

THE BIDEN BORDER CRISIS: PART I

HEARING

BEFORE THE
COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTEENTH CONGRESS
FIRST SESSION

WEDNESDAY, FEBRUARY 1, 2023

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THE BIDEN BORDER CRISIS: PART I

Wednesday, February 1, 2023

HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

Washington, DC

The Committee met, pursuant to notice, at 10:28 a.m., in Room 2141, Rayburn House Office Building, the Hon. Jim Jordan [Chair of the Committee] presiding.

Members present: Representatives Jordan, Issa, Buck, Gaetz, Johnson of Louisiana, Biggs, McClintock, Tiffany, Massie, Roy, Bishop, Spartz, Fitzgerald, Bentz, Cline, Gooden, Van Drew, Nehls, Moore, Kiley, Hageman, Moran, Lee of Florida, Hunt, Fry, Nadler, Lofgren, Johnson of Georgia, Schiff, Cicilline, Swalwell, Lieu, Jayapal, Correa, Scanlon, Neguse, Dean, Escobar, Ross, Bush, and Ivey.

Chair JORDAN. The Committee on Judiciary will come to order.

Without objection, the Chair is authorized to declare a recess at any time.

The Chair welcomes our guests, and we will introduce those in just a few minutes.

We will start our proceeding this morning with an opening statement.

Four point five million—

Mr. CICILLINE. Mr. Chair, point of order. We are not going to begin the hearing with the Pledge of Allegiance?

Chair JORDAN. We already had it.

Mr. CICILLINE. No, no, that was the organizing meeting. I am happy to lead it.

Chair JORDAN. We had today's.

Mr. CICILLINE. It doesn't say that. It says, "each hearing." This is our first hearing. I am happy to lead it if you will designate me.

Chair JORDAN. The amendment that was adopted said that we may start a hearing with the Pledge of Allegiance.

If the gentleman is insisting on doing that, I would welcome Mr. Cicilline to lead the Pledge of Allegiance.

Mr. CICILLINE. Thank you, Mr. Chair. I am happy to.

[Pledge of Allegiance.]

Chair JORDAN. I thank the gentleman for leading us in the Pledge.

I would now start with our opening statements.

Four point five million, that is the number of illegal aliens encountered by CBP officials just in the time since President Biden

took office; 1.7 million, the number of illegal migrants that Joe Biden released into American communities; 2,378,944, the number of illegal migrants encountered by CBP on the Southwest border in 2022—the highest number ever recorded in a single year in our Nation’s history; 251,487, the number of illegal migrants encountered by CBP on the Southwest border in the month of December of last year—the highest monthly number ever recorded; 8,100, the average number of illegal migrants encountered per day on the Southwest border in the month of December, 2022; 717,660, the number of illegal migrant encounters on the Southwest border in just the first three months of this fiscal year; 1.1 million, the number of known got-aways who have successfully crossed the Southwest border since President Biden took office; 856, the number of migrants who died attempting to cross the Southwest border during the past fiscal year—again, the highest number on record; 98, the number of aliens on the Terrorist Watch List encountered on our Southwest border during Fiscal Year 2022—yet another record set by the Biden Administration.

Remember when Mr. Mayorkas testified in front of this Committee last Congress, and we asked him about the number on that Terrorist Watch List? I remember asking Mr. Mayorkas—at the time it was only 40-something—we asked him about that number, and we said, “What’s the status of those individuals?” His response was astonishing to every Member of the Committee, both Republican and Democrat, when he said he didn’t know. He didn’t know if they were detained. He didn’t know. This year, 38, the number of aliens on that Terrorist Screening Data base already this year.

A hundred and ninety-three, the number of fentanyl-related deaths in the United States every single day. We are going to hear from Mr. Dunn on the heartache this causes families and communities, this fentanyl problem.

These numbers make clear that the Biden Administration does not have operational control of the border. Month after month after month, we have set records for migrants coming into the country, and frankly, I think it is intentional. I don’t know how anyone with common sense or logic can reach any other conclusion. It seems deliberate; it seems premeditated; it seems intentional.

As if that is not bad enough, we now learn that the crisis is no longer just confined to the Southwest border. Last week, the Chief Border Patrol Agent in Vermont tweeted this, quote, “In less than four months, Swanton Sector’s apprehensions have surpassed the COMBINED two prior years.” Just in the past four months, more than the two-years combined beforehand.

Make no mistake, the Biden Administration is carrying out its plan. We all heard Secretary Mayorkas who sat in front of this Committee and said, “We are executing our plan on the border.” We all heard President Biden say, “We’re trying to make it easier for people to get here.” Well, they’re certainly succeeding in that.

Imagine the frustration that our border communities feel when they hear the damage done to their land and to their businesses, the crimes committed by illegal alien trespassers, and the overwhelmed local resources are all part of their own Federal Government’s plan.

Today, we will hear about some of the effects of Biden's open-border policies on everyday Americans and the communities in which they live. We will hear about dangerous encounters with illegal migrants on private property. We will hear about the devastating effects, as I said earlier, of fentanyl on American families, and we will hear about Mexican smuggling cartels exploiting the open border to terrorize U.S. communities.

The worst part is that none of this had to happen. Under President Trump, the border was secure. Under President Biden, there is no border. Americans are paying the price.

I now recognize the Ranking Member, the gentleman from New York, Mr. Nadler, once he completes his phone call, for his opening statement.

Mr. NADLER. I thank the Chair for yielding.

I wish this Committee was starting off on a different note. Unfortunately, this hearing is more of the same haphazard, chaotic style we have come to expect of this new Republican majority.

We saw them take 15 tries to pick a Speaker. We saw them fumble in the opening play by needing to reschedule their first meeting, and now this.

Their first hearing will showcase the racist tendencies of the extreme MAGA Republican wing of the Party that seeks to close the border to refugees from places like Cuba and Venezuela. It almost makes me miss their usual obsession with conspiracy theories and the FBI.

Furthermore, this hearing appears to be the latest spate in an ongoing turf war between Chairs Jordan and Comer. As we all know, Chair Jordan's plans for his select Subcommittee cut deeply into Chair Comer's jurisdiction. Not to be outdone, Chair Comer announced that the Oversight Committee will hold its first hearing on the subject of immigration, a topic that is squarely in this Committee's jurisdiction, during the week of February 6th. Turning the tables on Chair Comer once again, our majority hastily threw together today's hearing to ensure that we beat the Oversight Committee by a few days—without the government witnesses that the Oversight Committee had time to secure, of course.

I suspect this hearing is also intended to distract from the fact that Republicans have failed to pass any meaningful legislation in their first month in the majority. As we all know, as part of the rules package for the House, Majority Leader Scalise included 11 "ready-to-go"—in quotes—pieces of legislation that were set to completely bypass regular order. Many of those fell under the purview of the Judiciary Committee. It appears, however, that these bills are anything but ready to go. Republicans are unable to pass four of the bills that were exclusively or partially under this Committee's jurisdiction.

Most relevant to today's hearing is H.R. 29, the Border Safety and Security Act of 2023. This legislation has been described as, quote, "not Christian, anti-American, and trying to ban legitimate asylum claims." Those are not my words. Those are the words of Republican Congressman Tony Gonzalez of Texas. He is not the only one. According to *The Washington Post*, dozens of Republican lawmakers have raised concerns about the scope of this legislation.

Now, let's turn to today's hearing. There is no doubt that the majority and their witnesses will use the same extreme rhetoric we have come to expect from them. They will tell us that the southern border is open; that President Biden and Secretary Mayorkas opened it deliberately, and that it is mostly migrants who are smuggling drugs across our southern border. Of course, none of those statements are true.

Yes, significant numbers of individuals are arriving at our southern border, but the Biden Administration actually expelled over 1.1 million people last year and recently expanded the use of Title 42—much to the concern of many of us here on the Committee.

Additionally, the vast majority of drugs we seize are encountered at ports of entry. In Fiscal Year 2022, only 17 percent of illicit drugs, including 15 percent of all fentanyl, were seized between points of entry by the Border Patrol. The rest were seized by the Office of Field Operations who are stationed at ports of entry. The evidence does not show that asylum seekers are bringing drugs to our shores. In fact, increasingly, drug cartels are recruiting American citizens to bring drugs across the border through ports of entry.

We all agree that our immigration system is broken, but let's fix the problems where they are, not where *Fox News* talking heads imagine them to be.

Sadly, at every turn, this extreme Republican majority fails to offer genuine solutions and resorts to political theater. Our colleagues across the aisle cannot even negotiate in good faith with each other, let alone with us.

If that changes, if House Republicans can get their act together and work with us on meaningful solutions to serious problems, as Senate Republicans appear to be willing to work with Senate Democrats, then Judiciary Committee Democrats stand ready to help.

Given their behavior these past few months, I have my doubts. Republicans have proposed building a wall, shutting down the asylum system, and defunding the Department of Homeland Security. Those are not serious proposals. They may well play with the extreme's base, but they are a waste of this Committee's time, and the American people deserve better.

I look forward to hearing from our witnesses today, but I would also like to take a moment and express my condolences to Mr. Dunn and his family. I cannot imagine how difficult the loss of your son has been for you and your wife. Thank you for being here today.

I yield back.

Chair JORDAN. I thank the gentleman.

I will now recognize our witnesses for today's hearing. We want to thank them for being here.

First, I want to yield to the gentleman from Texas, Mr. Roy, to introduce one of our witnesses today.

Mr. ROY. I thank the Chair.

I wish that it were under different circumstances, but I am certainly proud to have a fellow Texan here willing to share the story that he is going to share with us here today. I have visited at length with Brandon Dunn and his lovely wife, Janel Rodriguez.

They live in Hays County, Texas, where I live. They live a few miles down the road.

They have four children today. Mr. Dunn will recount the loss of their son Noah last summer. They are a testament to wanting to get positive change out of a loss and working hard to do that.

I am delighted to have them here to express what they are going to share about the impact of open borders—hardly a lie, hardly a figment of our imagination—a real impact on real human beings every single day. They are going to share that here today, and I thank them for coming here.

I yield back.

Chair JORDAN. I thank the gentleman.

We now recognize the gentleman from Arizona to introduce the sheriff with us today. Mr. Biggs is recognized.

Mr. BIGGS. Thank you, Mr. Chair.

I am pleased to introduce to the Committee one of the finest lawmen in America, certainly one of the finest lawmen in Arizona, Sheriff Mark Dannels from Cochise County, Arizona.

Cochise County is a large county with a fairly sparse population, but sits right on the border. It is in southeast Arizona. It borders New Mexico and Mexico.

Sheriff Dannels encounters the reality of what is happening on the border, unlike those who reside in New York who say there is no problem on the border and that the border is open is untrue. We will hear contrary testimony today. It is open. The border is dangerous. Drugs pour across. International terrorists, criminal gang members, people from all over the world—indeed, over 150 Nations—have come through. We can't even vet most of those individuals.

Sheriff Dannels has served his county for a long time. He does a great job. He works well with the Border Patrol Agents and has devised a program to protect the communities that he serves in that wonderful southeastern Arizona county, which is a big county.

So, we are going to hear more from him, and I am excited to have him here. He is not only a great advocate, a great sheriff, a great family man, but he is a good friend of mine, Sheriff Dannels.

Thank you, Mr. Chair. I yield back.

Chair JORDAN. I thank the gentleman.

The Chair now recognizes the gentlelady from Texas, Ms. Escobar, for an introduction.

Ms. ESCOBAR. Thank you, Mr. Chair.

It is my privilege to introduce to the Judiciary Committee and to the American public a dear friend of mine and a great leader with whom I share much in common, County Judge Ricardo Samaniego. He is the El Paso County judge.

We have a couple of things in common. I served as El Paso's County Judge for many years in my time preceding my service in Congress. For those unfamiliar with Texas elected politics, a county judge is, essentially, the Chief elected official, the County Administrator, in Texas. They are referred to as judge, even though in many ways they act as the mayor of the entire county.

So, Judge Samaniego and I both have been county judge of one of the safest communities in the United States of America, and it is on the U.S.-Mexico border. It is a long-time recipient of migrant

populations at our Nation's front door. We are incredibly proud of the role that we play in upholding American values in a way that provides for dignity.

Judge Samaniego and I also share another thing in common. We were born and raised and are proud residents of the U.S.-Mexico border in El Paso, Texas.

Judge Samaniego has done a number of things prior to serving in county government. He has been in small business. He has been in human resources. He has been, I think, in the juvenile justice world as well.

Judge Samaniego is here to talk to us about how communities on the border like El Paso have actually been of tremendous service to the Federal Government. When given the resources and support, they can be a great ally in ensuring that we preserve the humanity in our system that all of us should want.

One last thing that I will say. Judge Samaniego and I both were in public service, I as a Congresswoman and Judge Samaniego as the County Judge, on a horrific day, August 3, 2019, when a domestic terrorist drove over 10 hours to our community to slaughter Mexicans and immigrants. He used much of the hateful, racist, bigoted, and xenophobic language; this domestic terrorist did, as many politicians in Washington, DC, use, as many politicians in Texas use, and unfortunately, as the President of the United States at the time used. He was inspired by that hateful rhetoric, and he used it to fuel his hatred and massacre 23 people in a Walmart in our community.

So, our words have power. I want to remind our Committee of that. Our words have consequences.

Judge, thank you for being here. It is a privilege to have you here.

Chair JORDAN. I thank the gentlelady from Texas.

Our fourth witness could not be with us today because of the ice storm in Texas. Judge Dale Lynn Carruthers is a County Judge and fourth generation rancher in Terrell County, Texas. She was a lifelong Democrat but switched parties because of the devastating effects of the Biden border crisis on her land and her community.

Her testimony was circulated to Committee Members, but I will briefly summarize her testimony because what she was going to say I think is too important for the American people not to hear.

Judge Carruthers would have testified their once safe community now lives in fear. Neighbors' homes have been burglarized; ranchers have been stalked on their own lands, and high-speed car crashes and chases are a daily hazard. One of Judge Carruthers' neighbors even had his home set on fire by illegal migrants, who did so to get law enforcement to come and pick them up.

Her county's limited resources have been overwhelmed because of the flow of illegal aliens across the border. The local high school has had to be locked due to the criminal activity in their community. Illegal aliens routinely trespass through Ms. Carruthers' land, cutting her fences, and causing other damage to her property. Groups of illegal migrants regularly dress in camouflage to cross the judge's and her neighbors' land. These are not asylum seekers—not asylum seekers looking to turn themselves in to Border

Patrol Agents, but foreign nationals trying to evade law enforcement.

We wish she would have been able to be here today to share her story in person.

We do welcome our witnesses who were able to travel and are here, and we thank you for appearing.

We will begin by swearing you in. Would you please rise and raise your right hand?

Do you swear or affirm, under penalty of perjury, that the testimony you're about to give is true and correct to the best of your knowledge, information, and belief, so help you God?

Let the record show that the witnesses answered in the affirmative.

Thank you.

Please know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize the testimony in five minutes. I know you were told this earlier.

The microphones in front of you have a clock and a series of lights. When the light changes from green to yellow, you should begin to conclude your remarks. It is pretty basic. Green means go. Yellow means get ready to stop. Red means stop.

Mr. Dunn, you may begin. We again thank you for being here and the work you and your wife are doing in your foundation. Like everyone on the Committee, we are sorry for the loss of your son.

Mr. Dunn, you have got your five minutes.

STATEMENT OF BRANDON DUNN

Mr. DUNN. Thank you. Thank you, Committee, for having me here today.

I'm a co-founder of the Forever15Project, a nonprofit that my wife Janel and I started after the passing of our son Noah.

On August 21st, Noah died as a result of fentanyl poisoning—more specifically, illicit fentanyl poisoning. He was 15 years old. He was a sophomore at Johnson High School in Hays County. He was murdered by a drug dealer selling counterfeit Percocet pills. The pill he took contained eight milligrams of fentanyl, which is four times the lethal dose. There was no Percocet in the pill. There were no other drugs in the pill besides illicit fentanyl.

Noah was the third victim in less than two months in Hays County from illicit fentanyl. Kevin McConville, another Hays student, passed away from a counterfeit Xanax that contained illicit fentanyl, and Ryan Garcia, also of Hays CISD, passed from a counterfeit Percocet pill.

Since then, we have attended many seminars and summits, one by the DEA in Houston, Texas. So, now, we're very familiar with all the information regarding illicit fentanyl.

Illicit fentanyl is primarily manufactured in Mexico by the drug cartels and smuggled through our southern border. It is true that most seizures happen at border checkpoints. I believe 60 percent of all fentanyl seized last year was in San Diego and Imperial Valley. However, due to the lethality of this drug, any amount smuggled in a backpack or a fanny pack, or even in somebody's pocket, can be enough to kill thousands of people.

So, as you can see, it's not just a border checkpoint issue. Any amount over, I would—probably under one milligram could be lethal in some instances, but two milligrams is the most common number put out there. Without immediate medical intervention, a person is not likely to survive. That's how fast it kills.

In our activism work, we've come across several families that have also lost their children to this illegal drug or this illicit drug. It's both sides of the political aisle. For us, this isn't a political issue. This is an issue about the safety of our children and the citizens of this country.

We're working with several State legislatures who are primarily Democrats in our area on legislation to stop this from happening as well.

So, it's a definite problem that's impacting our communities. I don't have time to read the names, but in the five-months since Noah's passing, we've met 28 other families who've lost primarily teenagers to this drug. The current statistic is it's the No. 1 killer from 18–45 years old. Honestly, we believe that next year that number will probably drop to 15–45 years old, and we've had some children as young as 13 years old die from this drug.

Thank you.

[The prepared statement of Mr. Dunn follows:]

Testimony of Mr. Brandon Dunn
Co-founder of the Forever15Project
House of Representatives Committee on the Judiciary
The Biden Border Crisis: Part I

Good morning members of the committee. As mentioned, I am the co-founder of the Forever 15 Project. The Forever 15 Project is a non-profit organization founded by my wife, Janel, and me in honor of our son, Noah Rodriguez. Our mission is to spread awareness of the growing fentanyl epidemic through print media, billboards, speaking events, and any other means available to spread our message.

On August 21, 2022 Noah died as a result of fentanyl poisoning. He was 15 years old and a Sophomore at Johnson High School. He was murdered by a drug dealer selling counterfeit Percocet pills. The pill Noah took contained over 8 mg of fentanyl. 2 mg is a lethal dose. There were no other drugs in the pill except fentanyl. Noah was not a drug addict. Noah was not a bad kid. Noah was an honor roll student. An athlete. A good friend, and a great kid. Noah did not come from the "wrong side of town." He came from a good Christian home and has caring and loving parents. He was considering a career in the United States Navy, and wanted to become an underwater welder. He left behind those parents, a now 5 year old sister, a 2 year old sister, and a 6 month old baby brother.

Despite all these good things, he still became a victim of the growing fentanyl crisis. I could sit here and quote all the facts and figures that we have learned by attending DEA presentations, but all of you here know those numbers. Here are some facts and figures most do not know. Between the dates of 7/7/22 and 8/21/22, Hays CISD lost 3 children to fentanyl poisoning. Garrett Garcia age 15 who passed on 7/7/22. Kevin McConville, age 17 who passed on 8/2/22. And Noah Rodriguez, age 15 who passed on 8/21/22. These are just 3 of the children in Hays county that have died this past year. Sadly, we have met many other families across the state of Texas who have lost children as well. Most of these children are under the age of 18 with some of them being 13 and 14 years old. There have also been countless numbers of poisonings in our county that have fortunately not ended in death. Despite our best efforts, our billboards, fliers, news articles and television news stories, public speaking, etc. we continue to lose this fight against fentanyl. This year alone we have had 6 poisonings and 1 fatal poisoning in Hays county. This is a killer that does not discriminate. It kills young and old alike. It gives no regard to race, creed, color, religion, financial or social standing.

Why are we losing this fight? Part of the problem is people are not aware of the dangers of fentanyl. They think it cannot or will not happen to them. However, the majority of the problem is illicit fentanyl is here and available in massive quantities. The DEA knows how it is happening. The DEA knows where it is coming from. However the problem is that despite their efforts, the United States government has simply not gone far enough in policing and shutting down the main route of this product into the country. That is via the southern border. As our non-profits mission is primarily focused on awareness, this is not a topic that is usually addressed by us in our public speaking, interviews, or other media. However it is the "elephant in the room" that no one wants to address. Usually because it ends in heated political discussion. This is not a political issue. It is about life and death. It is also about common

sense. Record amounts of fentanyl are being seized at the southern border year over year over year. Most of these seizures are made at Ports of Entry into the United States. How many are missed? How many pounds of fentanyl are coming across the thousands of miles of sparsely policed or monitored southern border? I was born and raised in Texas. I have been to the border. You can go to Boquillas Canyon in Big Bend National Park and pay a man in a boat \$5 to row you from one side of the Rio Grande to the other. You could bring back whatever you wanted. Maybe you would get stopped by park rangers. Probably not. The nearest checkpoints are hours north on the major roads out of the park. That's great if the smugglers are in cars. Odds are they are going to do everything possible to not go through these. This is just one hundreds, or even thousands of areas where fentanyl may be transported into the country.

We are calling on the United States Government to take decisive action on this epidemic. We need more funding and resources for prevention and awareness. We need more funding and resources at our southern border. We need to deter and prevent these cartels from smuggling their product into the country as well as stiffer penalties for those caught doing so. We need to take significant steps to reduce the uncontrolled flow of people across our southern border. This is not a fight about immigration. It is a fight for the lives of not only our youth, but for all of the citizens of the United States of America.

Chair JORDAN. Thank you, Mr. Dunn. We appreciate you and your wife being here today.

Sheriff, you are recognized for five minutes.

STATEMENT OF MARK DANNELS

Mr. DANNELS. Good morning, Hon. Chair Jordan, Ranking Member Nadler, and distinguished Members of this Committee.

I appreciate the opportunity to address this Committee regarding the status of our southern border from the optics of a community and local law enforcement perspective.

I have served our border communities for 38-plus years, and prior to that, as a member of the United States Army. I currently serve on national, western, and southwest border sheriff associations, and we have three objectives: Public safety, national security, and humanitarian.

In my submitted brief, I have shared with you all the overview of Cochise County and the history of our border. I have personally experienced the good, the bad, and the ugly of being a border county. Currently, this is the ugliest I've experienced. I am proud of our relationships with our local law enforcement partners—local, State, and Federal—that serve our communities.

To best understand my presentation is to understand where we were over two years ago. My county was one of the safest border counties, based on our collective government efforts, messaging, and, yes, enforcement operations supported by the rule of law.

What's the direct impact to my county? My citizens and law enforcement address mostly got-aways, the fight-and-flight syndrome, in my county versus those giving up—100 percent camouflaged migrants being illegally smuggled by the cartels with a price tag of, per undocumented alien, begins at \$7,000 and up. These smugglers include juveniles being recruited via social media by the cartels. Border-related bookings, retention costs within my jail in calendar year 2022 was \$4.3 million, absorbed by my local and State taxpayers.

Border-related crimes are at an all-time high—death, murder investigations, aggravated acts against my citizens, failure to yield, search and rescue, plus recoveries, and, yes, assaults against law enforcement officials. My deputies have been placed in life-threatening scenarios, as the cartels show no regard for my citizens and those that wear a badge.

Agents, troopers, deputies, and officers are addressing dangerous scenarios and criminals as a direct result of an open border being exploited by the criminal cartels for violence, fear, and greed. In calendar year 2022, 1,578 suspects were booked in my jail for border-related crimes. Only 78 were foreign-born.

In 2021, over five million dosages of fentanyl were seized on the Arizona border. In 2022, over 20 million dosages were seized. In 2022, over 12,000 pounds of fentanyl were seized on the Southwest border.

I want to share a personal tragedy with you of a good citizen named Wanda in my county. She was heading to her 65th birthday party to meet her family and her son, when a 16-year-old USC who fled from law enforcement, the deputies, was carrying three un-

documented aliens; ran his vehicle through a red light at deadly speeds, cutting her vehicle in half and killing her.

In closing, my fellow sheriffs and I have tried to partner with this administration, to include the President of the United States—with high hopes to share a collective message, a collective action plan, support the rule of law, prioritize our southern border, and provide updates, reference community impacts and concerns—with little to no success.

By allowing our border security mission and immigration laws to be discretionary, these criminal cartels continue to be the true winners. Their exploitation of mankind is simply modern-day slavery, allowing thousands of pounds of illicit drugs into our country that continue to erode core values of families, schools, and subsequently, killing an average of 300 Americans every day. It's unacceptable at any level.

Experiencing migrant deaths without a reasonable process, while Members of the U.S. Congress and this administration intentional avoid reality, is gross negligence. Our voice of reason has been buried during what I call intellectual avoidance by this administration, and, yes, Members of the U.S. Congress.

Communities have been neglected and abandoned, to rely on our local and State resources to address a border that is in a crisis mode. Our southern border, against all public comfort statements out of Washington, DC, is the worst shape I've ever seen it. When I look at public safety, national security, and humanitarian on our southern border, this is the largest crime scene in this country.

The morale of agents is extremely low, and the collective frustration is very high among law enforcement at all levels, and most important, the citizens of my county. With the efforts, recent efforts to cancel Title 42, this only serves to complex a border that needs immediate immigration reform by the U.S. Congress, but, most important, needs to be secured.

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

I will leave you with this final statement: We all serve the priorities of Americans based on our shared oath of office to keep them safe, enhance their quality of life, and support the rule of law, absent political affiliation or the concern of reelection. I ask each one of you to reflect on this statement as you make your next decision to vote.

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

[The prepared statement of Mr. Dannels follows:]

Mark Dannels
Sheriff

Tom Alinen
Chief of Staff

**Office of the Sheriff
Cochise County**



United States House Committee on the Judiciary

“The Biden Border Crisis: Part I”

**February 1, 2023
10:00 a.m.**

Opening Statement

Good Morning: Mr. Chairman Jim Jordan, Ranking Member Jerrold “Jerry” Nadler and distinguished members of this committee. I appreciate the opportunity to address this committee regarding the status of our southern border from the optics of a community/local law enforcement perspective.

I have served our border communities for 38+ years and prior to that, as a member of our military serving in the U.S. Army stationed at Fort Huachuca located within Cochise County. I have always been a genuine believer in my Oath of Office to protect my Country, and now my County as the duly elected Sheriff for the past 11 years. I am the immediate past-President of the Arizona Sheriffs Association, Chair of the National Sheriffs Association Border Security, on the Executive Board for Western States Sheriffs and an active member of the Southwest Border Sheriffs.

All these associations share 3-Objectives:

Public Safety, National Security and Humanitarian.

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

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

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

To best understand my presentation is to understand where we were over 2 years ago. My county was one of the safest border counties based on our collective governmental efforts, messaging and yes, enforcement efforts supported by the Rule of Law.

The direct impact to my county/office:

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

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

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

Border Related Booking (Detention) Costs in calendar year 2022 was \$4.3 million, absorbed by my local and state taxpayers.

Border-related Crime at an all-time high:

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

I have had my deputies being placed in life-threatening scenarios as the Cartels shows no regard for my citizens and/or those that wear a badge. Example: a Death Threat from the Cartel to kill one of my deputies.

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

In calendar year 2022: 1578 Suspects booked into my jail for border-related crimes
78 were foreign born

In 2021, over 5 million dosages of Fentanyl were seized on the Arizona border
In 2022, over 12,000 pounds of Fentanyl was seized on the SW Border

Personal Tragedy I would like to share: a good citizen "Wanda" of my county was driving to her 65th birthday party when she was struck by a 16-year-old smuggler who had 3-UDAs in his vehicle drove through a red light at deadly speeds cutting her vehicle in half and killing her only moments later to have her son drive up on the scene.

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

By allowing our border security mission and immigration laws to be discretionary, these Criminal Cartels continue to be the true winners, their exploitation of mankind is simply “Modern Day Slavery”; allowing thousands of pounds of illicit drugs into our country that continue to erode the core-values of families, schools and subsequently killing Americans on an average of 270 every day is completely unacceptable at any level. Experiencing migrant deaths without a reasonable process while U.S. Congress and this Administration intentionally avoids reality is gross negligence.

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

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

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

With the recent efforts to cancel Title 42, this only serves to complex a border that needs immediate Immigration Reform by U.S. Congress, but most important, needs to be secured.

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

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

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

Mark Dannels
Sheriff

Tom Alinen
Chief of Staff

Office of the Sheriff Cochise County



United States House Committee on the Judiciary

Introduction

Testimony of Mr. Mark J. Dannels, Cochise County Sheriff, Arizona before the United States House of Representatives Committee on the Judiciary reference a scheduled hearing on "The Biden Border Crisis Part I." The hearing will be held on Wednesday, February 1st, 2023 at 10:00 a.m..

Chairman Jim Jordan, Ranking Member Jerrold Nadler and Distinguished Members of this Committee, thank you for the invitation to speak to you today on this very important subject reference: **Public Safety, National Security, and Humanitarian.**

History of Cochise County

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

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

Unlike other border counties in Arizona, Cochise County is unique in that there are two cities in the Republic of Mexico situated on the international border within the county. The cities of Agua Prieta and Naco, with an estimated population of 80,000 and 10,000 respectively, are well know to U.S. Law Enforcement officials as staging and operational centers for one of Mexico's largest and most notorious drug cartels. The Sinaloa Cartel has long employed the use of local

Mexican Drug and Human Trafficking Organizations (DTOs) to carry out the Cartel's illegal distribution and transportation into and throughout the United States.

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

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

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

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

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

Having the true-life experience to live and work as a law enforcement officer/deputy and now Sheriff in Cochise County since 1984, it has been an educational lesson for me reference border security. I have witnessed the escalation of violence by these careless assailants on our citizens

raising the question, who actually controls our borders? Cochise County has become known as the gateway to illegal activity for those unlawfully entering the United States.

