number of such incidents is on the rise. What is DHS doing to address the situation and address problems on the ground before they become problems in the air?

Secretary MAYORKAS. Mr. Chairman, I share your view that this violence is intolerable and will not be accepted. We have communicated quite clearly that the mask mandate that governs the conduct of individuals in our modes of transportation and in the air is a Federal mandate, and I have communicated that from different airports around our country. We also have prepared Federal air marshals to address any act of violence that they themselves observe while on flights. Importantly, we are working with law enforcement to ensure that these acts are met with the full force of Federal law, which is applicable to acts of violence in the air. These individuals who commit these heinous acts will be prosecuted to the full extent of the law.

Chairman THOMPSON. I look forward to it. There is some question about our air marshals getting involved if they are on the plane. I would like to further that conversation with you. Last, our work force, we passed a bill, H.R. 8993, the Department of Homeland Security Intelligence and Cybersecurity Diversity Fellowship Program, but there is no money in the budget for it this year. Diversity of the work force is important. I look forward to working with you on seeing where we can identify some resources that can support that program.

Secretary MAYORKAS. Mr. Chairman, if I may. That is a core value of this administration and our Department in it to ensure that the principles of diversity, equity, and inclusion are fully realized, and you have my commitment.

Chairman THOMPSON. Thank you very much. I now recognize the Ranking Member of the full committee, the gentleman from New York, Mr. Katko, for questions.

Mr. KATKO. Thank you, Mr. Chairman. Mr. Secretary, just to follow up on what Mr. Thompson just said. If that is one of your core values and one of your core priorities, diversity, why isn't there any funding for it in the budget?

Secretary MAYORKAS. Ranking Member Katko, it is incumbent upon us to use the authorities that we have, the recruiting, hiring, and retention authorities that we have to achieve those objectives. We are implementing programs and practices within our existing budget authority to ensure that the diversity of our work force, including the diversity of our leadership, reflects the diversity of the American public we serve.

Mr. KATKO. I think it is fair to say that if you had more funding for it, if you had some funding for it, it would enhance that even better.

Let's go on to another question here. CISA, I appreciate your comments about being—CISA should be the quarterback of the .gov domain and the quarterback of cybersecurity in the Federal Government. I think you and I agree on that. You and I agree on a lot of things with respect to CISA. So, let me ask you this. It is very simple and a question it has—it warrants a very brief response. Do you believe CISA should be up to about a \$5 billion agency in the not-too-distant future?

Secretary MAYORKAS. I think it is very important to resource CISA fully, Mr. Ranking Member. You and I do agree on the mission of CISA, its criticality, as well as funding its future. We have to make sure that the additional funds that we receive are expended wisely, efficiently, and effectively. We have requested additional funds for CISA. We so greatly appreciate your support, this committee's support, and Congress' support for the additional money we have already received for that agency.

Mr. KATKO. Mr. Secretary, you admit, would you not, that CISA is completely overwhelmed with the amount of work they have right now?

Secretary MAYORKAS. I would not say that. I would say we are extraordinarily busy. We are incredibly focused on this, one of our most critical, urgent priorities, the cybersecurity of our Nation.

Mr. KATKO. I understand, sir. Thank you, sir. We have got several other questions to ask you. But given the gravity of the situa-

tion, given my discussions with folks at CISA, it is clear to me that they need more resources. I would ask you reconsider and speak to the administration about plussing this up. We are going to have to do this in the appropriations process. You are the one that is going to be the guy that is going to be the cheerleader for CISA. A 6 percent increase, given what is going on with cybersecurity in this country right now, just isn't cutting the mustard. So, I would respectfully ask you to do that.

Secretary MAYORKAS. I am incredibly—

Mr. KATKO. Now, with respect to—

Secretary MAYORKAS. If I may, I am incredibly proud to serve as the cheerleader for CISA. I am undaunted and unrelenting in that regard.

Mr. KATKO. Well, then give more money and that would help. With regard to the Border, Customs and Border Protection, is it correct that there is not additional Border Patrol agents scheduled in this budget request?

Secretary MAYORKAS. Mr. Ranking Member, U.S. Customs and Border Protection is seeking to invest significantly in court modernization and technology,—

Mr. KATKO. I understand that.

Secretary MAYORKAS [continuing]. Integrated technology.

Mr. KATKO. Sir, I don't mean to interrupt you, but I am asking just a straight question. Does the budget contemplate hiring more Customs and Border Patrol agents?

Secretary MAYORKAS. It does. It does not—we have vacancies now. We are very focused on recruiting and hiring additional personnel.

Mr. KATKO. Understood. Understood, thank you. But the bottom line is if you go to the border, you will know that many phenomena are happening. The retirement rate is very alarming right now. It is increasing because of what is going on at the border. We have a 21-year high in Border Patrol agents being pulled from all over the country to deal with the crisis at the border. It would seem to me that it would be a good time for us to contemplate plussing up Border Patrol.

One last question, if I may, sir. You were a prosecutor before you took this job. You prosecuted cases. You tried cases. Is that right?

Secretary MAYORKAS. For 12 years, I served as an assistant United States attorney and the United States attorney for the Central District of California.

Mr. KATKO. I am a former AUSA as well, and I am sure you will agree it is the best job you can ever have. But in that capacity, did you ever go to the crime scenes? Did you ever go to a crime scene so you can get in your head to see what happened with the crime so you could then prosecute it?

Secretary MAYORKAS. I think you may recall since we both served as assistant United States attorneys that it is critically important that a Federal prosecutor that is bringing a case not serve as a witness. So, it was our office policy not, in fact, to observe a crime scene. To rely on the brave and extraordinary Federal agents, as well as State and local law enforcement who did the investigative work, and we focused—

Mr. KATKO. Understood. I am not talking—

Secretary MAYORKAS [continuing]. On our prosecution mission.

Mr. KATKO. I am not talking about when a crime was going on or whatever. Just going back and surveying just to get an eye and see what happened? You never did that?

Secretary MAYORKAS. Ranking Member Katko, I did not and my record of success as a Federal prosecutor speaks for itself.

Mr. KATKO. OK, well, I am not questioning that at all. Obviously, it was successful. OK, well—

Chairman THOMPSON. The Ranking Member's time has expired.

Mr. KATKO. Thank you very much, Mr. Chairman.

Chairman THOMPSON. Thank you. The Chair recognizes the gentlelady from Texas, Ms. Jackson Lee, for 5 minutes. The gentlelady is having technical difficulties. The Chair recognizes the gentleman from Louisiana for 5 minutes, Mr. Higgins.

Ms. JACKSON LEE. I am back.

Mr. HIGGINS. Mr. Chair, was I recognized, Mr. Chairman?

Chairman THOMPSON. Yes, you were. The gentleman from Louisiana.

Mr. HIGGINS. Thank you, Mr. Chairman. I am appreciative of the recognition. Today's hearing should be one of the most significant hearings in Congress. We face unbelievable and unprecedented challenge on our Southern Border. We are speaking with the one man that leads the Department of Homeland Security today. I am going to question him about the budget that has been requested by our President. We recognize, as American citizens, that our Nation is imperiled. Certainly, that imperiled status is a threat from weak and agenda-driven policies, by politicians who longer recognize their service to we the people. Our Southern Border is absolutely the front line of defense for the sovereignty of our Nation.

Yet, America can expect no real answers today. What you are going to hear, my fellow citizens, is scripted, rehearsed speeches. Mr. Mayorkas is not going to answer Republican questions. He has made that clear. He is absolutely going to echo the talking points of the Biden administration and the Democrat Majority. So, let's ask about that. Mr. Mayorkas, have you or your staff coordinated with the Democratic Majority Members of the Homeland Security Committee or the Homeland Security Committee Majority staff regarding your responses to questions you will receive today and your answers? Have you coordinated that, Mr. Mayorkas?

Secretary MAYORKAS. Congressman Higgins, I conduct my responsibilities and fulfill my duties to the American public—

Mr. HIGGINS. Bingo,—

Secretary MAYORKAS [continuing]. In a bipartisan—

Mr. HIGGINS [continuing]. Exactly as I advised—

Secretary MAYORKAS [continuing]. In a bipartisan—in a bipartisan manner.

Mr. HIGGINS. You are not going to answer my question.

Secretary MAYORKAS. I have had the pleasure and the privilege of speaking with Members—

Mr. HIGGINS. Finish—

Secretary MAYORKAS [continuing]. Of both sides of the aisle prior to my testimony this morning.

Mr. HIGGINS. Reclaiming my time. Mr. Mayorkas, thank you for making my point. I have a question that you probably are not pre-

pared for. Mr. Mayorkas, you are in charge of defending our homeland. Let's dig into your true beliefs, sir. Do you believe that every square inch of American soil is sovereign and should be secured and protected?

Secretary MAYORKAS. Yes.

Mr. HIGGINS. Every square inch,——

Secretary MAYORKAS. Yes.

Mr. HIGGINS [continuing]. Is it sovereign and should be secured and protected?

Secretary MAYORKAS. Yes.

Mr. HIGGINS. Simple question.

Secretary MAYORKAS. I answered yes.

Mr. HIGGINS. Mr. Mayorkas, you are the lead DHS, good sir. That is a pretty simple question. Do you believe that every square—the answer is yes. Do you believe that you are as leader of Department of Homeland Security, do you believe that you are accomplishing that task right now?

Secretary MAYORKAS. We are.

Mr. HIGGINS. My numbers say we have 1.1 million illegal crossings at our Southern Border. We are absolutely in crisis as a Nation.

Secretary MAYORKAS. Congressman——

Mr. HIGGINS. You are in charge.

Secretary MAYORKAS. Congressman——

Mr. HIGGINS. How are we doing?

Secretary MAYORKAS. Congressman Higgins, I hope you——

Mr. HIGGINS. You are.

Secretary MAYORKAS. I hope you heard the answers to your questions.

Mr. HIGGINS. I turn my attention to the American——

Secretary MAYORKAS. Both of them were affirmative.

Mr. HIGGINS [continuing]. Mr. Mayorkas is completely making our point.

Chairman THOMPSON. Mr. Higgins, I am very—please allow the witness to answer the question. The Secretary——

Mr. HIGGINS. Mr. Mayorkas, you have been very——

Chairman THOMPSON [continuing]. Did answer your questions.

Secretary MAYORKAS. Congressman Higgins,——

Mr. HIGGINS [continuing]. Attention to the crisis at our border.

Secretary MAYORKAS. Mr. Chairman, I——

Mr. HIGGINS. Mr. Chairman, I yield the balance of my time.

Secretary MAYORKAS. Mr. Chairman, I had technical difficulties. Or I should say Congressman Higgins had technical difficulties. It was very difficult to receive his questions. I don't know if he heard my answers. I answered his questions quite directly.

Chairman THOMPSON. Yes, we heard him. He has yielded his time. The Chair recognizes, again, the gentlelady from Texas, Ms. Jackson Lee, for 5 minutes.

Ms. JACKSON LEE. Thank you so very much. Good morning, Mr. Secretary. Thank you again. Let me thank the administration for its humanitarian treatment of this very difficult portion of the immigration unaccompanied children. Let me thank you for the work that you have done to reunite children that have been disastrously

separated over the last 4 years, cruelly, as many of us have experienced those mothers and children not being reunited.

Let me turn to CISA and the important work of cyber and cyber response. We are under attack. The President made it clear in his meeting with Mr. Putin yesterday. I want to ask, how is the Cyber Response Recovery Fund designed to function in consort with CISA in order to both prevent and respond to attacks on our critical infrastructure such as in the case with Solar Winds and Colonial Pipeline? Mr. Secretary, as you well know, my time is short and I have several other questions. I am delighted to welcome you.

Secretary MAYORKAS. Congresswoman, thank you so much for your support of CISA and its critical mission. That fund is very important to equip and enable victims of cyber attacks to recover from those attacks most swiftly in the service of the public-private partnership and the American public.

Ms. JACKSON LEE. I think it is very important that either we as the Congress continues to increase that funding, but also I would encourage developing the expertise at DHS as well.

Texas understands the challenge of climate crisis. Both States and local governments that have a history of dealing with climate emergencies, and are projected to continue this experience, will they be able to be prioritized with competitive grants?

Secretary MAYORKAS. Congresswoman, yes, they will be and we are taking a look at our FEMA grant programs, which are so critically important to disaster prevention relief and recovery and resilience, and the critical impacts of climate change on States' abilities to be prepared.

Ms. JACKSON LEE. The Transportation and Security Administration has shown itself over and over again and the TSOs how they have been the front line of our security. Many of them were impacted by COVID-19. Should the administration have a policy of trying to professionalize the TSA, TSOs for retention and as well, be able to support increased funding for that purpose, No. 1? No. 2, the Department has security as its important point, but it also should have a commitment to civil rights, civil liberties. What is the process that occurs with a stakeholder reaches out to the Office for Civil Rights and Civil Liberties? If you would take the TSA question first.

Secretary MAYORKAS. Thank you so much, Congresswoman. We are dedicating to funding TSA work force. I really applaud and embrace the Chairman's dedication to that work force. In fact, just a few weeks ago, I made a critical announcement about our commitment, not only to provide collective bargaining rights to the TSA work force, to the TSOs, but also to work toward ensuring that their pay is at a level at least that level provided under Title 5 of the United States Code. So, I share your commitment and I really praise the Chairman's leadership in this area.

One of the critical things, if I may, turning to your second question, Madam Congresswoman, is a practice that I have instituted in the Department of Homeland Security. Our statutorily-created Office for Civil Rights and Civil Liberties does not engage at the end of our policy development in our processes and procedures, but at the very, very beginning. That is critical to ensuring that the movements that we make, the decisions that we make, integrate

that critical mission set, those values and principles on the front end of our work.

Ms. JACKSON LEE. Very quickly—

Secretary MAYORKAS. I look forward to working with you on that.

Ms. JACKSON LEE. Very quickly, we know what is happening in the Nation's airways and the Nation's airlines and the Nation's skies. I heard you make a comment about marshals. I would be interested in adding their powers or their procedures in how we can ensure a safe travel for our traveling public who are civilians and who have been called into action as if they are staff or military to save the lives of the other traveling public.

Secretary MAYORKAS. I look forward to working with you on that, Congresswoman. I really applaud the tremendous work that our Federal air marshals have done so very many years. I know of their work very well.

Ms. JACKSON LEE. Thank you. Thank you so very much. I want to compliment FEMA. We were under siege as all of us were in COVID-19. They opened up several sites in the Texas area where the surge of COVID-19. We lost a lot of lives, but they were always there and particularly during the very difficult and very unhealthful time of trying to get PPEs and other equipment prior to the vaccinations. So, thank you so very much. Mr. Chairman, I yield back.

Chairman THOMPSON. Thank you. The gentlelady yields back. The Chair recognizes the gentleman from Mississippi, Mr. Guest, for 5 minutes.

Mr. GUEST. Thank you, Mr. Chairman. Mr. Secretary, thank you for joining us today. In reviewing the information that you submitted to this committee, I see that in the category where you address the challenges at the border, you state that the number of encounters at the border has been elevated. You go on to say, this resulted in a substantial strain on the processing, transportation, and holding capacity of the U.S. Border Patrol. Later you say, as a result of the recent surge in unaccompanied children, this presents a serious challenge to DHS. I know you have made previous statements. Previously, I believe you said that we were on pace to encounter more individuals on the Southwest Border than we have in the last 20 years.

Mr. Secretary, the last time you were here when questioned by Ranking Member Katko, he asked, given the tremendous rise and surge of individuals coming to the border, wouldn't it be fair to call this a crisis? Your response was, I am not spending any time on the language that we use. I am spending time on the operational response to the situation at the border. You make that, and then we see today a budget that has no increased funding for key front-line agencies. So, my first question to you, Mr. Secretary, is if when compiling these budget requests, did you consult with our State and local partners that we rely on so frequently as we attempt to secure our homeland?

Secretary MAYORKAS. Congressman, thank you so much for your question. I have most certainly engaged with State and local law enforcement throughout my 4-month tenure. I have done so regularly, not only with chiefs of police, but with sheriffs and on occasion, rank and file, so that I understand what is being experienced

on the ground and best able and equipped to respond to it most effectively. Most certainly, I have engaged and I will continue to do so. In fact—

Mr. GUEST. Well—

Secretary MAYORKAS. In fact, if I may, I have elevated the position that was in the prior administration a deputy assistant secretary for State and local law enforcement to the position of assistant secretary for State and local law enforcement. In addition to that, I designated an individual, a former chief of police, as a senior counselor to ensure that our engagement in State and local law enforcement is both as robust as possible, and effective in implementing the policies and procedures that we are tasked to perform.