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

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

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

Over the last couple of years, our southern border has drastically changed. Additionally, addressing a health pandemic during a drastic change has negatively impacted our community's Quality of Life. Title 42 was enacted under President Donald Trump and remains today, providing Customs & Border Patrol and my communities some relief. I respect the decision/debate to cancel Title 42, but sadly with lack of a shared action plan or collective message, the concerns by my fellow Sheriffs, Police Chiefs and our federal partners, promotes great concern. Sheriffs from National, Western and Southwest Associations have tried tirelessly to work with this administration with little to no success. It would be an understatement to say Sheriffs are frustrated.

I have personally experienced our once manageable border become a crisis over the last 24 months supported by the attached statistics and increased criminal activity. The Covid health pandemic placed many restrictions on foreign travel, but the conversation regarding illegal entry at our southern border was neglected by our federal leaders. The health exposure and risk experienced by law enforcement officers, deputies and agents became secondary in public restrictions and concerns. In fact, the intellectual avoidance by this administration to actively engage and support our efforts has been absent. Certain members of U.S. Congress continue to ignore our immigration laws/crisis abandoning communities as they struggle to address these challenges. I would remind my fellow elected leaders, we share the same Oath of Office to protect this great country, not to be driven by personal ideologies, but by and for the People.

The existing border plan has been in place for over 26 years and the following are some thoughts regarding the plan in current time:

- An increase in illegal smuggling/activity between the protected areas (ports)
- Increase in larger groups of undocumented aliens between the protected areas (ports)
- Increase in illegal activity outside the protected areas (ports)
- Fear/Frustration increased in rural Cochise County/Southwest Border
- Ranch and Farmlands damaged due to increased illegal activity
- Property (fencing, livestock, waterlines, etc.) damaged
- Burglaries/Thefts increased in rural Cochise County/Southwest Border
- Social Media has become a venue for smuggling recruitment mainly focused on juveniles
- Violent Crimes increased i.e., Homicides, Assaults, Rapes, Drug and Human Smuggling, etc. in rural Cochise County/Southwest Border
- Transnational Cartels/Smuggling Organizations controlled and set up smuggling routes in rural Cochise County/Southwest Border
- Lack of Border Patrol Agents directly on border
- Secondary checkpoints were established as a secondary deterrent but remain closed the majority of the time due to staff shortages
- Lack of Re-Definition to the plan of the 90s (time erased history)
- Loss of recreational land use due to fear of criminal activity
- Economic decline (Cochise County largest decrease in population)
- Legacy Ranches being sold
- Lack of Federally elected leaders to address unsecure border/fears creating a lack of trust and anger by citizens
- Questionable consequences by federal government by those committing border crimes
- Undue pressure on local law enforcement/Sheriffs to address issues, fear, and consequences for those committing crimes
- Lack of funding for local law enforcement/criminal justice system/corrections in order to address border crimes at the local level due to federal government lack of intervention
- Border Security shall be a Mandate, not a Discretionary program
- Border Security v. Immigration Reform (two different programs not to be blended)
- Lack of Trust and Confidence in our Federal Government

Action-Based Solutions Local-State Government

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

As the Sheriff of Cochise County, I embrace my elected and statutory duty (oath of office to support the United States Constitution and the Arizona Constitution) to protect and secure the

Freedoms and Liberties of my citizens, with or without the help of our federal law enforcement partners/policy makers. No longer a debate by those that live in the rural parts of the southwest border, the rural parts of the Southwest Border are NOT secure and are vulnerable for ALL types of transnational criminal activity.

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

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

Recommendations Federal Government

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

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

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

Summary

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

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

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

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

Respectfully Submitted,

Mark J. Dannels

Sheriff Mark J. Dannels

Attachments

- a. Sheriff Mark Dannels' Bio
- b. CCSO Annual Message 2023
- c. CCSO Annual Message 2022
- d. Forest Service Coronado National Forest Letter
- e. Western States Sheriffs' Association Letter October 7, 2022
- f. National Sheriffs' Association Letter August 1, 2022
- g. State of Arizona Legislative Proclamation May 25, 2022
- h. Cochise County Board of Supervisors Letter May 20, 2022
- i. State of Arizona Governor Douglas Ducey Letter May 10, 2022
- j. National Sheriffs' Association Letter May 9, 2022
- k. Arizona Sheriffs' Association Letter May 4, 2022
- l. Arizona Sheriffs' Association Resolution 2022-01
- m. National Sheriffs' Association Letter April 19, 2022
- n. Southwest Border Sheriffs' Coalition Letter April 19, 2022
- o. Texas Border Sheriffs' Coalition Letter April 19, 2022
- p. U.S. Senator Mark Kelly Letter April 6, 2022
- q. Western States Sheriffs' Association Resolution 22-1 March 3, 2022
- r. Arizona Sheriffs' Association Letter January 19, 2022
- s. Arizona Sheriffs' Association Letter January 19, 2022
- t. Western States Sheriffs' Association Position Paper
- u. National Sheriffs' Association Letter October 4, 2021
- v. National Sheriffs' Association Letter May 27, 2021
- w. 21-Photos reference Cochise County Border Crisis



Sheriff Mark J. Dannels

Since November 2012, Sheriff Mark J. Dannels has been elected by the good citizens of Cochise County to serve as their 26th Cochise County Sheriff since 1881. I continue to be Humbled, Honored and Dedicated to my oath of office for this incredible opportunity to serve you all with my personal commitment to sustain your Quality of Life as you would expect and your Freedoms and Liberties as scribed in the United States and Arizona Constitutions.

Sheriff Mark J. Dannels is a 38-year veteran of law enforcement. He holds a master's degree in Criminal Justice Management from Aspen University and is a Certified Public Manager from Arizona State University. He has over 3000 hours of law enforcement training in his portfolio. He attended Disney's Leadership and Executive Training programs and is a graduate of the Rural Executive Management Institute. He began his law enforcement career in 1984 after serving a successful tour in the United States Army. He progressed through the ranks with the Cochise County Sheriff's Office to the position of Deputy Commander after working numerous specialty assignments and leadership roles to include an appointment by the Arizona Governor for his dedicated efforts directed toward highway and community safety.

Sheriff Dannels is a long time member of the Fraternal Order of Police, past member of the U.S. Department of Homeland Security Advisory Council, current member of the National Sheriffs Association where he serves as the Border Security Chairman, Southwest Border Sheriffs, Western Sheriffs Association Executive Board, Arizona Sheriffs Association where he serves as President, Chair of the Arizona Peace Officer Standards and Training Board, Arizona Homeland Security-Regional Advisory Council, Alliance to Combat Transnational Threats, Border Security Advisory Council, High Intensity Drug Trafficking Area and serves on several community service groups; San Pedro Kiwanis, Just Kids Inc., CASA, Sierra Vista Elks, the Boys and Girls Club of Sierra Vista, the Varsity Wrestling Coach at Buena High School, and teaches at Wayland Baptist University and Cochise College. Sheriff Dannels participates in many community outreach programs such as Project Graduation, Sizzle, Stocking Stuffers, Community Haunted House, Men who Cook, Kars for Kids, Miss Sierra Vista and Shop with a Cop.

Sheriff Dannels has been recognized and awarded the Medal of Valor, Western States Sheriff of the Year, Outstanding Business Person of the Year, Marquis Who's Who, Sheriff's Medal, Deputy of the Year, Distinguished Service Award, Unit Citation Award, National Police Hall of Fame, Lifesaving Award and dozens of community-service awards from service groups and governmental organizations.

Sheriff Dannels is married to Nickie, a Registered Nurse. They have three sons, Justin, a Police Officer/Corporal with the City of Sierra Vista, Ryan a Firefighter/Paramedic with the City of Sierra Vista, and Corey, a Lineman with the Sulphur Springs Valley Electric Cooperative.

Sheriff Dannels has 3 primary objectives: Organizational Development, Border Security and Community Outreach.

"A Sheriff for All the People"

Mark Dannels
Sheriff

Tom Alinen
Chief of Staff

Office of the Sheriff
Cochise County



Sheriff's Annual Message

2023

Another Year has quickly passed, and the lessons and successes are now engrained within our legacy. The legacy of this office is rich with history brought forth by the plethora of talented men and women who have served our mission. That's where I would like to begin with this year's annual message.

In a time where organizations continue to face many challenges, leadership plays an instrumental role in addressing these complex times. Our leaders must understand that in today's workplace, there's not a single answer to motivate our team-members. We must maximize your talents in such a way that it collectively compliments the mission. The validation of our team-members is vital to the overall success of this office.

In this ever-changing workplace terrain, leaders need to think differently about how to motivate their teams. Leaders must be innovative, creative, and forward thinking. Diverting from the traditional ways of leading that have become too predictable and uninspiring are essential.

My cultural expectations begin with my senior leaders with transparent transition down to each one of you. These expectations include the following: Developing You, Leading Change, Navigating different Perspectives, Leading Teams and Career Confidence and Security. Leadership is simple, but never easy! I have great confidence with my leadership teams and will continue to empower and challenge them to adhere to the words within this annual message to promote our community message, mission and most important, you.

My priorities in 2023 are defined based on two words, "**Investment and Reputation.**" I will begin with Investment.

The personal and professional investments you make every day enhances our abilities and opportunities. The countless educational, prevention and enforcement grants and programs, team-member market adjustments, recruitment and retention, state of the art equipment and technology, updated training and our continued community support come from your willingness to do what's legally, morally, and ethically "Right". We will always enforce the Rule of Law based on the facts, absent politics, opinions, social media, and emotions.

Secondly, our earned and respected reputation are integrated into our community culture. A culture that embraces and dictates our behavior supported by our public safety Oath of Office. We are Role Models and when we fail to fulfill this obligation, one must make that difficult decision, "Are able to serve others?" I am so proud of the men and women who without thought and unselfish

commitment place their lives in danger to help their fellow man. You truly are the strength and foundation to all our achievements promoting a continued legacy for this office.

In closing, your health, welfare, and safety are always paramount to me. Sadly, last year proved to be a year of uncertainty and great danger to the men and women of this office. As demonstrated over the last year and beyond, my leadership team and myself will "always" be there in your time of need to ensure you and your family have the support, resources, comfort, and structure to address these life-threatening scenarios. You'll **never** be left alone!

Please be vigilant out there and Thank You for your Service to this Office and our Citizens!

With Great Pride and Honor,

Mark J. Dannels

Sheriff Mark J. Dannels

**Office of the Sheriff
Cochise County**

**Mark Dannels
Sheriff**

**Thomas Alinen
Chief of Staff**



**Annual Message from the Desk of Sheriff Mark J. Dannels
2022**

Our law enforcement profession continues to be under a public microscope of scrutiny by those that possess a personal bias toward those that wear the badge. Unfortunately, political ideologies have infected our profession at all levels too. This general application of distaste directed at those that protect your communities and constitutional rights has created a negative impact on our profession.

Rural policing makes up over 88% of all the policing in America leaving less than 12% of policing for urban communities. My 37-year law enforcement career has been enjoyed in rural communities where the layers of bureaucracy are limited, and neighbors still know you by first name. Rural policing is special to me for all the right reasons. But no one can debate that rural policing faces many challenges. Recruitment and retention supported by compensation parity continues to hinder rural policing. Cochise County is no exception.

Since being elected, I have prioritized our loyal team-members with high hopes we can retain and pay these dedicated members a fair and market-driven compensation package. I commend members of our Board of Supervisors and you for sharing our vision as we have sustained competitive salaries for rural Cochise County. My commitment remains steadfast that we must remain competitive to retain our talented and skilled team-members supported by a vigorous marketing and recruiting program. Recruitment and retention are supported by team-member recognition and reward for their public service. An effort I have instilled with all my leadership team. I am proud to showcase the high caliber of men and women that serve this office's community mission.

To refresh our office's 3-objectives; Education, Prevention (awareness) and Enforcement. These blended objectives continue to serve our office well with a focus on Education and Prevention. Any community bond requires a shared trust. The ingredients of trust include your Sheriff's Office embracing a culture of community support. Culture equals behavior that is acceptable to our citizens guided by a progressive training and legal update program. Finally, our primary written expectation will always be our "Oath of Office."

The success of any law enforcement agency rests with its community reputation. I accept, we own our decisions, but the community owns our reputation. I take this action very seriously which reflects the positive reputation we possess with you and throughout the state. Once again, I credit our team-members for this earned reputation.

Additional priorities in 2022 will be our aging jail, continued partnerships, innovative programs in securing our border communities, fiscal responsibilities, implementation of a traffic unit to address traffic concerns with a focus on the impaired driver and most important, the continued relationship we share with you. The role of government shall never be governed within, but by those that we govern for.

I look forward to leading your Sheriff's Office in 2022 and conclude by saying this, "If the past has taught us anything, our challenges have become our successes." Thank you again for this tremendous opportunity as we come together to safeguard our home, Cochise County!

Authored with Respect and Honor,



Sheriff Mark J. Dannels

Allen Clark, Director
Arizona Division of Emergency Management
5636 E. McDowell Road Bldg. M5101
Phoenix, AZ 85008

Dear Mr. Clark:

As you know, on September 16, 2022, representatives from your office, the Arizona Department of Emergency Management (AZDEMA), emailed Coronado National Forest personnel seeking authorization "to place barriers on National Forest land in all areas that currently have gaps in the federal wall." While they did not identify the specific gaps that AZDEMA seeks to address, media reports indicate that the project may entail the placement of approximately 300 containers between 20 and 40 feet in length along an undisclosed extent of National Forest System (NFS) lands. Members of my staff and I communicated verbally over the last two weeks with you and other personnel from your office, advising of the federal regulatory approval process that governs NFS land use and occupancy and that prior approval would need to be obtained before the State could proceed. Your office was also encouraged to communicate its plans to the U.S. Department of Homeland Security.

On the afternoon of October 5, 2022, Forest Service personnel observed approximately 15 shipping containers and associated construction equipment at a staging area just north of the international border on NFS lands in Cochise County. As of October 6, 2022, at least 22 shipping containers, associated construction equipment, and private security personnel were located on the area. The Forest Service did not authorize this occupancy and use. It is my understanding that AZDEMA also intends to transport additional containers to the border and that it proposes to utilize existing roads to transport shipping containers to their intended destinations. Not only has the Forest Service not authorized the placement of any shipping containers on NFS lands, AZDEMA has not identified which roads will be used, how the proposed road use will impact NFS lands, or the extent to which excavation will be required to facilitate the placement of the containers.

As we discussed previously, the process for obtaining a permit is outlined in 36 C.F.R. 251.54. Please provide the requisite information required by this process at your earliest convenience to Adam Milnor, Recreation and Lands Staff Officer, Coronado National Forest, at adam.milnor@usda.gov. Upon receipt of the required information, the Forest Service will assess the information provided against initial screening criteria outlined in the regulations. If the proposal passes the applicable screening criteria, it will also have to be analyzed for effects on the environment in compliance with the National Environmental Policy Act and other federal law.

Meanwhile, please refrain from any further activity associated with the containers on NFS lands, including the use of any equipment, until such time as a proper authorization is secured. If you have any questions about how to comply with the special use authorization process, please reach out to me by email at kerwin.dewberry@usda.gov, or by phone at (520) 262-1652.

Sincerely,

**KERWIN
DEWBERRY**

Digitally signed by
KERWIN DEWBERRY
Date: 2022.10.07
19:44:35 -0700'

Kerwin Dewberry
Forest Supervisor
Coronado National Forest

WESTERN STATES SHERIFFS' ASSOCIATION

474 Rogers Canyon Road
Laramie, Wyoming 82072
Telephone: 307 760 4075
www.westernsheriffs.org



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- South Dakota
Sheriff Fred Lamphere
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- Utah
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- Washington
Sheriff Dave Brown
- Wyoming
Sheriff Danny Glick

October 7, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Ave.
Washington D.C. 20500

Re: Western States Sheriffs' Association (WSSA) support of Southwestern Border Sheriffs' Coalition and Arizona Sheriffs' Association expressed No Confidence in Chris Magnus as CBP Commissioner

Dear President Biden,

The Western States Sheriffs Association represents the Sheriffs across 17 states west of the Mississippi River. Our association works closely with the Texas, New Mexico, Arizona, and California border Sheriffs as well as all of the Sheriffs in the State of Arizona.

The WSSA is aware of the communications sent to you, by the Arizona Sheriffs and the Southwest Border Sheriffs, expressing No Confidence in Chris Magnus in his role as Commissioner of the Customs and Border Patrol.

We as an association concur with both the Arizona Sheriffs as well as the Southwest Border Sheriffs in stating that Commissioner Magnus has failed to build the necessary relationships to effectively curb the influx of illegal immigrants and illicit drugs that are crossing our southern border. State and local law enforcement are carrying the burden of the crisis at the border. The border counties are feeling the weight of the legal ramifications in their local criminal justice systems while simultaneously addressing the humanitarian crisis as well.

We stand in agreement with both organizations that Commissioner Magnus does not see these issues as a priority and also lacks the experience to effectively address the problems that have arisen due to the absence of the enforcement of the rule of law.

With Border security being a primary core mission of the CBP, it has become evident that the lack of effort being put forth by the CBP, under the direction of Commissioner Magnus, to achieve the mission is a disservice to the local communities, law enforcement and the safety and security of the American people.

We stand together with our member Sheriffs in Arizona and across the Southwest Border in expressing no confidence in Commissioner Magnus and agree he is not fit to lead the CBP.

Respectfully,

Sheriff Brett Schroetlin
Grand County, Colorado
President, WSSA



NATIONAL SHERIFFS' ASSOCIATION

Jonathan F. Thompson
Executive Director and CEO

August 1, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear Mr. President:

On behalf of the National Sheriffs' Association (NSA), Major County Sheriffs of America, Western States Sheriffs' Association, and the Southwest and Texas Border Sheriffs Coalitions, I wish to invite you to join our leadership Summit on Wednesday, September 14, 2022 through Thursday, September 15, 2022 in Sierra Vista, Arizona.

The Summit will be a closed meeting where the leaders of these respective groups will convene to discuss the myriad of issues crucial to our nation's public safety. Given the gravity and breadth of issues confronting our members, we would be honored to have you join any portion of the frank, but off-the-record, discussions.

For decades you have seen the challenges law enforcement faces on a daily basis. I know you will find this an excellent opportunity to talk directly with these 50 leaders about your vision for protecting their communities and your efforts to better fund local law enforcement.

The Office of Sheriff is an important and unique tradition in America's law enforcement history. As you know, Sheriffs, with few exceptions, are elected officials who serve as the chief law enforcement officer in their respective jurisdictions. Our members represent 100% of the U.S. population and manage 87% of the nation's jails. The 3,080 sheriffs serve demographically and geographically diverse communities; however, the challenges they face collectively are becoming issues of paramount concern to the nation.

Please note, this event would require all security costs be assumed by The Secret Service and the White House.

I thank you for your consideration of this invitation and, in advance, for your prompt reply. Finally, for more information and logistical details about the conference, your staff can contact NSA's Director of Government Affairs, Loren Hoekstra, at (703) 946-0578 or lhoekstra@sheriffs.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan F. Thompson".

Jonathan F. Thompson
Executive Director and CEO

State of Arizona

Legislative Proclamation

DENOUNCING THE CURRENT CRISIS WITH RESPECT TO THE SOUTHERN BORDER

Whereas, the United States-Mexico border consists of 1,954 miles of varied terrain, including deserts, rugged mountainous areas, forests and coastal areas; and

Whereas, officially established in 1924 by an act of Congress in response to increasing illegal immigration, the United States Border Patrol has primary responsibility for securing the border between ports of entry; and Whereas, Border Patrol agents patrol international land borders and waterways to detect and prevent the illegal trafficking of people, narcotics, and contraband into the United States; and

Whereas, on March 7, 2022, the Western States Sheriffs' Association unanimously passed Resolution 22-1, which outlines the alarming issues facing our nation due to the unchecked illegal immigration crises at our southern border; and

Whereas, the southern border of the United States is currently experiencing an unprecedented number of people attempting to enter the country illegally, with the past fiscal year seeing a 379% increase of border encounters as compared to the previous fiscal year. These 1.7 million individuals represent 164 countries, including countries with suspected terrorist ties, and 63% of them are from countries other than Mexico; and

Whereas, there has likewise been a major increase in apprehensions, expulsions and "gotaways" on the southwest border, with one million encounters and 300,000 getaways between October 1, 2021, and April 11, 2022; and

Whereas, in the past fiscal year, the number of illegal drugs seized has skyrocketed, including 10,000 pounds of fentanyl, 180,000 pounds of methamphetamine, 86,000 pounds of cocaine, 5,000 pounds of heroin and 311,000 pounds of marijuana. Likewise, criminal activity has soared, with law enforcement documenting 60 homicides, 1,178 assaults, 2,138 drug-related or drug trafficking arrests, 825 burglaries, 1,629 DUIs, 336 weapons arrests and 488 sexual assaults; and

Whereas, in a new effort to boost their operations, criminal cartels are using social media platforms as a recruiting tool for human smuggling. Drivers are lured by social media posts promising payment of \$1,500 to \$2,000 for every migrant a person can transport by vehicle to Tucson or Phoenix. Known as "load-car drivers," these individuals are mainly young people, some as young as fourteen years old, who are enticed to pick up undocumented migrants at the border and ferry them to their destinations in exchange for money. Arizona Governor Doug Ducey has called on four social media giants to better monitor their platforms and ban these recruitment posts on their sites; and

Whereas, for individuals who are smuggled into the United States by Mexican and South American cartels, their arrival marks the beginning of years of drug distribution, modern-day slavery, and sex trafficking to pay back the criminal cartels to which they are indebted; and

Whereas, an estimated 8% of the 1.7 million encounters last fiscal year were unaccompanied minors; and

Whereas, tragically, the prior year saw 162 migrant deaths in Southern Arizona; and

Whereas, an uncontrolled border is a security and humanitarian crisis, and the increased violence and the smuggling of illegal drugs, weapons and human beings poses a direct threat to our communities and innocent Americans; and
 Whereas, the current administration has halted construction of a southern border wall, and there are numerous unfinished sections in Arizona; and

Whereas, this administration is not working collaboratively or in good faith with local law enforcement agencies and other state leaders to address the serious issues related to the border; and

Whereas, in April 2021, Arizona Governor Doug Ducey declared a state of emergency at Arizona's southern border; and

Whereas, in February 2022, Arizona Attorney General Mark Brnovich issued a legal opinion determining that the current crisis at Arizona's southern border with the violence and lawlessness of cartels and gangs legally qualifies as an "invasion" under the United States Constitution.

Therefore, Representative Gail Griffin and the following members of the House of Representatives of the State of Arizona denounce the continued breach of our nation's southern border and support safe communities, immediate, decisive action to secure the border and alleviate the security and humanitarian crises associated with illegal immigration.

Dated this 25th day of May 2022



Gail Griffin
Representative Gail Griffin

Rusty Bowers
Speaker of the House Rusty Bowers

Ben Toma
Majority Leader Ben Toma

Leo Biasucci
Majority Whip Leo Biasucci

Travis Grantham
Speaker Pro Tempore Travis Grantham

Brenda Barton
Representative Brenda Barton

Walter Blackman
Representative Walter Blackman

Shawna Bolick
Representative Shawna Bolick

Judy Burges
Representative Judy Burges

Frank Carroll
Representative Frank Carroll

Neal Carter
Representative Neal Carter

Joseph Chaplik
Representative Joseph Chaplik

Regina Cobb
Representative Regina Cobb

David Cook
Representative David Cook

Lupe Diaz
Representative Lupe Diaz

Tim Dunn
Representative Tim Dunn

John Fillmore
Representative John Fillmore

Mark Finchem
Representative Mark Finchem

Jake Hoffman
Representative Jake Hoffman

Joel John
Representative Joel John

Steve Kaiser
Representative Steve Kaiser

John Kavanagh
Representative John Kavanagh

Teresa Martinez
Representative Teresa Martinez

Quang Nguyen
Representative Quang Nguyen

Joanne Osborne
Representative Joanne Osborne

Jacqueline Parker
Representative Jacqueline Parker

Kevin Payne
Representative Kevin Payne

Beverly Pingerelli
Representative Beverly Pingerelli

Michelle Udall
Representative Michelle Udall

Jeff Weninger
Representative Jeff Weninger

Justin Wilmeth
Representative Justin Wilmeth



**Cochise County
Board of Supervisors**

Public Programs...Personal Service
www.cochise.az.gov

ANN ENGLISH
Supervisor
District 2

May 20, 2022

The Honorable Kyrsten Sinema
United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Mark Kelly
United States Senate
Dirksen Senate Office Suite B40B
Washington, D.C. 20510

Dear Senators Sinema and Kelly:

As Chairman of the Cochise County Board of Supervisors and Supervisor for Cochise County District 2, I am writing to express my support for the "Public Health and Border Security Act of 2022". District 2 in Cochise County encompasses both the Douglas (Port Code 2601) and Naco (Port Code 2603) Ports of Entry. I also serve on the Arizona Border Counties Coalition.

With the lifting of Title 42 on May 23, 2022, I fear that federal enforcement agencies and border communities like Cochise County will be overwhelmed by what is anticipated to be a significant increase of migrants attempting to cross into the United States.

According to U.S. Customs and Border Protection (CBP) data, the Tucson sector, which includes Cochise County, had 191,232 encounters with individuals from dozens of countries in FY 2021. This volume is already causing significant stress on the limited resources that are currently available to support enforcement activities and provide humanitarian relief for those seeking to cross into our country.

Border communities, non-profit organizations, and the principal enforcement and federal support agencies, which include CBP and the Department of Health and Human Services, need additional resources. I applaud CBP personnel on the ground for doing the best with what they have, but that is not the way to protect our border, our communities or our nation. There needs to be a firm commitment to providing the necessary resources so that the response is up to the task. This is critical for the safety of the enforcement personnel as well as the welfare of all migrants.

For Cochise County, it is essential that trade and tourism continue without interruption. I fear that starting on May 23rd, CBP will be forced to pull staffing and resources out of day-to-day operations at the ports of entry, including Douglas and Naco, in order to respond to the anticipated influx of migrants at the border. At a time when we are finally seeing our border crossing volumes return to pre-pandemic levels, the potential economic loss to border communities is unacceptable.

1415 Melody Lane, Building G
Bisbee, Arizona 85603
520-432-6200
520-359-3768 cell
520-432-5016 fax
aenglish@cochise.az.gov

It is imperative that decision makers in Washington, D.C. consider the impact of their decisions on the border and those of us who have to live with the consequences. I am grateful for your continued advocacy for the interests of our county and the border region.

Sincerely,

A handwritten signature in black ink that reads "Ann English". The signature is written in a cursive, flowing style.

Ann English
Chairman, Cochise County Board of Supervisors



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

May 10, 2022

Parag Agrawal
Chief Executive Officer
Twitter, Inc.
1355 Market Street, Suite 900
San Francisco, CA 94103

Shou Zi Chew
Chief Executive Officer
Tik Tok, Inc.
5800 Bristol Parkway, Suite 100
Culver City, CA 90230

Evan Spiegel
Chief Executive Officer
Snap, Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405

Mark Zuckerberg
Chief Executive Officer
Meta Platforms, Inc.
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Agrawal, Mr. Chew, Mr. Spiegel, and Mr. Zuckerberg:

It's no secret that our southern border is a mess. As a result of misguided policies and a lack of action by the federal government, a humanitarian crisis and public safety crisis has developed. Last month, an average of 7,800 migrants were apprehended at the Southwest Border each day. Fentanyl is pouring across the border and filling Arizona communities' bloodstreams. Fentanyl overdoses have replaced car accidents as the leading cause of death for people 19 and younger in Pima County. And in 2021, when overdose deaths hit a record high, fentanyl was involved in more than 77% of adolescent overdose deaths. Human trafficking and drug trafficking is rampant — with cartels preying on those seeking refuge for a better life, and facilitating the flow of drugs into American communities. **And — these criminals are using your companies' social media platforms to make it happen.**

Law enforcement at the state, local, and federal levels have seen social media recruiting by the cartels and traffickers increase since 2019, and skyrocket during 2021 and 2022¹. Our law enforcement authorities have tracked countless social media posts and messages which glamorize the money and lifestyle attainable by smuggling. Messages are exchanged between the account operator who posted the content and the interested viewers who engage with the content. Apprehended smugglers share how they get recruited through enticing social media content in interviews with authorities. These are also visible to the public viewer. Offers of \$1,500 - \$2,000 are being made for young people to travel from Phoenix to the border to assist in human trafficking.

¹ Examples of this activity can be found in the attached article from the Sierra Vista Herald. Additional information may be obtained from Arizona law enforcement agencies working on these criminal investigations.

May 10, 2022
Parag Agrawal, Shou Zi Chew, Evan Spiegel, Mark Zuckerberg
Page 2 of 2

The state has directed a great deal of resources towards this problem - declaring an emergency, deploying the national guard, increasing police interdiction and partnering with other states to help with sharing of information. **But we need your help.**

Kids are being lured with the promise of quick cash to aid the cartels in their smuggling operations, break traffic laws to evade police, endanger themselves, passengers, and innocent occupants of other cars and ultimately jeopardize their future all because they responded to an ad on social media. Your companies have established reporting mechanisms for criminal behavior, but we need stronger action to prevent this activity that is drawing our young people into a life of crime. Inaction only enables cartels to victimize countless youth and families. **This crisis presents a real opportunity for you and your companies to take action and make a difference.**

Just as your companies work to protect youth from obscenity and violence on your social media platforms, it's time to protect them from criminal solicitation as well. In screening these ads, your companies can increase the safety of our communities while also protecting these kids from enticement into activity that will ultimately result in their involvement with the judicial system and all the consequences that come with that.

I urge you to stop letting your social media platform be used as a tool for criminal activity, and I welcome your partnership to address this issue. **It's time for the entire social media industry to put a stop to this activity and prevent the exploitation of our youth.**

Sincerely,



Douglas A. Ducey
Governor
State of Arizona

Attachment



NATIONAL SHERIFFS' ASSOCIATION

VERNON P. STANFORTH
President

JONATHAN F. THOMPSON
Executive Director and CEO

May 9, 2022

The Honorable Doug Ducey
Governor of Arizona
1700 West Washington Street
Phoenix, Arizona 85007

Re: The National Sheriffs' Association Supports the *American Governors' Border Strike Force*

Dear Governor Ducey:

On behalf of the National Sheriffs' Association (NSA), we write to applaud you for your leadership, and the 26 Governors across the United States, in establishing the *American Governor's Border Strike Force*. Border Sheriffs are on the front-lines of the deteriorating border situation, and all across America, Sheriffs are also well aware of how the dire situation on the border is impacting interior communities nationwide.

The border crisis is a national security crisis, a humanitarian crisis, and a public health crisis as it fuels an increase in crime, including human trafficking; the spread of Covid-19; and out-of-control opioid, fentanyl, and other illicit drug deaths in every state.

Accordingly, it is our hope that the *American Governors' Border Strike Force* will generate the leverage needed to target the cartels, both operationally and financially. We believe the *Strike Force* can do this by: increasing collaboration amongst all levels of government; improving intelligence gathering and investing in analysis; targeting human smugglers and traffickers; and stopping the flow of illicit drugs across the border and into America's local communities.

In closing, we thank you for working collaboratively with local law enforcement to secure this country's southern border; and, be assured, the National Sheriffs' Association supports the *American Governors' Border Strike Force* as this country's Sheriffs stand ready to enforce the Rule of Law in safeguarding our communities, our counties, our states, and our nation.

Sincerely,

Handwritten signature of Vernon P. Stanforth.

Vernon P. Stanforth
President

Handwritten signature of Jonathan F. Thompson.

Jonathan F. Thompson
Executive Director & CEO

ARIZONA SHERIFF'S ASSOCIATION



1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
TELEPHONE: (602) 252-6563 • FACSIMILE: (602) 254-0969

MARK DANNELS, COCHISE COUNTY SHERIFF, PRESIDENT
MARK LAMB, PINAL COUNTY SHERIFF, VICE PRESIDENT

THE ARIZONA SHERIFF'S ASSOCIATION IS THE ONE UNITED CREDIBLE VOICE REPRESENTING LAW ENFORCEMENT AND PUBLIC SAFETY FOR THE COUNTIES OF ARIZONA

May 4, 2022

The Honorable Doug Ducey
Governor of Arizona
1700 W. Washington Street
Phoenix, AZ 85007

Re: Arizona Sheriffs Support American Governor's Border Strike Force

Dear Governor Ducey:

On behalf of the Arizona Sheriff's Association, we write to applaud the creation of the 26-state American Governor's Border Strike Force. As Arizona's elected law enforcement leaders across the state, we continue to see the border situation deteriorate and it is having real impacts on all of our communities.

The American Governor's Border Strike Force can hopefully generate the leverage needed to target the cartels both operationally and financially by increasing collaboration amongst all levels of government, improving intelligence gathering, investing in analysis, targeting human smugglers, and stopping the flow of illicit drugs into communities all across the nation.

The border crisis is a clear national security concern, humanitarian crisis, public health crisis, and it's fueling the drug epidemic in every state. Thank you for your leadership in bringing 26 states to the table to address this nationwide issue and working collaboratively with local law enforcement to secure our southern border.

We stand ready to enforce the rule of law in Arizona and remain committed to protecting our counties, state, and nation.

Sincerely,

Handwritten signature of Mark Dannels in black ink.

Mark Dannels
President Arizona Sheriff's Association
Cochise County Sheriff

Handwritten signature of Mark Lamb in black ink.

Mark Lamb
Vice-President Arizona Sheriff's Association
Pinal County Sheriff

ARIZONA SHERIFF'S ASSOCIATION



1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
TELEPHONE: (602) 252-6563 • FACSIMILE: (602) 254-0969

MARK DANNELS, COCHISE COUNTY SHERIFF, PRESIDENT
MARK LAMB, PINAL COUNTY SHERIFF, VICE PRESIDENT

THE ARIZONA SHERIFFS ASSOCIATION IS THE ONE UNITED CREDIBLE VOICE REPRESENTING LAW ENFORCEMENT AND PUBLIC SAFETY FOR THE COUNTIES OF ARIZONA

RESOLUTION 2022 - 01 ARIZONA SHERIFF'S ASSOCIATION EXPRESSES NO CONFIDENCE IN VICE PRESIDENT HARRIS

WHEREAS; the Arizona Sheriffs Association (ASA) is an organization comprised of elected county sheriffs who have sworn to maintain the public trust through open, honest, and ethical administration of their respective offices and exercising integrity and professionalism in the use of their constitutional powers and authority; and

WHEREAS; Arizona's Sheriffs work together with our federal partners to secure our communities and country amidst the ongoing crisis at the border. Over the past 12 months we have witnessed the continued breach of the border by illegal immigrants who seek to find refuge in the United States. Many are hoping to reach our homeland in search of a life of freedom. Yet, many will come here with a debt owed to the transnational criminal cartels of Mexico and South America. For some, reaching the United States marks the beginning of years of drug distribution, modern-day slavery, and sex trafficking to pay back the criminal cartels for the privilege of being smuggled into the United States; and

WHEREAS; this is not a new phenomenon. This has been occurring for decades. This is the reason our dedicated officers and agents from Customs and Border Patrol and our nation's Sheriffs are coming together to share a common mission to secure our borders and communities. A collective effort to deter the northward flow of illegal immigrants and drugs continues to be a priority for these law enforcement professionals. Over the last year, the problem at our southern border has continued to get worse with an increase in illicit smuggling and criminal violence challenging every community within our nation; and

WHEREAS; today, we are witnessing a complete and total breakdown of policies compared to past years including over a 379% increase of border encounters compared to the previous fiscal year. The getaway numbers are staggering and result in dangerous criminals flowing into our communities leaving innocent Americans vulnerable; and

WHEREAS; Vice President, Kamala Harris was appointed and sworn into her position under oath to protect the rule of law and Americans. As our nation's Vice President, she is responsible for carrying out those public safety responsibilities delegated to the United States. Since her appointment, we have seen her policies enacted that only serve to dismantle the security of our country and the enforcement efforts of the hard-working federal officers assigned to an extremely difficult task; and

WHEREAS; Arizona's Sheriffs have watched in disbelief as the southern border has turned into an invisible line in the sand. Border Patrol agents have been relegated to daycare supervisors at housing units and when they do attempt to act, they are scrutinized, placed on administrative leave, and investigated for political gain. The tragedy of an invisible border is being realized across the United States as massive amounts of drugs are moving across interstate highways and small rural roads throughout the nation. American citizens continue to die from overdoses in this country at an



ARIZONA SHERIFF'S ASSOCIATION

1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
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MARK DANNELS, COCHISE COUNTY SHERIFF, PRESIDENT
MARK LAMB, PINAL COUNTY SHERIFF, VICE PRESIDENT

THE ARIZONA SHERIFFS ASSOCIATION IS THE ONE UNITED CREDIBLE VOICE REPRESENTING LAW ENFORCEMENT AND PUBLIC SAFETY FOR THE COUNTIES OF ARIZONA

alarming rate every day. Current statistics show that more people have died in the United States from fentanyl overdoses than from COVID in the past 20 months. Fentanyl is coming across our southern border and into the interior of the United States at an alarming and unacceptable rate. Violent crime is increasing throughout the United States and examples of the atrocities carried out by illegal immigrants are beginning to surface in the media.

NOW THEREFORE, BE IT RESOLVED; after witnessing this disaster over the past year and listening to the continued rhetoric and intellectual dishonesty from Vice President Harris, the Arizona Sheriff's Association, must emphatically state our position of having no confidence in the ability of Vice President Kamala Harris, and her leadership within the office of Vice President, to affect any positive outcome on this matter.

FURTHERMORE; we call on President Joe Biden to take the appropriate steps to remove Vice President Kamala Harris from her leadership position and appoint a new leader who can recognize, respect, and enforce the rule of law for the safety and security of our nation along its borders. We demand, and America deserves, a leader who will work collectively with our nation's Sheriffs and the U.S. Customs and Border Patrol to regain control of our nation's southern border. Finally, a decision to make this change must come immediately. If there is a legitimate "matter of national security" for this nation, at this time, this is it. Arizona's Sheriffs, and specifically our border Sheriffs, stand united and ready to work with our federal administration to restore security and safety on our nation's southern border.

Signed the 29th day of April 2022

A handwritten signature in black ink, appearing to read "Mark Dannels".

Mark Dannels
President Arizona Sheriff's Association
Cochise County Sheriff

A handwritten signature in black ink, appearing to read "Mark Lamb".

Mark Lamb
Vice-President Arizona Sheriff's Association
Pinal County Sheriff



NATIONAL SHERIFFS' ASSOCIATION

April 19, 2022

The Honorable Chuck Schumer
322 Hart Building
Washington, D.C. 20510

The Honorable Mitch McConnell
317 Russell Building
Washington, D.C. 20510

Dear Leaders:

On behalf of the National Sheriffs Association and the Border Sheriffs of this Nation, we write today to lend our voice to keeping Title 42 authority for Customs and Border officers intact. Title 42 is a public health authority used by the Centers for Disease Control (CDC) to protect against the spread of communicable disease. The CDC is affirmatively seeking to rescind this policy on May 23, 2022. Title 42 is the only policy provision left since January 2022 that helps to stop the unhealthy (no COVID testing) border crossings by millions of illegal entrants to our Country.

We simply have no border left in Arizona, New Mexico, Texas or Southern California. The Administration since day one, phased out remain in Mexico (overturned by courts), reversed asylum restrictions, implemented 100 day pause on deportations and stopped building the barrier which defines our border. Now, the Administration is ending one of our most effective health measures, Title 42, which seeks to return illegal immigrants to their home country during this pandemic. Today, there are thousands of immigrants in the jungles of the Darien gap headed to the US border. We simply don't know their health status and implore you to keep Title 42 as the last policy we have to keep Americans safe from COVID and a host of other communicable diseases carried by these immigrants.

We have already reached the million-illegal immigrant mark in just 6 short months. This letter addresses Title 42 so we won't speak about the amount of fentanyl, cocaine, methamphetamine, ghost guns, ammunition and other deadly substances flowing across our border at this very moment.

We the undersigned Sheriffs call for the Congress to keep Title 42 and help save American lives.

Respectfully,

A handwritten signature in black ink, appearing to read "Jonathan F. Thompson".

Jonathan F. Thompson
Executive Director/CEO

State Sheriff Associations:

Florida Sheriffs Association
 Idaho Sheriffs' Association
 Illinois Sheriffs' Association
 New York Sheriffs' Association
 Oregon State Sheriffs' Association
 Southwestern Border Sheriffs' Coalition
 Texas Border Sheriffs' Coalition
 Western States Sheriffs' Association

Arizona

Sheriff David Clouse, Navajo County
 Sheriff Mark Dannels, Cochise County
 Sheriff Joseph Dedman, Jr., Apache County
 Sheriff David Rhodes, Yavapai County
 Sheriff Leon Wilmont, Yuma County

Colorado

Sheriff Brett Schroetlin, Grand County

Florida

Sheriff Kevin Rambosk, Collier County

Idaho

Sheriff Kieran Donahue, Canyon County
 Sheriff Dave Kramer, Boundary County

Illinois

Sheriff Ken Briley, Grundy County
 Sheriff Karl H. Groesch, Brown County
 Sheriff Shawn Kahl, Macoupin County
 Sheriff Kerry Loncka, Henry County
 Sheriff Trenton Masterson, Lawrence County
 Sheriff J. Derek Morgan, Wabash County
 Sheriff Michael Ringhausen, Jersey County
 Sheriff Wayne Strawn II, Marshall County
 Sheriff Bennie Vick, Williamson County
 Sheriff Richard Watson, St. Clair County

Indiana

Sheriff Brett Clark, Hendricks County
 Sheriff Jamey Noel, Clark County

Kansas

Sheriff Tim Morse, Jackson County
 Sheriff Jeffrey Richards, Franklin County

Maryland

Sheriff Jeffrey Gahler, Harford County

Massachusetts

Sheriff Tom Hodgson, Bristol County

Missouri

Sheriff Brad Cole, Christian County

Nevada

Sheriff Mike Allen, Humboldt County
 Sheriff Jesse Watts, Eureka County

New Mexico

Sheriff David Black, Otero County

New York

Sheriff Todd Baxter, Monroe County
 Sheriff Brooks Bigwarfe, St. Lawrence County
 Sheriff Ernest Cutting, Chenango County
 Sheriff Richard J. Devlin, Jr., Otsego County
 Sheriff Thomas Dougherty, Livingston County
 Sheriff Carl DuBois, Orange County
 Sheriff Michael J. Filicetti, Niagara County
 Sheriff John Garcia, Erie County
 Sheriff Richard Giardino, Fulton County
 Sheriff David Harder, Broome County
 Sheriff Mark Helms, Courtland County
 Sheriff Don Hilton, Oswego County
 Sheriff Todd Hood, Madison County
 Sheriff Peter Kuminsky, Greene County
 Sheriff W. Timothy Luce, Seneca County
 Sheriff Robert Maciol, Oneida County
 Sheriff Kevin McConville, Putnam County
 Sheriff Robert Milby, Wayne County
 Sheriff Kevin Mulverhill, Franklin County

New York (continued)

Sheriff Philip Povero, Ontario County
Sheriff James Quattrone, Chautauqua County
Sheriff Gregory Rudolph, Wyoming County
Sheriff Patrick A. Russo, Rensselaer County
Sheriff Brian Schenck, Cayuga County
Sheriff Scott Scherer, Herkimer County
Sheriff William Schrom, Chemung County
Sheriff William Sheron, Genesee County
Sheriff Jeffery T. Smith, Montgomery County
Sheriff Ronald Spike, Yates County
Sheriff Rickey Whitney, Allegany County
Sheriff Michael Zurlo, Saratoga County

Texas

Sheriff Roy Boyd, Goliad County
Sheriff Danny C. Dominguez, Presidio County
Sheriff Benny Martinez, Brooks County
Sheriff Joseph Frank Martinez, Val Verde County
Sheriff Jim Skinner, Collin County
Sheriff Donald G. Sowell, Grimes County



Clint McDonald
Executive Director

2020-2022
SWBSC Officers

Sheriff Eusevio Salinas
Chairman
Zavala County, TX

Sheriff Eddie Guerra
1st Vice Chairman
Hidalgo County, TX

Sheriff Mark Dannels
Secretary
Cochise County, AZ

Sheriff David Black
Treasurer
Otero County, NM

Sheriff Joe F. Martinez
Director
Val Verde County, TX

Sheriff Leon Wilmot
Director (PC)
Yuma County, AZ

www.bordersheriffs.us

Southwestern Border Sheriff's Coalition

P.O. Box 821 ★ Junction, TX 76849
Tel: (325) 215-2403

April 19, 2022

Whereas, the Southwestern Border Sheriff's Coalition represents Sheriffs from 4 states whose counties are within 25 miles of the Southern Border or contain a permanent federal checkpoint,

Our membership works together with our federal partners to secure our communities and country amidst the ongoing crisis at the border. Over the past 12 months we have witnessed the continued breach of the border by illegal Immigrants who seek to find refuge in the United States. Many are hoping to reach our homeland in search of a life of freedom. Many will come here with a debt owed to the transnational criminal cartels of Mexico and South America. For some, reaching the United States marks the beginning of years of drug distribution, modern-day slavery, and sex trafficking in order to pay back the criminal cartels for the privilege of being smuggled into the United States And,

Whereas, this is not a new phenomenon. This has been occurring for decades. This is the reason our dedicated Officers and Agents from Customs and Border Patrol and our Nation's Sheriffs are coming together to share a common mission to secure our borders and communities. A collective effort to deter the northward flow of illegal immigrants and drugs continues to be a priority for these law enforcement professionals. Over the last year, the problem at our southern border has continued to get worse with an increase in illicit smuggling and criminal violence challenging every community within our nation And,

Whereas, Today, we are witnessing a complete and total breakdown of policies compared to past years. Over a 379% increase of border encounters compared to the previous fiscal year. The getaway numbers are staggering resulting in dangerous criminals flowing into our communities leaving innocent Americans vulnerable. What is significantly concerning is the fact that these are individuals from over 160+ countries and some from countries of special interest with terrorist ties. The Vice President, Kamala Harris was appointed and sworn into her position under her Oath of Office to protect the Rule of Law and Americans. As our nation's Vice President, she is responsible for carrying out those public safety responsibilities delegated to the United States. Since her appointment, we have seen her policies enacted that are focused on her personal and political ideologies that only serve to dismantle the security of our country and the enforcement efforts of the hard-working federal officers assigned to an extremely difficult task And,

Whereas, America's Sheriffs have watched in disbelief as the southern border has turned into an invisible line in the sand. Border Patrol agents have been relegated to daycare supervisors at housing units and when they do attempt to act, they are scrutinized, placed on administrative leave and investigated for political gain. The tragedy of an invisible border is being realized across the United States. Massive amounts of drugs are moving across the interstate highways and small rural roads to a town near you. American citizens continue to die from overdoses in this country at an alarming rate each and every day. Current statistics show that more people have died in the United States from fentanyl overdoses than from COVID in the past 20 months. Fentanyl is coming across our southern border and into the interior of the United States at an alarming and unacceptable rate. Violent crime is increasing throughout the United States and examples of the atrocities carried out by illegal immigrants are beginning to surface in the media.



THEREFORE, BE IT RESOLVED BY THE MEMBERSHIP OF THE SOUTHWESTERN BORDER SHERIFF'S COALITION

After witnessing this disaster over the past year and listening to the continued rhetoric and intellectual dishonesty from Vice President Harris, The Southwestern Border Sheriff's Coalition, and its membership must emphatically state our position of having **NO** confidence in the ability of Vice President Kamala Harris, and her leadership within the office of Vice President, to affect any positive outcome on this matter.

Furthermore, we call on President Joe Biden to take the appropriate steps to remove Vice President Kamala Harris from her leadership position and appoint a new leader who can recognize, respect, and enforce the rule of law for the safety and security of our nation along with the southern and northern borders. We demand, and America deserves, a leader who will work collectively with our nation's Sheriffs and the U.S. Customs and Border Patrol to regain control of our nation's southern border. Finally, A decision to make this change must come immediately. If there is a legitimate "matter of National Security" for this nation, at this time, this is certainly one. America's Border Sheriffs, and specifically our southwest border Sheriffs, stand united and ready to work with our federal administration to restore security and safety on our nation's southern border.

PASSED UNANIMOUSLY BY THE MEMBERSHIP OF THE SOUTHWESTERN BORDER SHERIFF'S COALITION AT THE BUSINESS MEETING IN EL PASO, TEXAS ON APRIL 12, 2022

A handwritten signature in blue ink that reads 'William C. McDonald'.

William C. McDonald
Executive Director
Southwestern Border Sheriff's Coalition

Texas Border Sheriff's Coalition

P.O. Box 821 ★ Junction, TX 76849
Tel: (325) 215-2403



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Kinney Co.

First Vice-Chair
Sheriff Eusevio Salinas
Zavala Co.

Second Vice-Chair
Sheriff Tom Schmerber
Maverick Co.

Secretary/Treasurer
Sheriff Joe Frank Martínez
Val Verde Co.

Sergeant-at-Arms
Sheriff Urbino Martínez
Brooks Co.

Director
Sheriff Ray Del Bosque
Zapata County, TX

Director
Sheriff Danny Dominguez
Presidio Co.

April 19, 2022

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PASSED UNANIMOUSLY BY THE MEMBERSHIP OF THE SOUTHWESTERN BORDER SHERIFF'S COALITION AT THE BUSINESS MEETING IN EL PASO, TEXAS ON APRIL 12, 2022

William C. McDonald
Executive Director
Southwestern Border Sheriff's Coalition

MARK KELLY
ARIZONA
516 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2285

United States Senate
WASHINGTON, DC 20510-0309

COMMITTEES
AGING
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
ENVIRONMENT AND PUBLIC WORKS
JOINT ECONOMIC COMMITTEE

April 6, 2022

Honorable Merrick B. Garland
United States Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Attorney General Garland:

I write to you deeply concerned about the increase in drug trafficking and human smuggling and trafficking activity along the southern border. More must be done by the Department of Justice as Arizona continues to bear the brunt of this criminal activity.

Your agency plays a key role in the effort to combat the transnational criminal organizations operating drug and human trafficking and smuggling operations, and provides much needed support to dismantling these criminal groups. However, something I hear from our local law enforcement is that the efforts to hold criminals accountable for these crimes is falling on local prosecutors. This means that our state and local communities are fronting the cost of these crimes. Given the transnational nature of the criminal rings committing these offenses and the Federal government's duty to stop drug and human trafficking and smuggling, the Federal government should take on the obligation of also prosecuting those individuals. Yet, that is not what is being experienced by our local law enforcement. Your support is needed to help secure the border and strengthen our local border economies by taking a lead on the prosecutorial efforts to combat these criminal groups.

I urge the Department of Justice to take a lead role in combatting and prosecuting these international criminal organizations carrying out drug trafficking and human smuggling operations throughout our border communities. The Joint Task Force Alpha puts the Department of Justice in the ideal place to combat not only the most prolific and dangerous drug and human smuggling and trafficking groups operating internationally in Mexico and Central America, but also the network of individuals that carry out their daily operations along the border and in the United States. With your office leading and working together with state, local and Tribal law enforcement, I believe we can secure the border and our communities from criminal elements without letting the cost of bringing these criminal groups to justice fall on our State and local governments.

Sincerely,



Mark Kelly
United States Senator

cc: Gary M. Restaino, U.S. Attorney for District of Arizona

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2201 E CAMELBACK RD
SUITE 115
PHOENIX, AZ 85016
PHONE: (602) 671-7901

PRESCOTT
107 N CORTEZ ST
SUITE 101
PRESCOTT, AZ 86301
PHONE: (928) 420-7732

TUCSON
409 W CONGRESS ST
SUITE 108
TUCSON, AZ 85701
PHONE: (520) 475-8177

**2022 EXECUTIVE BOARD:**

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 Grand County, CO

1st VICE PRESIDENT
 Sheriff Corey Helton
 Lea County, NM

SECRETARY
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 Sheriff Mark Dannels
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 Sheriff Pat Rummell
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 Sheriff Fred Lamphere
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 Sheriff Gerald Yezak
 Utah
 Sheriff Steven White
 Washington
 Sheriff Dave Brown
 Wyoming
 Sheriff Danny Glick

WESTERN STATES SHERIFFS ASSOCIATION

474 Rogers Canyon Road
 Laramie, Wyoming 82072
 Telephone: 307 760 4075
www.westernsheriffs.org

Western States Sheriffs' Association

Resolution 22-1

Border Security Committee Resolution

Submitted by Committee Chair Sheriff Mark J. Dannels

Unanimous Vote of Support by Committee Membership on 03/07/2022

No Confidence in Vice President Kamala Harris

Whereas, the Western States Sheriffs Association represents Sheriffs from 17 states. Our membership continues to work together to assist our nation's southern border Sheriffs in the ongoing crisis at the border. Over the past 12 months we have witnessed the continued breach of the border by illegal Immigrants who seek to find refuge in the United States. Many are hoping to reach our homeland in search of a life of freedom. Many will come here with a debt owed to the transnational criminal cartels of Mexico and South America. For some, reaching the United States marks the beginning of years of drug distribution, modern-day slavery, and sex trafficking in order to pay back the criminal cartels for the privilege of being smuggled into the United States And,

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THEREFORE, BE IT RESOLVED BY THE MEMBERSHIP OF THE WESTERN STATES SHERIFFS' ASSOCIATION,

After witnessing this disaster over the past year and listening to the continued rhetoric and intellectual dishonesty from Vice President Harris, The Western States Sheriffs' Association, and its membership must emphatically state our position of having **NO** confidence in the ability of Vice President Kamala Harris, and her leadership within the office of Vice President, to affect any positive outcome on this matter.

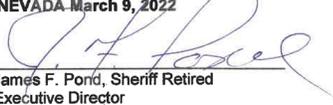
Furthermore, we call on President Joe Biden to take the appropriate steps to remove Vice President Kamala Harris from her leadership position and appoint a new leader who can recognize, respect, and enforce the rule of law for the safety and security of our nation along with the southern and northern borders. We demand, and America deserves, a leader who will work collectively with our nation's Sheriffs and the U.S. Customs and Border Patrol to regain control of our nation's southern border.

Finally, A decision to make this change must come immediately. If there is a legitimate "matter of National Security" for this nation, at this time, this is certainly one. America's Western Sheriffs, and specifically our southwest border Sheriffs, stand united and ready to work with our federal administration to restore security and safety on our nation's southern border.

PASSED UNANIMOUSLY BY THE MEMBERSHIP OF THE WESTERN STATES SHERIFFS ASSOCIATION AT THE 2022 GENERAL BUSINESS MEETING, RENO NEVADA March 9, 2022



Sheriff Brett Schroetlin
President,
Western States Sheriffs Association



James F. Pond, Sheriff Retired
Executive Director
Western States Sheriffs Association



ARIZONA SHERIFF'S ASSOCIATION

1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
TELEPHONE: (602) 252-6563 • FACSIMILE: (602) 254-0969

MARK DANNELS, COCHISE COUNTY SHERIFF, PRESIDENT
MARK LAMB, PINAL COUNTY SHERIFF, VICE PRESIDENT

THE ARIZONA SHERIFF'S ASSOCIATION IS THE ONE UNITED CREDIBLE VOICE REPRESENTING LAW ENFORCEMENT AND PUBLIC SAFETY FOR THE COUNTIES OF ARIZONA

January 19, 2022

The Honorable Mark Kelly
Arizona Senator
516 Hart Senate Office Building
Washington, D.C. 20510

Re: Arizona Sheriffs Demand Action to Address Border Crisis

Dear Senator Kelly:

As we enter a new year, we urge you to take action and not wait another day to address the border crisis in our home state. It is negligent to let another day, week, month, or year pass without Arizona's US Senators leading on a solution to solve the revolving door border policy that negatively affects our state.

As Arizona's elected law enforcement leaders across the state, we continue to see the border situation deteriorate and it is having real impacts on all of our communities.

The border crisis is a clear national security concern, humanitarian crisis, public health crisis, and it's fueling the drug epidemic in every state. We are sure you know the record-breaking statistics from this past year of failed border policies, but here are a few highlights to better understand the totality of the circumstances:

- This past year the US broke the record for most drug overdose deaths, with over 100,000 Americans dying of drug overdoses, an increase of 28.5% from the previous year. These drugs are coming through in massive quantities because of federal inaction.
- In FY21 CBP alone arrested illegal border crossers with dangerous previous convictions that include:
 - 1,178 people with previous convictions for assault,
 - 2,138 for illegal drug possession or trafficking,
 - 825 for burglary, 1,629 for driving under the influence,
 - 336 for illegal weapons possession,
 - 60 for homicide,
 - and 488 for sexual offenses.

Just how many records have to be broken before the US Senate takes action to protect our Arizona communities?

From the Yuma County farmers who have to throw away an entire field of crops due to illegal immigrants trespassing through their fields, to the parents in Pinal County dealing with the death

of their teenagers due to fentanyl overdoses, to the Cochise County family of a woman killed in a car crash which was caused by a human smuggler transporting people illegally, these heartbreaking consequences are preventable.

Governor Ducey has drafted federal legislation that the Arizona Sheriff's Association supports. We urge you to take immediate action to introduce it and work with your colleagues to get it to the President's desk. This legislation provides the minimal action that needs to be taken before any other effort to address our country's drug problem will be effective. It includes the following provisions:

- Completion of the border wall, physical barriers and virtual surveillance;
- A requirement that asylum seekers who have traveled through another country must have attempted to claim asylum in that country;
- A requirement for asylum seekers to claim asylum at a port of entry;
- An increase in immigration judges;
- Additional funding for local law enforcement and humanitarian efforts; and
- That the federal government or its representatives must make clear that the United States' borders are not open for immigration except through a port of entry and through legal means.

As the highest elected law enforcement leaders, we are calling on you for action. We have spent countless time briefing and giving tours to engaged congressional members from around the country who travel thousands of miles to learn from professionals about a border crisis, so we know there's genuine interest in solving this problem. Now we need to hear from our United States Senators that you're willing to engage and fix this problem. We need your support and we need it now!

We stand ready to enforce the rule of law in Arizona and committed to protecting our counties, state, and nation, and we want you to join us.