Mr. GUEST. Mr. Secretary, I appreciate that open line of communication. I do see here where the Governor of Texas, Greg Abbott, last week announced plans to build a wall on the Southwest Border. I see that the budget request that you submitted has no funding for additional wall construction. Governor Abbott said, our efforts will be effective if we work together to secure the border, make criminal arrests, protect landowners, rid our community of dangerous drugs, and provide Texans with the support they need and deserve. This is what he referred to in his statement as an unprecedented crisis. So, in reviewing the request that you have since submitted specifically as it relates to the Southwest Border, I see as it relates to U.S. Customs and Border Patrol that we are looking at roughly a \$1.9 million less this budget year than last. No funding for additional Border Patrol agents or CBP officers. No funding for additional wall construction.

I have personally had the opportunity to visit the border to meet with many of our front-line officers who are working extremely hard to contain what I believe is truly a crisis at the border. So, my question is based upon the previous statements that you have made to this committee that you have submitted in writing, that you have made to the public, could you, please, walk me through and explain to me the reason for the decline in CBP's budget request, the lack of additional funding for Border Patrol agents, the lack of additional funding for CBP agents, and the rationale behind no additional wall funding, when clearly the Governor of Texas thinks that it is very important to the point that he has already committed \$250 million of taxpayer money from the people of Texas to build additional wall funding.

Secretary MAYORKAS. Congressman, let me take a step back because if we take a look at the border as a whole, it is not a one-size-fits-all. The border is very dynamic and there are different needs and challenges in different parts of the border. No. 1, with respect to the brave men and women of the United States Border Patrol, we are very focused on hiring, recruiting, and hiring individuals to fill the vacancies. No. 2, we are studying border wall construction. We have already focused on repairing roads and levies where that work is needed. We are looking at particular gaps in the wall and determining what is the best course of conduct to secure our border. No. 3, and this is a vitally important consideration, is innovation and technology as the greatest force multiplier in the service of border security. That has been a bipartisan position ever since I have worked in the Department of Homeland Se-

curity. I am 20 years into Federal service this month, both as a member of the Department of Homeland Security and as a Federal prosecutor. I remember very clearly and very powerfully my meeting with Senator John McCain and his advocacy to me about the need to focus on technology. That the innovations in modern development serve as the greatest force multiplier and have the greatest impact in ensuring our security. I agreed with him then and we are executing on that approach now. Not at the expense—

Chairman THOMPSON. The gentleman's time has—

Secretary MAYORKAS [continuing]. Of other—I am sorry.

Chairman THOMPSON. The gentleman's time has expired. The Chair recognizes the gentleman from Rhode Island for 5 minutes, Mr. Langevin.

Mr. LANGEVIN. Thank you. Thank you, Mr. Chairman. Mr. Secretary, I want to thank you for the important work that you are doing leading the Department of Homeland Security. I want to recognize the important work by the men and women of the Department in keeping the country safe and secure.

Mr. Secretary, I want to begin by talking about the scourge of ransomware that is affecting our country as epitomized by the Colonial Pipeline and JBS attacks. As part of last year's defense bill, we authorized the creation of a Joint Cyber Planning Office at CISA, otherwise known as JCPO. I am grateful to see the President's budget request funds to the office. So, JCPO, which is based on a recommendation from the Cyberspace Solarium Commission, on which I had the privilege of serving as a commissioner, will bring together Government and private-sector entities to coordinate defensive campaign plans. Mr. Secretary, what role do you see for the JCPO in helping us defend ourselves from on-going ransomware campaigns?

Secretary MAYORKAS. First and foremost, Congressman, just let me thank you for being such a champion of our cybersecurity mission and CISA specifically. I think JCPO is on point for much of the work that CISA needs to do. I greatly appreciate the work of the Solarium Commission. I had the privilege of spending a couple hours with the staff to better understand the details of its work and its recommendation. I know that the nominee to lead CISA, Jennifer Easterly, who was voted out of committee yesterday and we are hoping for her swift confirmation, will invest a tremendous amount of focus on JCPO for the very reason you identified.

Mr. LANGEVIN. Thank you. So, I certainly agree that JCPO will be critical in our effort. However, the ransomware problem is immediate and demands immediate action. So, Mr. Secretary, would you agree that we should convene the interagency and private sector at the JCPO at soon as possible to avoid duplication of effort and ensure coordination in our efforts?

Secretary MAYORKAS. I most certainly do, Congressman. Thank you. As a matter of fact, my first public remarks on the cybersecurity challenges that our Nation faces in February shortly after I was confirmed and assumed this role, was on the threat of ransomware. The very first 60-day sprint that we embarked upon with CISA was focused on ransomware before the Colonial Pipeline attack, before the attack on JBS. This is most certainly a critical threat that we face on the homeland.

Mr. LANGEVIN. OK, very good. Well, let us know how the committee can help you in doing that and let's hope we see action in weeks not months.

Mr. Secretary, I want to turn our attention to the issue of systemically important critical infrastructure. I think that the Colonial Pipeline incident has demonstrated how a cyber incident affecting a single company can cause significant consequences for our economy and National security. So, do you think that an approach focused on systemically important providers similar to the Section 9 list from the Obama Executive Order is useful to mitigating risk? Will you commit to working with me on legislation to codify a new social contract with systemically important critical infrastructure?

Secretary MAYORKAS. Congressman, I share your focus on critical infrastructure. I know that we across the Department and, of course, particularly in CISA, share your concern. I look forward to working with you on legislation, if indeed, that proves to be the best vehicle to bring strength to our focus.

Mr. LANGEVIN. Thank you on that. The last question, Mr. Secretary. So, I have some concerns about how the Colonial Pipeline incident response was handled in the interagency. I strongly believe that that whole issue was a significant cyber incident and should have—we should have seen the stand-up of a cyber unified coordination group. Even if the UCG was not established though, I feel that DHS as the lead agency for asset response, likely should have coordinated the interagency. I realize that decisions there were not made by you, so, setting aside, this specific incident, can you walk us through what DHS's role normally would be under the PPD-21, PPD-41, and the National Cyber Incident Response Plan?

Secretary MAYORKAS. Let me assure you, Congressman, that we did, in fact, follow and execute an interagency model. We were in close communication, of course, with the White House, with Anne Neuberger, whose expertise and leadership in this area is so renowned and deservedly so. I worked very closely with Senator—forgive me—Secretary Granholm. I was linked up with Secretary Buttigieg. We were so closely connected throughout the interagency that I can assure you that that interagency paradigm that we all ascribe to was executed in full.

Mr. LANGEVIN. OK. Thank you, Mr. Chairman.

Chairman THOMPSON. The gentleman's time has expired. The Chair recognizes Mr. Bishop for 5 minutes.

Mr. BISHOP. Thank you, Mr. Chairman. Secretary Mayorkas, Mr. Guest previously made a point of your testimony, bottom of page 2. It says, since April 2020, the number of encounters at the border has been elevated. Just to put a finer point on what he says, here is what elevated looks like. You see that blue line. You are familiar with this. Just for the sake of the committee and members of the public who may be looking, that blue line at the top that goes up higher than any other line and then levels out, that is elevated. By your expectation the last time we had—we were together in March, you anticipated that, the highest levels on a sustained basis in over 21 years. Here is another chart of it. This is the Biden administration here. You see what happened in the Trump administration curtailed and then this enormous continuing spike. Your under-

statement suggests that the administration's out of touch with the dynamics of this situation.

Also, Secretary Mayorkas, you say in that same statement that the number of encounters has been elevated, "due to on-going violence, natural disasters, food insecurity, and poverty in the Northern Triangle countries." You do know, don't you, that the principal cause of this surge is changes in policy by the Biden administration from the previous administration, and the factors that you cite were prevalent in the Trump administration and prior administrations as well. So, that doesn't—that didn't cause the change. Would you agree, sir?

Secretary MAYORKAS. I would respectfully disagree with you, Congressman. We have—

Mr. BISHOP. For what reason?

Secretary MAYORKAS. Those of us who have addressed challenges at the border for many, many years have seen spikes, decreases, spikes again, decreases again. It is a very dynamic situation. It is overdue that we address the root causes of irregular migration and multi—

Mr. BISHOP. Well, you are often talking about what we ought to do. I am just asking about the cause as you have deciphered it. I understand, I will take your answer that you don't agree with me. When I had 5 minutes with you in March, I asked you whether you expected that the administration's changes in policy would trigger this surge or you were surprised by that development? You said that you had no expectation either way, but we did what we had to do. Let me, this is, I don't know that I had any particular expectation one way or the other. I just knew what we needed to do when we confront a situation and, in fact, we are doing it. But as this has developed, it is true. I have learned, and it is true, isn't it, that the CBP briefed incoming Biden administration officials that the contemplated changes to policy, such as suspending or terminating MPP would lead to exactly this surge.

Secretary MAYORKAS. Congressman, when I had the privilege of engaging with you back in March, the concern was the overcrowding of Border Patrol facilities—

Mr. BISHOP. Yes, sir. I am not—

Secretary MAYORKAS [continuing]. By a private company—

Mr. BISHOP [continuing]. Asking you to go on a different tangent, Mr. Secretary. I am just asking whether or not you were briefed that these changes would lead to this type of surge?

Secretary MAYORKAS. If I may, I was not—

Mr. BISHOP. Yes or no, sir?

Secretary MAYORKAS. I was not—

Mr. BISHOP. Looks like you won't answer the question.

Chairman THOMPSON. Let's, excuse me—

Secretary MAYORKAS. If I may have a moment—

Chairman THOMPSON. Excuse me, Mr. Secretary. Mr. Bishop, please allow the witness to answer the question and you can then follow up.

Mr. BISHOP. I would be glad for him to elaborate, Mr. Chairman. I would just like him to answer that question.

Secretary MAYORKAS. Congressman, I was briefed on the border situation when I assumed office. In addition, if I may, when we en-

gaged in March, the focus was on the overcrowding of Border Patrol facilities by unaccompanied children. I said then that we had a plan and that we were executing on our plan and that it would take time. The situation in the Border Patrol facilities is drastically different than it was then. In fact, we did execute on our plan and——

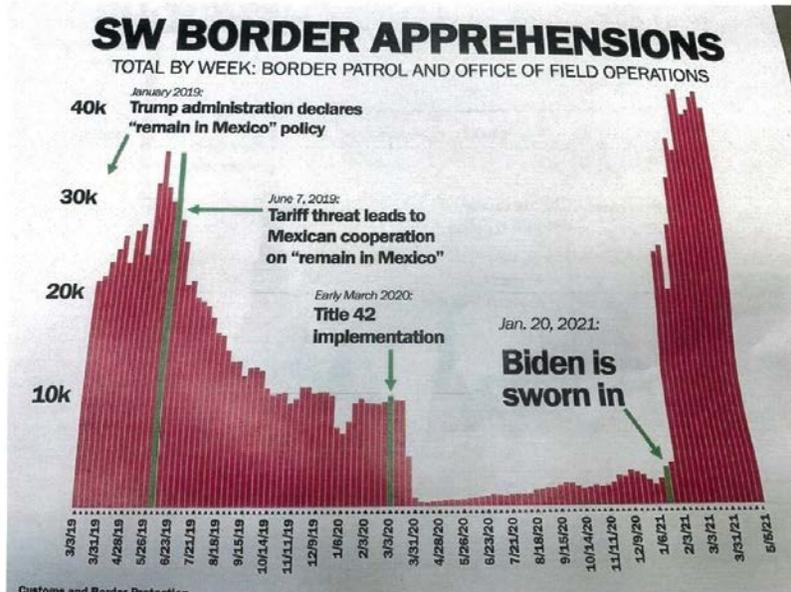
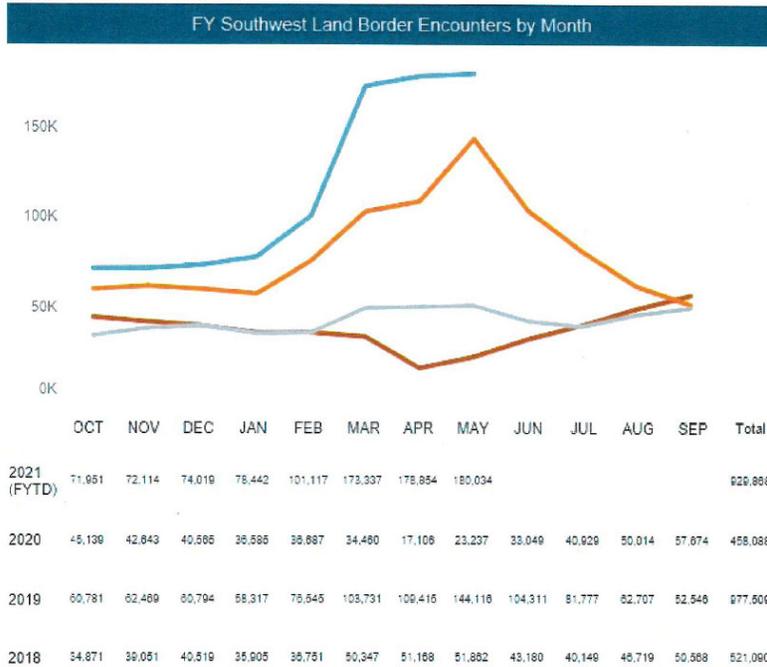
Mr. BISHOP. I will reclaim my time of which I have only got about another 30 seconds, Mr. Secretary. Tens of thousands of migrants have been admitted into the country on the premise of having an asylum claim. I understand that the majority, maybe the vast majority, are determined not to be valid. What is the administration doing to remove from the country those whose claims, asylum claims, are either not being pursued any further or have been determined invalid?

Secretary MAYORKAS. Families, Congressman, who make claims for asylum under the laws of the United States are placed in immigration proceedings to seek to advance those claims. If those claims are granted by an immigration judge, they are granted asylum under our laws. If those claims are rejected by a judge, and appeals prove unsuccessful, those individuals are removed from the United States in accordance with the law.

Mr. BISHOP. Mr. Chairman, in light of my time having expired, I request unanimous consent for the submission of these 2 charts that I displayed during the testimony. Thank you, sir, and I yield back.

Chairman THOMPSON. Without objection, so ordered.  
[The information follows:]

CHARTS SUBMITTED BY HON. DAN BISHOP



Chairman THOMPSON. The Chair recognizes the gentleman from New Jersey, Mr. Payne, for 5 minutes.

Mr. PAYNE. Thank you, Mr. Chairman. Mr. Secretary, it is evident that there were multiple failures leading up to and during the siege of the U.S. Capitol on January 6, including the 5 standby responses that the Pentagon relayed to the National Guard during the attack, and the complete and utter failure of both DHS and the FBI in not issuing a threat assessment or joint intelligence bulletins specific to the January 6 joint session of Congress. I know you were not Secretary at the time, but the last time you were here, we received—we reviewed your Department's failures that allowed the violent mob to ransack the Capitol and depart without being arrested or detained. Can you assure this committee that DHS's failure to issue a threat assessment was not part of an attempt by the Trump administration to leave the Capitol and Congress undefended?

Secretary MAYORKAS. Congressman, I am not in a position to editorialize on actions of the—or inactions of the prior administration. I am focused on lessons learned and what we can do to make sure that our responsibilities are fulfilled. In fact, we have taken significant steps in that regard. We issued the first NTAS Bulletin in January. The first in quite some time. Since then, we have issued information bulletins to State, local, Tribal, and territorial partners with respect to the false narratives that we are observing on social media to make sure that the horrific events of January 6 do not happen again.

We certainly have reviewed the events leading up to January 6. We continue to review those. We continue to draw lessons learned and we are very focused on the point of your question, which is the critical dissemination of information to equip local law enforcement and local communities in responding to events to prevent them and to respond should they tragically occur.

Mr. PAYNE. OK, but wouldn't part of that lessons learned be trying to assess the prior administration's lack of response to this? Wouldn't that be part of lessons learned?

Secretary MAYORKAS. Most certainly. We did note the fact that products were not disseminated as robustly as we have begun to do and we hope to continue to do.

Mr. PAYNE. OK. You know we always talk about defending the homeland from, you know, foreign or domestic. To the extent that we had a rogue administration potentially in the White House, that also has to be assessed, correct?

Secretary MAYORKAS. Well, Congressman, we look at the events. We try to look at them and we succeed in doing so through an apolitical lens, as I articulated at the very outset. Domestic terrorism we look at in an ideology-neutral fashion. We look at the information that we are receiving and we ask ourselves what is its connectivity to violence? What can we do to ensure that communities across the country are prepared, can prevent actions? We work to achieve partnership with our State, local, Tribal, and territorial communities.