Sincerely,



Mark Dannels
 President Arizona Sheriff's Association
 Cochise County Sheriff



Mark Lamb
 Vice-President Arizona Sheriff's Association
 Pinal County Sheriff



ARIZONA SHERIFF'S ASSOCIATION

1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
TELEPHONE: (602) 252-6563 • FACSIMILE: (602) 254-0969

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MARK LAMB, PINAL COUNTY SHERIFF, VICE PRESIDENT

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Washington, D.C. 20510

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Sincerely,



Mark Dannels
President Arizona Sheriff's Association
Cochise County Sheriff



Mark Lamb
Vice-President Arizona Sheriff's Association
Pinal County Sheriff

WESTERN STATES SHERIFFS ASSOCIATION

474 Rogers Canyon Road
Laramie, Wyoming 82072
Telephone: 307 760 4075
www.westernsheriffs.org



2020 EXECUTIVE BOARD:
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Sheriff Leo Dutton
Lewis and Clark County, MT

1st VICE PRESIDENT
Sheriff Brett Schroetin
Grand County, CO

SECRETARY
Sheriff Corey Helton
Lea County, NM

TREASURER
Sheriff Gary Betancourt
Gilliam County, OR

SGT AT ARMS
Sheriff Ray Del Bosque Jr
Zapata County, TX

PAST PRESIDENT
Sheriff Fred Lamphere
Butte County, SD

EXECUTIVE DIRECTOR
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State Representatives

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Kansas
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Montana
Sheriff Tony Harbaugh
Nebraska
Sheriff Bill Brueggemann
Nevada
Sheriff Ron Unger
New Mexico
Sheriff Tony Mace
North Dakota
Sheriff Pat Rummell
Oklahoma
Sheriff Shannon Smith
Oregon
Sheriff John Gantney
South Dakota
Sheriff Fred Lamphere
Texas
Sheriff Gerald Yezak
Utah
Sheriff Steven White
Washington
Sheriff Dave Brown
Wyoming

Western States Sheriffs' Association

Position Paper

No Confidence in DHS Secretary Mayorkas

The Western States Sheriffs' Association represents Sheriffs from 17 States. Our membership continues to work together to assist our nation's southern border Sheriffs in the ongoing crisis at the border. Over the past 10 months we have witnessed the continued breach of the border by illegal immigrants who seek to find refuge in the United States. Many are hoping to reach our homeland in search of a life of freedom. Many will come here with a debt owed to the drug cartels of Mexico and South America. For some, reaching the United States marks the beginning of years of drug distribution, slavery, and prostitution in order to pay back the drug cartels for the privilege of being brought to the U.S.

This is not a new phenomenon. This has been occurring for decades. This is the reason our Border Patrol, southern border Sheriffs and Immigration and Customs enforcement exists. A concerted effort to curb the northward flow of illegal immigrants has long been the focus of these enforcement officers. For the past several years, much effort and financial resources was focused on the southern border and a great deal of progress was made in limiting the number of illegal crossings.

Today we are witnessing a complete and total breakdown of efforts of the past several years. Over a million illegal crossings already this year. Hundreds of thousands of illegal immigrants who we know for sure entered this country illegally and were never intercepted by law enforcement. What is significantly concerning is the fact that these are individuals from over 160+ different countries and some of those are from special interest countries with terrorist ties. The Secretary of Homeland Security, Alejandro Mayorkas was appointed and sworn into his position to follow the rule of law in securing our nation. Secretary Mayorkas is the head of the Department of Homeland Security and tasked with carrying out those public safety responsibilities delegated to the United States. Since his appointment we have seen his policies enacted that are personal and political ideologies that continue to dismantle the security of our country and the enforcement efforts of the hard-working federal officers assigned to an extremely difficult task.

America's Sheriffs have watched in disbelief as the southern border has turned into an invisible line in the sand. Border patrol agents have been relegated to daycare supervisors at housing units and when they do attempt to act, they are scrutinized, placed on administrative leave, and investigated for political gain. The tragedy of an invisible border is being realized across the United States. Massive amounts of drugs are moving across the patchwork of interstate highways and small rural roads to a town near you. American citizens continue to die from overdoses in this country at an alarming level each and every day. Statics now show that more people have died in the U.S. from fentanyl overdoses than from COVID in the past 20 months. Fentanyl is coming across our southern border and into the interior of the U.S. at alarming and unacceptable levels. Violent crime is increasing in major cities and examples of the atrocities carried out by illegal immigrants are beginning to surface in the media when the media exhibits the courage to report it.

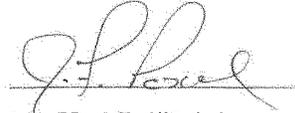
After witnessing this disaster over the past several months and listening to the continued rhetoric and Intellectual dishonesty from Secretary Mayorkas, The Western States Sheriffs' Association, and its membership must emphatically state our position of having NO confidence in the ability of the Secretary Mayorkas, and his leadership within the Department of Homeland Security, to affect any positive outcome on this matter.

We call on President Biden to take the appropriate steps to remove Secretary Mayorkas from his leadership position and appoint a new leader at the Department of Homeland Security who recognizes, respects and will enforce the rule of law for the safety and security of our nation along with the southern and northern borders. We demand a new leader who will work, together with our nation's Sheriffs and the U.S. Border Patrol, to regain control of our nation's southern border.

A decision to make this change must come immediately. If there is a legitimate "matter of National Security" for this nation, at this time, this is certainly one. America's western Sheriffs, and specifically our southwest border Sheriffs, stand ready to work with our federal enforcement partners and the administration to restore security and safety on our nation's southern border.



Sheriff Leo Dutton
President
Western States Sheriffs Association



James F Pond, Sheriff Retired
Executive Director
Western States Sheriffs Association



NATIONAL SHERIFFS' ASSOCIATION

October 4, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

The National Sheriffs' Association (NSA) is proud to represent the more than 3,080 men and woman around the country who have been elected to serve as Sheriff of their county. With these men and women in mind, NSA writes to you regarding the nomination of Mr. Chris Magnus to lead the U.S. Customs and Border Protection (CBP). Unfortunately, it is after much deliberation that NSA must oppose this nomination.

NSA leadership had the opportunity to meet with Mr. Magnus and, while we appreciate his years of service as a law enforcement officer, he is lacks the experience to be equipped to lead nation's largest federal law enforcement agency, which is charged with securing the nation's borders.

The situation at the nation's southern border is more dire than ever and our communities there are in a crisis. Despite Mr. Magnus's time as the Chief of Police in Tuscon, Arizona, he has shown inadequate interest and concern about the flood of crime surging into that state. He has declined numerous invitations by Sheriffs to visit the border.

NSA has supported many of the Administration's nominees but regrets that this one has met with our opposition. Should there be any questions regarding our position on this nomination, we would welcome the opportunity to further discuss it with the Administration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan F. Thompson".

Jonathan F. Thompson
Executive Director and CEO
National Sheriffs' Association



NATIONAL SHERIFFS' ASSOCIATION

JONATHAN F. THOMPSON
Executive Director and CEO

May 27, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

I am writing on behalf of the nation's 3,080 plus sheriffs requesting an appointment with you and staff to discuss the ever-increasing demands along our southern border.

Yesterday alone more than 530 persons crossed into Del Rio, Texas illegally, putting a burden on the local sheriff and his community, preventing them from doing their assigned duties of protecting, patrolling, and responding to local needs.

So far this fiscal year has recorded more than 200,000 individuals who have avoided local law enforcement and border patrol arrests, an average of 1,100 "get-aways" per day. 60,000 were in the Tucson Sector alone, making it the highest in the nation. In addition, April 2021 recorded 18,000 unaccompanied minors, the highest total ever. It is clear that the situation in these local communities is at or beyond the breaking point insofar that the Border Patrol has no resources or ability to respond to the surge without violating existing policies.

Our members are sworn to uphold the constitutions and laws of their states. However, unless cross-sworn with federal agencies they have no ability to support the CBP in apprehending and registering those crossing illegally into their communities. At this point they are merely watching (not detaining, arresting or preventing exit) without force border crossers who actively request asylum from our deputy Sheriffs. It is these deputies that are the front line law enforcement officers for these towns and communities along the border. Fortunately our relationships with the Border Patrol are close. However, we have become the de-facto holding agents for them until an authorized federal agent arrives and takes custody of these persons.

This situation has escalated to the point where our border communities are facing significant increases in crime and exorbitant costs to assist the federal government. Between overtime, shortfalls of deputies and officers, health risks, and now an apparently orchestrated effort to cross in locations where shortfalls of manpower of both the Border Patrol and local law enforcement is causing massive problems.

Crime along the border resulting from illegal border incursions is staggering. One example, from the New York Times, reports the death of nine-year-old girl drowned while trying to cross the Rio Grande into Texas with her family. At the same time we are seeing increasing brazen behaviors by Coyotes, dropping

President Joseph R. Biden
 May 27, 2021
 Page Two

individuals in the desert or from border fences. Directly related is the level of opioids and other illegal substances that continue to pour across the border – exacerbating an already epidemic plague in the nation’s interior.

Equally troubling is the rise in violence against women – indentured servitude, prostitution, and human trafficking violence are increasing on the border. In March, USBP brought a 13-year-old girl to the Yuma County Sheriff’s Office. She said she was raped two days earlier while walking through Mexico after leaving El Salvador. Law enforcement finds Plan B abortion pills near the border – a terrible sign of what young people go through as they walk to the border.

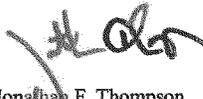
At the Del Rio USBP sector, arrests of migrants with sex offense records are up more than 2,500%. This region of the border, relatively quiet for the past decade, has become a major crossing point this year. We need a focused enforcement and federal prosecution strategy to target every high-crossing region. We remain troubled that more immigration judges are not available along the border and able to make decisions in hours and days not months and years.

Adding further concern are confirmed COVID cases of those crossing the border, or in detention facilities. For example, an Immigration and Customs Enforcement facility in Aurora, Colorado had a coronavirus outbreak that hit 94 individuals transported to the facility in April and May. It appears a lack of testing and vaccines has caused unneeded cases of the virus moving to the interior of the country. Yet when asked about COVID testing the Border Patrol says “suspected COVID-19 cases are referred to local health systems for appropriate testing, diagnosis, and treatment,” leaving local governments to take on the added responsibility of care-giver for federal wards.

Your administration has prided itself upon seeking a laudable solution “at the source” of this border problem. However, that solution is years in the making and our communities, Sheriffs, and law enforcement are overwhelmed now. They need your help and commitment.

We request a meeting with you and Secretary Myorkas to discuss identifying a new approach to minimizing this dangerous and emergent problem. Our president, Sheriff Vernon Stanforth, the NSA’s Border Security Committee chair Sheriff Mark Dannels, NSA’s Government Affairs chair Sheriff Jim Skinner, and myself stand ready to meet at your earliest convenience to identify a mutually agreeable path forward.

Respectfully,



Jonathan F. Thompson
 Executive Director and CEO

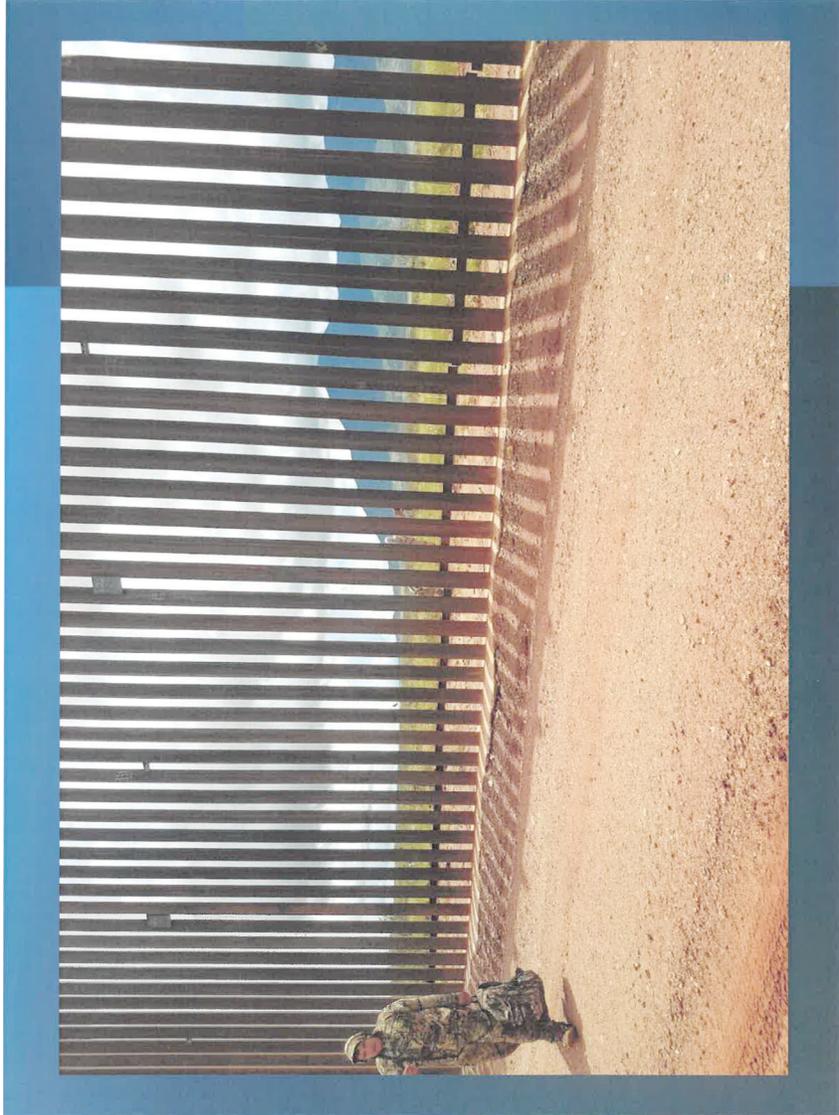
cc: Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security
 Sheriff Vernon Stanforth, NSA President
 Sheriff Mark Dannels, Chair, NSA Border Security Committee
 Sheriff Jim Skinner, Chair, NSA Government Affairs Committee

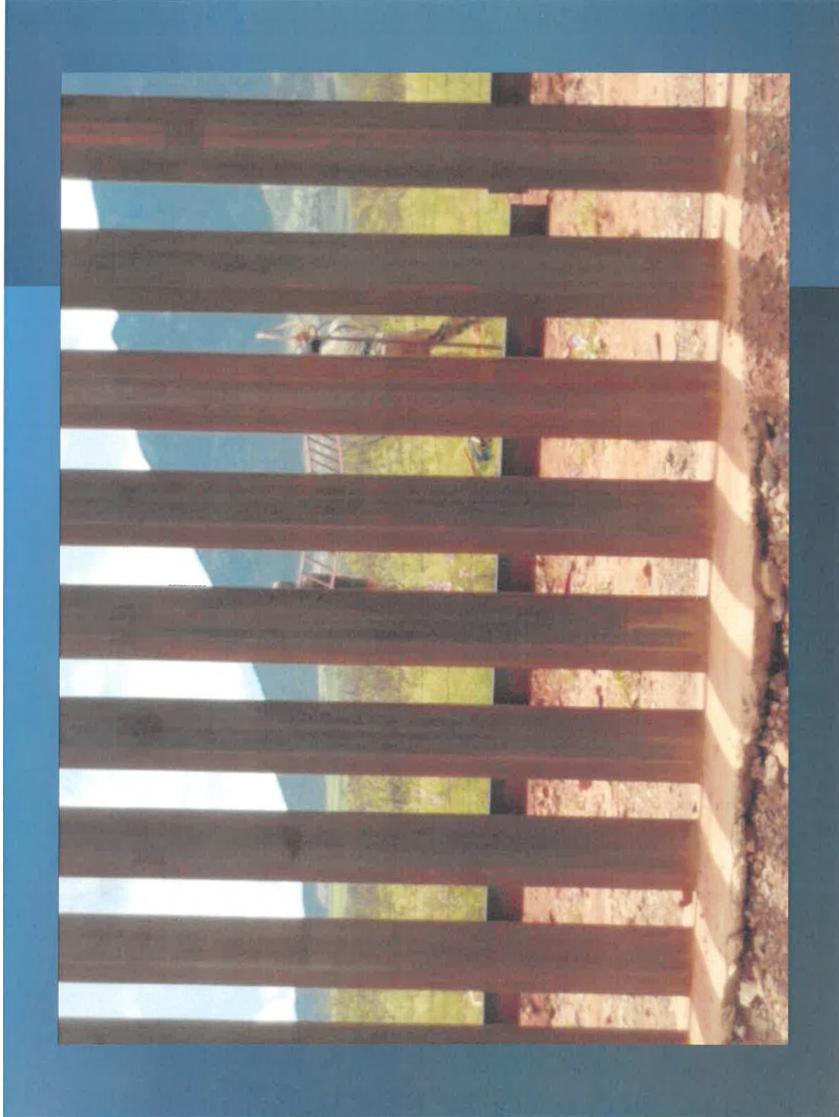


Do We Need a Better
Barrier?

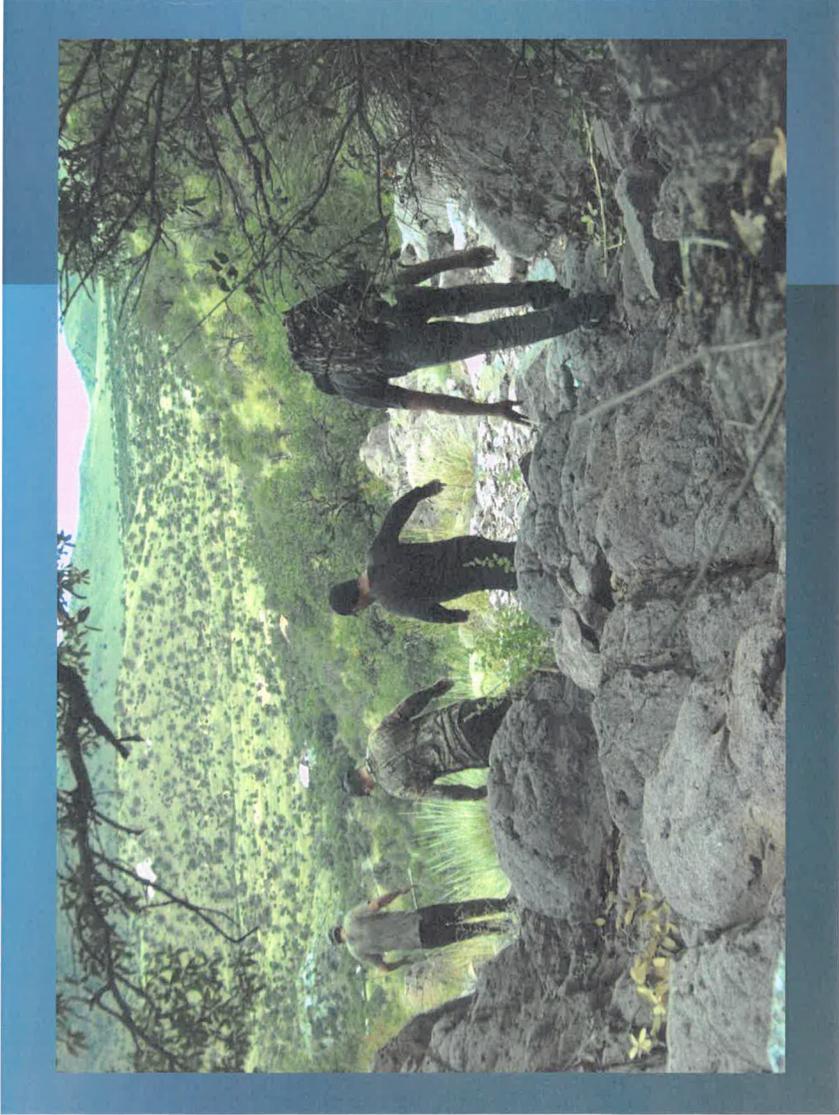


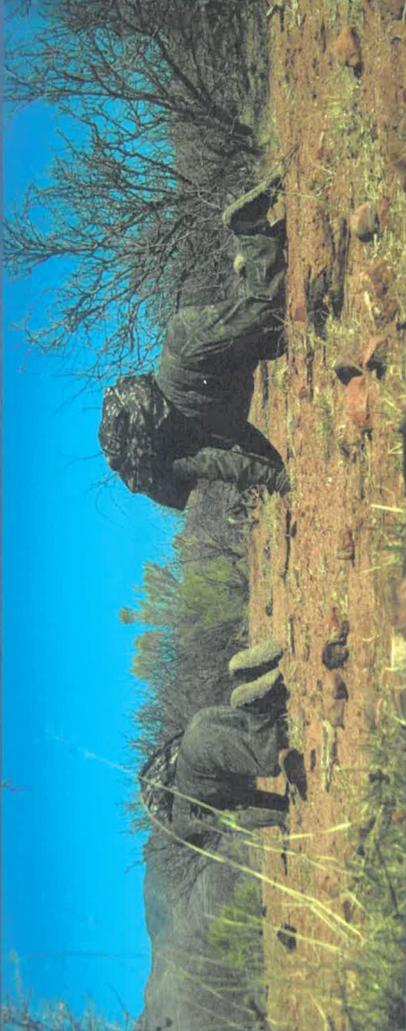


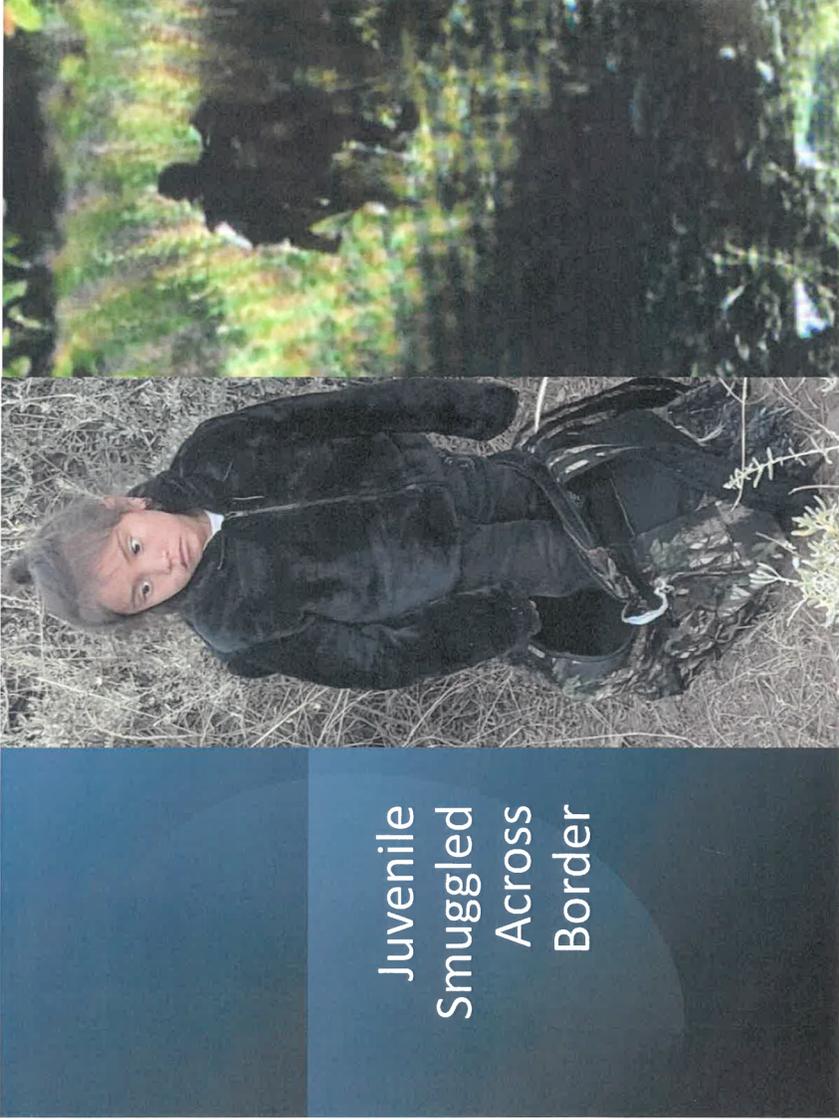












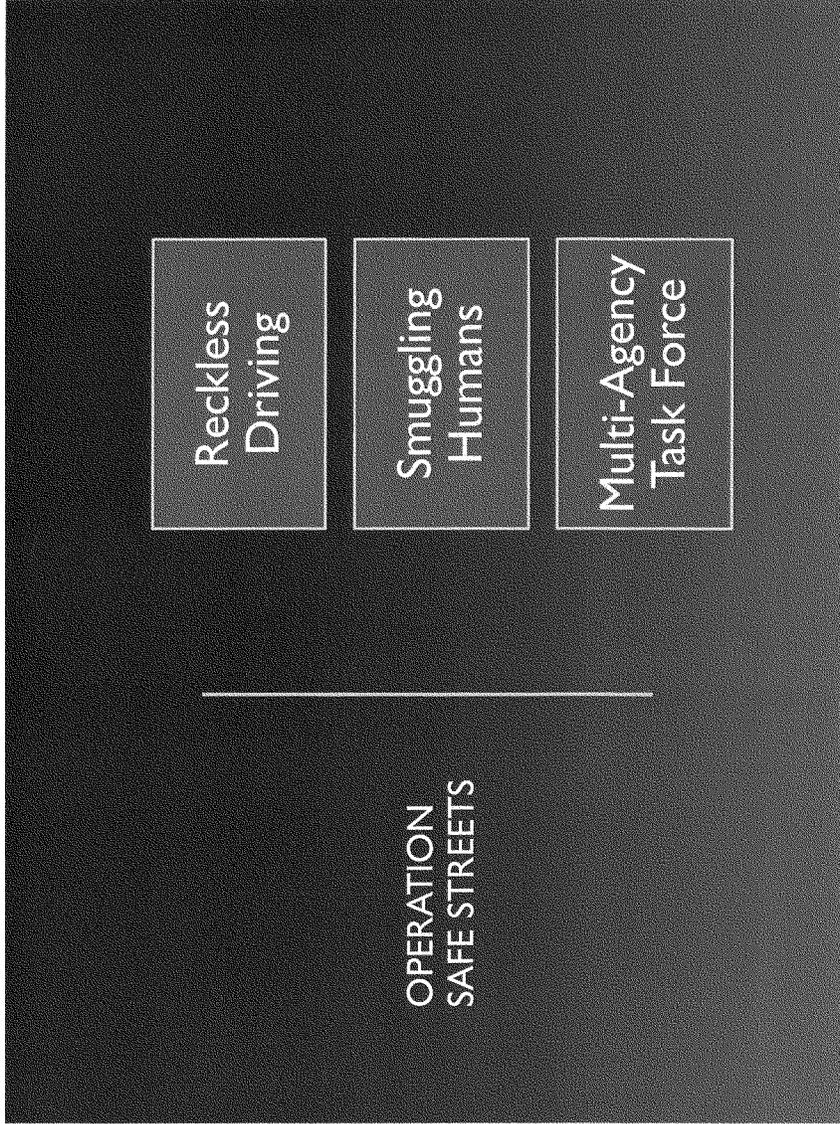


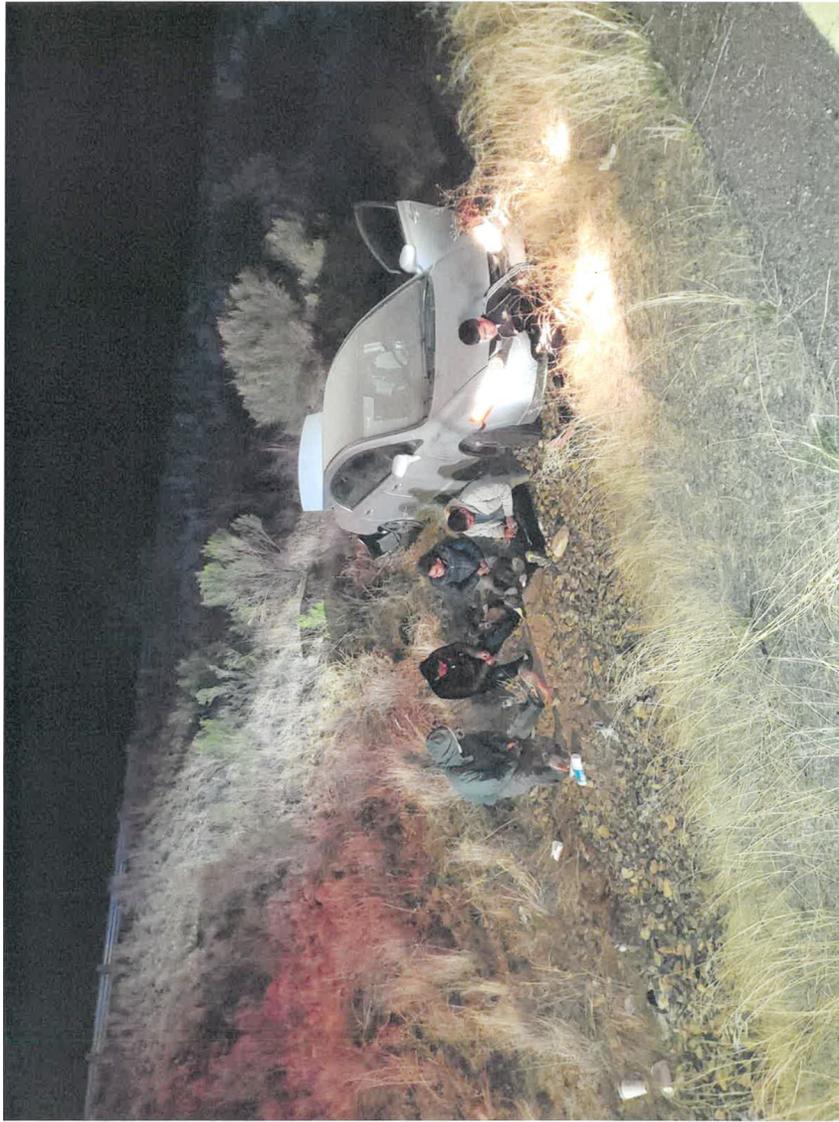






94 Lbs. of Meth













VIRTUAL RECRUITMENT

- Snapchat
- Instagram
- TikTok
- WhatsApp
- Facebook
- Twitter



Chair JORDAN. Thank you, Sheriff.
 I now recognize Judge Samaniego. I think I got that right.
 Judge, thank you for being here.
 You have got five minutes. Just hit your microphone.