Mr. PAYNE. Just so we are clear, I am being apolitical as well. It is not a Republican or Democrat irrespective of who was in the

White House at the time, that assessment needs to be made regardless of party. So, this is apolitical for me as well, sir.

DHS and this committee have been warning about the threat of domestic terrorism for over a decade now. I know the Chairman has been consistent in his concern for this issue and I have followed his lead as I have come on the committee and learned. As far back as 2009, DHS warned about a resurgence in right-wing extremism—

Chairman THOMPSON. The gentleman from New Jersey's time has expired.

Mr. PAYNE. Thank you, sir.

Chairman THOMPSON. I recognize the other gentleman from New Jersey, Mr. Van Drew, for 5 minutes.

Mr. VAN DREW. Thank you, Chairman. Mr. Secretary, you must have noticed, you must feel it, you must see it that there is a crisis on our Southern Border. I know that you say there isn't. The administration say that there isn't. But if you speak with—you can feel the frustration of so many Congress people that are even here today questioning you. The bottom line is illegal border crossings are at a 21-year high. Statistics don't lie. The bottom line is you can see the videos. You can visit these sites. You can see the pictures. It is just all there. It is real and it is not something in the past. Frankly, I don't even want to talk about the past. I want to talk about what is happening now.

You know, over 150,000 people a month and the children. Somebody mentioned what a wonderful job we are doing with the children. Well, let me tell you what is happening to children. Children are being abused as they cross the border. Children are being abused before they get to the border. They are being used as drug mules. They are being sexually abused. So are women and families. I mean, this is horrific. It is inhumane. It is wrong. I feel like I am in bizarro world when we say that it doesn't exist. It does. We can see it. You can go there. You can look at it. It is there. It is there now, right now. Our border towns, processing facilities, and the Customs and Border Protection agents are completely overwhelmed. Yet, the President's budget proposal has a 0 percent, 0 percent increase in Homeland Security funding for 2022.

Furthermore, and I think this is bizarre to me, the budget does not mention border security. Regardless of your partisan positions on things or anybody's positions on things—and I am not trying to give you a hard time—but how can you have a budget, a 72-page report, and not mention budget security? Whatever you think about it, we know that something needs to be done. The Customs and Border Protection fiscal year 2022 request is almost \$300 million below the 2021 level. There is no call for funding for additional Border Patrol agents or Customs and Border Patrol officers. They are suffering down there. The people who are working there are suffering. The people who live there are suffering. The people in the country are suffering. Quite frankly, the undocumented that are coming across are going through hell in many cases as I mentioned. We aren't treating children well. The Customs and Border Protection Procurement Construction and Improvements account was cut in the President's budget by almost 50 percent from the 2021 enacted level. It is awful.

In addition, I am concerned that the President's budget left out necessary funding for Coast Guard needs. If we get time, we could talk about that a little bit later. I am grateful that the budget includes the much-needed recapitalization project for training in Cape May, which is in my district. The budget does little to address the \$2 billion backlog in the service currently. We need to address the aging IT infrastructure of the Coast Guard without a doubt. This budget doesn't accomplish that. It spends so much and it doesn't accomplish that. That is, again, the bizarre, I don't know what other word to use, part of it all.

Now, Mr. Secretary, as you know, President Biden issued a proclamation on his first day in office to pause construction of the border wall. Why? I don't know, but he did. And pause the obligation of funds for the wall. The Government Accountability Office issued a report on Tuesday this week suggesting that the Department of Homeland Security submit a time line to the committee dealing how DHS—dealing with how DHS plans to obligate its Congressionally-appropriated funds. This time line is necessary to ensure that this committee maintains strong oversight over the Department and the administration does not replace priorities established through the legislative process with its own agenda. Will you please commit to providing the committee with this time line?

Secretary MAYORKAS. Congressman, I have to respond.

Mr. VAN DREW. Sure, I want to you respond. Mr. Secretary, I want you to respond.

Secretary MAYORKAS. Please allow me to respond to some of your preliminary remarks. They require a response. I share your position that the smugglers and the traffickers who exploit children are heinous criminals that need to be addressed. In fact, we have a number of law enforcement operations to elevate the attack on those smuggling and trafficking organizations over and above the work that was previously done, No. 1.

No. 2, we are in fact addressing children in a more humane way than was previously the case. In the prior administration, Congressman, unaccompanied children were expelled. We are now receiving those children and assessing the claims for humanitarian relief to which they are entitled under American law. We are no longer expelling those children, those unaccompanied children, No. 1.

Mr. VAN DREW. I don't mean to interrupt you, Mr. Secretary, but, yes, after they have gone through hell to get here, after we are not committed to the agreement we had with the Northern Triangle and with Mexico, which was much more secure. They were more secure. Our country was more secure. We have less security—

Chairman THOMPSON. The gentleman's time—

Mr. VAN DREW [continuing]. Now than we had then.

Chairman THOMPSON. The gentleman's—

Mr. VAN DREW. I look—

Chairman THOMPSON [continuing]. Time from New Jersey has expired. The Chair recognizes the gentleman from California for 5 minutes, Mr. Correa.

Mr. CORREA. First of all, let me thank our Secretary for being here today. Sir, welcome. A quick question, sir. Under the prior administration, DHS failed to provide Congress with the 2018 quad-

rennial, every 4-year, Homeland Security Review. This report is important to provide effective oversight by us, Congress, of DHS and to make sure that your department has the assets, capabilities, budget, and policies to address the evolving threats. Will you commit here, sir, today to deliver Congress, us, the 2022 Quadrennial Homeland Security Report?

Secretary MAYORKAS. We will indeed do so, Congressman.

Mr. CORREA. Thank you. Mr. Secretary, I want to talk about the border and Border Patrols. My colleagues have made a good point. We need more agents. A number of years ago, this committee had hearings on hiring new Border Patrol officers. Back then, the problem was that most recruits couldn't pass the test or meet the qualifications, or most importantly, pass a polygraph test. The Anti-Corruption Act requires a polygraph test for all new CBP law enforcement officers. I know some vets may be exempt from this. But, Mr. Secretary, are we still having the same problems hiring agents?

Secretary MAYORKAS. Congressman, we are very focused on recruiting and hiring Border Patrol agents. We are looking at how the hiring process can be reformed to achieve greater efficiency. Indeed, we are focused on that critical effort.

Mr. CORREA. Sir, let me turn again to the border. I want to El Paso. I took a tour of the area. I met 2 young girls there, 2 refugees, Yuri and Yareli, 2- and 5-year olds. They were thrown over the border wall by smugglers. In this case, the wall didn't work. They were saved because 2 alert Border Patrol officers saw them with their high-tech equipment. They were able to detect an intrusion with high-tech equipment. So, technology worked. So, my question, sir, is this what you have in mind when you talk about your budget and protecting our Nation's security, more effective technology?

Secretary MAYORKAS. I most certainly do, Congressman. Thank you both for recognizing the force multiplier that technology is, as well as the extraordinarily heroic work of the United States Border Patrol.

Mr. CORREA. Mr. Secretary, again, talking about the border and illegal drugs at the border. I agree with my colleagues, record number of illegal drug seizures at the border. But I would say, sir, that these go hand-in-hand with a record-high demand and consumption for illegal drugs in our Nation. Would it be fair to say that our dollars are purchasing more and more illegal drugs and this is in great part driving the record number of importations and illegal drug seizures at our border?

Secretary MAYORKAS. Congressman, tragically, the demand for narcotics is one of the causal factors. In fact, the data shows that most narcotics are sought to be smuggled through the ports of entry, which is yet another reason why we are focused on innovative technology, which is the greatest tool to interdict the flow of narcotics through the ports of entry.

Mr. CORREA. So, more technology, more effective homeland security.

Secretary MAYORKAS. Indeed. With respect to the flow of illegal narcotics, the prior administration failed to promulgate critically-needed regulations to implement the STOP Act. But we moved very swiftly in the service of Senator Portman's leadership in that area

to implement those regulations. We are very dedicated to that fight.

Mr. CORREA. Secretary Mayorkas, thank you for being here. I look forward to continuing to work with you to secure the homeland. Mr. Chairman, with that, I yield.

Chairman THOMPSON. The gentleman from California yields back. The Chair recognizes Mr. Norman for 5 minutes.

Mr. NORMAN. Thank you. Thank you, Secretary Mayorkas. Secretary, can you hear me OK?

Secretary MAYORKAS. I can, thank you, Congressman.

Mr. NORMAN. Have you ever had a medical physical?

Secretary MAYORKAS. Congressman, I have and that is—of course I have, and that is quite a private question to pose to me.

Mr. NORMAN. Do they, when you had the medical physical—I am not talking about what they found, but did they physically get you in the office, talk to you, see what is going on, and was that effective?

Secretary MAYORKAS. Yes, sir.

Mr. NORMAN. OK. Why then would the leader of this country and the Vice President not want to go physically look at the border, talk to the Border Patrol agents that you say you want to find the truth, why, if it applies in so many other fields, why does it not apply with this? In fact, is it fair if you had a doctor that laughed at you as the Vice President did when asked to come to the border, can you comment on that? Does that make sense to you?

Secretary MAYORKAS. I most certainly can. I consider that question to be quite unfair and disrespectful. Let me be very clear. The President and the Vice President have requested and directed me to visit the border, which I have done on multiple occasions. I would like to cite to my exchange with Ranking Member Katko with respect to my work as a Federal prosecutor and the direction that I provided to State and local law enforcement to Federal investigators to visit particular scenes.

Mr. NORMAN. Well, I—

Secretary MAYORKAS. They directed—I am sorry, if I may. If I may finish, because—

Mr. NORMAN. I am reclaiming my time. You made the statement—you made the statement—

Secretary MAYORKAS. I am sorry. I must—

Mr. NORMAN. I am reclaiming my time. You made the statement that my question was unfair. I am making the statement that your comments are just words and they are very unfair. I asked you a simple question. I would like for you just to answer simply. Does it make sense for the leaders of the free world to go to talk to and see what is going on at the border? You didn't answer it with Mr. Katko. All I am saying is we don't want words. We don't want—we want actions. When you say you are trying to hire Border Patrol agents, where is the money?

Secretary MAYORKAS. We have, Congressman, the funds to hire Border Patrol agents to fill the vacancies, No. 1. No. 2, I am the Secretary of Homeland Security and it is my responsibility to manage the border at the direction of the President and the Vice President. I have visited the border on multiple occasions. No. 3,—

Mr. NORMAN. Have you talked to the Border Patrol agents?

Secretary MAYORKAS. No. 3—and No. 3,—

Mr. NORMAN. Have you talked to the Border Patrol—

Secretary MAYORKAS [continuing]. Finally,—

Mr. NORMAN [continuing]. Agents?

Secretary MAYORKAS. No. 3 and finally, my—

Mr. NORMAN. Have you spoken with the Border Patrol agents? That is the question.

Secretary MAYORKAS. I most certainly have. I most certainly have. No. 3, if I may, the Vice President served as the attorney general of a border state, of California, and she is quite familiar with the situation on the border.

Mr. NORMAN. But she is laughing at it. She has been—

Secretary MAYORKAS. I have met with her on—

Mr. NORMAN. I am reclaiming my time,—

Secretary MAYORKAS. That is absolutely—

Mr. NORMAN [continuing]. Secretary Mayorkas.

Secretary MAYORKAS. That is absolutely—

Mr. NORMAN. I have got a limited—

Secretary MAYORKAS [continuing]. Unequivocally untrue.

Mr. NORMAN. I have got a limited amount of time. She is laughing at it. When you say—

Secretary MAYORKAS. That is absolutely—

Mr. NORMAN [continuing]. It is an insult—

Secretary MAYORKAS [continuing]. Unequivocally—

Mr. NORMAN. It is an insult—reclaiming my time—for you to say that you are looking at the border wall and looking at it, when you are not—what do you have to look at? You are not building it. When you say technology, what I have heard, how effective once the million to 2 million people are in this country illegally, how effective is technology going to be to root them out and to find out who they are when you don't know who is coming in in the first place? Simple question.

Secretary MAYORKAS. Congressman,—

Mr. NORMAN. Simple question.

Secretary MAYORKAS [continuing]. The factual premise of your question is inaccurate.

Mr. NORMAN. OK, so you just don't know?

Secretary MAYORKAS. Technology has proven to be an effective force multiplier.

Mr. NORMAN. How about stopping them from coming in the first place? How about knowing who is coming in the country? Is that not common sense?

Secretary MAYORKAS. It is a multi-pronged effort, and we do that as well.

Mr. NORMAN. Multi-prong. Wow, multi-prong. It is like all the other words. It is basically you are not doing anything because the numbers don't lie, Secretary Mayorkas. Unless you dispute the 180,000 that came last month as opposed to the, in the previous administration, 20,000 for the same month in 2020. Now, once they are in the country, it is hard to get them back out. The Border Patrol agents we talked with, you know why they are demoralized? They are changing diapers. You will not take the necessary steps to stop it. You can say you are. But in the 74-page budget this administration has put out, you know how many times border is men-

tioned? Not once. You know how many times climate is mentioned? Fifty-four times. It is not a priority. I am just telling you this is a crisis. I would invite you. We are going for a second time. Many have been far more. We are going for a second time. We would invite you to come talk to the agents. See the children that are put with—you got 2- and 3-year olds, put with—

Chairman THOMPSON. The gentleman's time has expired. The Chair recognizes the gentlelady from Michigan, Ms. Slotkin, for 5 minutes.

Ms. SLOTKIN. Thank you, Mr. Chairman. Secretary Mayorkas, thank you for joining us today. I am struck as we head to the 20th anniversary of 9/11 just how different the homeland issues are from when, you know, DHS was stood up. Where most Americans were, you know, worried about threats from foreign actors, from foreign terrorists and attacks on the homeland. Fast-forward 20 years, we are talking about cyber attacks, the border, domestic terrorism. It is very different.

So, what I want to ask is about those pivots to those very different things that are threatening Americans. Particularly on cyber, I would just note it feels like all roads lead back to the Department of Homeland Security, particularly in the last couple of weeks. First, because these attacks have really started to affect the average American. They are affecting our, you know, gas, and our meat, and our video games. I am, you know, standing with farmers and they are asking me about cybersecurity. You all at CISA are really the 9-1-1. You are the 9-1-1 call center for cyber attacks on our businesses, on our local governments. It is critical that you be well-funded and well-staffed and ready to take on that responsibility.

Second, yesterday in the summit between President Biden and President Putin, you know, one of the big things where the President put down a marker was on this list of 16 different critical infrastructure sectors and how it was important that the Russians understood that those sectors meant something to us. So, I guess my first question is can you please tell us how you and CISA are prepared to take on this additional responsibility? Particularly since, yes, you know, when it comes to deterring Russian cyber attacks, Chinese cyber attacks, often resilience is the best way to deter future attacks. So, tell me about CISA. We are waiting for your questions, your concerns, your asks on money and resources. Tell us what you have done to prepare.

Secretary MAYORKAS. Congresswoman, thank you so much for recognizing the fact that CISA is indeed, as we have termed it, the quarterback of the Federal Government's cybersecurity efforts. We have requested funding of Congress. We are grateful for the support that Congress has provided. We have champions on this committee with respect to the work of CISA. We received, of course, \$650 million already and we are requesting additional funds.

Ms. SLOTKIN. Yes.

Secretary MAYORKAS. The model that we—that model that we rely upon and that we are advancing is the public-private partnership. That is what is critical. Not only the partnership across the Federal enterprise with respect to all of the Government agencies that are invested in and dedicated to this effort, but a partnership

with the private sector as well. It is so critically important. That is our focus.

Ms. SLOTKIN. Thank you. I appreciate that. Given that the President put down this marker on these 16 different sectors that I think were identified by CISA, I would really appreciate—I think we all would—if DHS would come back to us in a couple months and give us an update.

In those 16 sectors, have the Russians tried to penetrate? Have the Chinese tried to penetrate? Have ransomware groups emanating from those countries tried to penetrate? I think hearing back from you is a real accountability for these nation-states that are allowing these groups to mock around with the average American's stuff. The stuff we need. So, I would make that request.

Pivoting to the issue of domestic terrorism. You came in front of this committee and talked about how domestic terrorism is now the most significant terrorist threat threatening the average American. I know the White House just put out their big domestic terrorism strategy. That is a hard pivot to go from focusing on foreign terrorism to domestic terrorism. In the brief time that you have left, can you talk to me about, again, how many analysts? What does your budget look like? Tell me how many people and the scope you have working on this threat compared to foreign terrorism, if you could.