STATEMENT OF THE HON. JUDGE RICARDO SAMANIEGO

Judge SAMANIEGO. Members of the Judiciary Committee, thank you for inviting me to testify.

My name is Ricardo Samaniego. I'm an elected County Judge of El Paso, Texas.

Chair JORDAN. Judge, can you pull that a little closer?

Judge SAMANIEGO. Pardon me?

Chair JORDAN. Pull that a little closer. There you go. Thank you.

Judge SAMANIEGO. El Paso, Texas, one of the safest, largest communities in America and the veterans' capital of the USA, where I serve a population of almost 900,000 residents in a metroplex consisting of El Paso, Texas to Ciudad Juarez, Mexico and Las Cruces, New Mexico. These three cities form a combined International Metropolitan Area of 2.7 million individuals and constitutes the largest bilingual and binational workforce in the Western Hemisphere.

I would like to start by emphasizing that over four years ago Customs and Border Patrol requested the assistance of myself and other local officials. I believe we truly stepped up to the request and facilitated their internal processes.

El Paso, Texas has been the epicenter of the migrant surge, both recently and nearly four years ago, when border communities such as mine were faced with unprecedented numbers of migrants who were seeking to enter our country through El Paso. We have learned how to safely, humanely, and expeditiously treat asylum seekers who pass through our community on their way to unite with sponsors. I'm here today to share the El Paso story, a success story which strikes a delicate balance between security and compassion.

However, before I tell you the story, I must disabuse you of information which I personally know to be false. There is no open border in El Paso. Immigrants seeking asylum largely present themselves to Border Patrol for processing. El Paso is required to abide by the same immigration laws that other border communities must follow. There's no invasion of migrants in our community, nor are there hordes of undocumented immigrants committing crimes against citizens or causing havoc in our community.

Claiming this continues a false racist narrative against these individuals who perpetuate violence that the El Paso community is all too familiar with. When our citizens were the target of a racially motivated mass shooting August 3, 2019, they killed 23 El Pasoans and Mexican citizens and wounded 26 other innocent bystanders. Our community was deeply devastated by this tragedy.

Third, humanitarianism and security are not a binary choice. It is the Federal Government's responsibility to do both. Provided with the sufficient financial support, we can assist the Federal Government in fulfilling its mandate. Our initiatives, efforts, and processes are directed to avoid any type of chaos.

When El Paso County was faced with the increasing number of asylum seekers, we established a Migrant Support Service Center to assist migrants to connect with their relatives and sponsors and guide them with a same-day, self-paid travel arrangement process. Approximately 35–45 percent of these migrants fall in this category. The benefit of this process is that migrants are moved quickly and safely out of our community at their own expense.

The center opened on October 10, 2022, and has the capacity to assist up to 1,000 per day. To date, the center has assisted 26,829 asylum seekers. No immigrant is placed on a bus and shipped to another city without coordination and a sponsor waiting at the receiving city.

El Paso's partnership with Catholic Charities of Houston is a great example of interjurisdictional cooperation. With Federal funds, Catholic Charities has chartered a bus daily traveling from El Paso to Houston with 52 passengers manifested with confirmed self-paid travel for flights out of Houston the following day. This model initiated discussions with collaboration with other interstate and intrastate partners such as Dallas, Austin, and Denver.

When the city of El Paso declared a disaster, we did not get the resources we needed, but, instead, saw the State of Texas National Guard, the placement of barbed wire lined haphazardly in certain areas, and pseudo-barriers of tanks and cargo containers were put up. Right to the city's declaration, I had sent correspondence and communicated with various State officials that what my community needed was assistance with transportation, staffing, food, and sheltering. The State never addressed these that we requested.

To be sure, we cannot locally resolve the immigration issues facing our country. So, finally, I want to take the opportunity to thank our Congresswoman, Veronica Escobar, for her leadership and for consistently ensuring that the Federal Government is aware of the realities on the ground.

So, I thank you for being here. I welcome you to our beautiful community. I would love to host and I'll be happy to answer any questions at this time.

[The prepared statement of the Hon. Judge Samaniego follows:]



RICARDO SAMANIEGO
El Paso County Judge

**Testimony of Ricardo Samaniego,
El Paso Texas County Judge
United States House Judiciary Committee
February 1, 2023**

My name is Ricardo Samaniego, I am an elected County Judge of El Paso, Texas, one of the safest large communities in America and the Veterans Capital of the USA, where I serve a population of almost 900,000 residents in a metroplex consisting of El Paso, Texas, Ciudad Juarez Mexico, and Las Cruces, New Mexico. These three cities form a combined international metropolitan area of 2.7 million individuals and constitutes the largest bilingual and binational work force in the Western Hemisphere. I am honored to share the El Paso story.

El Paso, Texas has been at the epicenter of the migrant surge both recently and nearly 4 years ago when border communities such as mine were faced with unprecedented numbers of migrants who were seeking to enter our country through El Paso. We engaged in these processes at the request of and in a desire to assist our federal border security partners.

We have learned much about how to safely, humanely, and expeditiously treat asylum seekers who pass through our community on their way to unite with sponsors. I am here today to share our El Paso story, a success story, which strikes the delicate balance of security and compassion. Before I tell you our story, however, I must disabuse you of information which I personally know to be false:

1. There is no "Open Border" in El Paso. Immigrants seeking asylum largely present themselves to Border Patrol for processing. El Paso is required to abide by the same immigration laws that other border communities must follow.
2. There is no invasion of migrants in our community, nor are there hordes of undocumented immigrants committing crimes against citizens or causing havoc in our community. Saying as much continues a false racist narrative against these individuals that perpetuates violence that the El Paso community is all too familiar with, when our citizens were targets of a racially motivated mass shooting on August 3, 2019, that killed 23 El Pasoans and wounded an entire community.
3. Humanitarianism and security are not a binary choice. It is the federal government's responsibility to do both. We in El Paso, with sufficient financial support, can assist the federal government in fulfilling its mandate. Chaos is not the answer.

When El Paso County was faced with the increasing numbers of asylum seekers, we established a Migrant Support Services Center (the Center) to assist migrants to connect with their relatives and sponsors and guide them with a same day self-pay travel arrangement process. Our Center is aimed solely at single adults seeking entry to the US. The benefit of this process is that the migrants are moved quickly and safely out of our community at their own expense.

Borrowing from best practices of other jurisdictions such as Brownsville, Texas, El Paso has developed a similar successful operation. Our system requires the contracting of a professional provider with experience in humanitarian operations. El Paso has been successfully performing the work of the federal government with its financial assistance.

The Center opened on October 10, 2022. It has the capacity to assist 600 asylum seekers per day with the ability to expand to assist up to 1,000 per day. To date, the Center has assisted 26,829 asylum seekers to unite with their sponsor/relative throughout the country. Our system is proof that an organized, well-funded system is manageable – even on a larger scale.

In our Center, we welcome individuals paroled or conditionally released from the Department of Homeland Security daily. Upon arrival, they receive a Covid/respiratory screening to mitigate the spread of illness and are given information about the services offered at the Center.

After screening, each migrant works with a case manager who contacts the migrant's sponsor (often a relative) in the United States and helps the migrant make travel arrangements to their destination. The sponsor is provided with information regarding all the airlines, bus lines and railway lines operating out of El Paso, and they are sent links to online travel agencies. Case managers often assist the sponsor in identifying discount travel and sometimes provide over the phone step by step navigation on the online fare purchase process.

Once travel is confirmed and purchased by the sponsor, the Center assists the asylum seeker in reaching the appropriate travel hub. Before that individual leaves the facility, staff is trained to look for signs of human trafficking and ensure that the migrant is leaving for a legitimate destination. In the rare event where a migrant cannot secure same day travel, the sponsor is requested to purchase hotel accommodations, or they receive shelter with an NGO. The transportation the Center helps facilitate is always consensual. No migrant is placed on a bus and shipped to another city without coordination and a sponsor waiting at the receiving city.

While at the Center, all travelers receive simple necessities to assist them in their journey. A hygiene care package and small meals for the duration of their stay at the Center are arranged. They are also provided with literature and shown videos on their next steps of the asylum process, the dangers of human smuggling and trafficking as well as information on how to navigate airports, TSA, and airline gates. When they exit the Center, they are given a drawstring backpack for their personal belongings as well as a clasp envelope to secure their travel and parole documentation. Migrants are provided with a snack pack consisting of bottled water, non-perishable snacks such as granola bars, cookies, and nuts along with a non-perishable sandwich of peanut butter and jelly for the next leg of their travel journey.

Our system is incredibly efficient and yet manages to be humane. It demonstrates that with sufficient funding and coordination with our federal and NGO partners, we can address the migrant influx in a way that is manageable. El Paso's partnership with Catholic Charities of Houston, Texas is a great example of inter-jurisdictional cooperation. With federal funds, Catholic Charities chartered a bus daily traveling from

El Paso to Houston with 52 passengers manifested with confirmed self-pay travel for flights out of Houston the following day. This partnership was established to relieve any travel backlog out of El Paso International Airport and to provide a more cost-effective travel alternative for the asylum seeker out of a travel hub with reasonably priced direct flights to desired destinations. This model spurred discussions for collaborations with other interstate and intrastate partners like the City of Dallas, City of Austin and the City of Denver, Colorado.

El Paso County is not in the throws of chaos because we are mobilized and proactive to ensure the safety of our community. That is not to say we don't need support and resources. I have repeatedly asked for a coordinated response between us and the State for specific support to handle surges in our community. When the City of El Paso declared a disaster, we did not get the resources that we needed but instead saw the State send Texas National Guard, the placement of concertina wire lined haphazardly in certain areas, and pseudo barriers of tanks and cargo containers put up. As El Paso County Judge, I did not declare a disaster declaration for my community because I feared the response we would receive would be with resources that we didn't need. Unfortunately, that is exactly what occurred. Prior to the City's declaration I had sent correspondence and communicated with various State officials that what my community needed was assistance with transportation, staffing, food, and sheltering. Nothing the State responded with met those needs.

Safety and compassion are not mutually exclusive. To be sure, we cannot locally solve the immigration issues facing our country, but what we can do is demonstrate that local jurisdictions such as El Paso, can ensure that the highest ideals of our country are met. Every person who lawfully presents themselves at our border, can be treated humanely and compassionately. The humanitarian actions of our community do not come at the expense of local or national security. The lessons we have learned is that perpetuating false narratives of invasion and "others" when describing migrants is irresponsible, dangerous and can ensue in violence against our fellow humans. What your border communities need is understanding and the continued resources to handle these events. I'm here to dispel the false narratives about our communities and ask that you reject partisan politics, reform our outdated immigration laws, and find a way to support us in providing a humane, effective, and orderly response when surges occur.

Finally, I would like to take this opportunity to thank our Congresswoman Veronica Escobar for her leadership and for consistently ensuring that the federal government is aware of the realities on the ground in El Paso.

Dale Lynn Carruthers

Terrell County Judge

Terrell County Rancher

“A nation that cannot control its borders is not a nation.”

The Biden Border Crisis: Part 1

Chairman Jordan, Ranking Member Nadler, and Members of the Committee. Thank you for inviting me to testify today.

I am Terrell County Judge and rancher Dale Lynn Carruthers. I'm here today to discuss the affects the open border is having on ranching as well as communities living along the Southern Border. The chaos caused by this administration's open border is the reason I and many others like me have switched parties. In the past I ran as a Democrat and come from a family that has traditionally been Democrat and I chose to switch Parties. I am a Republican.

Our ranch that has been in the family for four generation it is a 17000-acre ranch on the border of Texas and runs along the Rio Grande. Large groups have been apprehended on our property in one instance a group of 49 in a pasture right behind our home. Terrell County neighbors Val Verde County. Shortly after all the immigrants were cleared from under the international bridge, we experienced a large group of 600 broken into smaller groups of 20 to 30 stretching from the Val Verde County line to deep into Terrell County. This was a separate incident under the international bridge however groups like this continue to travel in droves.

We are one of many ranches experiencing massive amounts of water system damages on our properties from busted waterlines causing storage tanks to lose water levels therefore incurring astronomical electric bills and other expenses to regain sufficient water to adequately water livestock and game animals. Families and their livestock and crops depend on this water and this loss affects the landowner is such a great way not only financially for the strain is unimaginable. I have had a rancher in my county have his water lines busted over 300 times. The damage typically occurs within a few feet of a water tank or trough in some instances ranchers have put in water spigots to try to decrease the damage and still the destruction occurs.

Having hundreds of illegals trespass on private property destroying fence lines and leaving a massive amount of garbage in their path is not only dangerous if eaten by the livestock but can also leach into the ground and contaminate the ground water. These net wire fences cost on an average from 5 to 15 dollars per linear foot to build. An average ranch of 10000 acres standard height will cost around a million dollars and a game proof high fence is three times that amount. This is only the circumference of the property line.

Ranchers live their lives everyday concerned for their safety. They never know what they are going to walk into. We feel violated, angry, and often worry that we will have to make a choice to protect our own lives. We the landowners have experienced Illegals breaking into our houses stealing food and, in some instances, burning down ranch houses.

Communities along the border are living in fear. They fear for their lives every day they feel their safety concerns are valid. The invasion of illegals trespassing on their property flows from the countryside right into our communities and straight into yours. The cartels are wreaking havoc by smuggling drugs, criminal aliens and individuals on the terrorist watch list and preying on people and exposing them to the elements and rugged terrain resulting in deaths and human trafficking. The immigration crisis on the Southern border is unacceptable and has resulted in a security threat and humanitarian crisis greater than what the American public is led to believe.

This crisis has depleted our resources our fire department, EMS, and Law enforcement are faced with the burden of dealing with the aftermath of dangerous situations every day. My community of less than a thousand people and we are over an hour away from the nearest hospital, and in one incidence during a pursuit with traffickers an accident occurred leaving 11 illegals needing assistance in the middle of the county an hour away from our small community. Our first responders were dispatched out requiring additional support from three of our neighboring communities all of which were an hour away in every direction. This pulls resources from this respective tax paying American citizens who depend on our emergency services. Our 911 lines are often tied up for hours with calls from illegals lost in the brush. These individuals are often abandoned by their groups and left to die if they are too weak to continue their trek. Countless law enforcement and Border Patrol rescue people everyday and experience tragedy on a daily basis all the while being shorthanded.

The high-speed pursuits and bailouts have become a regular occurrence. We recently had two pursuits less than an hour apart one of which was a bailout. Sanderson our county seat is centrally located in a small basin of hills during this bailout illegals turned into the neighborhoods and ran towards the football field they were dressed in camo and scaled the hills with ease. Being so close to the school we were forced to lock down uncertain where a few from that group might be hiding they were later located hiding in a garage unbeknownst to the homeowner until he went to check his property.

A business owner in Dryden a small community in my county have had to resort to living in their shop to secure the property they regularly have illegals walk up and have experienced break ins.

In another instance a landowner came home to find illegals had broken into his home were sleeping in his bed eating his food and using his phone taking complete advantage of this respective landowner.

Landowners in my neighboring county witnessed illegals hiding in the bushes. They watched her feed her animals. He chased her as she ran to the safety of her home. Unbeknownst to her this illegal was part of a larger group than were later apprehended by the Border patrol.

This situation and countless others have become common place on the border it is a disruption to our everyday lives. We deserve to have a sense of security we need to know that the rule of law is being upheld. In every way shape or fashion. Something as simple as a July 4 parade or a drive to pick up groceries or walking on your own property should be just that and not a fear of a complete invasion from people with little to no regard for human life. There are victims on both sides of this border, and it is time to secure it. Americans deserve that.

Thank you for hearing my concerns. Please consider proper vetting on the border to reduce potential threats from criminal element. For those wanting to work on a temporary basis please consider increasing bracero type visas and farm worker visas and allowing temp work visas. We can use RDIF chips to track them and charge visa and asylum fees.

Dale Carruthers
Terrell County Judge
Terrell County Landowner

Chair JORDAN. Thank you.

We are now proceeding under the five-minute rule with questions.

The Chair recognizes the gentleman from California, Mr. Issa.

Mr. ISSA. Thank you, Mr. Chair.

Mr. Dunn, yes, I know the list of names of people who in many cases thought they were taking one drug and died of fentanyl is long. One of the names that you probably have on your list is Matt Capelouto in Riverside County and his daughter, who thought she was taking a Xanax and died. She actually only took half of it as part of her study routine and died of fentanyl overdose. That has led to a murder charge in Riverside County, and our District Attorney is prosecuting that. How it will end, we'll see, but it certainly is an example of the kind of response that I hope both the Federal Government and the State and local will start looking, that these people who traffic in that leading to these tragic deaths are more than just drug dealers; they're murderers.

I want to thank you for being here today.

Sheriff, I am going to primarily talk to you because the judge, I think rightfully so, gave us a good example of facilitating undocumented workers who have been released into this country getting around the country, and all the humanitarians work they do.

First, are those the people you run into?

Mr. DANNELS. Congressman, it's not. We don't get the give-ups—I can't remember speaking with our Border Patrol, CBP Agents—we don't get give-ups in Cochise County. What we get is the got-aways, the ones that are camouflaged 100 percent from bootie to headgear, that fight and flight, do whatever it takes to get away from us.

Mr. ISSA. So, out of five million people that have come here, we could be talking, the judge could be talking about a million who just want opportunity, maybe jobs, but that is not who you are dealing with? You are dealing with the other at least a million who are often repeat criminals and are evading to perpetrate crimes?

Mr. DANNELS. That is correct.

Mr. ISSA. I want to go through a couple of quick quotes because you're at the border. I, too, am at the border. I have a little over 50 miles of the Mexican border in California. So, these quotes are particularly important to me.

The Secretary of Homeland Security said, "The border is closed. The border is secure," in March 2021. Was that true then?

Mr. DANNELS. No.

Mr. ISSA. Is it true now?

Mr. DANNELS. No.

Mr. ISSA. He, additionally, said, "We are working day-in and day-out to enhance its security." He said that November 16, 2022. Had you seen that kind of improvement?

Mr. DANNELS. No, I have not.

Mr. ISSA. You haven't, as of today?

Just a few days ago, he said, "The border is not open." Would you agree with that?

Mr. DANNELS. No. If I could support that statement, also, the majority of people—just to give an example, we have an interdiction team that goes out almost daily. Yesterday, they were out for

their shift; had 15 smuggling events. We had a media crew riding with them yesterday. The majority of people we talk to, the migrants that have been smuggled, which I call modern-day slavery, what they're doing to these people, they tell us the reason they're here is because of President Biden and the welcoming sign.

Mr. ISSA. Now, the Vice President said, just a few months ago, "The border is secure. We have secured the border." Would that also be inaccurate?

Mr. DANNELS. Yes, it would.

Mr. ISSA. Now, a lot of people talk about the Trump era versus now. Is it fair to say that it got better, but it was still a difficult time for you, even then, with some of what you were dealing with at the border?

Mr. DANNELS. Yes. After 38, almost 48, years of working this border, I've seen the good, the bad, and the ugly. It was better under President Trump. This is, like I said, this is the worst I've seen, mainly because of the aggression by the cartels and the aggravated acts toward law enforcement and the community.

Mr. ISSA. want you to take the remaining time and just tell us, that difference between the Trump era and now with the border wide open, what does it do for your ability to provide law enforcement for other purposes to your county?

Mr. DANNELS. Well, with the amount of arrests we had in 2022, our border population, or it's been border crimes that's been arrested and booked in my jail equates to about 40–44 percent of all the population in my jail. If you equate that back into the patrol side of it for the troopers, the local law enforcement, and sheriff's office, we're spending a lot of time keeping our community safe, diverted from the normal stuff that we do, the proactive stuff, into addressing border crimes.

Mr. ISSA. Thank you.

Mr. Chair, I yield back.

Chair JORDAN. The gentleman yields back.

The gentleman from New York, the Ranking Member, Mr. Nadler, is recognized.

Mr. NADLER. I thank the Chair for yielding.

Mr. Dunn, again, I want to express my sincerest condolences to you and your family, and I want to thank you for being here today.

Judge Samaniego, I want to turn to you. Thank you so much for coming today. Having a witness who has grown up and lived on the border is so imperative. Your knowledge and lived experience are invaluable for policymakers here in Washington.

Unfortunately, the Republican majority seems interested only in showboating. They continuously talk about a so-called Biden border crisis, even though this administration has kept in place numerous policies from the Trump Administration that many of my colleagues and I have expressed concerns about.

Judge Samaniego, in your testimony you note safety and compassion are not mutually exclusive. I think this is a very important point. As Republican Representative Tony Gonzalez stated over the weekend,

Border security and immigration are two separate topics. One can be for a strong border security presence that prevents terrorists, fentanyl, and bad

actors from entering our country, and one can be for welcoming future Americans in through the front door.

Judge Samaniego, can you discuss how El Paso has balanced these two competing dynamics, ensuring the safety of its citizens while also being compassionate toward migrants?

Judge SAMANIEGO. Thank you.

One of the things that we've recognized is our collaboration. We're not reacting at this point. We've been working four years. Almost every Friday we meet with law enforcement; we meet with Border Patrol, the diocese, the NGO's. We know that, by doing what we do right, the whole Nation benefits from that. If we do not process the migrants properly, then it falls on other cities.

I think El Paso is extremely, focused on the fact that we're not a community, but a part of a Nation. If we do not do the right things, then New York gets hit, and other communities get hit, simply by the fact that there's an unorganized process.

Our strategy is really very organized, very compassionate, and making sure that we get individuals in the right place at the right time. So, when we have someone like from New York that comes to El Paso, the mayor, to tell us to help them through this process, obviously, that's why we're there. Our impact is not just on our community. Our impact, I believe it's on the values of our Constitution, of the values, in my case, as a Democrat. We make sure that we're helping the rest of the country. If we don't do things right, then I can guarantee you that the impact is going to fall on the other cities around the country.

Mr. NADLER. Thank you.

We keep hearing from our Republican colleagues that the border is open, and that Biden caused this crisis. Could you comment on this?

Judge SAMANIEGO. Well, we don't see that. We process every individual that comes through. We make sure we coordinate. We get a lot of information.

I must emphasize, it was the Border Patrol and the Federal Government that asked us to step up as a community. When we don't do the right things, it backs up their system. They start getting more and more people. The detention centers are extremely limited compared to what a community can do. So, either you put the pressure on the Federal Government or you put the pressure on a community that has almost 14 sites where we get, we could get people sheltered. We can process people. Like I said, 35-40 percent are individuals that already have a sponsor; they have money, and they can move into, to the communities, into other communities.

We get a lot of calls of a lot of States and cities throughout the country that want migrants. If we do the right thing and we process them, then we can get the migrants to them, as well as to help our community.

We talk about three things. It's safety, which is extremely important for our community, humanitarianism, and the economy. If we do not do things right, then I can guarantee it impacts the entire economy.

We've seen it when things be getting strained, and the movement of product doesn't come into the country. We get hit extremely hard. We get a lot of calls about moving, not moving the traffic

properly. We're one of the largest movers of products in the whole country. So, we do things right, and I feel that everybody gains from our efforts.

Mr. NADLER. Thank you.

One of the topics you touched on in your testimony is the need for all levels of government and nonprofits to work together to effectively process the migrants who are crossing the border. Do you have a good relationship with Immigration and Customs Enforcement and Customs and Border Protection? Can you discuss how often you coordinate with them?

Judge SAMANIEGO. Every—once a month, we have—one of the missing elements is that we don't get support from the State. If we had the three—you need the local government. You need the Federal Government. The missing component, and because of political reasons, we don't get that third part of the stool.

That is extremely, extremely important to us. We need their support. We don't need militia. We don't need policing. Our strategy has been extremely effective without using law enforcement. We suffer tremendously by not having the proper support from the State government.

Mr. NADLER. Thank you. My time has expired. I yield back.

Chair JORDAN. The gentleman yields back.

The gentleman from Colorado is recognized.

Mr. BUCK. Thank you, Mr. Chair.

Since President Biden took office, we have seen a tremendous surge in the Terrorist Watch List arrests at the southern border. There were two Terrorist Watch List arrests in Fiscal Year 2017, six in 2018, zero in 2019, three in 2020. In 2021, President Biden's first year in office, Terrorist Watch List arrests surged to 15. In 2022, there were 98 terrorists arrested at the southern border. In this Fiscal Year so far, there have been 38 arrests.

According to Border Patrol, there have been approximately 1.2 million known got-aways since President Biden took office. In November alone, 73,000 border crossers evaded/overwhelmed Border Patrol Agents, but were detected by other forms of surveillance. These crossers are known as got-aways. Often, these border crossers are evading being caught by Border Patrol because they have a criminal record or contraband to hide, unlike most migrants who cross with the explicit intention to meet Border Patrol.

Today, I want to ask about other sinister news in the immigration space. I have a copy here of an email circulated last Thursday, January 26th, at Mount Pleasant High School in Rhode Island. Its Assistant Principal Stefani Harvey, someone with a doctorate in education, is fundraising among its faculty and staff to pay a debt to a cartel that trafficked a student.

The email, calling it an urgent matter, reads,

We have a student who came to America with "Coyote," which is a group that helps people. This group gives you a timeframe to make a payment of \$5,000 to those who bring them into the States. Our student needs our urgent support to raise another \$2,000 to meet his goal of \$5,000 by February 1st, 2023.

Sheriff, is this helpful?

Mr. DANNELS. Is it—I'm sorry, sir?

Mr. BUCK. Is this helpful to have a faculty raising money to pay a Mexican cartel to bring someone into the country?

Mr. DANNELS. Congressman, no.

Mr. BUCK. OK. The Ranking Member said that many of President Trump's policies have been continued. Is the fence continuing to be built on the southern border?

Mr. DANNELS. No.

Mr. BUCK. Is the remain in Mexico policy being continued?

Mr. DANNELS. No.

Mr. BUCK. Is the agreement with the Northern Triangle countries to immediately deport illegal immigrants who come into this country, has that policy been continued?

Mr. DANNELS. No.

Mr. BUCK. Sheriff, let me ask you something. We now have in this country two million individuals who have gone through the entire process and have been adjudicated for removal. In other words, they came to this country. They applied for asylum. They weren't entitled to asylum. They came here for economic reasons. So, they went through. They had due process. They have been adjudicated. They have been ordered removed, and the President of the United States has instructed ICE not to seek those individuals and remove them from the country—two million. What is the impact of an order like that in terms of welcoming people who are coming to this country for all the wrong reasons?

Mr. DANNELS. Well, Congressman, that's one of the things that has changed with the two administrations that I've seen, is the former President had a very strong message that—

Mr. BUCK. When you say, "former President," President Trump?

Mr. DANNELS. Yes, sir. That if you come to the country, you break our laws, there's consequences. Under the current one, that's not being—the rule of law is not being fulfilled.

Mr. BUCK. OK. I guess just to further that a little bit, the impact on individuals that are considering coming to this country, when they know, if they come to this country there is going to be a consequence, a negative consequence for them, or—and I am not even talking about a welcome mat. We welcome immigrants to this country. We welcome people who want to go through the process the right way, who want legal immigration. When they know that they are coming to this country and there is no consequence to come to this country illegally, and even when they lose in court and they are ordered removed, the United States won't remove them under this administration, and there is this hope for an amnesty program to go through Congress or, informally, as President Obama did—and this President will probably do the same thing—issue an Executive Order with the stroke of a pen to give people amnesty, what is the impact on people being attracted to this country for all the wrong reasons?

Mr. DANNELS. Well, Congressman, there's a couple.

- (1) Is they keep coming, and we're seeing that on the border.
- (2) It's a fracture of our rule of law—the oath that I take, you all take, and share it.

(3) Last, but not least, is it's an insult to all law enforcement—State, local, and Federal—trying to do our best to secure this border.

Mr. BUCK. Thank you. I yield back.

Chair JORDAN. I thank the gentleman for yielding.

Mr. BUCK. Mr. Chair, I have two articles that I would like to offer for the record. One from *Fox News*, published January 28th, and another one published December 1st.

Chair JORDAN. Without objection, they will be entered into the record.

The Chair now recognizes the gentlelady from California.

Ms. LOFGREN. Thank you, Mr. Chair.

First, let me just thank you, Mr. Dunn, for your compelling testimony and offer my deepest sympathy and prayers for your family and your lost son. All of us feel that way on this dais.

It is important to note that I think every Member of this Committee wants to have order at the border. We want laws that can be enforced. We also need to take a good look at really what is happening. If you take a look at who is coming into the United States without benefit of a visa, it is a mix.

Some individuals are coming from communist countries, like Venezuela, Nicaragua, or Cuba, and they are coming to seek asylum because they have been persecuted. That is permitted under immigration law, and yet, the numbers have made it difficult to process that in an orderly way.

Some are coming, just like my grandparents, for economic reasons. They want to have a better life for them and their family. There is really in most cases no way for that to happen in a lawful manner.

Some are bad guys, and especially they are coming through more rural areas. I think that is why the sheriff is seeing what he is seeing.

I think it is important, as we think about what to do, and what strategies will be effective, we need to think about those different categories of individuals.

We spend more money today on the Border Patrol than ever before in the history of the country. We spend more money on immigration enforcement than all other Federal law enforcement combined. So, it is not as if we are unwilling to pay for enforcement.

I note that the wall that some feel will be the answer, on average, was breached last year once every 11 minutes. It was breached over 4,000 times. So, I don't know that this is really the answer that people think it is.

Now, just taking a look at the Cubans, and the Nicaraguans, and the Venezuelans, for example, the administration created a parole program just recently for a safe and organized process for migrants seeking protection as asylum seekers. When they did, the number of people coming irregularly dropped. My understanding is that, between the ports of entry, individuals seeking asylum from those countries dropped 97 percent.