Secretary MAYORKAS. Congresswoman, thank you. We will, indeed, update you in a couple months as you have requested with respect to the cybersecurity challenge in the 16 sectors specifically. We have created a dedicated unit within the Office of Intelligence Analysis to focus on domestic terrorism. We have focused our efforts on information gathering on intelligence to not only best learn of the threat, but to be able to disseminate information to our State, local, Tribal, territorial partners. We have a concerted effort. We created the Center for Prevention Programs and Partnership, CP3, to also focus on this effort and to develop partnerships that are so critical to this mission. I would welcome the opportunity. We would welcome the opportunity to provide greater details to you about our intense focus on this mission set, which is quite frankly, as I have articulated previously, the greatest terrorism-related threat that we now face in the homeland.

Chairman THOMPSON. The gentlelady's time has expired. The Chair recognizes the gentlelady from Iowa, Mrs. Miller-Meeks, for 5 minutes.

Mrs. MILLER-MEEKS. Thank you, Mr. Chair. Secretary Mayorkas, thank you for coming before us here today. As you may know, in April Ranking Member Katko and I wrote a letter to yourself and the Secretary of Health and Human Services, Becerra, regarding the vetting for sponsors and caregivers of unaccompanied alien children at the border. We have not yet received a response. Can you commit to providing us response on this within the next week?

Secretary MAYORKAS. Congresswoman, I apologize if we failed to respond to your letter, and we most certainly will as quickly as possible.

Mrs. MILLER-MEEKS. Thank you.

Secretary MAYORKAS. I pride myself on responsiveness and we have received—we have many committees to answer to and I apologize and will address that immediately.

Mrs. MILLER-MEEKS. Thank you. Yesterday, I questioned Secretary Becerra on the vetting required for UACs and he stated that, “We are not going to do anything that imperils the safety and care of the child. Some of the children are being dropped off over the border wall and have perished and they are brought here by human smugglers and traffickers.” Do you agree that the smugglers put children at risk?

Secretary MAYORKAS. Most certainly and that is why we have enhanced our law enforcement efforts to address the smuggling organizations and the traffickers.

Mrs. MILLER-MEEKS. So, you agree, Secretary Becerra agrees, and I agree that these smugglers and traffickers are putting children in danger. Yet, we have seen no action from the Biden administration to disincentivize smugglers from bringing children as young as 1 across the border. If we are serious about protecting children, we need to stop making it profitable for smugglers to bring children into the United States. Your administration’s open border messaging is putting children’s lives at risk and 79,948 children have crossed our Southwest Border.

While I was in the Rio Grande Valley sector earlier this year, Border Patrol agents told me that migrants are paying on average \$4,000 apiece to be smuggled into the United States. Human smugglers are openly advertising their services on Facebook, claiming that they can promise a 100 percent safe journey. These cartels are making billions of dollars smuggling individuals and drugs into our country. Because of this, your agents told me that they feel like we are aiding and abetting transnational criminal organizations and that the policies of the previous administration were working. If we want to tackle root causes, as the Biden administration continues to state, then we should not be promoting policies that enrich the cartels and lead to worsening corruption in the Northern Triangle countries.

Secretary MAYORKAS. Congresswoman—

Mrs. MILLER-MEEKS. Additionally, yesterday I met with young people who have come into the United States legally with their parents as children on the visa status, but yet these documented dreamers are soon to be deported. I sponsored a bill regarding this and year after year, their families have applied for the green card lottery only to be denied. When they contact your staff, they are told that they should get married or leave the country and come through the Southern Border. They are young adults that are being penalized because their parents did not commit the crime of coming to the United States illegally. It would be incumbent upon you and your staff to address that issue.

Finally, I have cosponsored several bills regarding SIVs, or Special Interest Visas. There is no greater urgency for your Department than to bring safely to United States those who have helped us in Afghanistan during the global war on terror. The situation is becoming increasingly more dire with each day that passes and with reports that the Taliban has recently closed off access roadways. I am a Vietnam-era veteran. I know first-hand that no one

wants to see the image of a helicopter leaving a rooftop with people dangling from the footplates. Let us not compound the mistakes of the past with inaction in the present. Can you commit to working with the State Department and Department of Defense with a renewed urgency for evacuating these individuals from Afghanistan?

Secretary MAYORKAS. Congresswoman, yes, indeed, we are very focused on that, No. 1. No. 2, allow me to thank you for your service, which is the noblest thing one can do in one's career. No. 3, I share your view of the smuggling organizations, the trafficking organizations, and the harm they cause. It is why it was such a terrible decision for the prior administration to dismantle the Central American Minors Program and eliminate a legal and safe pathway for children to arrive in the United States who have a legitimate claim for relief under United States law.

Mrs. MILLER-MEEKS. According to the Border Patrol—

Secretary MAYORKAS. It is why we have—

Mrs. MILLER-MEEKS [continuing]. Agents, Secretary Mayorkas,—

Secretary MAYORKAS [continuing]. Stood up—

Mrs. MILLER-MEEKS [continuing]. Those individuals who come into this country and then go back for their hearing, there is only 90 percent who do not go to the hearing, 10 percent who go to the hearing, that only 10 percent of those 10 percent are eligible for asylum. So, I thank you for your answers. I yield back by time.

Chairman THOMPSON. The gentlelady's time has expired. The Chair recognizes the gentlelady from New York for 5 minutes, Ms. Clarke.

Ms. CLARKE. I thank you, Mr. Chairman. It is good to see you again, Secretary Mayorkas. I applaud your decision earlier this year to require State Homeland Security Program and Urban Area Security initiative grantees to dedicate at least 7.5 percent of their award to enhancing their cybersecurity posture. I also understand that the administration is seeking funding for a cyber response and recovery fund. While I support these efforts to provide State and local governments additional resources, I believe we get more bang for our buck investing in efforts to prevent malicious actors from compromising networks in the first place.

The ever-increasing number of ransomware attacks has demonstrated that additional support is needed going forward. For that reason, this committee recently passed my legislation, the State and Local Cyber Security Improvement Act, which would authorize \$500 million in annual cybersecurity grants to State, local, Tribal, and territorial governments. Do you agree that the vulnerability of our State and local governments to cyber attacks is a National security threat? That the Federal Government should provide a dedicated grant program to strengthen State and local cybersecurity?

Secretary MAYORKAS. Congresswoman, thank you for championing this effort. I do agree that the cyber vulnerability of State and local governments is a Homeland Security issue across our Nation. I look forward to working with you to see how we can best empower and equip and resource State and local governments, especially those that don't have the education and resources to strengthen their cybersecurity alone.

Ms. CLARKE. I look forward to working with you as well, Mr. Secretary. As the Chairwoman of the cybersecurity committee, I am extremely concerned about the rise in ransomware and other cyber attacks targeting our critical infrastructure. I am concerned that we seem to be—to keep relearning the same lessons from each other—each of these attacks. We have asked CISA to do an enormous job, but we have given them next to no regulatory authority over privately-owned critical infrastructure. Nor do they have sustained visibility into threats on private networks.

I am working on legislation to close both of those gaps. First, by requiring critical infrastructure owners and operators to report cyber incidents to CISA. Second, by authorizing capabilities CISA has brought—has built through a pilot called Cyber Sentry which allows CISA to partner with certain strategically-placed critical infrastructure to monitor and detect threats in real time. Specifically, threats to industrial control systems and operational technology. Would you agree that for CISA to be effective, it needs access to information about cyber attacks and greater visibility around those threats to privately-owned critical infrastructure?

Secretary MAYORKAS. I think, Congresswoman, once again, thank you. I do believe that CISA's visibility into what is happening across the country is critical to securing our homeland against cyber attacks. It is why the public-private information-sharing architecture is central to its strategy.

Ms. CLARKE. Can you give me a sense of how your budget supports those goals then?

Secretary MAYORKAS. So, we are very focused on resourcing CISA. We appreciate this committee's and Congress' support of CISA. We have developed teams that most effectively deploy to public entities, as well as private entities, to assist them in remediation, to assist them in securing their cyber or enhancing their cyber hygiene. Working with them to provide tools, education, and our expert resources when they are otherwise ill-equipped to do so. We are very engaged in the partnership. The funding that we have obtained and that we hope to continue to obtain will further resource CISA to deploy those teams across the country because in cyber, as I have said repeatedly, we are only as strong as our weakest link. Under those—

Ms. CLARKE. Yes, I agree, Mr. Secretary. I just want to say that it has been 6 years since Congress passed the Cybersecurity Act of 2015 to incentivize voluntary private-sector participation and information sharing. The fact is we still aren't seeing the kind of robust engagement we had hoped for. At some point, we have to go back to the drawing board and find a solution that works. I look forward to working with you on that. Mr. Chairman, having said that, I yield back.

Chairman THOMPSON. The gentlelady yields back. The Chair recognizes the gentleman from Michigan, for 5 minutes, Mr. Meijer.

Mr. MEIJER. Thank you, Mr. Chairman. Secretary Mayorkas, thank you again for coming before the committee today to review the Department's budget request and its priorities. I sincerely appreciate your willingness to answer our questions. You know, in my time today I wanted to drill down on what I hope is a major priority for the Department and the administration more broadly.

That is the U.S. troop withdrawal from Afghanistan and ensuring that the safety of our Afghan partners who worked alongside us. We have a moral obligation to protect our brave allies who put their lives on the line for us. We have been working for months to engage the administration to make sure there is a plan, with few concrete results.

We certainly recognize the complexity of the withdrawal and understand that there are a lot of interagency components involved from the State Department to DHS. But time is running out and we are talking about the lives of those who served us that we made a commitment to. We need to have more transparency and action from the administration beyond on-going interagency conversations. The current Afghan SIV program cannot move quickly enough to address this challenge and we need to be developing an evacuation plan for those Afghan interpreters who put their lives on the line alongside U.S. forces.

There is a precedent for this in Operation New Life during the Ford administration in 1975. But today, it has been consistently unclear who is charge of this effort and what the obstacles actually are. I will talk to one department and they will send us over to another. Again, just this interagency roundabout. I know that you cannot speak for the State Department or Department of Defense or other agencies, but DHS is a part of this interagency effort. So, today I wanted to get clarity on what DHS's roles and opinions are on this matter. So, specifically, Mr. Secretary, does DHS have any objections to the Guam option to evacuate our Afghan partners and allow their SIV processing to continue in a safer location than Afghanistan?

Secretary MAYORKAS. Congressman, I share your dedication as I know my partners across the Federal enterprise under the leadership of President Biden share your dedication to ensuring the safety of those who courageously assisted our troops. I need to study the Guam proposal. I know that Guam, of course, is an American territory and that has implications. But we are focused on this program. I would welcome the opportunity to speak with you further about it. I share your dedication to it.

Mr. MEIJER. I would welcome that, Mr. Secretary. Time is running out here. I know our staff, you know, talked prior, and so I hope we can get an answer on this quickly because the diffuse claims that there is some issue on the DHS side with having a Guam evacuation relocation plan, to your point, it is a U.S. territory, making sure that we can do whatever we can to alleviate what concerns those may be. If that is a statutory constraint, we can hopefully work as a Congress expeditiously in order to alleviate that because I think there is a broad sense in Congress that we need to be doing everything we can to help out our allies. I understand having spent time in Afghanistan and also having, you know, been aware as a soldier in Iraq of the SIV issues that our interpreters there were facing back in under the Obama administration that, you know, things get bad slowly and then all at once.

We need to make sure that we are planning. We need to make sure that we are preparing. If there are hesitations in the interagency process, I hope that those are brought out into the open. That we can work to remedy and to address them as best as we

can. Again, if there are procedural modifications that can be made to alleviate concerns that DHS may have over the Guam evacuation, we are here to review to try to push forward those legislative options. Because doing nothing is simply not satisfactory.

So, and please, Mr. Secretary, consider us a willing and able partner in this, but also one that will be pushing forward to make sure that we are leaving no stone unturned. That we are not taking no for an answer or just a vague concern for an answer, but drilling down, getting clarity, and making sure we are doing everything we can for the Afghans who put their lives on the line for us and are currently in harm's way while awaiting the adjudication of their claims. Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you. The gentleman yields back. The Chair recognizes the gentlelady from New Jersey for 5 minutes, Mrs. Watson Coleman.

Mrs. WATSON COLEMAN. Good morning and thank you, Mr. Chairman. Thank you, Secretary Mayorkas, for being here. First of all, let me just say that I am encouraged by a number of initiatives as you have advanced today and priorities for DHS. I am also very encouraged about your recent administrative actions to improve the protections and the pay for the TSA workers. These actions do represent significant progress toward ensuring that these officers receive the pay protection and benefits they deserve. However, they do not place TSA under Title 5 of the U.S. Code. Therefore, enabling a future administration to roll back these actions without statutory protection in place for the work force.

Secretary Mayorkas, I have a few questions to this extent. Would you support the legislative changes such as the passage of Chairman Thompson's H.R. 903, the Rights for the TSA Workforce Act to build upon the recent actions taken to support the TSA work force and to ensure their performance?

Secretary MAYORKAS. Thank you, Congresswoman. We deeply appreciate Chairman Thompson's leadership in this area and I know that our subject-matter experts are working with his staff to provide technical advice with respect to that legislation.

Mrs. WATSON COLEMAN. So, I am going take it as a possibility you are still examining the implications of it?

Secretary MAYORKAS. Yes.

Mrs. WATSON COLEMAN. Thank you. While your announcement included actions to improve the pay for the TSA work force, it didn't actually place the employees on the General Schedule Wage System, which would ensure that they were getting regular increases as people working in like jobs in perhaps other agencies. So, would you support placing the TSA employees on the GS System that is used by most of the Federal agencies in order to align them with pay scales and opportunities akin to those with like jobs in other agencies?

Secretary MAYORKAS. Congresswoman, I would support providing pay that is at least at the level of the General Schedule. I know that there are some positions where adherence to the General Schedule might have unintended consequences that don't serve the interests of particular employees. So, I believe that in my direction internally here in the Department of Homeland Security, I wanted

to ensure compensation at least at the level of the General Schedule.

Mrs. WATSON COLEMAN. Not only compensation, but moving forward the kinds of increases that happen when you are a part of a system. Thank you.

Secretary MAYORKAS. I concur.

Mrs. WATSON COLEMAN. Unfortunately, the President's budget request didn't include the funding to implement the changes that you announced. So, how do you propose Congress pay for those expensive actions? Would you support ending the diversion of the Passenger Security Fees into the general fund to ensure that those fees go to TSA where they can help pay for these work force improvements that are so desperately needed?

Secretary MAYORKAS. Congresswoman, I would very much look forward to working with you to review the diversion of those funds and whether—and if so, how best those funds could be used in the service of the compensation of our TSA work force.

Mrs. WATSON COLEMAN. That certainly is the most encouraging answer that I have gotten to this question in quite a while.

Last, but not least, we are having a lot of discussion about cybersecurity, ransomware attacks on critical pipelines, and things of that nature. Would you consider directing TSA and CISA to work collaboratively to issue required cybersecurity standards for all modes of transportation either through security directives or full notice and comment regulations?

Secretary MAYORKAS. Congresswoman, let me, if I can, cite to the work that CISA performed with TSA. TSA issued a security directive to the pipeline industry in the wake of the Colonial Pipeline attack. That was an example and a terrific model of two offices working together to address one of our critical infrastructure sectors. We are looking at critical infrastructure across the board and how best we can use our administrative tools and our regulatory tools that are resident in different parts of the Federal Government to bring a cohesive approach to an increased cyber hygiene, and something I would also welcome discussing with you further.

Mrs. WATSON COLEMAN. Well, thank you very much, Mr. Secretary. Mr. Chairman, I yield back.

Chairman THOMPSON. Thank you very much. The Chair recognizes the gentleman from Texas for 5 minutes, Mr. Pfluger.

Mr. PFLUGER. Thank you, Mr. Chairman, and thank you, Ranking Member. Mr. Secretary, thank you for being here. I represent Texas' 11th Congressional District and I, over the past few months, have traveled to all 29 counties. I hold town halls. I talk to law enforcement. I want to say that the situation at the border is a crisis of epic proportion. The amount of drugs that are entering this country, the human trafficking, the people that are being exploited, it is a complete tragedy and a crisis. Mr. Secretary, when is the last time that you talked to a Customs and Border Protection agent in the El Paso sector or the Rio Grande Valley or any sector in Texas?

Secretary MAYORKAS. I believe, I am not sure if it was yesterday or certainly within the last few days.

Mr. PFLUGER. Did they tell you—

Secretary MAYORKAS. I did speak to—

Mr. PFLUGER. Did they—

Secretary MAYORKAS. I speak to the Border Patrol multiple times every week, if not multiple times every day.

Mr. PFLUGER. Mr. Secretary, those agents are they saying the word “help” to you? Because that is what they are saying to me every time I talk to them. The law enforcement agents in my district are saying that because there has been an abdication of protecting that border, we are having to send DPS troops, National Guard troops, down to the border, which is leaving our communities less safe, less secure, when we have an immense amount of drugs that are entering. Just 2 weeks ago, Saturday, in one of the northern-most counties of my district, we had two high speed chases. In one of them, the sheriff told me there was an F350 that was full of 20 illegal immigrants. In the next one, there were 7 in a small sedan. Five were apprehended, 2 were got-aways, were not apprehended. In that vehicle, over \$500,000 worth of fentanyl, methamphetamines, cocaine, and other drugs. Mr. Secretary, we are—this is a crisis that is hitting my community and we are not a border district. How are we going to curb the flow of 180,000 folks in May, the amount of drugs and fentanyl that are entering this country, the children that are being exploited? What is our path forward?

Secretary MAYORKAS. Congressman, let me answer that quite precisely. Let me first correct a data error. It is not 180,000 individuals. It is 180,000 encounters. That is an important distinction because we are expelling single adults under Title 42 of the United States Code. We are seeing repeat offenders under Title 42. So, it is not 180,000 individuals. It is 180,000 encounters. I wanted to make that note.

When I was a Federal prosecutor in the 1990’s, I prosecuted—

Mr. PFLUGER. Mr. Secretary, I want to know—

Secretary MAYORKAS [continuing]. Smuggling cases that were—

Mr. PFLUGER. Mr. Secretary, let me reclaim my time. I am asking what the plan is to curb the flow?

Secretary MAYORKAS. Exactly what we are—thank you so much, Congressman. Exactly what we have asked of this Congress in the President’s fiscal year 2022 budget. Provide us with the funding to resource innovation and technology, which is the greatest force multiplier in the service of security at our borders, both southern and northern.

Mr. PFLUGER. Mr. Secretary, we are seeing a cut in CBP-specific funding. We have a \$6 trillion proposal from the President, and meanwhile, every single agent that I talk to, whether it is Border Patrol, ICE, Customs, is saying “help”. They are asking me for help in technology. Their morale is down. They are not able to do their jobs because the priorities haven’t been issued.

Secretary MAYORKAS. They are asking you for help in technology just as we are asking Congress for help in technology. That is precisely why we are directing our funding request in the service of enhanced technology, the greatest force multiplier to achieve security.

Mr. PFLUGER. Well, and I don’t disagree with that. At one point in time as a Senator, as Senator Biden, he said you can tell me

what you value, but show me your budget and I will tell you what you value. I think that is what we are looking at right now is that in my district and in Texas, we have a crisis of epic proportion that we don't seem to be able to get our arms around. The policies that we need are not there to curb that flow. So, when it comes to our budget, when it comes to putting our best foot forward, Mr. Secretary, we are asking and demanding that we stop this mass surge and crisis that is hitting my community and every single other community in the State of Texas and on these border—in these border States.

Secretary MAYORKAS. Congressman, we have a strategy. We are executing that strategy. I am confident in the strategy. I am confident in the proposal that we have submitted to this Congress to best resource that strategy.

Mr. PFLUGER. Thank you, Mr. Chairman.

Chairman THOMPSON. The gentleman from Texas' time has expired. The Chair recognizes the gentlelady from Nevada, Ms. Titus, for 5 minutes.

Ms. TITUS. Thank you, Mr. Chairman. Mr. Secretary, I would like to echo the sentiments of some of the others on this committee and say how relieved and reassured we are to have you in this position, especially after the parade of incompetents who have been before this committee over the last 4 years.

I would like to ask you, first though, about the budget that cuts \$15.3 million in UASI funding, especially in the wake of the attack on the Capitol and with a new emphasis on domestic terrorism that seems to be a bigger threat now than foreign terrorism.

Secretary MAYORKAS. Congresswoman, we are focusing our intelligence and analysis resources on the greatest terrorism-related threat to the homeland, and that is domestic terrorism. We have created CP3 as it is known by its acronym, the Center for Prevention Programs and Partnership. We have created a discreet unit within the Office of Intelligence and Analysis to focus on domestic terrorism. We are building an IT infrastructure to more ably disseminate terrorism-related information to our State, local, Tribal, and territorial partners. We are doing so very much in this area and we appreciate the President's leadership in issuing the National strategy that we are executing on.

Ms. TITUS. Well, I think that is true, but my district is Las Vegas and we certainly know what the results of domestic terrorism are after the October 1 shooting. We used those funds in a very effective way through our fusion center, which works with your Department very closely. We would just hate to see those cut. So, I hope that Congress can find a way to restore some of those dollars.

Speaking of my district, I would also ask you about Temporary Protective Status. I have a large population from El Salvador in my district. Folks from there, and Honduras especially, are concerned because they are just on hold. They don't know when that may be extended, what the courts might do, what your Department's position is. Could you address that a little bit because they can't go home whether it is a natural disaster or armed conflict or something. Many of them have been here for a long time and their families have grown up here. So, could you tell us kind-of what you are thinking about a time line for a decision on TPS?

Secretary MAYORKAS. Congresswoman, I appreciate the question a great deal. We are very closely and intensely studying the country conditions in El Salvador and Honduras and in other countries to determine the status of Temporary Protective Status, TPS, for those communities. We are working as quickly as we can and appreciate the sensitivity and the humanity underlying your questions.

Ms. TITUS. Thank you. If I can work with you in any way, I would appreciate that so I can reassure those folks that we have their best interests in mind.

One last question. I chair the subcommittee that oversees the Stafford Act. I appreciate the plussing up of the BRIC Program. But one of the things I am trying to do is to be sure that FEMA has the best personnel possible to carry out some of this mitigation and attempt at resiliency. I am trying to get a bill passed that would provide similar employment protections for FEMA reservists like we do for military reservists. I hope you will take a look at that and see if we can work together to do that as well.

Secretary MAYORKAS. I very much look forward to doing so and I am incredibly excited about our new administrator's leadership, Deanne Criswell, and so incredibly honored to work alongside the FEMA personnel, and all of the DHS personnel.

Ms. TITUS. I have spoken to her about this too. So, maybe we can get it moving. Thank you. Thank you, Mr. Secretary. I yield back, Mr. Chairman.

Chairman THOMPSON. The gentlelady yields back. The Chair recognizes the gentleman from Florida for 5 minutes, Mr. Clyde.

Mr. CLYDE. Thank you, Mr. Chairman. I am from Georgia's 9th District. Mr. Secretary, I sent a letter back on March 31 to DHS and requested some information about the need to expand detention capacity.

[The information follows:]

LETTER SUBMITTED BY HONORABLE ANDREW S. CLYDE

*March 31, 2021.*

Acting Director TAE JOHNSON,  
*Immigration and Customs Enforcement, U.S. Department of Homeland Security, 500  
12th St SW, Washington, DC 20536.*

DEAR ACTING DIRECTOR TAE JOHNSON: I write regarding my concerns surrounding a sole-source, non-competitive contract that Immigration and Customs Enforcement (ICE) awarded to Endeavors, the non-profit division of Family Endeavors, Inc., to provide family residential processing space for migrants. On March 22, 2021, you announced the agency had awarded an \$86.9 million contract "to provide temporary shelter and processing services for families who have not been expelled and are therefore placed in immigration proceedings for their removal from the United States."<sup>1</sup> While Endeavors is working with Federal and State entities to provide relief services at the Southwest border, and has an admirable mission and reputation, it is my understanding that Family Endeavors, Inc. has no previous history as an ICE contractor.

As you know, as a general rule contracts must be awarded using full and open competition. However, according to the Federal Procurement Data System, the contract was not competed per the Federal Acquisition Regulation (FAR) 6.302-2 which can be applied when the agency's need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured un-

<sup>1</sup> "ICE Signs \$86.9 Million Contract with Endeavors for Short-Term Migrant Care," Homeland Security Today, 21 March 2021, <https://www.hstoday.us/subject-matter-areas/border-security/ice-signs-86-9-million-contract-with-endeavors-for-short-term-migrant-care/>, accessed 25 March 2021.

less the agency is permitted to limit the number of sources from which it solicits bids or proposals.<sup>2</sup> Though the situation at the border might warrant the use of the FAR 6.302-2, I find it hard to believe that there were no other vendors that could have been at least considered for the award.

Although Endeavors has had contracts with several other Federal agencies, such as the Bureau of Indian Affairs and the Federal Acquisition Service, these contracts were competed and all for dollars amounts under \$1 million, with one exception that was \$1.4 million.

Additionally, it appears that the Endeavors organization recently hired a former official of the Biden Campaign and the Administration's transition team, who also served in the Obama Administration.

As a result, I have some specific questions I would like you to address:

1. When did the government identify the need to expand detention capacity to address the reported shortage of bed space for family units?
2. Did the Government post a request for information or a competitive notice requesting additional family unit detention beds?
3. Did the Government receive an unsolicited proposal from Endeavors?
4. What criteria, if any, did ICE use to determine that Endeavors was the only source that could provide these services?
5. To what extent has ICE, the Customs and Border Protection, or other Federal agencies contracted with Endeavors for similar services in the past?
6. Did a former ICE Executive and Biden campaign advisor for homeland security, Andre Lorenzen-Strait, have any involvement in securing the \$86 million no bid contract for detention beds?
7. Did Mr. Strait have any discussions with ICE officials or Biden Administration officials pertaining to the \$86 million contract?

I am gravely concerned given that ICE did not compete this contract award, that this is Endeavors' first contract with ICE, and that the contract award amount far exceeds any previous award amounts with this organization.

I look forward to your response about this situation and would appreciate a written response within a week.

Sincerely,

ANDREW S. CLYDE,  
*Member of Congress.*

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LETTER FROM JASON P. HOUSER TO HONORABLE ANDREW S. CLYDE

*June 1, 2021.*

The Honorable ANDREW S. CLYDE,  
*U.S. House of Representatives, Washington, DC 20515.*

DEAR REPRESENTATIVE CLYDE: Thank you for your March 31, 2021 letter to U.S. Immigration and Customs Enforcement (ICE) relating to the decision to award a contract to Family Endeavors.

ICE is dedicated to effectively enforcing U.S. immigration laws and border security measures. While we are seeing an increased number of migrants attempting to cross into the United States along the Southwest Border (SWB), the Department of Homeland Security continues to prioritize and target critical resources toward border areas in order to process them consistent with applicable legal authorities, including our immigration authorities and public health requirements. This influx of migrant encounters at the SWB has been generally rising since April 2020 due to a variety of factors, including on-going violence, food insecurity, and poverty within the noncitizens' home countries.

ICE is working expediently to implement additional processing and throughput capacity to address the heightened traffic flow of noncitizen families encountered along the SWB. To humanely and efficiently address the current situation along the SWB, ICE signed a short-term contract with the non-profit division of Family Endeavors to provide temporary shelter and processing services for families who have not been expelled from the United States and are therefore processed for immigration proceedings. ICE actively engaged in market research utilizing the techniques set forth in Federal Acquisition Regulation 10.002(b)(2)(i) and (viii)—contacting knowledgeable individuals within government and industry and conducting interchange meetings with potential offerors. In the event the need for more emergency

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<sup>2</sup>Federal Procurement Data System accessed 24 March 2021. Contract Summary from USAspending.gov: [https://www.usaspending.gov/award/CONT\\_AWD\\_70CDCR21C00000-01\\_7012\\_-NONE\\_-NONE-](https://www.usaspending.gov/award/CONT_AWD_70CDCR21C00000-01_7012_-NONE_-NONE-).

family staging centers increases, the Federal Government will continue to engage in market research as needed.

Thank you again for your letter. Please find answers to your specific questions enclosed. Should you wish to discuss this matter further, please do not hesitate to contact the ICE Office of Congressional Relations at [ ].

Sincerely,

JASON P. HOUSER,  
*Acting Assistant Director, Office of Congressional Relations.*

Enclosure

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT'S RESPONSE TO REPRESENTATIVE  
ANDREW S. CLYDE'S MARCH 31, 2021 LETTER

*Question 1.* When did the Government identify the need to expand detention capacity to address the reported shortage of bed space for family units?

Response: After January 2021, the Department of Homeland Security (DHS) observed an increase in irregular migrant flows to the Southwest Border (SWB), including greater numbers of family units. The projected encounters for Fiscal Year (FY) 2021 are expected to be the highest number observed in over 20 years. Currently, U.S. Customs and Border Protection is averaging encounters of more than 500 family units per day. Because of this unusual and compelling urgency, the government required the use of Emergency Family Staging Centers to meet the critical mission requirements of housing, feeding, transporting, and providing medical attention to thousands of asylum-seeking families encountered along the SWB. The Federal Government lacked the capacity to address the large influx of asylum seekers along the SWB and, as such, U.S. Immigration and Customs Enforcement (ICE) had to contract expeditiously to expand its existing bedspace for family units. The Federal Government is subject to regulatory and judicial constraints that mandate specific housing requirements and failure to comply could subject the Federal Government to substantial liability.

*Question 2.* Did the Government post a request for information or a competitive notice requesting additional family unit detention beds?

Response: ICE utilized an expedited contracting authority authorized in the Federal Acquisition Regulations (FAR) to respond to the immediate and unusual situation along the SWB. ICE actively engaged in market research utilizing the techniques set forth in FAR 10.002(b)(2)(i) and (viii)—contacting knowledgeable individuals within government and industry and conducting interchange meetings with potential offerors. ICE will continue to conduct market research for any future emergency family reception needs. ICE did not issue a formal request for information or pursue a competitive award for this requirement based on the urgent need for these services.

*Question 3.* Did the Government receive an unsolicited proposal from Endeavors?

Response: Based on the exception of FAR 5.202 (a)(2) ("unusual and compelling urgency"), the ICE Office of Acquisition Management did not publicize this firm-fixed price contract prior to award. This action was required due to the urgency and time sensitivity of the situation, coupled with the complexity of the services required. ICE relied on knowledgeable government and industry personnel to identify the best sources available to deliver the expedited support needed for the current border crisis. ICE did not receive an unsolicited proposal in accordance with FAR 15.603.

*Question 4.* What criteria, if any, did ICE use to determine that Endeavors was the only source that could provide these services?

Response: The contract was awarded under the authority of FAR 6.302-2, unusual and compelling urgency. The justification for the use of this authority was approved by the DHS Chief Procurement Officer.

DHS has experienced increase in irregular migrant flows to the SWB and projected encounters for fiscal year 2021 are expected to be the highest number observed in over 20 years. Due to the unusual and compelling urgency, the Federal Government requires Emergency Family Residential Sites (EFRSs) to meet the critical mission requirements of housing, feeding, transporting, and providing medical attention to these thousands of asylum-seeking families along the SWB. Without EFRSs, the Federal Government would be forced to house family units and unaccompanied children in unsuitable and unsafe living conditions. The Federal Government is subject to regulatory and judicial constraints that mandate specific housing requirements and failure to comply will open the Federal Government to substantial liability. Family Endeavors, Inc. (Endeavors) is the only known source that is presently capable of meeting the Federal Government's urgent requirement to provide

1,239 hotel beds and all-inclusive emergency family residential services to support the Federal Government's response. Other sources currently engaged in providing these or similar services for ICE are being further mobilized or converted for this specific use.

*Question 5.* To what extent has ICE, the Customs and Border Protection, or other Federal agencies contracted with Endeavors for similar services in the past?

Response: This is the first contract that ICE has awarded to Endeavors. ICE cannot speak to any contracts awarded by CBP or any other agencies.

*Question 6.* Did a former ICE Executive and Biden campaign advisor for homeland security, Andre Lorenzen-Strait, have any involvement in securing the \$86 million no bid contract for detention beds?

Response: While Andrew Lorenzen-Strait is a former ICE employee, ICE's pursuit of a contract with Endeavors was based upon Endeavors' capabilities in combination with the urgent need of a service provider.

*Question 7.* Did Mr. Strait have any discussion with ICE officials or Biden Administration officials pertaining to the \$86 million contract?

Response: As an employee of Endeavors, Mr. Lorenzen-Strait has participated in the performance of the contract ICE established with the non-profit organization.