If you put yourself in the place of that individual, if there is a way to get safe haven, you are going to take that rather than risk your life walking through the jungle. What we don't have is reform of the immigration laws that would give some opportunity for peo-

ple seeking economic advancement to have a hope that this could happen.

I think that is really on us, on the Congress. In this last Congress and the Congress before that, we had a Farm Workforce Modernization Act. It got broad support, a big, bipartisan vote in the Congress. It died in the Senate. We know that more than half the farm workers in the United States are undocumented. Yet, we need farm workers in the country.

If there is a way to have an orderly system, I think that would help us a lot as a country. So, we all want order at the border. A humanitarian crisis is not best solved at the border. We need to take a look, and I have urged that, not just the United States, but other Western Hemisphere countries work together to try and bring stability to the three countries in Central America that are really the origin of many of those fleeing. We have not succeeded at that.

So, let me just close with this, Judge. You have seen the people coming into your city. Why are they coming to the United States, the people that you have met in your city?

Judge SAMANIEGO. Well, they're extremely passionate. I wish most of our citizens had the passion and the desire to be in our country like they do. I have heard a lot of different stories. One of them is the fact that they stand up for their rights in their country, and then, they're persecuted because of that. They're asked not to do those kinds of things.

Ms. LOFGREN. Right.

Judge SAMANIEGO. Like, you know, they get targeted. I get a lot of them telling me that they're still—their parents will call and say, you know, "They go to my house every single day and find out where I'm at." So, they're very passionate about coming here, extremely passionate about working. They all say the same thing, that they're very willing and able to work here in the United States.

Ms. LOFGREN. Thank you.

Mr. Chair, I see my time has expired.

Chair JORDAN. The gentlelady yields back.

The gentleman from Louisiana is recognized, Mr. Johnson. I21Mr. JOHNSON of Louisiana. Thank you, Mr. Chair.

Mr. Dunn, we mourn the loss of your son Noah and the hundreds of thousands of other victims and families who have been irreparably damaged by this catastrophe.

I would note that, of course, China and the Mexican drug cartels are taking full advantage of this wide-open Southwest border. We all know that. That is what the testimony reflects.

We have recorded amounts, record amounts, of deadly fentanyl that are coming into American neighborhoods all over the country. Last year alone, over 100,000 Americans died of a drug overdose. The fentanyl poisoning is a key component of that, and we know it.

My questions are going to be for the sheriff, but I just want to recount a couple of facts here, so that everybody back home can take account.

Since President Biden took office, U.S. Customs and Border Protection officials have encountered over 4.5 million illegal aliens

across the Southwest border. It has been said a few times; we are going to say it repeatedly today: The number is disastrous. If we do not have a border, we do not have a Nation. We cannot maintain our sovereignty and security if we don't have a border.

Nearly 1.7 million of those illegal aliens encountered across the Southwest border have been released into America's communities. They are coming into my community, my State, and all of ours. It is all over the country now.

During Fiscal Year 2022, CBP encountered 2,378,000-plus illegal aliens—the most in any single year. That broke the record from 2021, which is the second-largest number. Just during December 2022, CBP encountered 251,487 illegal aliens crossing the border. It is the highest number ever encountered in a single month.

The point is: This gets worse and worse and worse. Why is that? Well, because the Biden Administration has been reversing the vast majority of the Trump Administration's successful border enforcement policies. They are systematically, they are intentionally, Secretary Mayorkas and his administration, they are dismantling immigration enforcement. They are encouraging illegal immigration—encouraging it, inviting people to come here. That has been happening for the last two years. That is beyond refute. That is what the evidence shows. That is what everybody can see who cares to pay attention to this.

They have terminated the construction of the border wall. The Biden Administration issued orders restricting the immigration officers' ability to arrest, detain, and remove aliens who violate U.S. law. I can go on and on and on.

Sheriff Dannels, you have been in law enforcement for nearly four decades. You testified; you gave some very compelling testimony this morning about all the problems that you have encountered.

The question is, have you tried to share those concerns with the Biden Administration? If so, how did the administration respond?

Mr. DANNELS. That's—yes. Thank you, Congressman.

We actually have, on behalf of the National Sheriffs' Association. I chair border security for National Sheriffs. Our National Sheriffs, senior leadership has attempted through letters to reach out to President Biden. He has been invited to our events with Major County Sheriffs, Western Sheriffs, Southwest Border, and National. We have never got a response back from this President. In fact, I was told just a couple of months ago he's the first President not to meet with sheriffs in this country. He still has not to date that I—to my knowledge.

Second to that is we did meet with Secretary Mayorkas. We reached out. I assembled about a dozen sheriffs. We met in El Paso. We sat down with the Secretary. We gave him a 16-point action plan to share, to look at, with our common-sense humanitarian and public safety, national security objectives built within that. Never heard back.

I asked the Secretary where that plan was, what they were going to do with it. He asked me, "What plan?" So, long story short is we've never got a response back from the Secretary.

Mr. JOHNSON of Louisiana. It is an absolute dereliction of duty. It is inexcusable. Because of Secretary Mayorkas and the Biden

Administration's abandonment of any semblance of security on the border, what policies or procedures have you had to implement to cover for that?

Mr. DANNELS. Well, again, it goes back to where the honorable judge is talking about the absence of the State, we have the absence of the Federal Government.

One thing I'll say I think is important to your question is, I work with many Border Patrol Agents, Federal agents. To date, I have not heard one say that it's working. The morale, the frustration they feel, the frustration we feel, and let's not forget we all serve communities in this country. We have had to step up our game.

Again, when you look at 40–45 percent of all your crime coming through the border, in my rural county I don't have the pleasure of the resources like El Paso, which is urban in nature; that we've had to step up, and thanks to Governor Ducey and our State, and our State legislative folks, the \$4.3 million, they're helping me pay those bills. In a rural county, that's a huge impact. When it comes to our interdiction teams, our camera system, you name it, the State is helping us.

Mr. JOHNSON of Louisiana. I am out of time. I yield back.

I thank you for your service and all those brave men and women who are serving in that impossible situation.

Mr. DANNELS. Thank you, Congressman.

Mr. JOHNSON of Louisiana. I yield back.

Mr. MCCLINTOCK. [Presiding.] The gentleman yields back. The gentleman from Georgia, Mr. Johnson.

Mr. JOHNSON of Georgia. Thank you, Mr. Chair. Mr. Dunn, my condolences to you on the loss of your dear son. Sheriff Dannels, thank you for your service, sir.

Mr. DANNELS. Thank you.

Mr. JOHNSON of Georgia. For years we have listened to MAGA Republicans decry a so-called invasion at our southern border. Now that they have a House majority, MAGA Republicans are in charge. MAGA Republicans are responsible for coming up with solutions. Unfortunately, this hearing is nothing more than a distraction from the fact that my MAGA friends cannot agree on the problem or the solution.

The House Republican border security plan is so extreme that it is opposed by dozens of their own Members. Their plan has been called extreme, anti-American, and not Christian. That is how Republicans describe it.

What we do know is that the MAGA Republican plan will shut down asylum to everyone, including those fleeing Communist totalitarian regimes and young children who are crossing the border alone to flee gang violence. This draconian and cruel policy will only diminish America's standing in the world.

Meanwhile, President Biden has shown that we can lower the number of unauthorized border crossings while still treating migrants with dignity and humanity. Immigration is much more than a scary B-roll on *Fox News* or inflammatory Twitter posts. It is about our fellow human beings.

Migrants who arrive with nothing but the clothes on their backs work hard to build new lives here. Indeed, immigrants are impor-

tant for our communities and our economy because of the skills they bring to the contributions that they make to our society.

New Americans in my district are small business owners who pay their taxes, enrich our neighborhoods, and help newer members of the community. For example, they have set up numerous businesses and vibrant and economically successful locations where they can even employ other immigrants and Americans. At Refugee Coffee in Clarkston, Georgia, they even have a food pantry where they leave groceries for anyone that might be in need. Immigrants are vital to my district. We appreciate them.

Now, while Republicans resort to political stunts at the border and theatrical hearings like this one, Democrats stand ready to fix a broken immigration system. We have a responsibility to act. We stand ready to work with serious Republicans to pass meaningful solutions.

Judge Samaniego, thank you for being here. I am fortunate to be traveling with my colleague, Veronica Escobar, to El Paso tomorrow. What can you tell me that we should be looking for on our visit tomorrow?

Mr. SAMANIEGO. I believe the unity of what happens when a community decides to work together. We are called the Pass of the North. That was our first name. So, we have been doing this for centuries. People pass through our community. We know how to do this in a humanitarian way. We are very, very organized. We have a strategy that I think that people should look at that especially this idea of getting communities to send buses to us so that we can have sponsors and migrants that go to their community. So, our strategy works.

It only doesn't work when we are not funded properly. At any point, we are able to handle large numbers, but then we don't get the proper funding. When we talk about, like Secretary Mayorkas, so when he came down, he immediately was able to help us with FEMA funding, allowed us to move the processes.

When you push them back into what is, all you are doing is creating more anxiety. You are creating more desperation. You are creating more issues, not only for us but for a community that works. On an economic level, there is no border that works in such an economic level. To push them back I think is extremely reckless of our neighbors.

Mr. JOHNSON of Georgia. Well, let me stop you there and ask you this last question.

Mr. SAMANIEGO. Yes.

Mr. JOHNSON of Georgia. According to CBP, from January 2021–January 2023, only eight undocumented immigrants were arrested for fentanyl smuggling at the southern border—

Mr. SAMANIEGO. That is correct.

Mr. JOHNSON of Georgia. —compared to 119 U.S. citizens. Is it your experience that an increase in migrants is tied to an increase in fentanyl?

Mr. SAMANIEGO. We haven't seen that, because first, they come with very little things. I mean, they get a backpack. They get things. They are carrying things that are very easy. They are vetted very properly. Not only are they vetted with Border Patrol, but we also vet them as well. We vet them at the shelters. So, we are

constantly looking for that. We are taking care of the Nation. We are not going to allow someone to bring drugs in unwittingly. We are going to do everything possible to be part of that process.

Mr. MCCLINTOCK. The gentleman's time has expired. The gentleman from Arizona, Mr. Biggs.

Mr. BIGGS. Thank you, Mr. Chair.

Mr. Dunn, you and your wife, thank you for being here today. We appreciate your testimony and your willingness to share your experience. I express my sympathy and condolences to you and appreciate the work that you are doing now.

I want to just clear two things up briefly, though. The figures just cited by my colleague from Georgia are ports of entry only and do not reflect between ports of entry arrests for fentanyl transportation. So, please, don't ever let the facts get in the way of a good narrative from the other side.

Not only that, when the gentlelady from California said she supports an orderly system for legal migration, we have an orderly system for legal migration. That is why a million people are brought in legally every year. The numbers that you hear are between the ports of entry, because that is where CBP operates. So, when CBP talks about the number of encounters being 4.5 million, that is between the ports of entry.

Sheriff Dannels, how big is your county?

Mr. DANNELS. It is just under 6,300 square miles, with 83 miles of international border.

Mr. BIGGS. What is the population?

Mr. DANNELS. About 125,000.

Mr. BIGGS. How many NGO's do you have that deal with the flow of international or illegal migrants coming across?

Mr. DANNELS. Maybe one or two, three. Most of them come from outside and not within the county.

Mr. BIGGS. I know Yuma County has one.

Mr. DANNELS. Yes.

Mr. BIGGS. So that is interesting. So, when we look at this, are your deputies ever dispatched to deal with criminality or situations involving illegal aliens?

Mr. DANNELS. On a daily basis, yes.

Mr. BIGGS. How often? How many times per day?

Mr. DANNELS. Throughout the day. Usually when I check on them, they are in some kind of issue with border security or immigration. When I go home, I hear it also. It is throughout the whole day.

Mr. BIGGS. What sorts of dangers does your department and your deputies specifically encounter because of these interactions?

Mr. DANNELS. Well, the biggest thing we are addressing right now is the, out of the 1,570 people that came to my county, 1,500 were U.S. citizens coming down to commit international crime, based on greed. They are getting paid \$3,000 per person to drive them three hours north up to Phoenix, Arizona and your neck of the woods, Congressman. It is a game of greed.

When they get in those, when they pick them up along the highways and they take off at 100-and-some miles an hour that is resulting in death, it has put my citizens in risk. We see it almost every day in my county. That has been deadly for us.

Mr. BIGGS. So, if I understand what you are saying, cartels are recruiting American citizens from as far away as the Valley of the Sun, the Phoenix area, to come on down and transport people who have illegally entered the country up to Phoenix for further distribution throughout the country.

Mr. DANNELS. Congressman, that is correct, but to take it one step further, from throughout the United States. We get them from the Midwest. We get them from all over. We have a map where we get them from in our office.

Mr. BIGGS. What is the, and you said, what was the going rate that they get paid per person?

Mr. DANNELS. We started an operation back in March called Safe Streets, a collective effort of State, local, and Federal law enforcement trying to do some interdiction to protect our citizens. It was like 1,000–1,500. Right now, it sits at \$3,000 per person.

Mr. BIGGS. Have you ever had juveniles come down to drive as well?

Mr. DANNELS. Yes. I believe last year we apprehended and charged I think it was around 100 juveniles that were remanded as adults for driving, and all the way up to underage where they don't even have a license. We had, a couple weeks ago, we had a 14-year-old and a 15-year-old driving a car picking up I think five undocumented.

Mr. BIGGS. This is human smuggling.

Mr. DANNELS. This is human smuggling, yes.

Mr. BIGGS. You have given some pictures that are up here on display. What do those pictures depict?

Mr. DANNELS. The picture on the right side of the white truck and the red car, the red car had a 16-year-old, 17-year-old, and I believe a 14-year-old. They were down from the Pinal County area, which is up by Casa Grande, down here to pick up migrants working with the criminal cartels and a scout. The car saw one of my deputy sheriffs, took off at a high rate of speed, hit the white car, and then crashed. All three were in critical condition and then were ejected from that vehicle.

Mr. BIGGS. This other one?

Mr. DANNELS. The other one was a vehicle out of Phoenix. It was a stolen vehicle that was in one of our business areas in a business parking lot. The Border Patrol saw them. They took off at a high rate of speed, got into a pursuit. They rammed the Border Patrol agent, the unmarked car. They were apprehended with the illegals.

Mr. BIGGS. There is so much more to talk about. I am sorry I am out of time. Thank you for being here, Sheriff Dannels.

Mr. McCLINTOCK. The gentleman's time has expired. The gentleman from California, Mr. Schiff.

Mr. SCHIFF. Thank you, Mr. Chair and thank you to Ranking Member Nadler for welcoming me back to the Committee. Mr. Dunn, thank you for your testimony today. I want to join my colleagues in expressing my condolence over your terrible loss.

Since I last held a seat on this Committee over 10 years ago, our country has undergone some of its most turbulent years, from attacks on our democracy to increasing gun violence, including four mass shootings in my home State of California in just the last week, to continuing acts of racial injustice. Many of the issues that

Americans are most concerned about fall within this Committee's jurisdiction.

Instead of tackling those concerns or joining Democrats in a comprehensive immigration reform, many Republicans in Congress seem intent on demonizing migrant families and asylum seekers, portraying them as fentanyl traffickers and violent criminals.

In the real world, asylum seekers are vulnerable individuals and families fleeing political persecution and torture. These terrible stereotypes that my Republican colleagues are peddling have real-world consequences and bring real-world harm as they increase the level of hate and violence directed at immigrants here at home.

More than that, let me just take this opportunity to recognize the many immigrants who risked their lives during the pandemic to take care of us when we were sick in the hospital with COVID, who brought food to our grocery stores, and delivered goods to our doors, who worked in our fields, so we would not go hungry, and who died disproportionately because they could not work from home. I want to say thank you for your courage. Our country is better off for having you here.

I want to start my questions by debunking a couple pernicious stereotypes. First, when it comes to drug trafficking, CBP reports that over 83 percent of smuggled fentanyl, heroin, and methamphetamine is discovered during vehicle inspections at ports of entry where people enter the country legally, not smuggled by migrants but driven across the border by U.S. citizens engaged in criminal activity at ports of entry.

Judge Samaniego, the fentanyl crisis is real. How is it really entering the country in your experience, and who is doing the smuggling?

Mr. SAMANIEGO. Well, as you said, Congressman, they are coming in through the port of entries. We do not get a lot of information of migrants doing that. As I said earlier, the fact that they are not carrying much with them and the fact that they have been vetted as they come in when we process them, and that is why I keep insisting that an organized way of processing and our ability to be able to process properly is really helping tremendously.

When we do not do that and it pushes the migrants to have to go further out, that is when you start having these illegal entries, because there is not a way for them to come in properly and meet the Border Patrol there at the border. So, we know that going further creates risk for them. They get preyed on.

So many things happen by not following the process. When we are allowed to do it and we are supported and funded properly, I think we do a lot for our country.

Mr. SCHIFF. Thank you, Judge. Second, relative to undocumented immigrants, and using Texas as an example, U.S. born citizens in Texas are more than twice as likely to be arrested for violent crimes and two and a half times more likely to be arrested for drug crimes.

Judge Samaniego, can you speak to the experiences and interactions you have had with migrant families and asylum seekers at the border? What is the real-life impact that such anti-migrant rhetoric and misinformation have on these communities?

Mr. SAMANIEGO. Well, it is just, it is heartbreaking, obviously that, why they are coming in. They want to work. I will give you an example. We have had individuals that were held back because they got caught up in not being able to go back because of Title 42. They were asking for, give us brooms, give us bags. We want to, help us. We do not want to be perceived as lingering or burdening your community or any part of the country. They talk a lot about the fact that they are wanting to work. They are passionate about working. They are ready to do something for our country.

We do not get—I interact with them completely. I work with the unaccompanied children. I have a lot of exposure. I feel extremely confident that the majority of them have no interest in drugs or doing anything like that, other than to work and to participate and be part of the dream that they are looking for. A lot of them, like I said, they are coming out of desperation of how they are treated in their countries, how they are persecuted. They are looking for a better life.

I do not I stand here saying with all honesty that I do not see or understand some of the things that are said here today about them wanting to be part of drug cartels or putting them in that situation. It is just completely opposed to what I have experienced there in El Paso.

Mr. MCCLINTOCK. The gentleman's time has expired.

Mr. SCHIFF. Thank you, Judge.

Mr. MCCLINTOCK. The gentleman from Florida, Mr. Gaetz.

Mr. GAETZ. I yield to Mr. Roy.

Mr. ROY. I thank the gentleman from Florida. I thank the witnesses for being here.

I just want to clarify the record here for a second. The idea that the fact that fentanyl is caught at Ports of Entry and that this is the only place that is coming through is belied by the facts. It is belied by the facts that the Border Patrol is now distracted in processing human beings, just as the judge from El Paso just described, but just ignores the impact on what that does to the actual border. The Border Patrol can't possibly catch all the fentanyl at the ports of entry nor catch the fentanyl between the ports of entry.

Mr. Dannels, do you agree with that assessment?

Mr. DANNELS. I do. We have had a depletion in Border Patrol because they have been taken to other areas where processing is more important.

Mr. ROY. Is it your experience that fentanyl pours in between the ports of entry and that fentanyl does, in fact, get into our communities in mass quantities today due to our open border?

Mr. DANNELS. Yes.

Mr. ROY. I appreciate that.

Now, Mr. Dunn, obviously in the introduction I talked about you being from the county in which I live, in Hays County. You testified, Mr. Dunn, earlier that it was not just Noah who passed away in Hays County last year due to fentanyl poisoning in our community. Is it not true that three other Hays Independent School District students died from fentanyl overdoses in our community, in Hays County, last summer? Is that accurate?

Mr. DUNN. That is correct. A fourth 14-year-old died in January of this year.

Mr. ROY. Just a couple of weeks ago—

Mr. DUNN. Yes.

Mr. ROY. Another—

Mr. DUNN. During the Christmas break, six other students were poisoned by fentanyl, but they were successfully saved.

Mr. ROY. Last summer there were another eight who were brought back through the use of Narcan. Is that correct?

Mr. DUNN. Correct.

Mr. ROY. Mr. Dunn, your lovely bride, Janel, is Hispanic, yes?

Mr. DUNN. Yes.

Mr. ROY. Do you believe that believing in a secure border makes one racist or anti-Hispanic?

Mr. DUNN. Not in the slightest. Her family actually holds that same position.

Mr. ROY. I thank you for that. You guys have been active now in a number of organizations trying to get out and understand the lost voices of fentanyl. Is that right?

Mr. DUNN. Yes.

Mr. ROY. Works with Ms. Virginia Krieger.

Mr. DUNN. Yes.

Mr. ROY. She has lost her daughter due to Percocet that was laced in fentanyl. Is that correct?

Mr. DUNN. Yes.

Mr. ROY. The people that have been the lost faces of fentanyl, and I have done this before, Noah is one of these lost voices due to fentanyl now.

Mr. DUNN. He is now. I am not sure if he is included in that picture.

Mr. ROY. These pictures are the faces of Americans who are no longer with us due to fentanyl flowing throughout our communities. Now, these are young individuals who are not here today. Now, Noah is not here today.

Do you care precisely whether or not fentanyl is coming through ports of entry or between ports of entry, or was your family directly impacted because fentanyl is flooding into our communities one way or the other?

Mr. DUNN. However, it gets here is it is here.

Mr. ROY. In your experience talking to other family members and talking to law enforcement personnel, is it your observation and belief that the overwhelming flood at our borders distracting Border Patrol from being able to carry out their duty to stop the flow between the ports of entry or do inspections at the ports of entry is resulting in more fentanyl pouring into our communities that is then resulting in the death of Americans and, in fact, the death of migrants in the process?

Mr. DUNN. Yes. Most of the fathers that I speak with that are not as vocal as the mothers, the common thing they have expressed to me is to come up here and let people know that it is a border issue. It is not an immigration issue. It is flooding across the borders because there is a problem at the borders.

Mr. ROY. In your communication with families who have lost loved ones due to fentanyl poisonings, do you believe that it is an imperative, an imperative that this country's Federal Government, who has the constitutional obligation to secure the border of the

United States, do so to ensure that we stop the flow of fentanyl and dangerous and illicit narcotics into the United States resulting in the death of Americans?

Mr. DUNN. Yes.

Mr. ROY. Do you believe that if this country adopted policies that enabled us to restrict and stop the flow of fentanyl, and that includes ensuring that we have no longer a flood of human beings at our border, while still maintaining asylum laws and protecting people who are being persecuted under actual threat of persecution for their religious and political beliefs, do you believe that stopping the flow of individuals enabling Border Patrol to stop fentanyl, that is a critical imperative and if that were adopted would help save lives like Noah's?

Mr. DUNN. I do. Most others that I talk with feel the same way.

Mr. ROY. Thank you, Mr. Dunn. Thank you, Janel. I yield back.

Mr. MCCLINTOCK. The gentleman's time has expired. The gentleman from Rhode Island, Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chair. Thank you to our witnesses, and particularly thank you, Mr. Dunn, for being here. I, too, join my colleagues and expresses our condolences for your unspeakable loss.

Mr. Chair, the House Republican border security plan is one of the most extreme stances this body has seen on immigration in recent history, and that is saying something. It is so extreme that dozens of Republican members oppose it. Some have even called it un-American.

The Republican plan would effectively shut down asylum, including families fleeing Communism, totalitarian regimes, and unaccompanied children desperately seeking refuge. This is not only a moral failing to asylum seekers fleeing persecution. It also defies existing laws. We have obligations under international agreements and U.S. domestic law to accept and protect asylum seekers. We can't just ignore these obligations because some want to prey on anti-immigration and xenophobic sentiments to gin up political support.

This is sadly an ongoing and blatant attempt by our Republican colleagues to use fear tactics to scare us into turning immigrants away and to demonizing people coming here in search of a better life. We cannot and should not do that.

Democrats have put forth proposals that will actually help fix our broken immigration system and secure our borders in a safe and humane way. We have proposed legislation that addresses the root causes of migration, improves border security, and creates additional legal pathways for people to enter the United States.

In fact, the 2023 Omnibus bill which we passed in December, even included funding to help Customs and Border Patrol stop dangerous cartels, the actual cause of drugs being smuggled into the country, not asylum seekers by the way. Our House Judiciary Republicans unanimously opposed the bill. So, yes, there is a crisis at the border. It is not the one that the Republican leadership is shouting about.

So, Judge Samaniego, I want to ask you, in your capacity as El Paso County Judge, you meet with many migrants who enter the United States via the El Paso Port of Entry, and you work very

hard to ensure that they are treated with dignity here in the United States. Can you describe what your sense is of why these migrants are entering the U.S., and are they, in fact, seeking asylum?

Mr. SAMANIEGO. I would like to comment about Border Patrol. That is, we have been talking about what they have to do, and you are pushing them to do other things. I can tell you that if we weren't doing our jobs, and I said earlier, we are pushing that back to them, very limited. Space is limited. Personnel is limited. We are pushing them back to them.

Like I said, we deal a lot, El Paso deals a lot with migrants, and we interact tremendously. We get to see them at shelters. We get to see them at the point of entry. They are wanting to come here to work. They are wanting to do something for our country.

I have to stress that, that we are very, very lucky. The things that they want to do and the things they want to maintain, and the values that they have for the United States, it is just remarkable that under all the circumstances that they go through they come to our country with a tremendous amount of passion to be part of our value system.

Mr. CICILLINE. Judge, what kinds of resources do border counties like yours need to ensure that local officials are able to adequately protect public health and safety while also ensuring that migrants are treated with dignity and processed quickly and efficiently and consistent with our values as the great democracy we are? What more can we do as a Federal Government to help you do the excellent work that you are doing in El Paso?

Mr. SAMANIEGO. The most important thing that we have seen is decompression that we need the Border Patrol to be able to decompress and allow us to process. So, sometimes, like I said, we are not funded properly. We cannot process properly. Then that is when you have people or buses going into communities that are not ready for them.

Obviously, we need shelter. Most of the migrants will move out within 72 hours. I can tell you that not even 1 percent of the migrants ever stay in our community. They are moving to other directions. They have got sponsorships. So, we really need that support of being able to have shelter for them so that we can accommodate them. Like I said, 40 percent already have sponsors, and they can move quickly. The others it takes us about a day or maybe 72 hours to be able to process them or redirect them.

I can tell you that most of them are going to be U.S. citizens. If you treat them wrongly, they will remember that. If you treat them properly and you treat them with respect and humanity and humanitarianism, these are going to be part of our residents, part of our citizens. This is the first face that they have with our country. I want to be able for them to keep that excitement, have that respect for America. You do that by treating them properly.

So, we need shelter. We need food. We need to be able to use our strategy. Our strategy works. I wish that someone would take the time to look at what we do. For four years now we have been working on this strategy.

Mr. MCCLINTOCK. The gentleman's time has expired. I will now recognize myself for five minutes.

I think this discussion has brought out something that Border Patrol officers told me when I toured the border in the Yuma sector recently. Don't send us more money they said. They will only use it to process illegals faster into this country. I think that the testimony has been bringing that out very clearly today.

Since Joe Biden canceled the Remain in Mexico policy and ordered ICE not to enforce court-ordered deportations and abandoned the border wall and signaled to the world that America's borders no longer mattered, we have seen 1.7 million illegal aliens deliberately admitted into this country, and another 1.2 million known got-aways have entered while the Border Patrol has been overwhelmed changing diapers and taking names. Now, that is an illegal alien population of 2.9 million. That is the entire population of the State of Mississippi just since this administration changed these policies and precipitated this crisis. As the Democrat's witness testified, illegal aliens are now being rapidly and efficiently trafficked by our government to every community in our Nation.

What the Democrats have never explained is how our schools are made better by packing classrooms with non-English speaking students, how our hospitals are made more accessible by flooding emergency rooms with illegals demanding care, how our social safety net is strengthened by adding millions of impoverished and dependent individuals to systems that are already strained to the breaking point, how our neighborhoods are made safer by introducing violent cartels into our communities and making it impossible to deport criminal illegal aliens, how our Nation is made safer as known terrorists are encountered entering our country in record numbers, how our children are made more secure with fentanyl pouring across our border, or how working families are helped by flooding the labor market with cheap, illegal labor. This is the nightmare that the Democrats have unleashed upon our country.

I asked the same group of Border Patrol agents in Yuma what laws could we write that would help them. They said unanimously the first thing we need to do is enforce our existing laws. This administration clearly doesn't intend to do so. The laws that we will write in the House I am afraid are not going to survive the Democratic Senate or get Joe Biden's signature. So, this situation is going to continue to escalate and continue to worsen.

It is already being felt intensely in our major cities and rural communities. New York City taxpayers are paying for luxury accommodations to house this flood of illegal aliens there. Fentanyl trafficked across the southwest border killed 71,000 people in America last year alone. In Tulare County, California a cartel just viciously executed six innocent victims. I believe this country is going to soon awaken to a coordinated terrorist attack by elements that have entered through our porous border or with violent cartel wars erupting on our own streets.

Our witnesses today tell the story of what their lives are now like in the border communities. Of course, these illegal aliens don't stay in the border communities. They are being trafficked to every community in America.

So, I would like to ask Sheriff Dannels what he believes our communities should expect as this mass illegal migration makes its way from his community to ours.

Mr. DANNELS. Thank you, Congressman. Let me start off by saying this. I know we are hitting on immigration, and I am here on border security. I will say this. You made a comment that they don't stay in our border communities. There is one instance they do stay in our border communities. That is when they die.

Over the last two years, we have over 1,000 migrants touch U.S. soil coming across our border illegally that have died, that sheriffs, the 31 sheriffs on the border have had to process as homicides until proven otherwise. That is 1,000 migrants under inhumane conditions smuggled by the criminal cartels that we have left in our border communities and left families in Mexico mourning. So, there is a consequence to this open border.