Mr. CLYDE. In response to that letter, the Department says when I ask, when did the Government identify the need to expand detention capacity? The response was, after January 21, the Department of Homeland Security observed an increase in irregular migrant flows to the Southwest Border. It further goes on to say, the projected encounters for fiscal year 2021 are expected to be the highest number observed in 20 years. This is from your own agency. Then in response to question 4, DHS has experienced an increase in irregular migrant flows to the Southwest Border and projected encounters for fiscal year 2021 are again expected to be the highest number observed in over 20 years. Do we have a crisis at the border, Mr. Secretary?

Secretary MAYORKAS. I have previously articulated many, many times that as has occurred in the past, we have a challenge—

Mr. CLYDE. A yes or no is sufficient, sir.

Secretary MAYORKAS. We have a challenge at the border and we have a strategy.

Mr. CLYDE. Do we have a crisis at the border, sir?

Secretary MAYORKAS. I do not agree with the use of that terminology as I have articulated before. We have a strategy. We are executing—

Mr. CLYDE. Well, I think we do, Mr. Secretary.

Secretary MAYORKAS [continuing]. On our strategy. I have confidence in our strategy.

Mr. CLYDE. Now, along with this letter, I asked about a \$86.9 million noncompete contract that was given to Family Endeavors by Immigrations and Customs Enforcement. Do you agree that the Federal Government should be the best possible steward of taxpayers' money?

Secretary MAYORKAS. Absolutely.

Mr. CLYDE. OK. Well, this \$86.9 million noncompete contract requested 1,239 beds beginning March 17 through the end of September 2021, which was 197 days. So, if you take 1,239 times 197, that is 244,000 beds for \$86.9 million. That is \$356 a day per bed. Does that sound excessive for a hotel?

Secretary MAYORKAS. I cannot judge from my position, Congressman. I think you are well aware of the fact that it would be impermissible for the Secretary of Homeland Security to involve him or herself in the contracting process.

Mr. CLYDE. Well,—

Secretary MAYORKAS. I know that that—if I may finish. I know that that contract is actually—

Mr. CLYDE. Let me reclaim my time. OK. I think this is excessive. That is way above the Government rate and it does not sound like a good use of Government resources to me.

Secretary MAYORKAS. I know that that contract is under review, Congressman.

Mr. CLYDE. OK, well, according to this letter, it says, ICE actively engaged in market research utilizing techniques set forth in the FAR contacting knowledgeable individuals within the Government and industry and conducting interchange meetings with potential offerors. Would you be willing—would you agree today to provide us a copy of your market research and the list of potential offerors with which DHS met, including the times and dates of those meetings?

Secretary MAYORKAS. I know that that contract is under review and I will relay your request for information to my team, Congressman.

Mr. CLYDE. OK.

Secretary MAYORKAS. We pride ourselves on responsiveness.

Mr. CLYDE. OK. You know, this letter states the reason for this noncompete is unusual and compelling urgency. They use an expedited contracting authority to respond to the immediate and unusual situation along the Southwest Border. You know, that says crisis to me. It also says, this is the first contract that ICE has awarded to Endeavors. The very first contract, yet it says, Family Endeavors is the only known source that is presently capable of meeting the Federal Government's urgent requirement to provide 1,239 hotel beds in an all-inclusive emergency family residential services to support the Federal Government's response. How in the world does ICE know that they are the only known source when they have never awarded a contract to Family Endeavors before?

Secretary MAYORKAS. Two comments, if I may, Congressman. First, I must repeat that that contract is under review. The team—

Mr. CLYDE. OK, all right. Thank you. I have got another question for you on a different subject. Is the Federal airline mask mandate a Federal law?

Secretary MAYORKAS. It is a Federal mandate.

Mr. CLYDE. So, it is not a law.

Secretary MAYORKAS. I actually don't know the answer to that question, Congressman. I know it is a mandate and we have the legal authority—

Mr. CLYDE. OK.

Secretary MAYORKAS [continuing]. To issue—if I may answer, Congressman. We have the legal authority to issue mandates.

Mr. CLYDE. OK, all right. That is fine. So, Dr. Fauci, every—  
Chairman THOMPSON. The gentleman's time has expired.

Mr. CLYDE. I yield back.

Chairman THOMPSON. The gentleman's time has expired. The Chair recognizes the gentlelady from New York, Miss Rice, for 5 minutes.

Miss RICE. Thank you, Mr. Chairman. Secretary Mayorkas, I was pleased this week to see the White House release the first-ever National Strategy for Domestic Terrorism and that the strategy places a particular emphasis on addressing the racism, bigotry, and religious hatred that has fueled a great deal of domestic violent extremism. Even before the pandemic, communities in my district and across New York were reeling from a spate of anti-Semitic attacks. Things have only worsened as extremists and conspiracy theorists spin lies about Jews spreading the virus or controlling our elections.

Just last month, a young man from my district, Joseph Borgen, was the victim of a anti-Semitic assault on the streets of New York, which was videotaped and went viral in which he was punched, kicked, pepper sprayed, and assailed with ethnic slurs. Tragically, the Orthodox community is an easy target for violence because they wear such visible markers of their faith. How will President Biden's National strategy protect the Orthodox community and other targets of violence motivated by religious hatred?

Secretary MAYORKAS. Congresswoman, I very much appreciate your question. I should answer it first on a personal note. My maternal grandfather lost 8 brothers and a sister and his parents to anti-Semitism executed by the Nazis in World War II Europe. That issue has deep and profound resonance for me. Under the President's leadership, we have invested considerable resources in educating faith-based communities, including the Orthodox community, with respect to the rise of ideologies of hate and their connectivity to violence. We have resourced a grant program in that regard, and we have—

Miss RICE. I wanted to talk about that if I could, Mr. Secretary. The Nonprofit and Security Grant Program, which provides funding for physical security, enhancements for houses of worship, as you know, is one of the most important resources available to vulnerable communities and nonprofits. While I am grateful that that program has delivered millions of dollars to New York and Long Island. My colleagues and I have heard from Jewish and interfaith organizations that present funding levels are insufficient to meet current needs. So, Representative Ted Lieu of California and I recently wrote to the House Appropriations Committee, Homeland Security Subcommittee, to request \$400 million of funding for this program for fiscal year 2022. So, I am hoping that that is going to be responded to.

I have a short amount of time and I just want to move on to the issue of border waiver authority. I was glad to see that President Biden's budget requests no funding for border wall construction, and instead focuses on investing in effective and modern methods of securing the border and addressing the root causes of migration. This stands in stark contrast to the previous President whose budget request reflected a very narrow-minded view of immigration and redirected billions of dollars to the misguided border wall at the expense of public safety and the mission of DHS. While I am glad that our country is moving in the right direction, I do believe we need to learn from our past and correct loopholes in our law where we find them.

As you now, two-thirds of land on the Southern Border is owned by private citizens or the border States. Much of it is home to sensitive wildlife and wild lands. So, in order to construct his wall across this land, President Trump relied on both eminent domain, in which the Government seizes land from citizens, and DHS's waiver authority, which allows the Secretary to waive environmental preservation laws in support of border wall construction. The former administration's abuse of the waiver authority led to destroying habitats for at-risk species, it undermined the public's trust in Government, and was particularly harmful to Tribal nations whose sacred lands cross the Southern Border.

So, last Congress this committee passed my bill the Rescinding DHS' Waiver Authority for Border Wall Act, which would have repealed the Department of Homeland Security's ability to waive any and every law with the stroke of a pen. Do you agree that you and your successors should not have unchecked authority to waive critical public health and safety laws including the Endangered Species Act, the National Environmental Policy Act, the Safe Drinking Water Act, and the Clean Water Act for wall construction? How is the Biden administration going to work to rebuild these habitats and rebuild trust in the U.S. Government?

Secretary MAYORKAS. We are very committed to environmental protection. Any waiver authority that we would exercise would only be compelled by circumstances that include an evaluation of environmental impacts. I look forward to working with you on that legislation, Congresswoman.

Miss RICE. Thank you very much, Mr. Secretary. I yield back, Mr. Chairman.

Chairman THOMPSON. Thank you. The gentlelady yields back. The Chair recognizes the gentleman from Texas, Mr. McCaul, for 5 minutes.

Mr. MCCAUL. Thank you, Mr. Chairman, and thank you, Mr. Secretary. Since January 2021, there have been over 700,000 illegal crossings across the Southwest Border, a 21-year high that you, in fact, predicted. This month, the Biden administration officially rescinded the Migrant Protection Protocols, and I will want to ask you about that.

But first, my home State of Texas passed a \$1 billion in taxpayer dollars because the Federal Government is failing to step up to the plate. Texas has had to take this crisis in its own hands. The Governor talked about spending now \$250 million to begin border wall construction and is now taking donations. Are you, sir, prepared to—it is a Federal responsibility, the border, not a State. We all understand that. Are you prepared to reimburse Texans for their border security expenses?

Secretary MAYORKAS. Congressman McCaul, it is good to see you again. It has been a while—

Mr. MCCAUL. You too.

Secretary MAYORKAS [continuing]. Since we worked together when you were Chairman of the committee and I served as the deputy secretary. I believe it is, indeed, a Federal responsibility. We are fulfilling that responsibility. We are executing our strategy and we will continue to do so.

Mr. MCCAUL. Well, it is a Federal responsibility. Yes, at some point the Federal Government needs to pick up the cost and the tab on this. With respect to Migrant Protection Protocols, you know, I have been a very—I have been very harsh in my criticism of the recission of Remain in Mexico and the asylum cooperation agreements with Central America. I think that was a foreign policy masterpiece by the Trump administration and a foreign policy blunder by the Biden administration, which has created the self-inflicted wound which opened up the border to the traffickers. The traffickers are the ones winning here, not the children, for sure. Now we are seeing—we will probably see 1 million come into this country, along with all the drugs, including fentanyl, which are now killing people not only in the northeast, but in my home State of Texas. I have seen many deaths take place and the apprehensions are going up.

What is your plan to deal with this migrant surge? I know you went down to Mexico, but please tell me you are negotiating with Central America and Mexico. You could call it whatever you want, but some agreement with them to stop this crisis that we are now in.

Secretary MAYORKAS. We have a multi-tiered strategy, Congressman, as I think you well know. One, we are addressing the root causes of irregular migration that have persisted for quite a number of years, peaks at several times. You and I worked together to address peaks over the many years, No. 1. No. 2, we are building legal pathways, alternatives to irregular migration so people don't have to take the perilous journey. We are rebuilding and expanding the Central American Minors Program. Building processing centers in the countries of origin. Third, we are, indeed, addressing the tools that we have to bring consequences to bear when individuals seek to avoid detection.

Mr. MCCAUL. If I can reclaim my time.

Secretary MAYORKAS. Addressing the home organizations.

Mr. MCCAUL. I know it is called the [inaudible] in Guatemala. I talk to the Ambassador a lot and that is great, these processing centers. But until you change these policies that were rescinded, the traffickers are not going to choose those centers. They are going to chose to make 15 million a day and .5 a billion month by taking these children on this dangerous journey.

I would ask that you, as I know you are, work with the State Department. We have the Development Finance Corporation. When I talk to the Guatemalan ambassador, he says I don't really want aid, I want trade. He wants private investment in Central America. We created statutorily into law the Development Finance Corporation and there are other avenues as well to work with the private sector to get private investment in Central America because it is one area where you and I agree on this one is that until we fix that, we are going to continue to have a migration problem. So, I hope you can work—

Chairman THOMPSON. The gentleman's time from Texas has expired. The Chair recognizes the gentleman from Texas, Mr. Green, for 5 minutes. The Chair recognizes Mrs. Demings from Florida for 5 minutes.

Mrs. DEMINGS. Thank you so much, Mr. Chairman. Secretary Mayorkas, thank you so much for being with us. It is great to see you and to have you in your position. I am very pleased to see the administration's announcement of the National Strategy for Countering Domestic Terrorism this week. As you know, we all must, especially on this committee, be truthful about the threats we face. It is clear that domestic terrorism is an urgent threat the United States faces today.

While we in Congress survived the attack on our Capitol, everyone, as you know, Mr. Secretary, did not. We should do everything in our power to thoroughly investigate it and ensure that while we are here doing the people's business, that we, our staff members, and the people who work in this building, are safe. How can we forget the law enforcement officers who were beaten down that day and gave all they had to, as they say, hold the line.

I appreciate the work the administration is doing to help FEMA assist State and local governments combat domestic terrorist threats in their community. This year, the notice of funding opportunity for fiscal year 2021 for FEMA State Homeland Security Grant Program and Urban Security Grant Initiative included domestic terrorism as a new National priority. Secretary Mayorkas, can you explain the significance of this change in the Homeland Security grant programs and how you think its impact will be?

Secretary MAYORKAS. Congresswoman, thank you so much for your focus on this critical area. As I have mentioned, it is the greatest terrorism-related threat that we face on the homeland. We require grant recipients under the program that you identified to dedicate at least \$77 million to this effort. We believe that the greatest utility, the most effective measure is to build partnerships to equip State, local, Tribal, territorial law enforcement agencies to understand, to receive, to understand, and actionalize the information they receive with respect to threat streams and to build programs of partnership in the communities in which they reside to protect us, to be able to identify individuals who are exhibiting signs of radicalization and intention to commit violence, and to prevent it before it occurs.

Mrs. DEMINGS. Mr. Secretary, thank you so much for that. But by the same token, as the Chair of the Subcommittee on Emergency Preparedness, Response, and Recovery, I am greatly disappointed to see that the Department proposed a decrease of \$15.3 million to the Urban Area Security Initiative Grant Program. One that I as a local official, local police chief, certainly depended upon. The Department's budget justification states that the proposed reduction will have a minimal impact on accomplishing the goals of UASI. Mr. Secretary, how did the Department engage jurisdictions, local law enforcement, organizations, and emergency managers to determine that a \$15.3 million cut would have a "minimal impact on accomplishing the goals of UASI"?

Secretary MAYORKAS. A three-part answer, if I may,—

Mrs. DEMINGS. Yes.

Secretary MAYORKAS [continuing]. Congresswoman. Certainly, I recognize your distinguished service as a chief of police before becoming a Member of Congress. No. 1, I immediately halted when I came to office a significant diversion of UASI funds that was

planned by the prior administration. No. 2, we have shifted a focus from developing capacity, to sustainment, to now being able to address emerging threats for precisely the reason that your first question underscores. Third, we are working very closely with State and local law enforcement to analyze the grant formula that underlies the UASI program and make sure that it addresses the needs most effectively of the entire first responder community.

Mrs. DEMINGS. Mr. Secretary, I am out of time. Thank you so much. Mr. Chairman, I yield back.

Ms. BARRAGÁN [presiding]. Thank you. The gentlewoman yields back. This is Congress Member Barragán who will take over chairing as the Chairman has gone to the floor to vote. We next have up Representative Garbarino. You are recognized for 5 minutes.

Mr. GARBARINO. Thank you very much. Thank you very much, Mr. Secretary, for being here. I have a question regarding President Biden's recent cybersecurity Executive Order. It gives CISA a lot of—gives them a lot of responsibilities and has several requirements for them. While we are supportive of these steps, the budget does not request additional funding for CISA to carry this out. Is there a reason CISA is not getting additional funding for all these items that are in the Executive Order?

Secretary MAYORKAS. Congressman Garbarino, we appreciate the additional funding that Congress already has provided. We do seek additional funding for CISA. We intend to devote all of our efforts to execute on the President's leadership in this area.

Mr. GARBARINO. But I mean, is there—was there a reason that the Executive Order and the budget requests were not coordinated more closely?

Secretary MAYORKAS. We do think that the strategy is coordinated very effectively, Congressman. Our team would be very pleased to meet with you and your staff to ensure that you understand exactly the coordination that we have undertaken.

Mr. GARBARINO. So, you believe CISA has the resources to meet the requirements under the Executive Order?

Secretary MAYORKAS. We have the resources. We have requested the resources, and we will continue to request the resources to expand on the mission as the threats so compel.

Mr. GARBARINO. I appreciate that and I agree with the Ranking Member that CISA needs to be a much highly—much more funded organization and needs to be really the centerpiece of the Government's cybersecurity. Which is why I am wondering where is the administration—I know they are currently reviewing and providing comments on some cybersecurity bills that would give the Department of Energy enhanced cybersecurity authorities relating to the energy and pipeline sectors. It is not just the pipeline and energy sectors that is under attack from these cyber attacks. So, wouldn't it make more sense for CISA to have the responsibility across the board to be the quarterback and not give DOE enhanced cybersecurity authorities over these pipelines because, you know, these attacks are not sector-specific?