Second, these sheriffs, these police chiefs, and these communities are doing the impact. I have heard it from Democrats. I have heard from Republicans. I will say this to you. I didn't drive out here, come out here 2,000 miles with a political agenda. I came out here with a public safety agenda. That is to protect all people. Well, you got to do that by starting with border security. That is where it starts.

Then we got to look at our immigration laws. I agree with you, Congressman. We have the laws to address it, legal, legal, legal. I will say that. They can come to any port. I can promise you my two international ports in my county they don't come there.

The only time we saw asylum claims on our two port of entries was when the cartels were having an internal rift and shot over 40 people within—we watched it happen from our international line in my county. We had cartel members claiming credible fear that were allowed in our country, that were allowed in our country that just executed somebody and then come in and claim credible fear because the other side was trying to kill them.

So, we have a problem on our border. We truly do. We need your help, your help to fix it. Thank you.

Mr. MCCLINTOCK. My time has expired. The gentleman from California, Mr. Swalwell.

Mr. SWALWELL. Mr. Dunn, thank you for coming today. We all share your love and passion for Noah and the determination to get something done. I have a family member by the grace of God is alive today after addiction and, also, sadly know somebody who has died because of fentanyl. I also believe there is bipartisan support to take on China for its role in exporting fentanyl.

Sheriff Dannels, also thank you for doing a very hard job.

Mr. DANNELS. Thank you, Congressman.

Mr. SWALWELL. I have a few brothers who are deputy sheriffs. You have got a very, very tough job, especially just where you are in the world. Would it help your job or hurt your job if you had 20,000 more Border Patrol agents assisting you on the Texas U.S. border?

Mr. DANNELS. Speaking on behalf of, Congressman, on behalf of my brothers and sisters from CBP, I would say that would help.

Mr. SWALWELL. Yes, I agree. We passed legislation in the Senate that would have done that. I wish we could get a vote on that in the House.

I also just want to talk to you. My brothers sometimes are a part of raids. It is a car stop. You take guns and drugs out of the car.

You put them on a table. You have a press conference. It is a deterrent to future criminals. You show and hold up the law enforcement who did that. Sometimes they raid houses on search warrants. Again, they find illegal drugs and guns and paraphernalia.

Do you consider those types of raids that your department have done, are those successes or failures when that happens?

Mr. DANNELS. They are a little bit of both, I will say, Congressman.

Mr. SWALWELL. A failure because the drugs are in the community but a success because you all caught them.

Mr. DANNELS. Yes.

Mr. SWALWELL. The reason I bring that up is because I think too often many of my colleagues on the other side have rooted on some of the chaos around this issue and don't want to be a part of the solutions or the change.

So, recently there have been a number of tweets that my colleagues have posted, one of them from Mr. Gooden. It says,

... enough fentanyl to kill 140 million Americans was seized at the southern border in June. In honor of Overdose Awareness Week, I am calling on Joe Biden to close his open border.

Then Mr. Buck said,

... since November enough fentanyl to kill 2.1 billion people has been seized at the southern border. We must secure the border and protect our children and families.

The Chair of the Republican caucus, Ms. Stefanik, said,

... over 800 pounds of fentanyl were seized at our southern border in October. This is Biden's border crisis.

This is just cheering on chaos instead of honoring the police who did the tough job, the hard work, and seized the drugs and took them off the streets.

If we want to talk about some of the fentanyl facts, 96 percent of the fentanyl seized in the last Fiscal Year was seized at ports of entry. Eighty-six percent of the convictions around fentanyl coming across our border were convictions of U.S. persons, 86 percent. So, we should talk about fentanyl. We should go after China.

This is chaos, what I am seeing from my Republican colleagues. When George Bush had successes, rightful successes, stopping the war on terror, I never heard my Republican colleagues say, well, someone was stopped from carrying out a terrorist attack. This is George Bush's terrorism crisis.

We should celebrate law enforcement. We should not deride them and use them to make points that actually don't even land, because the fentanyl crisis is not happening where you all are claiming it is happening. So, I will take this opportunity, and I will thank Sheriff Dannels, and the men and women he works with, and I will thank CBP for the hard work they do. I invite my colleagues to join us, not in chaos, but in change.

Finally, Mr. Roy's bill that is a part of this hearing would seek to end asylum, an asylum process that has brought to the United States some of the best minds in science, some of the best athletes in the world, some of the best diplomats like Secretary Madeleine Albright.

One person recently said with respect to Mr. Roy's bill and proposal, are we stupid, come on. This country was based on good minds. Look at Albert Einstein. We gave him a piece of paper to come in. We are letting the Albert Einstein of this modern time slip away. It wasn't a Democrat who said that. It was Mr. Roy's Republican colleague, Representative Maria Elvira Salazar.

So, I invite my colleagues, listen to your own colleagues who know better on this issue, because it could use a lot more change and solutions and a lot less chaos. I yield back.

Chair JORDAN. [Presiding.] The gentleman yields back. The gentleman from North Carolina is recognized, Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Chair. Mr., Judge Samaniego?

Mr. SAMANIEGO. Yes, sir?

Mr. BISHOP. Did you hear about the conflict between the Mexican army and the Sinaloa cartel in the city of Culiacan in—earlier this month?

Mr. SAMANIEGO. I did.

Mr. BISHOP. As described in *The Guardian* it said that they captured Ovidio Guzman, son of El Chapo, prompting a wave of retaliatory attacks from cartel gunmen. After a night of violence gunmen exchanged fire with security forces blocking roads with burning vehicles and shooting at army helicopters and police airplanes bringing reinforcements to the city. According to one resident heavy fighting raged for hours after Guzman, a key figure in the Sinaloa cartel since the arrest of his father, was arrested in the city early on Thursday.

It goes on to say that residents were locked into their homes. All major roads into the city were blocked with burning vehicles and gunmen attacked a military air base. It goes on.

You would agree that the cartels are dangerous organizations, aren't they?

Mr. SAMANIEGO. They are.

Mr. BISHOP. They have come to have extraordinary capacity to operate in Mexico to the point that they can take on the Mexican army. Isn't that true?

Mr. SAMANIEGO. I'm not sure that's a true statement, but—

Mr. BISHOP. Well, in this case they actually had a running battle with the Mexican army where helicopter gunships were deployed to fire, and they were firing at them. There was an open warfare in the city. You do understand that, right, sir?

Mr. SAMANIEGO. I do understand that.

Mr. BISHOP. You don't see it as possible that in a future with an uncontrolled border, a border we can't control, that those same conditions could exist on the streets of American cities?

Mr. SAMANIEGO. I believe that's not the case because I think we're mixing two things. We're mixing one, and that's unrest. We have unrest ourselves here in the United States just like in Mexico. We're mixing two things.

Mr. BISHOP. Are the cartels strengthened by the fees they receive for trafficking humans across the border?

Mr. SAMANIEGO. Well, I think there's a lot of assumptions in that—

[Simultaneous speaking.]

Mr. BISHOP. Is that a hard question to answer yes or no?

Mr. SAMANIEGO. Well, give me the question straight so I can understand what you—

[Simultaneous speaking.]

Mr. BISHOP. My understanding is that billions in income come to the cartels and by—according to the Border Patrol officers I have met they say nobody comes across the Rio Grande, nobody comes across the border without paying a fee of thousands. Many of these people don't have thousands. So, they enter a life of indentured servitude until they pay it off. Their family might be tortured to pay for it. The cartels earn billions from it. Is that not true to your knowledge?

Mr. SAMANIEGO. It's true. It's true, but it's true on the Trump era as well.

Mr. BISHOP. OK.

Mr. SAMANIEGO. It's not—it has nothing to do with—

Mr. BISHOP. I don't even think it is—necessarily should be a battle between Republicans and Democrats about who is—who gets kudos for stopping the flood across the border, but isn't it true that the policy is strengthening the cartels, these dangerous cartels that can operate in the open and conduct open warfare with the Mexican army?

Mr. SAMANIEGO. Well, I think you're talking about the root cause, and that's a broken system. We have to shoulder a broken system there in our community.

Mr. BISHOP. So, we just deplore it as a broken system, but we don't need to respond as if this is an emergency and a threat to the United States, that the same conditions could occur here?

Mr. SAMANIEGO. I'm not understanding how you're mixing the two things of trying to help asylum seekers that's part of our policy.

Mr. BISHOP. Well, if this transnational criminal cartel organizations that exist and they are capable of doing what they are doing in Mexico, and they are being strengthened day in and day out and their drug trade is producing profits and expanding their forces in the United States, isn't it just a matter of time and amount before they can do the same thing here that they do there?

Mr. SAMANIEGO. We've seen this for 50–60 years, cartels doing that and the fights that happen between them. We live that. We happen to be one of the safest—when Mexico was the worst in the world in violence, we were still the safest community in the country.

Mr. BISHOP. So, you are copacetic about it? You think there is not a threat to the United States?

Mr. SAMANIEGO. Well, there's a threat, but I cannot understand what we're here for immigration. We're here to discuss what's the right thing to do for immigration. I've always said that when you mix two, it gets very complicated. It's complicated enough to look at them separately, much less when you combine the two. When you try to talk about the drugs and try to talk about immigration, it gets so mixed up that you can resolve it. So, I'd like to really focus on the fact that we need to do the best thing that we can.

Mr. BISHOP. I am out of time. I would let you go on. I question your conclusion about what is humane and what is not, and with that I yield back.

Mr. SAMANIEGO. Well, thank you, sir.

Mr. BIGGS. [Presiding.] The Chair recognizes the gentleman from California, Mr. Lieu.

Mr. LIEU. Thank you, Mr. Chair. Let me start off by noting that the Chair of this Full Judiciary Committee lawfully defied a bipartisan congressional subpoena.

Now, Mr. Dunn, thank you for coming here today. Sorry for your loss and thank you for sharing your story and your efforts working on the fentanyl issue.

Judge Samaniego, I have some questions for you about fentanyl.

Mr. SAMANIEGO. Thank you.

Mr. LIEU. I agree with my Republican and Democratic colleagues that we need to tackle this issue. It is your experience, isn't it, that the overwhelming majority of fentanyl seizures occur at ports of entry and not from migrants bringing them across the border? Is that right?

Mr. SAMANIEGO. That's correct. That's what we understand, that's what we know. We work so close with law enforcement, Border Patrol, ICE, and we do not get that suggestion that it's the migrants. We talk directly to them. It's not the migrants that have that issue. It's at the Port of Entry by Americans, by the way, that are crossing into the United States more so than any other form that comes through our borders.

Mr. LIEU. In fact, your experience is actually what the data shows. So, I have an article here from the Cato Institute, which is a libertarian think tank. The title of it is, "Fentanyl is Smuggled for U.S. Citizens by U.S. Citizens." What the facts from this article show are that in 2021 U.S. citizens were 86.3 percent of the convicted fentanyl traffickers. In addition, over 90 percent of fentanyl seizures occur at legal crossing points or interior vehicle checkpoints.

So, if we really want to tackle the bulk of this issue, what we want to do is strengthen technology at legal point of entry, at the ports of entry. We want to give Border Patrol more resources at these ports of entry to address the fentanyl seizures.

Thank you to all the Border Patrol agents that the Republicans have highlighted repeatedly for how much they have been seizing in fentanyl, because they are doing their job.

I would like to ask unanimous consent to enter this article from the Cato Institute titled, "Fentanyl is Smuggled for U.S. Citizens by U.S. Citizens Not by Asylum Seekers."

Mr. BIGGS. Without objection.

Mr. LIEU. So, Sheriff Dannels, thank you for your public service.

Mr. DANNELS. Thank you, Congressman.

Mr. LIEU. Do you know which American president said, "for decades the United States has not been in complete control of its borders?"

Mr. DANNELS. No.

Mr. LIEU. That president was George W. Bush in 2006. Are you familiar with Operation Intercept at all?

Mr. DANNELS. I'm not.

Mr. LIEU. OK. That was an operation put in by an American President that basically shut down the southern border for about

three weeks. Then it was lifted because it was not sustainable. That American president was Richard Nixon.

This hearing is titled Biden's Border Crisis. That is completely wrong. It is not Biden's border crisis. This has been a crisis for over half a century from Nixon and every American president after him. They have not addressed this issue. I am going to read you some comments from various American presidents.

Eighty to ninety percent of the heroin that comes into U.S. today comes across our southern border.

You know who said that? President Ford said that.

Millions of undocumented aliens have illegally immigrated to the U.S. They have breached our Nation's immigration laws, displaced many American citizens from jobs, and placed increased financial burden on many states and local governments.

President Carter said that.

The ongoing migration of persons to the United States in violation of our laws is a serious national problem.

President Reagan said that.

I was especially concerned about the growing problem of alien smuggling, international terrorists hiding behind immigrant status.

President Clinton said that.

I could go on and on. The only folks that can actually fix this problem is U.S. Congress by passing laws. We had a chance to do that with a bipartisan comprehensive immigration reform bill that passed the U.S. Senate on a bipartisan basis. Guess who stopped it? House Republicans.

So, it is simply false narrative that this is Biden's border crisis. It is a crisis of over half a century and the people that can stop it are we in Congress. I urge Republicans instead of doing hearings and doing talking points actually work with Democrats on a comprehensive immigration bill that will, in fact, solve this problem.

With that, I yield back.

Mr. BIGGS. The Chair recognizes the gentleman from Texas, Mr. Roy.

Mr. ROY. I thank the Chair.

Mr. Dannels, with respect to that previous point, there has been about 4.7 million apprehensions under the current administration. Is that unprecedented in your eyes?

Mr. DANNELS. Yes.

Mr. ROY. The 2.7 million people have been released into the United States. Is that unprecedented and, in fact, way off the charts compared to past numbers?

Mr. DANNELS. Yes.

Mr. ROY. The extent to which fentanyl is pouring in our communities, is that precedent?

Mr. DANNELS. Yes.

Mr. ROY. Is it precedent? It is unprecedented, correct?

Mr. DANNELS. Yes, yes.

Mr. ROY. I would ask the Judge Samaniego. You testified that there is no invasion. There were 162,000 encounters in the El Paso sector alone in the first quarter of this fiscal year. Does that sound correct according to Border Patrol numbers?

Mr. SAMANIEGO. That's correct.

Mr. ROY. Fifty-five thousand in December alone. Is that correct?

Mr. SAMANIEGO. Yes.

Mr. ROY. We had the Democrat mayor El Paso who has been bussing people to New York City. Truth?

Mr. SAMANIEGO. No.

Mr. ROY. The Democrat mayor of El Paso has not been putting people on buses sending them to New York City?

Mr. SAMANIEGO. Not without notification at the other end.

Mr. ROY. OK. They are putting them on buses and sending them to New York City. New York City today is asking the Federal Government for money to process individuals that they are dealing with overflowing in New York City.

Now, you testified earlier that you weren't getting help from the State of Texas. Now, the city of El Paso declared emergency, but has the county declared emergency?

Mr. SAMANIEGO. No.

Mr. ROY. No. The county has not declared emergency.

Mr. SAMANIEGO. No, we did not.

Mr. ROY. The earlier testimony that you had, before you testified that this effort to wanting to secure the border is racist. So, here is a question for you: Fifty percent of Border Patrol are Hispanic. Border Patrol overwhelmingly wants us to change policies to secure the border, not just as some are testifying that we need more resources. I know that Mr. Dannels, Sheriff Dannels testified that having 20,000 additional agents would be helpful. The answer to that is of course. Of course, having more personnel would be helpful.

The question is what do they most want? Sheriff Dannels, what does Border Patrol most want to secure the border? Do they want policy changes to actually enforce the law or do they want more resources? Which would they rank higher?

Mr. DANNELS. Policy changes.

Mr. ROY. What kind of policy changes? Enforcing the laws of the United States at the border?

Mr. DANNELS. Enforce the rule of law. I'll share this add-on, too. Support from—they feel like they're not being supported by this administration.

Mr. ROY. If we had a law that said that we should follow current law to detain individuals claiming asylum for the pendency of the adjudication of that claim, to require that they be detained according to current law, would that be banning asylum?

Mr. DANNELS. No.

Mr. ROY. If people are claiming in this Committee that it is banning asylum, would that be untrue?

Mr. DANNELS. Yes.

Mr. ROY. Hector Garza works in Laredo, Texas for Border Patrol. He is a friend. He is Hispanic. He said,

"The mother of all caravans isn't just materializing out of the ether. It is just the most recent wave of an invasion that is being aided and abetted by liberal activists who believe that subverting United States law is the best way to achieve the radical policy objectives."

Mr. Dannels, do you believe that Hispanic Border Patrol Agent Hector Garza is racist by describing what we are experiencing at

the border as an invasion and suggesting that it is, in fact, the policies of liberal activists represented by my Democratic colleagues in this Committee and in this House, that this is what is subverting United States law? Do you believe that is racist?

Mr. DANNELS. No.

Mr. ROY. Judge Samaniego, do you believe that there—in light of your statement saying that these policies are being promoted to secure the border, do you think that Border Patrol Agent Hector Garza, a lifelong public servant working for the Border Patrol in Laredo, Texas and Hispanic, a Texan, is racist for that Hispanic American to say that it is an invasion, that his Border Patrol personnel are overwhelmed, that he believes that it is the liberal policies that are making a mockery of our current laws to say that we should enforce the laws, that we should enforce the laws on the books, that this is, in fact, a racist statement by Hispanic Border Patrol Agent Hector Garza?

Mr. SAMANIEGO. Well, it's a freedom of speech and he can say whatever he needs to say. I can tell you that if you asked a Border Patrol in El Paso, they're looking for assistance, that we do not detain them because they don't have the space, they don't have the personnel.

Mr. ROY. I appreciate that, but I would just suggest to you is that this is not a racist statement to say that we should secure the border.

This chart, Mr. Dannels, can you see it from there? Can you see the uptick in the numbers here, way up here?

Mr. DANNELS. Yes.

Mr. ROY. That chart reflects the uptick in migrant deaths. That is 2020–2022. Almost 1,000 migrant deaths at the southwest border of the United States. We had 53 migrants die in a tractor-trailer in San Antonio, cooked in the Texas heat. Fifty-seven were killed when a tractor-trailer crammed with migrants rolled over the highway crashing in Mexico's southern State of Chiapas.

Answer me this: Is it Christian for migrants to be treated like that and to die in tractor-trailers? Would anybody on this panel think it is Christian?

Mr. BIGGS. Time.

Mr. ROY. Mr. Dunn, you go to church in Hays County. Is it Christian to allow migrants to die like that?

Mr. DUNN. No.

Mr. BIGGS. The gentleman's time is expired.

Mr. DUNN. Is not.

Mr. ROY. Thank you, Mr. Dunn.

Mr. BIGGS. Thank you. Before I call any—I have a few articles that I want to read into the record. “El Paso Forced to Bus Immigrants Out of Town Amid Mid-Mass Migration,” from the *New York Post*; “El Paso Joins Governor Greg Abbott in Bussing Migrants to New York City,” from *Texas Tribune*; and “El Paso Looks Like a Third-World Country After Texas Border City . . .” from the *New York Post*. Without objection.

I recognize the gentlelady from Washington, Ms. Jayapal.

Ms. JAYAPAL. Thank you very much, Mr. Chair.

I want to thank the witnesses, all of you, for being here. Mr. Dunn, I want to express—join my colleagues in expressing my con-

dolences to you and your wife Janel and your family for your profound loss of Noah.

For four years Donald Trump pursued some of the most inhumane immigration policies as president. He cruelly tore thousands of children from their parents and did everything in his power to dismantle any parts of the U.S. legal immigration system and refugee resettlement system, a system that has been called the crown jewel of American humanitarianism, not by liberal radicals, but actually by the Association of Evangelicals.

Today my colleagues across the aisle want to go even further than Donald Trump with policies that would effectively end asylum and place unaccompanied children in remain-in-Mexico-type proceedings. Not even Donald Trump went that far. Don't take my word for how extreme this is. Even other Republicans have said that these proposals go too far, calling them extreme, and again not liberal radicals calling them extreme or calling them anti-American. That was from another Republican, other Republicans in this Congress.

In fact, one Texas Republican said, and I quote,

Border security and immigration are two separate topics. One can be for a strong border security presence that prevents terrorists, fentanyl, and bad actors from entering our country and one can be for welcoming future Americans in through the front door.

So, here are some facts: Since Congress created the Department of Homeland Security in 2003 we have spent over \$350 billion on the agencies that enforce immigration law. Federal immigration spending has surpassed what was promised in multiple immigration bills that would have reformed the actual system so that there are legal pathways for people to come to this country. We know that throwing money at the border without also fixing the legal immigration system is not going to be successful.

We have passed in December 2022, Democrats passed the Fiscal Year 2023 omnibus which included \$60 million to hire additional CBP officers and support personnel at ports of entry, another 70 million to strengthen nonintrusive inspection systems that scan vehicles and cargo to disrupt the flow of drugs including fentanyl at ports of entry. Not one of my Republican colleagues voted for that legislation.

In June 2020, Congress passed the Infrastructure Bill which included \$430 million to modernize our ports of entry and improve CBP's ability to detect illicit drugs. Two hundred House Republicans voted against it. We put that money in because we know that over 90 percent of fentanyl is seized at ports of entry.

Now, I understand that the issues that we are talking about today require my Republican colleagues to tell a lot of statements that aren't true, to use Nativist rhetoric, words like invasion and flooding that have actually been used throughout the history of this country to demonize immigrants to this country, different waves of immigrants that have come into this country, but that is not the way that we are going to solve this problem.

Judge Samaniego, I want to thank you for your service and also for sending us the wonderful Congresswoman Escobar, who is such an important voice here on this Committee and in this Congress.

I want to call your attention to this chart that shows that when the Biden Administration rolled out a clear process for Haitians to seek admission into the United States in June–August 2021 and then again beginning in April 2022 the number of Haitians presenting themselves at ports of entry increased. In fact, as we maintained that clear legal process for Haitians, people coming outside of the process basically ended.

In your experience meeting with people seeking safety do you hear a persistent desire to follow a legal process to enter the United States?

Mr. SAMANIEGO. Absolutely. I've seen some incredible situations where they're waiting in Juarez under very difficult circumstances. Sometimes the only reason they cross is because it gets so difficult for them. So, they really, really are interested in doing the right thing.

I'm glad you mentioned the separation of children. There's nothing more heartbreaking. I want to give credit to our Congresswoman who's really stepped up. So, sometimes it doesn't take a law. It just takes a person. In El Paso and everywhere else no longer is there separation of children because she found it to be offensive. She stood up for it. She's championed for that, and we would no longer do that. I think that's quite an accomplishment.

Ms. JAYAPAL. Thank you. My time is yielded.

I do ask unanimous consent, Mr. Chair, to enter the following statements into the record. The American Immigration Lawyers Association, Church World Services, Coalition for Humane Immigrant Rights, First Focus Campaign for Children, Human Rights First, Kids in Need of Defense, National Immigration Law Center, National Immigration Project, Project on Government Oversight, and the Southern Border Communities Coalition.

Mr. BIGGS. Without objection.

I recognize the gentlelady from Indiana, Ms. Spartz.

Ms. SPARTZ. Thank you, Mr. Chair. Judge Samaniego, do you believe in the rule of law?

Mr. SAMANIEGO. Pardon me?

Ms. SPARTZ. Do you believe in the rule of law?

Mr. SAMANIEGO. Absolutely.

Ms. SPARTZ. So, let me ask you a question.

You were talking about asylum seekers. How many of them are actually legitimate asylum seekers, cases percentagewise, based on the current law?

Mr. SAMANIEGO. I think that's an impossible question because they have the right to say that they have credible fear. It is not my position or my role to, to determine whether that is true or not, but that is the court's.

Ms. SPARTZ. The cases when you go and look at these cases, what is the percentage of that actually legitimate? What do you assess that it actually was not abused?

Mr. SAMANIEGO. From the stories I have heard, and what they go through, and how they are persecuted in their countries and how they are treated, and it is not economically driven as much as it is fear-driven.

Ms. SPARTZ. So, what is the percentage that is, that could be legitimate?

Now, when I was in Texas a few years ago and I talked to some people there, I have actually been in El Paso, too, it was under 10 percent. I am not sure if this number changed now. Would you say that majority of them are not?

Mr. SAMANIEGO. Well, you are asking for a nonobjective. I can't say that.

Ms. SPARTZ. OK. Then let me question. If there are a lot of illegitimate cases do you think it hurts legitimate asylum seekers that actually can be killed by their government?

Mr. SAMANIEGO. Well, absolutely. I mean, they are seeking to get away from their difficult situation. I cannot tell you. That is up to the court.

Ms. SPARTZ. Do you believe that, you know, and I agree with you that it shouldn't be where the court really should be doing it because we are delaying the process. Do you believe that have such a large number of people at the border doesn't allow now actually to help legitimate people that could be dead, because we have some people that—very desperate people?

Don't get me wrong. Life is tough in a lot of countries. There are a lot of things, you know, that is really bad. We have people really in a life and death situation do believe to have such scale of people coming to the border and maybe abusing the system, and take advantage of some of these people, actually hurts legitimate people?

Mr. SAMANIEGO. Well, that, that is the broken system. I mean, we are asking—the system says you have the right to express credible fear.

Ms. SPARTZ. The system should be checked at the border and should be go in the first Port of Entry. So, there is a lot of abuses in the system.

Do you believe that they need to tighten a little bit asylum procedures from our standpoint that Border Patrol can do a better job, that we don't have to wait for a lot of cases when they get through the court system? Do you think it is legitimate?

Mr. SAMANIEGO. I can tell you that the number of times that a migrant is vetted is unbelievable.

Ms. SPARTZ. They are not vetting for credible fear right now because they go around that they just say, I have a credible fear. Cartel gives you a piece of paper say what you say the right thing to do. They just let you go. Hopefully, they give notice to appear. Some of them don't even give them anymore because they cannot process it.

It is becoming a situation where it is becoming no one can handle this demand. So, do you believe we need to improve that from your perspective? That is, it not enforcement issue, that enforcement law needs to be tighter? Is that?

Mr. SAMANIEGO. Absolutely, it needs to be improved. I think you are not giving us a solution. It is not an easy solution for us to determine whether it is or it isn't credible fear because the law says that if you express it, then we have to accept it.

Ms. SPARTZ. Well, I think we agree something, the law maybe need to be tightened. Because we are really hurting the people.

Do you believe that cartels making so much money on desperate poor people that the message spread they all come to the country is really hurt legal immigration, but also it really creates a mod-

ern-day slavery, because these are desperate people. Do you believe that would be characterized like that?

Mr. SAMANIEGO. What I have said over and over again is that, if you stop the process, you help the the cartels. When the process is moving, it is very difficult for them to do the things that they do. When you push them back to Juarez—

Ms. SPARTZ. You don't think all this money actually are helping them, to empower them and control now all the whole border with a lot of money? Have better resources than our Border Patrol has. You don't believe it is helping them because all these people paid them a lot of money, and from desperate countries? They don't make enough money to pay unless they became enslaved by these people.

Mr. SAMANIEGO. I agree. Every time that the process stops, that is when they get abused, they get raped, they get—and so there are people that can legitimately come into our country, if we can help them process and get them quickly moving, less likely with the cartels.

Ms. SPARTZ. Yes, I think we need to work on that.

Maybe we can at least find common ground on that.

What would you say, Sheriff, from just feeling, what really needs to be done—and we have two seconds left to really find common ground to stop this insanity?

Mr. DANNELS. I will talk fast.

I actually spoke to Secretary Mayorkas about putting judicial oversight at the southern border so they can address these asylum claims, these credible fear claims. As we know, the high percentage don't qualify under the law to do that.

Secretary Mayorkas said, "I 100 percent agree with you, Sheriff." We have seen no action over the last year to get that done. Because we can address it at the border, not within our communities.

Ms. SPARTZ. Thank you. My time has expired. Thank you.

Mr. BIGGS. I now recognize the gentleman from California, Mr. Correa.

Mr. CORREA. Thank you, Mr. Chair.

First, Mr. Dunn, I want to convey my condolences at the loss of your son Noah. I am a father a four. Every day I pray for my children.

I am, also, a Little League dad. I have seen young children go from promising athletes to drug rehab. A terrible situation, drug abuse. This scourge on our society does not discriminate. Working hard to make sure nobody falls victim to the scourge.

Sheriff Dannels, I also want to thank you for your good work.

Mr. DANNELS. Thank you, sir.

Mr. CORREA. I have a brother that served with LAPD for 30 years.

Mr. DANNELS. Thank you for your service.

Mr. CORREA. He has some interesting stories.

Mr. DANNELS. Yes, I bet you do.

Mr. CORREA. You mentioned human trafficking. You mentioned \$3,000. Is that the price to smuggle a human being into this country?

Mr. DANNELS. No. It is 7,000 and up to be smuggled by the criminal cartels.

So, the drivers that are coming to my county, going to three hours north to Phoenix, Maricopa County, it is \$3,000 per person.

Mr. CORREA. I just got back from Central America. The going price now is about \$22,000. Most of the women, 80 percent of the women by the time they get to El Paso, to our southern border, are either raped or sexually abused. I would say that there is a lot of desperation, putting yourself at risk, a woman preparing herself for that eventuality and paying \$22,000.

Mr. DANNELS. I would agree.

Mr. CORREA. Like many of us here, I have had the opportunity to go to the southern border, El Paso, San Ysidro, the Canadian border as well. My job in Homeland Security.

I only have three minutes left, so I want to talk about the San Ysidro border crossing.

When I usually cross that border, come back to the U.S., I identify myself to the border agents. Tell them who I am and ask them how is the day's work going? Usually get average answers.