Secretary MAYORKAS. So, we have been taking a look at that question. I think the question raises very complex issues that we also would look forward to discussing. I think what we have done

in the pipeline arena in the pipeline sector in response to the Colonial Pipeline ransomware attack speaks of the complexity of the issues. TSA as assuredly you know, regulates the security of the gas pipelines. In coordination with CISA, issued a new security directive several weeks ago, which required—imposed certain obligations on gas pipeline operators such as identifying the cybersecurity coordinator who would be on call 24/7. Such as providing information to CISA upon an attack. I think this is a very complex area with respect to the role of CISA vis-à-vis regulatory agencies across the different sectors. I would look forward to discussing that with you, Congressman Garbarino.

Mr. GARBARINO. Yes, I think we have to—we should definitely—we don't have enough time here today to go over it, but we should definitely work together on that. I want to change angles here real quick. I was down at the border recently. The Biden administration has reduced the enforcement of Title 42 for UACs, and Title 42 for other adults, we spoke to Border Patrol. They said having that, the border police having that Title 42 authority right now is extremely helpful in stopping their officers, their buildings from being overrun. If the administration fully revokes Title 42, even though the pandemic is still—we still have a global pandemic and the COVID numbers in Mexico are very high, is there enough funding? Is there enough funding for Border Patrol to make sure that they can deal with the influx of migrants coming across? I mean, they are very concerned about what is going to happen if Title 42 is fully revoked.

Secretary MAYORKAS. Congressman, it is a very important—this is a very important point. Title 42 is a public health authority. It is not an immigration authority. The ability to employ the Title 42 authority is dependent upon the public health situation. It is driven by public health data, not a matter of immigration policy, and that is dictated by law.

Mr. GARBARINO. But the Border Patrol agents—but the Border Patrol agents still have to deal with it. I mean, so, I mean, they are going to need the resources.

Secretary MAYORKAS. That is correct, and we have a plan as we had before the pandemic, to address irregular migration in between the ports of entry absent a public health imperative.

Ms. BARRAGÁN. The gentleman's time has expired. Thank you to the gentleman for your questions. I will now recognize myself for 5 minutes of questions.

Mr. Secretary, first, thank you for being with us today. I will just remind my colleagues on the other side who have been asking for this country to open up because there is no longer a health crisis according to them, that we will continue to encourage the administration to look at Title 42 now that the country is reopening again.

I want to thank you, Mr. Secretary, for all the work you have done at the border and for allowing me to visit the border with you to see the remarkable progress we have seen. Having children out of Border Patrol custody as quickly as possible under your work and the work of this administration has been remarkable to see the hours go down significantly, less than 72 hours in many cases, 24 hours. So, I want to thank you for that.

We also heard from colleagues across the aisle about help on the border. I am sure that you are aware of this, but happy to report to my colleagues that help is on the way. I had the honor of going down to FLETC in Charleston to provide remarks at a graduation ceremony there for the second class of the Border Patrol processing coordinator. Which is a position that was created to provide that additional assistance for Border Patrol agents so they had that extra help to process migrants to make sure that we are getting them better care for children and for families and to allow more agents to remain in the field. So, I wanted to thank you, Mr. Secretary, for that.

Mr. Secretary, as you know, the Department of Homeland Security is the largest Federal law enforcement agency in the country with more than 60,000 law enforcement officers among its work force. Additionally, tens of thousands of State, local, and Tribal law enforcement officers receive training from one of DHS's components, the Federal Law Enforcement Training Centers. As I mentioned, I was fortunate to visit the Federal Law Enforcement Training Center in Charleston earlier this week. This visit reinforced my belief that DHS has the opportunity to be a leader in law enforcement training by prioritizing de-escalation tactics and oversight mechanisms in its standards regarding use of force and ensuring compliance throughout the Department. Secretary Mayorkas, what efforts is DHS making to ensure that the Department's law enforcement components are prioritizing de-escalation and utilizing proper use of force tactics?

Secretary MAYORKAS. Congresswoman, thank you for your preliminary remarks. We are every day looking at the training that we provide to our law enforcement personnel and ensuring that it comports with best practices as they emerge. We are very focused on ensuring that FLETC implements those best practices in its training protocols, not only because FLETC imparts expertise, knowledge, and education to Federal law enforcement, but also has an important role with respect to State and local law enforcement. I would be pleased to provide the particulars to you.

Ms. BARRAGÁN. Well, thank you. You kind-of read my next question was, you know, what are FLETC and the Department doing to convey these best practices to State, local, and Tribal law enforcement agencies?

Secretary MAYORKAS. We work in close partnership with State, local, Tribal, territorial law enforcement. I was just in California last week and met with chiefs of police, sheriffs, highway patrol, and spoke about these very issues. We take a very collaborative and communicative approach with our partners in this regard.

Ms. BARRAGÁN. Great. Well, thank you for that. I was impressed to see the efficiency of having this law enforcement training center there and so many agencies, I believe over 100, using it and collaborating and working together. I am also pleased that the Chairman of our committee has taken action on this issue by developing language in the DHS reform bill that enhances and expands de-escalation training at the Department and prohibits the use of chokeholds, among other reforms. Mr. Secretary, will you commit to working with the committee on enacting and implementing these reforms?

Secretary MAYORKAS. I look forward to doing so, Congresswoman.

Ms. BARRAGÁN. Well, fantastic. Thank you again, Mr. Secretary. I see that my colleague, Mr. Torres of New York has joined us. I will now recognize the gentleman from New York, Mr. Torres, for 5 minutes.

Mr. TORRES. Good morning, Mr. Secretary. My first question is about the 287(g) program. As you know, the program grew by 425 percent during the Trump administration. It has led to the weaponization of local law enforcement against immigrants and their families. It has done incalculable damage to the public trust that lies at the foundation of public safety. Despite promising to end the program, which has been abused by the likes of Sheriff Arpaio, your Department has so far kept it intact. So, I am going to ask the same question that I asked several months ago. When do you plan to end the program as the President promised?

Secretary MAYORKAS. Well, Congressman, let me share with you the approach that we are taking. No. 1, I should say as a predicate, that change takes time. No. 2, it is clear that we need to strengthen and improve our relationship with State and local law enforcement to make sure that it is productive in the service of our mission and in adherence with, and this is critical, our principles and values. I am working with Immigrations and Customs Enforcement on new enforcement guidelines. That, I think, is the first step necessary as we reform our immigration enforcement system.

No. 2, an additional point, and I think you I am sure are aware of this, if in fact, we see the pernicious abuse of a 287(g) agreement, the mistreatment of individuals in immigration custody, we will act accordingly. Indeed, I have done so. I specifically and respectfully draw your attention to our actions in the State of Massachusetts in keeping with the findings of the attorney general in that State.

Mr. TORRES. You are conducting a review. What is the time line for the review?

Secretary MAYORKAS. We will move as swiftly as we can. We will—

Mr. TORRES. Do you have something more concrete than as swiftly as we can?

Secretary MAYORKAS. I do not, Congressman. I do not have a more concrete time line for you.

Mr. TORRES. A question about TPS. As you know, Mr. Secretary, instability in Central America has driven a mass migration to the U.S.-Mexico border. Central America has been hit hard by several hurricanes. According to Oxfam, two hurricanes in particular had an impact on 11 million people causing the evacuation of 800,000. Since environmental disaster is one of the criteria for Temporary Protected Status, are you open to designating Guatemala and redesignating El Salvador, Honduras, and Nicaragua for Temporary Protected Status?

Secretary MAYORKAS. We are looking at the country conditions in the countries that you identified, Congressman Torres. We are studying those country conditions very carefully and we fully recognize that climate disasters are considered a factor in our review.

Mr. TORRES. Is there a time line for that review?

Secretary MAYORKAS. We are also moving as swiftly as possible, Congressman.

Mr. TORRES. OK. As you know, Mr. Secretary, there has been a surge in cyber attacks. The law department in America's largest city was struck by a cyber attack. So was the Metropolitan Transit Authority, the largest public transit system in the United States. Are you aware of each of these attacks?

Secretary MAYORKAS. I am.

Mr. TORRES. Since local and State governments and public transit systems have no reporting obligation to DHS when it comes to cyber incidents, how did you find out about these attacks? When did you find out? Did you find out immediately?

Secretary MAYORKAS. Congressman, we pride ourselves in our partnerships with both public agencies across the Nation as well as with the private sector. We are looking at reporting obligations. The current architecture, they are voluntary. We are determining the pros and cons of making reporting obligations mandatory. I should say, obliging them. There are both—

Mr. TORRES. Just in the interest of time quickly, Mr. Secretary, I just want to—because my time is running out. Does DHS have the authority to require reporting of cyber incidents as a condition for receiving DHS grants?

Secretary MAYORKAS. I would have to take a look at that precise question as you tie it to grant funding, Congressman.

Mr. TORRES. Stipulate for a moment that you did have the authority, would you be open to extending reporting obligations to State and local governments and public transit systems that become the target of cyber attacks?

Secretary MAYORKAS. I would like to analyze that issue better. I am not equipped to answer such a significant question extemporaneously.

Mr. TORRES. I see my time is about to expire. So, I thank you for your public service.

Secretary MAYORKAS. Thank you.

Chairman THOMPSON. Thank you very much. The gentleman's time has expired. I thank the gentelady from California for stepping in while I went and voted. Thank you much. The Chair recognizes the gentelady from Florida for 5 minutes.

Mrs. CAMMACK. Well, thank you, Mr. Chairman. I appreciate it. Good morning Secretary Mayorkas.

Secretary MAYORKAS. Congresswoman, it is—forgive me. I apologize for interrupting. It is a little difficult to hear you.

Mrs. CAMMACK. Can you hear me better now?

Chairman THOMPSON. I think you need to turn your volume up.

Mrs. CAMMACK. Can you hear me better now?

Secretary MAYORKAS. Yes. Yes. I will focus even more intensely on—

Mrs. CAMMACK. OK. All right. Well, I will jump right in on the questions and I will speak as loud as I possibly can. So, Secretary Mayorkas, you would, I am assuming, certainly agree that border security is under the purview of Homeland Security.

Secretary MAYORKAS. Yes.

Mrs. CAMMACK. Excellent. So, can you tell me what the job description of the border czar is?

Secretary MAYORKAS. Do you mean the Secretary of Homeland Security? My—

Mrs. CAMMACK. No, no.

Secretary MAYORKAS [continuing]. Responsibilities—

Mrs. CAMMACK. I am referring to the appointment from President Biden to Vice President Harris as the border czar.

Secretary MAYORKAS. Congresswoman, you are speaking with the individual who has responsibility for border security. As the Secretary of Homeland—

Mrs. CAMMACK. So, you—

Secretary MAYORKAS [continuing]. Security.

Mrs. CAMMACK. So, there is—

Secretary MAYORKAS. The Vice President's—

Mrs. CAMMACK [continuing]. Then with the administration. So, it is our understanding that Vice President Harris has been appointed by President Biden as a border czar.

Secretary MAYORKAS. That is a—

Mrs. CAMMACK. You said you disagree.

Secretary MAYORKAS. That is a misunderstanding. The Vice President, her focus is on addressing the root causes of irregular migration working with the countries of Guatemala, El Salvador, and Honduras in the Northern Triangle to understand why people are leaving their home countries, their homes where they speak the language—

Mrs. CAMMACK. OK. Secretary Mayorkas—

Secretary MAYORKAS [continuing]. Where they built their lives.

Mrs. CAMMACK [continuing]. This is Homeland Security of the United States. I understand that we—I understand where you are going with this, but I am going to reclaim my time. So, I am just going to redirect. How many agents do we have, Border Patrol agents do we have on the Southwest Border?

Secretary MAYORKAS. I will provide you with a precise number, Congresswoman. I will provide that to you later today.

Mrs. CAMMACK. As Secretary of Homeland Security, we have a border crisis, and you can't tell me how many agents we have, roughly, approximately on the Southwest Border?

Secretary MAYORKAS. Congresswoman, I think you are aware of the fact the tens of thousands of Border Patrol agents that we have. You are well aware of the responsibilities that they execute and the talent and expertise they bring to bear to the border.

Mrs. CAMMACK. I am. There is roughly 20,000 for both the north and southern borders on the United States. Can you tell me how many sectors we have in Texas?

Secretary MAYORKAS. I cannot provide to you the precise number—

Mrs. CAMMACK. There are 9 sectors.

Secretary MAYORKAS [continuing]. Of sectors that we have.

Mrs. CAMMACK. Secretary Mayorkas, there are 9 sectors. I will answer that for you. In the President's budget, they allocated \$9.1 million in coordinators, which will be the equivalent of 125 agents, which are not full-fledged agents. They are transporters for migrants and paper intake folks. But when we have a record number of retirees out of the Border Patrol agents with some of the lowest morale in the country, and 40 percent of the agents in just the

RGB sector alone, one of the highest activity sectors they are seeing the highest numbers of apprehensions and got-aways along the Southwest Border, 40 percent of the agents are already doing humanitarian. Do you think 125 agents or coordinators, additional coordinators is sufficient—

Secretary MAYORKAS. I can—

Mrs. CAMMACK [continuing]. Given the numbers?

Secretary MAYORKAS. Congresswoman, if you understand the work force and its—

Mrs. CAMMACK. Mr. Secretary—

Secretary MAYORKAS [continuing]. And its needs,—

Mrs. CAMMACK. Mr. Secretary, I do not mean to be rude, but just a yes or a no will suffice.

Secretary MAYORKAS. No, may I please have the opportunity to answer your question? Because this is so vitally important not only for the execution of our responsibilities, but to the morale of the Border Patrol agents. What we try to avoid is having Border Patrol agents execute mission support responsibilities and, therefore, we are recruiting and hiring individuals with different job portfolios so that those with expertise can actually execute the responsibilities within the parameters of their expertise.

Mrs. CAMMACK. Secretary Mayorkas, I am not sure what expertise is required to drive a bus or van and to fill out paperwork. But I do think that our full-fledged sworn officers and agents need more support from the administration absolutely.

I am going to redirect the remaining time that I have. As you know, FEMA's Emergency Food and Shelter Program provides Federal funds. I have recently been on an airplane in McAllen, Texas in which migrants were being flown from on that plane that I was on and these were migrants that we had picked up the night before, it is my understanding that FEMA is supporting the travel costs of these migrants. Is that true?

Secretary MAYORKAS. Congresswoman, we have brought resources from different agencies to address the security of the border. It reflects our commitment to achieving that security. It is part of our strategy and we are executing on that strategy. We have dedicated FEMA—

Mrs. CAMMACK. I will take that as a yes.

Secretary MAYORKAS [continuing]. Personnel to the Department of Health and Human Services as well. Personnel from U.S. Citizenship and Immigration Services to address the needs of unaccompanied children. It is what you and I spoke of at the last hearing. I think the progress that—the extraordinary progress that we made with respect to that mission set speaks precisely to what I communicated to you in March, which is, we have a strategy.

Mrs. CAMMACK. Mr. Secretary, I understand.

Secretary MAYORKAS. We are executing our strategy.

Mrs. CAMMACK. I understand. My time has expired. I want to be respectful of the Chairman. So, I will take your answer as a yes that FEMA has been supporting the travel costs of migrants. I will also submit for the record that once again, the questions that I submitted to the record to you, Secretary Mayorkas, in March have gone unanswered. I will again repeat my request to have your of-

vice respond in writing to those requests. With that, Mr. Chairman, I yield back.

Chairman THOMPSON. The gentlelady yields back. Thank you very much.

Mrs. CAMMACK. Thank you.

Chairman THOMPSON. Mr. Mayorkas, I am submitting for the record, a letter from Chairwoman Maxine Waters asking for certain information from your office. I ask unanimous consent for it to be included in the record without objection.

[The information follows:]

LETTER SUBMITTED BY CHAIRMAN BENNIE G. THOMPSON

*June 16, 2021.*

The Honorable BENNIE G. THOMPSON,  
*Chairman, Committee on Homeland Security, U.S. House of Representatives, Washington, DC 20515.*

CHAIR THOMPSON: I am writing to you regarding a false allegation being made about me which states that I requested and received protection from the United States Capitol Police, the United States Secret Service, and the Federal Air Marshal Service during an April 17, 2021 flight from Washington Dulles International Airport to Minneapolis-St. Paul International Airport. This false allegation is being circulated by several media outlets and is claiming that Members of Congress are abusing the Federal Air Marshal Service due to changes made after January 6, 2021.

To be clear, I did not request any protection from any of the agencies I have outlined. I have never requested Federal Air Marshal protection, Secret Service, or any armed guards from anywhere and I certainly never knew that Members of Congress have called or requested Air Marshal protection. It is my understanding that the Federal Air Marshal Service is a service overseen by the Transportation Security Administration and the Department of Homeland Security.

Due to the nature of the false claim against myself and other Members of Congress regarding the Federal Air Marshal Service, I am doing my own thorough investigation. While I have received definitive statements from the United States Capitol Police and the United States Secret Service confirming that I did not request or receive protection from them, I am now requesting a definitive statement from the Federal Air Marshal Service clarifying that I did not request Air Marshals to accompany me on my April 17 flight, or any of my flights. Due to these false accusations, I have received threats against my life and I feel I must defend myself by having the agencies I am accused of using tell the truth about the allegations.

Through my inquiries into this matter, it was determined by the U.S. Capitol Police that my itinerary for the April 17 flight was leaked by an individual with the Metropolitan Washington Airports Authority to right-wing media outlets who began pushing a false narrative about Members of Congress and their alleged abuse of the Federal Air Marshal Service. The identification of this person was not given, nor is it clear if any actions have been taken against them for the leak of my itinerary. I would like to know if there is any law that prohibits individuals from leaking the flight information of any passenger, be it an elected official or otherwise.

I have also discovered that there are various groups that represent Federal Air Marshals. Two that I am aware of are the Air Marshal Association and the Air Marshal National Council. The Air Marshal National Council broke off from the Air Marshal Association and handles their information very differently. The Air Marshal National Council President David Londo and Executive Director Sonya Hightower LoBasco have made outrageous statements about my travel. Hightower LoBasco, as cited in a May 14 Fox News Article, has said that I was already accompanied by two U.S. Capitol Police Officers and two U.S. Secret Service officers when I requested two air marshals and two more marshals on touchdown to escort me. Londo has said "Placing FAMs on aircraft simply because a Member of Congress requests it is an egregious misuse of government resources. The FAMs are now taking agents off of regularly scheduled 'high risk' flights to put them on flights with Members of Congress, that in most cases have their own armed Federal security details onboard already. It has become akin to a type of extremely expensive concierge service for congressional members." Following these outrageous claims, the Air Marshal Association has referred me to information that describes the Airport National Council and I will refer you to that.

Over the last couple of months, I have discovered that Members of Congress do not know or understand the relationship between all the agencies tasked with working with Congress. With Secretary Mayorkas coming before your committee tomorrow, June 17, it is my hope that he can address this. I am also respectfully requesting a meeting to clarify the role that each agency tasked with ensuring the protection of Members of Congress fulfills including, but not limited to, the United States Capitol Police, the Transportation Security Administration, and the Federal Air Marshal Service.

Respectfully,

CONGRESSWOMAN MAXINE WATERS.

Chairman THOMPSON. I want to thank the Secretary for his testimony and the Members for their questions. The Members of the committee may have additional questions for the Secretary and we ask that you respond expeditiously in writing to those questions. The Chair reminds Members that the committee record will remain open for 10 business days. Let me thank you again, Mr. Secretary. You have gone almost 3 hours. So, thank you very much. Without objection, the committee stands adjourned.

[Whereupon, at 11:13 a.m., the committee was adjourned.]

## APPENDIX

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### QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR ALEJANDRO N. MAYORKAS

*Question 1.* The mission of the Countering Weapons of Mass Destruction Office (CWMD) is to lead DHS efforts and coordinate with domestic and international partners to safeguard the United States against chemical, biological, radiological, nuclear, and health security threats. However, the relatively new Office, established in 2018, has struggled to manage its responsibilities, with biodetection being one of the most prominent examples of the Office's struggles, and previous leadership issues within CWMD leading to low employee morale and high attrition rates.

Mr. Secretary, will you commit to taking a thorough look at the challenges within CWMD, and report to this committee, within the year, your plans to address them?

*Question 2.* Mr. Secretary, CWMD also houses the Department's chief medical officer. However, there is considerable debate over whether the officer's placement serves the needs of the Department and the public. In the weeks following the hearing on June 17, 2021, DHS officials have proposed transferring the CMO to another unit within DHS. Is it your view that the CMO should transfer to another unit within CWMD? Please describe your vision for the Department's CMO, and include details about the operations, goals, and structure you envision for the CMO's office going forward.

Answer. As Secretary Mayorkas stated during the May 26, 2021, House Appropriations Homeland Security Subcommittee hearing, the medical and public health functions of the Department are too fractured. In light of the lessons learned throughout the COVID-19 pandemic, the Secretary directed the Department to examine the organizational alignment of our medical and public health functions to determine whether a different structure would better serve the Department's Countering Weapons of Mass Destruction Office (CWMD) mission, leadership, and workforce.

In accordance with the Countering Weapons of Mass Destruction Act of 2018, the U.S. Department of Homeland Security (DHS) CMO resides within CWMD and serves as the principal advisor to the Secretary of Homeland Security, Assistant Secretary for CWMD, the Federal Emergency Management Agency (FEMA) Administrator, and DHS senior leadership on medical and public health issues related to natural disasters, border health, pandemic response, acts of terrorism, and other man-made disasters.

The Secretary is considering options to help define the vision, structure, and other details of the CMO position and the Department's medical and public health functions. Secretary Mayorkas looks forward to continuing to work with Congress on the path forward.

### QUESTIONS FROM HONORABLE JOSH GOTTHEIMER FOR ALEJANDRO N. MAYORKAS

*Question 1.* Why did the National Strategy for Countering Domestic Terrorism take such a light touch when it comes to social media and tech?

*Question 2.* How do you plan to address this clear gap in the strategy, and what steps will DHS take to ensure that these platforms do not remain breeding grounds for domestic terrorism?

Answer. While protecting U.S. civil rights and civil liberties, we must combat domestic terrorism in all forms. Domestic terrorism poses the most lethal and persistent terrorism-related threat to our country today, particularly by white-supremacist, anti-government, and anti-authority violent extremists. In June 2021, President Biden released the first-ever National Strategy for Countering Domestic Terrorism to address this National security challenge and improve the Federal Government's response. The strategy provides a Nation-wide framework for the U.S. Government and partners to understand and share domestic terrorism-related information; prevent domestic terrorism recruitment and mobilization to violence; disrupt and deter

domestic terrorism activity; and confront long-term contributors to domestic terrorism, while embracing the protection of civil rights and civil liberties as a National security imperative.

Strategic Goal 2.2 of the National Strategy for Countering Domestic Terrorism specifically addresses the prevention of on-line radicalization, recruitment, and mobilization of individuals by domestic terrorists and includes assisting technology companies and platforms in developing strategies for establishing and enforcing their terms of service. This strategy reflects the long-standing engagements that have already been taking place between Federal agencies and the technology sector on terrorism. For example, DHS and its partners regularly engage with social media companies as well as the multi-stakeholder nongovernmental organization Global Internet Forum to Counter Terrorism (GIFCT), founded in 2017 by Facebook, Microsoft, Twitter, and YouTube. Most notably, DHS has participated in the Content-Sharing Algorithms, Processes, and Positive Interventions working group which aims to build dialog across industry, Government, and civil society about the tech sector's use of automation and content recommendation processes, as well as best practices on positive online-to-offline interventions.

In addition to regularly attending multilateral, public-private partnerships like GIFCT, this year alone the Center for Prevention Programs and Partnerships (CP3) has hosted and participated in more than 70 engagements working with technology companies to find solutions for preventing on-line radicalization to violence. Since September 2020, CP3 has hosted 3 Digital Forums, which are virtual conferences for speakers and attendees from technology companies and platforms, civil society, governments, and researchers that cover topics from on-line gaming to health and well-being to help highlight the risks, trends, and solutions. These events, attended by hundreds of participants from around the world, showcased how technology can exacerbate risk factors associated with the radicalization of individuals via on-line platforms.

DHS will continue to collaborate across the global, multi-stakeholder setting to address the recruitment and radicalization to violence of domestic terrorism on-line while remaining committed to the Constitutionally-protected freedoms of expression, association, and free exercise of religion, among others. In addition to our on-going engagement with stakeholders, DHS is developing ways to foster and cultivate digital literacy to educate the public on understanding and reading digital content with a focus on critical thinking and source judgment. These efforts will help individuals maintain awareness and improve safe social media practices, while building resiliency and reducing the risk of radicalizing to violence. DHS is further exploring partnerships with the private tech sector and civil society to better enable our understanding of the domestic terrorism threat and our ability to address new related threats as they emerge.

*Question 3.* Secretary Mayorkas, given that the agencies did not meet the statutory mandate, how did this report inform the Department's funding requests for countering domestic terrorism?

*Question 4.* When can policy makers expect a complete accounting for the acts of domestic terrorism as mandated by the NDAA?

Answer. In January 2021, President Biden directed his National security team to lead a comprehensive review of U.S. Government efforts to address domestic terrorism. The review was rooted in the Joint Comprehensive Threat Assessment on Domestic Violent Extremism, provided by the intelligence and law enforcement communities. An unclassified summary, Domestic Violent Extremism Poses Heightened Threat in 2021, was released in March 2021. This assessment was followed by the completion of the National Defense Authorization Act (NDAA) mandated report, which was provided by DHS and the Federal Bureau of Investigation (FBI) to Congress in May 2021. This report included a strategic intelligence assessment and data on domestic terrorism, including an appendix that included 10 years of data on domestic terrorism incidents. The finalization of the NDAA report was but one baseline source of inputs informing I&A's efforts to increase our capabilities to conduct domestic terrorism, as efforts in this space had been underway since the publication of DHS's Strategy for Countering Terrorism and Targeted Violence in 2019.

Subsequently, the Biden administration released the first-ever National Strategy for Countering Domestic Terrorism in June 2021 to address this threat to National security and improve the Federal Government's response. The strategy provides a Nation-wide framework for the U.S. Government and partners to understand and share domestic terrorism-related information; prevent domestic terrorism recruitment and mobilization to violence; disrupt and deter domestic terrorism activity; and confront long-term contributors to domestic terrorism, while embracing the protection of civil rights and civil liberties as a National security imperative.

Collectively, the strategic guidance provided by the White House, coupled with the results of the NDAA-mandated report and the assessment of the domestic terrorism threat, will help prioritize DHS efforts to counter threats of domestic terrorism and targeted violence; inform Department decision-making; and be utilized to support and inform future budgetary and funding requests for countering domestic terrorism.

*Question 5.* What steps is the Department taking to ensure that all acts of domestic terrorism are accounted for and tracked, to accurately illustrate trends, help understand the threat, and appropriately allocate resources?

Answer. As FBI and DHS noted in the November 2020 report on Domestic Terrorism Definitions, Terminology, and Methodology, which we jointly prepared to satisfy a requirement in the 2020 National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116–92, tracking of domestic terrorism incidents Nation-wide has long been a challenge for the Federal Government as there is no mandatory requirement that directs State and local law enforcement agencies to report criminal activity that may be racially or ideologically motivated. Nonetheless, DHS has moved forward with several initiatives to baseline the threat, both internally and with our partners.

Our second report to satisfy the NDAA, the joint FBI and DHS-authored Strategic Intelligence Assessment and Data on Domestic Terrorism provided to the Congress in May, contained a list of jointly agreed-upon domestic terrorism incidents over the last 10 years. The DHS Office of Intelligence and Analysis (I&A) has also internally continued to track domestic terrorism incidents from a variety of sources—including open sources and from our partners in the field—to baseline activity in fiscal year 2021. Fourteen (14) analysts within I&A's Counterterrorism Mission Center have been organizationally aligned into a Domestic Terrorism Branch with responsibilities to perform baseline analysis by identifying trends in domestic terrorism incidents and work to develop internal databases to inform their analysis.

DHS is also actively engaged in enacting programs, policies, and efforts outlined in the White House's National Strategy for Countering Domestic Terrorism, released June 2021, to bolster the Federal Government's understanding and guide its response to the threat of domestic terrorism—which recognizes the importance of identifying new data sources to integrate into our existing tracking mechanisms, ensuring a more holistic view of the threat. Future stakeholders and partners—including State, local, Tribal, territorial, private-sector partners, and academia—all possess data and expertise that can assist in our analysis, and align our internal strategies to address the threats of domestic terrorism.

#### QUESTIONS FROM HONORABLE CLAY HIGGINS FOR ALEJANDRO N. MAYORKAS

*Question 1.* With a simple yes or no, do you acknowledge that the number of documented border crossings is currently the highest it's ever been in the past 2 decades?

Answer. In May 2021, there were 172,627 encounters of undocumented migrants attempting to cross the southwest land border between ports of entry. That was the highest number of encounters since April 2000 (180,050). However, the number of total encounters does not correspond to the number of unique individuals CBP encounters. The large number of expulsions under Title 42 authority during the pandemic has contributed to a larger-than-usual number of migrants making multiple border crossing attempts, which means that total encounters overstate the number of unique individuals arriving at the border.

*Question 2.* Why would the Biden administration decrease the CBP budget during this time of crisis?

Answer. The fiscal year 2022 President's budget provides funding to sustain and strengthen U.S. Customs and Border Protection's (CBP) most critical programs and capabilities in each of CBP's mission areas. The planned resources emphasize border security, enforcement, and administration of our immigration laws, preventing terrorism, and enhancing security. The President's fiscal year 2022 budget includes \$14.6 billion in net discretionary funding for CBP, including \$163.2 million to establish a permanent funding source to continue contracted health care services at U.S. Border Patrol stations and ports of entry along the Southwest Border; \$87.0 million for various expansion and renovation projects at U.S. Border Patrol facilities; \$41.4 million to fortify the Air and Marine Fleet; \$35.0 million for procurement and deployment of border surveillance technology; \$31.1 million to support contracted services (transportation and guard services) necessary to support the movement of detained noncitizens from the Southwest Border; and \$9.1 million to hire 125 additional Border Patrol Processing Coordinators and associated Mission Support personnel.

*Question 3.* Do you believe that if the President and Vice President visited the border and took the time to hear from CBP officers that they need more help, that then they'd understand how important it is to fund additional officers in the DHS budget?

Answer. The Secretary accompanied Vice President Harris to the Southwest Border on June 25, 2021, to receive operational briefings at the Paso del Norte Port of Entry and the El Paso Border Patrol Station. They met with U.S. Border Patrol and Office of Field Operations local leadership and community leaders to discuss on-the-ground conditions and the root causes of migration. Vice President Harris and the Secretary also discussed the Vice President's continuing efforts to address the root causes of migration from El Salvador, Guatemala, and Honduras, as well as the need for Congress to pass urgently needed immigration reform.

Staffing, technology, and infrastructure all play roles in border security. Regarding CBP staffing levels, CBP is currently staffed with 19,499 Border Patrol agents, which is 99.7 percent of the fiscal year 2021 enacted number of agents, as well as 25,856 CBP officers which is also 99.7 percent of the enacted number of officers appropriated by Congress and supported by user fees. Both CBP officers and Border Patrol agents work tirelessly to protect the border and I strongly support their work.

QUESTION FROM HONORABLE MICHAEL GUEST FOR ALEJANDRO N. MAYORKAS

*Question.* When reviewing DHS's budget priorities, I noticed that the amount requested to confront climate change and disaster challenges is over 16 times the amount requested for investing in modern border security (\$19.4 billion vs. \$1.2 billion). With confronting climate change as the highest funded priority in your budget, and modern border security trailing the bottom, could you elaborate on how the administration came to this request instead of using precious resources to address other issues our Nation is currently facing? I am concerned that the Department of Homeland Security's budget request only reinforces what we already knew—that the administration is not prioritizing a secure border and a secure homeland and is leaving us vulnerable to numerous threats.

Answer. Safeguarding the American people is the highest priority for the Department. The fiscal year 2022 President's budget provides funding to sustain and strengthen U.S. Customs and Border Protection's (CBP) most critical programs and capabilities in each of CBP's mission areas. The planned resources emphasize border security, enforcement, and administration of our immigration laws, preventing terrorism, and enhancing security. The President's fiscal year 2022 budget includes \$14.6 billion in net discretionary funding for CBP, including \$163.2 million to establish a permanent funding source to continue contracted health care services at U.S. Border Patrol stations and ports of entry along the Southwest Border; \$87.0 million for various expansion and renovation projects at U.S. Border Patrol facilities; \$41.4 million to fortify the Air and Marine Fleet; \$35.0 million for procurement and deployment of border surveillance technology; \$31.1 million to support contracted services (transportation and guard services) necessary to support the movement of detained noncitizens from the Southwest Border; and \$9.1 million to hire 125 additional Border Patrol Processing Coordinators and associated Mission Support personnel.