One day agent told me, "Look behind you. See all those cars."

I said, yes.

He says, "They are essentially filled with Russian and Ukrainian undocumented immigrants."

I said, "It is new?"

He said, "No. It has been happening for a few months now."

Well, the Russian-Ukrainian war started, those undocumented Ukrainians are now Ukrainian refugees.

April 2022, less than a year ago, I went back to San Ysidro, actually to Tijuana, Mexico, to visit a refugee camp of Ukrainians. This is what I found behind me: The Mexican Government took a baseball field, turned it into a refugee camp. The Mexican police were guarding that camp to make sure those refugees were safe. American private and public donations poured in. Doctors, nurses, healthcare professionals came in from across the country to make sure healthcare needs were taken care of.

This became a processing center for Ukrainian refugee camps. Refugees would come in. In 24–48 hours they would board a bus, be driven to the pedestrian crossing, pedestrian west crossing. Title 42 would be waived. They would get a parole status and walk across the border.

This is an example of how you deal with the refugee crisis, right here, ladies and gentlemen. This doesn't look like El Paso. This is the way you address the refugee challenge.

The Biden Administration, thankfully, is now working on implementing a similar program, parole program for Cubans, Haitians, and Nicaraguans. We still have the Afghanis that fought alongside our troops that are still hanging out there somewhere. Same thing for Syrians.

Sheriff Dannels, I ask you this question because it is an issue of incentives, folks. Very, very desperate individuals. You have got to give them a reason to go through the legal process because they are desperate.

The refugee challenge is not just the United States. It is a world-wide issue. The solution isn't just here. Our neighbors, Canada and Mexico, have to be part of the solution as well.

Under existing laws this is the way you do it.

I am out of time, Mr. Chair. I yield. Thank you very much.

Mr. BIGGS. Thank you.

I recognize the gentleman from Virginia, Mr. Cline.

Mr. CLINE. Thank you, Mr. Chair.

I want to thank the witnesses for being here. Mr. Dunn, our prayers are with you and your family for the loss of your son.

This hearing is designed to bring to Washington the concerns of the people at the border about this border crisis, and seek out its origins, which are clearly down at the other end of Pennsylvania Avenue and the White House.

From day one, this administration has blatantly ignored U.S. immigration laws and policies designed to keep America safe. After several visits to the border myself, it is clear, we need border enforcement now. The open border and amnesty policies have made this crisis worse every single day and encourages more vulnerable populations to make what is a very dangerous journey.

Americans should be outraged by the Biden Administration's failed leadership.

On January 30th, *KFOX 14* in El Paso reported on Border Patrol reports in the article entitled, "Unprecedented number of migrants reported in El Paso in the first quarter of 2023."

More than 64 percent of the migrants encountered during this timeframe were single adults, some attempting to evade arrest and not seeking asylum. Unaccompanied children encounters increased by 59 percent in the last Fiscal Year of 2022, the same timeframe, as opposed to 8,000 unaccompanied children encounters. El Paso sector reported only 5,000. So, that is up.

The sector led the Nation in the first quarter of the Fiscal Year with total migrant encounters across all 20 U.S. Border Patrol sectors. Agents apprehended 37 individuals with criminal records, rescued 61 migrants, including tender-age children, some abandoned in the remote desert, and intercepted 22 narcotics loads.

A defense attorney in El Paso, juvenile defense attorney, stated, "Youth are getting more involved with crime." Huge increases in weapons. He thinks it is just because they are getting money to pay for these weapons. How they are earning that money is from drugs. I see a lot of kids are helping with human smuggling, and that is a big problem.

Although, Judge, you stated in your testimony there is no invasion of migrants in our community, nor are there hordes of undocumented immigrants committing crimes against citizens or causing havoc in our community, when you see an increase in children helping human smuggling, how is that not the case? How is it not the case that you, that these policies are contributing to the delinquency of minors in your area?

Mr. SAMANIEGO. Once again, I don't see the correlation of things that are going on with our country and sort of saying that it is influenced by our immigration or people coming through. Like I said, we don't see that. We try our best to deal with the circumstances at hand. Then we try our best to move people along.

I have said over and over you guys have the luxury of being Democrats and Republicans. We have to be public servants. That is all we can do. When they come across, we do not manage who

comes across, we manage how to process them in the best possible way.

I have said over and over, El Paso really thinks as a Nation. I think people think that we are just focused on our situation there as a community, but we don't. We are really concerned about having New York to deal with that, having Chicago deal with that. We have talked to each one of the mayors and we are working.

If we were to put in more of a national system of allowing communities to say who needs the migrants, and then helping us to process them there. I use the Houston model. It is just exceptional. Every single day 52 come in. They go back to Houston. They go to the bigger hubs, and we move them through.

So, that is where we need your help. We need your help to—whether what we are doing is right or inaccurate, but the fact that it is a community that really shoulders a tremendous amount of a broken system.

Mr. CLINE. You say that the transportation of these individuals to other cities is necessary to prevent your community from descent into chaos, correct?

Mr. SAMANIEGO. No. That is not true.

Mr. CLINE. You are fine keeping them all in your jurisdiction instead of sending them to other locations?

Mr. SAMANIEGO. We would welcome them. It is a shame that they are concerned about being close to the border because of how they are going to be treated, and how they are going to be deported even if they shouldn't be deported. So, you have got migrants wanting to move into the interiors simply because they don't feel safe, even if they are here, processed, and legal.

Once they are processed, they are legal in our community. So, once again, I think we are helping the Nation do the right thing.

Mr. BIGGS. The gentleman's time has expired.

The Chair recognizes the gentlelady Ms. Scanlon.

Ms. SCANLON. Thank you, Mr. Chair.

Colleagues on the other side of the aisle seem to have called this hearing to really promote fearmongering or disinformation to justify a radical plan that would effectively shut down asylum to everyone. The plan is so extreme that the Republican colleagues have objected that it is ineffective, inhumane, and even un-American.

What I find particularly pernicious is the attempt to conflate the issues of migrants seeking legal asylum through our legal processes with the very real scourge of fentanyl trafficking which, as CBP data demonstrates, and Judge Samaniego has testified, overwhelmingly comes through the ports of entry in trucks and cargo ships, not on the backs of migrants trying to flee poverty or violence in their home countries.

Falsely suggesting that migrant families seeking asylum are the source of the fentanyl epidemic, we can't even start to craft policy measures that could actually address either of these issues, the fentanyl crisis or the humanitarian issues raised by the push factors in South and Central America and our immigration laws.

So, I don't want to waste this opportunity. Since most of my experience before coming to Congress has to do with how badly broken our immigration laws are, I just wanted to focus there.

How do we handle the increase in asylum seekers at the southern border with real fixes, like some of those that Judge Samaniego has suggested?

As I suggested, we do need to address the root causes of migration, but we need to have functioning pathways here in this country that people can pursue. I have represented enough folks seeking asylum to know that there aren't functional pathways.

I think we heard a statistic that only a small percentage of people seeking asylum are actually entitled to it. That is not true. The statistics vary very widely across the country, but in some areas, particularly on the border where there are less friendly judges often, the rates are very, very different than in other areas across the country.

So, Judge Samaniego, you are not an Immigration Judge, are you? You don't adjudicate asylum claims?

Mr. SAMANIEGO. We do not.

Ms. SCANLON. OK. I did want to verify that.

Now, a couple years ago I had the opportunity to visit the border and speak with Customs and Border Patrol, Homeland Security agents, and advocates, and did see that there is a humane processing process available there. I really appreciate that.

Why do you think that has been so successful over the years, particularly when compared with other cities and counties along the border?

Mr. SAMANIEGO. I think one is that we have accepted to be humanitarian. When you do not start at that point, then you don't create processes, you don't create ways to handle them, the NGO's are not working with you, the Border Patrol doesn't work with you. So, I think the moment that you make that determination that you are going to be humanitarian, it forces you to come up with systems to help out.

There are some, for example, there are things that we could do. The Venezuelan population dropped tremendously as soon as we—the Border Patrol has an app that you can, now from your country, begin to apply. We are talking about vetting the credible fear. So, you are able to do a bit of that. The numbers dropped tremendously.

Also, I was able to talk to the Ambassador from the U.S. to Mexico. He talked about what do we do at the origin, the point of origin, is very important. Because we know that, for example, why is Colombia not treating Venezuelans properly, and then Venezuelans have to leave their country to come to our country?

So, there is a—it is not just a pull that we have. We have a push that we need to look at as well.

So, I think there is, if we get creative, but once you start with the idea that you have to—it is safety. We have to make sure that the economy is taken care of. El Paso is one of the strongest economies in all of Texas. We were one of the strongest. So, while we are dealing with this situation, we have to worry about the economy. So, the economy, the safety, and being able to do the right things from the humanitarian, I think if you start from that premise, things are more solvable.

If you start from the premise that you don't want them here, then what is the solution?

Ms. SCANLON. I do want to pick up on that because over the past few months Texas' Governor has sent dozens of busloads of vulnerable migrants to Philadelphia, which I represent, without notice or coordination which, of course, has made it more difficult for our willing city authorities to welcome those folks. When you have two buses dumped on New Year's Eve morning before 6:00 a.m., and you have vulnerable people without coats, it is very difficult.

So, I appreciate your insight that cooperation can smooth over many of the issues that we are dealing with.

I see my time has expired. I yield back.

Mr. SAMANIEGO. Thank you, Congresswoman.

Mr. BIGGS. I recognize the gentleman from Wisconsin, Mr. Tiffany.

Mr. TIFFANY. Judge Samaniego, you said in one of your answers earlier that people come here because they are passionate. You have advocated for allowing people to come in here.

Do you think that is a reason why we should allow people into America on a legal basis because they are passionate to come to America?

Mr. SAMANIEGO. Well, no, no. I said, they were here for different reasons. They just happen to be passionate as an additional component. I mean, they come because they are fearing what is happening in their community.

I touched this when I said earlier when they tell you that every day their mom or their dad calls them and says they come here looking for you every morning, and they want to know where you are at.

Mr. TIFFANY. Thank you.

Mr. SAMANIEGO. That is why they are moving in this direction.

Mr. TIFFANY. Thank you. I am really glad this issue in regard to Governor Abbott moving people to various cities around the country has come up. Have you been critical of Governor Abbott for what he has done?

Mr. SAMANIEGO. Absolutely. Absolutely. Because when you send someone that is not organized, and they don't know who is on that bus, and some of them are not sponsored, that is a huge burden on that community.

Mr. TIFFANY. Have you been critical of the Biden Administration when they have flown people all over the country in the dark of night?

Mr. SAMANIEGO. I don't know of that taking place. I apologize.

Mr. TIFFANY. So, you have not seen, for example, I have an article here entitled, "Biden Administration quietly flies illegal immigrants to New York in the middle of night"? We just heard from a fellow Member on this panel saying they are doing it in Philadelphia also.

Do you think that is right for the Biden Administration to do that?

Mr. SAMANIEGO. Well, I think it is an indication that they have to decompress. Because when we get flights that are going out to decompress the system there with the Border Patrol, and has nothing to do with our community—

Mr. SAMANIEGO. So, did you give the benefit of the doubt to Governor Abbott and say, well, maybe they are decompressing these people on their trips to these cities?

Mr. TIFFANY. Well, I—

Mr. TIFFANY. Isn't it the same thing, Judge Samaniego?

Mr. SAMANIEGO. No, it isn't, because it is not coordinated. We have never gotten a call from the Governor to tell us, hey, what do you need? How can we help? How can we do things?

Mr. TIFFANY. No. Thank—

Mr. SAMANIEGO. We just get buses for these people.

Mr. TIFFANY. I really appreciate that. Biden Administration quietly flies illegal immigrants to New York in the middle of the night. That is what they are doing.

I will be happy to share this article with you so you can see what is happening there.

Thank you for your answer.

Sheriff Dannels, I was in your county in June 2020. What has changed since June 2020?

Mr. DANNELS. Well, we went from, just to put it in perspective, five percent of my jail population was border-related, up to almost 45 percent now, 45 percent.

We have seen the pursuits. Last year we put 180 people in jail for pursuits that were deadly pursuits. When I say, "deadly," driving at 100 miles an hour plus, endangering communities. Some resulted in deaths. Some we interdicted before they killed somebody.

We see the flow of public safety challenges in our community based on this border every day. So, it has changed drastically as a result of this border.

Mr. TIFFANY. Because what I heard from your sheriffs is that there was good coordination all the way from the local level all the way up to the Federal Government in June 2020, and that there was some control being—the border was becoming more secure.

Is that generally an accurate statement?

Mr. DANNELS. Yes, Congressman. In fact, Border Patrol, when I pull up to a scene to help my deputies or troopers, officers or agents, they always make a point to come over and say, Sheriff, thank you for what you do. Thanks for being a voice for us.

Mr. TIFFANY. We heard earlier that—I can't remember who it was that said that the increased fentanyl is not tied to illegal border crossings. Do you agree with that statement?

Mr. DANNELS. No.

Mr. TIFFANY. Why not?

Mr. TIFFANY. The criminal cartels are exploiting our border, whether they are trafficking children, adults, males, females, whether they are human smuggling for profit, or they are doing illicit drugs. Either way, the criminal cartels are exploiting our border. I keep hearing the word, different words about how it is controlled.

It is not effectively managed right now. Until it is, the cartels, they are the winners of this.

Mr. TIFFANY. Those of you on the other side of the aisle, you can continue to wear blinders, or you can do photo op trips like the President did down to El Paso where they cleaned up that region

before he comes in, you can do that. The American people are seeing very clearly what is going on.

Now that we are in the majority, we are going to try to identify this as much as possible. Because you are hearing the truth here from people like the sheriff, from the fentanyl families. I hope you are meeting with those fentanyl families because it is directly tied to the border.

I am going to just close with this: I hope as we go through this process, we also get more information out in regard to the NGO's, the International Organization for Migration, which has weaponized immigration into this country all the way from Panama up to the southern border. I hope we dig in deep to those NGO's that are complicit—

Mr. BIGGS. The gentleman's time has expired.

Mr. TIFFANY. —in the greatest human trafficking operation perhaps in the history of the world.

I yield back.

Mr. BIGGS. I recognize, the Chair recognizes the gentlelady from Pennsylvania. Is that right, Ms. Dean?

Ms. DEAN. Yes.

Mr. BIGGS. All right. Ms. Dean.

Ms. DEAN. Thank you, Mr. Chair.

Thank you to all our testifiers for being here today. We benefit from your experience, and your service, and your knowledge, and your heartbreaking family experience.

Before I ran for Congress, I was a professor. For 10 years I taught at LaSalle University in Philadelphia, teaching writing, rhetoric, and ethics. That is why I can't help noticing words so often used by my Republican colleagues when we are talking about both of these tragic issues: Words like hordes, invasion, crisis, and open border.

It is purposeful. They want the American people to be scared. They want us to feel threatened. They want to create divisions because othering people makes it far easier to mistreat them.

The reality is there is no invasion. There are no hordes of invaders. Our borders are not being overrun by dangerous criminals. We do have a broken immigration system.

At the same time, we are struggling with an extraordinary, deadly drug problem in our country.

Mr. Dunn and Ms. Dunn, Ms. Janel, my extraordinary heartfelt sympathy to you on the loss of dear Noah, poisoned by fentanyl, as you have written here in your testimony. My family knows a little bit about drugs and poisoning from a different perspective; my son is a recovering addict. It is by the grace of God that he did not come into deadly fentanyl that would have taken his life.

We must be able to talk about these things honestly, and not conflate them, as my colleague just said. There is a difference between the facts and the rhetoric, between wanting to solve these problems or just trying to make people afraid of them.

The fact is 90 percent of fentanyl, heroin, and meth seized in this country is captured at ports of entry. Just about everybody who I have spoken to has said this. This means the drugs are being brought in through normal channels, not on the backs of families

crossing at remote parts of the country. The vast majority I am talking about. I am sure it is not 100 percent.

In fact, CBP reports that drug cartels are now recruiting Americans to bring fentanyl into this country, not undocumented immigrants. We have a horrific problem. Like your dear Noah, we are losing more than 100,000 people a year to overdose, more than 70 percent of those fentanyl.

I wear this band for the son, a 24-year-old son who died of an overdose, fentanyl poisoning. Sadly, it is not one anymore. This band represents at least a half a dozen in my community whose children have lost their lives.

Let's get serious about it. Let's stop demonizing the immigrant who comes and asks for help.

Judge Samaniego, I understand, and I have been to El Paso to the Port of Entry, it is the second busiest border crossing in the United States. You interact with a large number of these people who are—and they are people seeking safety and humane treatment. Can you just give a couple snippets of why they are coming across?

Mr. SAMANIEGO. I said earlier, a large number that you hear is that they were in their country, they were abused, they tried to defend themselves, so they get targeted. That is one big category, where they are just trying to do the right thing in their own country, but their own country rejects them, and then they target them. That is a big part of it.

A lot of it, like I said, is just it is not—the economy plays a second part of it. Obviously, the economy is worse, but that is not a reason to come to our country, because of the economy. They are really driven by the fact that they can no longer live in their communities.

Ms. DEAN. We know that we have seen these numbers for a large number of years, not just under the Biden Administration. I think in your testimony you wrote at least the last four years you have had increased numbers.

Mr. SAMANIEGO. Absolutely.

Ms. DEAN. Can you speak to what you also said in your testimony which is this, what I am so concerned about, which is the false racist narrative that is being promoted here today, and is promoted day after day here in Congress?

Mr. SAMANIEGO. Well, if anybody is concerned with that, it is us. I mean, we, that narrative was picked up by a shooter that you had the Walmart situation. We hear that and it concerns us as a community.

When you say racism, and invasion, and all this, it makes our community extremely nervous because then we might get targeted for being that community, and for being humanitarian.

So, I do ask for these words to be settled in a different way. You don't need to say invasion and all these things that are happening across the border. We are a community that works really hard. We are very privileged with what we have. It is just very concerning when we hear this because we don't know if we are going to be targeted because of these comments.

Ms. DEAN. I know my time is up. I thank all three of you for your service.

Mr. Dunn, I thank you for your wish to our children.

Thank you.

Mr. BIGGS. The gentlelady's time has expired.

The Chair recognizes the gentleman from New Jersey, Mr. Van Drew.

Mr. VAN DREW. Thank you, Chair.

First, Mr. Dunn, as everybody else has said, and I know we have been repetitive, but it really is heartfelt, we feel for you.

As somebody, I am a grandfather, I am getting older, and a father. I can't imagine. I cannot imagine. I will tell you, I mean this sincerely that I will pray for you and for your family.

I don't know, sometimes I think the world is upside-down. The more that time goes on, especially recently, it seems upside-down to me. So, I have to talk about a few of the things that I heard my colleagues on the other side say that, for example, this hearing was a show.

The hearing is not a show. To determine how to effectively fix something you have to study it, you have to learn about it, and you have to hear about it. That is what this hearing is about. It is not a show.

It is also not anti-immigration. None of these Republicans, and I know, I am sure, none of the Democrats are anti-immigration. We are anti-illegal immigration. There is a difference. There is the rule of law.

I don't know where we have lost that. That is what I mean by the world being upside-down. The rule of law, that you follow laws, and things happen in a certain way.

The other secret here that people sometimes don't want to talk about is no country that is ultimately successful for a long period of time has wide open borders. Yes, there can be border problems. America has had border problems. Many countries have had border problems. Nevertheless, you can't say that you can just have completely open borders.

If that is true, let's just open our country completely to every single country in the world and say we have no borders, and as many people want to come here can come here, whether they are sick or not, whether they have other issues or not, whether drugs are coming in or not. Yes, drugs are coming in because the cartels are helping these people to get across and using them. Human trafficking is happening. Human abuse is happening. I am sorry, Judge, but it is.

If you talk to people down there, I know the people you don't talk to don't see it and hear it, but the people that I do—and we are going to go again real soon—do see it and hear it. It is true. It is real.

I kind of empathize with the sheriff, Sheriff Dannels, when he spoke about Secretary Mayorkas because I have had the opportunity to ask him questions a number of times when I was on the Homeland Security Committee, and the guy doesn't tell the truth. Nobody wants to say that openly, but I will: The guy is a liar. He does not tell the truth.

When he tells you he is going to look at something, he doesn't. When he tells you he is going to do something, he doesn't.

When you show him a video of terrible things happening, once it was a video of a young officer actually saving somebody's life that was drowning, and they found out that it was a drug dealer whose life he saved—by the way, the officer died—that is the truth.

The truth is we have a problem. The truth is that we need borders that are effective, and we need borders that are sealed. The truth is it is Biden's. I will be the partisan one here, it is Biden's problem, because in two years it has radically changed.

When President Trump put together a strong array of immigration policies at stemming the flow of illegal immigrant crossings, there was so much of a reduction. It was so much safer. It was getting better. It was working.

You know what? Legal immigrants don't like the illegal immigration. They don't want to be mixed into that. His very first day in office President Biden decimated this process. He ignored the experts. He ignored the expert advice of those serving at the borders. He turned his back on the millions of Americans that live in border communities. Does anybody care about all these people that are being overrun? We are all going to care soon because we are all going to be overrun.

That is not being—that is not hyperbole. It is not extreme. They are being shipped all over the country.

He ended the construction of the wall and he refused to deport any illegal immigrants during the first 100 days, so he terminated the declaration of a national emergency at the southern border, all in one single day. Did we put out a message that we wanted illegal immigration? Absolutely.

You know all the things that have happened since and how many got-aways have got away.

I wanted to ask something of the sheriff. Because I don't have time, I would love to talk on this longer.

Kamala Harris was appointed the Border Czar. That means she should know this border in and out and in every way, along with Mayorkas. Has she? Have you had a lot of interaction with her?

I am done talking, but can he answer that at least?

Mr. BIGGS. Yes. The gentleman's time has expired.

You may answer that question.

Mr. DANNELS. No.

Mr. VAN DREW. No.

I hope everybody heard that. That is the answer. That is the truth.

Mr. BIGGS. Thank you. The gentleman's time has expired.

The Chair recognizes the gentlelady from Texas, Ms. Escobar.

Ms. ESCOBAR. Thank you, Mr. Chair.

I would like to also join my colleagues, Mr. Dunn, in expressing my heartfelt sympathies and condolences for the loss of your son.

Sheriff Dannels, thank you for your service to your community and to our country.

Mr. DANNELS. Thank you, Congresswoman.

Ms. ESCOBAR. Again, Judge Samaniego, I am so grateful for your compassionate and strategic leadership and your partnership with the Federal Government. We appreciate your testimony here as well.

For anyone who really, truly wants to understand what is happening at the border and to depoliticize this, we have got to take a step back and acknowledge that what we have been seeing is an historic refugee crisis impacting our Western Hemisphere. It started in 2014 as we began seeing record numbers of unaccompanied minors. It has continued through the years.

When folks credit Donald Trump for limiting migration, I want you to look at what the data shows, which is the only time we saw a drop during the Trump Administration was in the weeks after the country and the world shut down because of COVID. The apprehensions began increasing again before the November general election in 2020.

So, let's operate in truth and fact or we won't be able to achieve any solutions together.

I will tell you there is no one who wants a safe, secure, well-managed border than those of us who live and work on the border, than those of us who raise our children on the border, those of us who have pledged our service to the border.

So, to my Republican colleagues, I will work with anyone who wants to achieve what I hope we all want to achieve. So, how do we do that? How do we solve this challenge?

I will tell you how we don't do it. We don't keep doing more and more of the same. The definition of doing the same thing over and over again and expecting a different result is insanity.

What have we been doing for decades in America? We have been addressing immigration as a border only issue. That is an expensive failure.

So, how do we solve this?

No. 1, Congress needs to open-up legal pathways. We haven't done that in decades. For many of these migrants there is no line for them to get into, there is no right way for them to use except for asylum, which is legal.

We should also recognize that our country needs immigrants. I don't know about you all, but every CEO I talk to says we need a labor force. I have had CEOs from different parts of the country tell us, can we have some of those asylum seekers in our community, because we can't get anybody to go to work?

So, we need to recognize how advantageous immigration is for America.

We also need to modernize our processing and include a Federal civilian workforce so that, Judge, you don't have to step in and fill in where the Federal Government has failed.

Most importantly, we can depoliticize this work and work for real solutions.

So, if we want to end the scourge of fentanyl, I sure wish my Republican colleagues would have voted for the bipartisan Infrastructure Law which funds technology at our ports.

If you want to help defeat the cartels, fund the President's budget as he applies historic resources to do this.

If you want to erode the power of the cartels, advocate to end Title 42.

If you want to secure the border, I sure wish you would have voted for historic funding for the Department of Homeland Security in December.

Every member of the Republican party, every colleague actually on this panel who is a Republican voted against that funding. In fact, in December President Biden asked for \$5 billion for the Department of Homeland Security. Republicans cut that in half and then voted against it.

Judge, in that funding was money for communities like ours, for governments like yours that help partner with us. If the Republicans would have had their way, and if that funding wouldn't have made it to you to help, who or what agency would have been hurt the most?

Mr. SAMANIEGO. Oh, my goodness. Just the fact of not having the funding, obviously everybody gets hurt because now NGO's have to step in without any money. Everything gets shifted away from what they need to do.

I can tell you, FEMA helping us really took a—that was such an incredible opportunity for us to be able to shelter, to process, to do the things that we wanted to do in a very organized manner.

Ms. ESCOBAR. When you can't help, what agency has to pick up the burden, what Federal Law Enforcement Agency?

Mr. SAMANIEGO. Well, the Border Patrol.

Ms. ESCOBAR. That is right.

Mr. SAMANIEGO. Border Patrol. They, that is why we have such a great relationship, because they know that if we weren't doing our job with the community, they would have to have—they have 1,200, they have 1,200 beds available. Sometimes they have as much as 5,500.

When we help them, the flow comes through, they are feeling good about it, and we take all that pressure away from the Federal Government.

Ms. ESCOBAR. Thank you, Judge.

My time has expired. I yield back.

Mr. BIGGS. Before we go to our next interlocutor, I guess do any of you need a five or 10 minute break? Do you? OK.

So, we are going to recess for 10 minutes, or the sound of the gavel.

We are in recess.

[Recess.]

Chair JORDAN. [Presiding.] The Committee will come to order. The gentleman from Oregon, Mr. Bentz, is recognized.

Mr. BENTZ. Thank you, Mr. Chair. Let me just start with Sheriff Dannels. Sheriff, I am interested in knowing about how you would view a system that did not allow asylum claims.

If we decide to secure the border completely and cut asylum claims and cutoff parole claims, that doesn't mean necessarily that the border is going to be secure. There are still going to be issues because the border is a long space and folks will be coming across it. The reason I bring up this reference to asylum and parole is because when Secretary Mayorkas appeared before us, he assured us that the border was secure and that the law was being enforced.

Of course, he neglected to point out that literally tens of thousands of people were being allowed in under the guise of both of those perfectly legal devices. So, two questions to you. First, I was looking at your suggestions on what we needed to do to perhaps secure the border.

So, the first question is, which one is the most important if we are actually going to do it? The second one in the same vein is, can we do it? Do you think that we can actually secure the border?

If so, tell us how much money it is going to take. I saw your list. I have no idea what the cost would be. Can we actually secure the border?

Mr. DANNELS. I do believe, Congressman, that we can secure the border to a manageable State. We've seen it done before. I've seen it almost four decades of law enforcement where we have a manageable border.

It'll never be perfect. I've seen that. I don't ever see perfection on the border. What I do see is having the right programs which starts with the President of the United States.

I know it was mentioned before, different Presidents, different ideologies. The bottom line is when we have a President that, (a) prioritizes all our borders, not just our southern border, and then (b) we enforce the rule of law. We can always polish the rule of law. We have to enforce the rule of law.

Mr. BENTZ. Stop there. That takes me nicely to asylum and parole. Those are the laws. Are you suggesting we do away with those and say, the border is now closed? We don't want anybody coming across. Is that what you are suggesting? Because I can't let you get away with abolish the rule of law without talking about asylum and parole.

Mr. DANNELS. Congressman, when I say—I always put border security first and then immigration second because we can talk immigration all day. If the border is not secure, we're going to be fighting ourselves like we are in this meeting today. So, when I talk about asylum, I believe in asylum.

You got to do it legally. You got to go through a Port of Entry as designated by our rule of law. You can't come across our border illegally and then have no consequences.

I've been a cop for 38 years. I've been in the military. I support the rule of law. I'm never going to change from that. I've done that for so long. So, we've got to have rules that we're going to follow, not that we make them subjective to what political ideology fits. We have to have a rule that fits. That's why I say we have to enforce the rule of law or we change it to make it fit current times.

Mr. BENTZ. Correct. With mass migration, that is a real challenge. Mr. Dunn, I am really, really sorry for your loss. I had some of the staff ask you during break if there was a way of testing for fentanyl so that children, such as your son, could have some means where they could check to see if that which they are taking has been contaminated with fentanyl.

I understand that there may be a way to do it. It is designated as drug paraphernalia and thus not available. Tell us what the future is when it comes to trying to warn kids who are taking these kinds of things of the danger.

Mr. DUNN. There are fentanyl test strips that are available. Right now, they are classified as drug paraphernalia. Excuse me.

One of the things that we're working on along with other families that we talk with in Texas and as well as multiple of our democratic State representations, our current representative is a Democrat is to have these removed from that classification. Governor Ab-

bott has already stated that he will sign any legislation that decriminalizes fentanyl test strips. They just have to get that legislation out there, so it can be enacted.

Mr. BENTZ. So, why would anybody object?

Mr. DUNN. They won't. Everybody that we've talked to is on board with it. It's just our session in Texas doesn't meet as frequently. So, they have to—we've been told it is one of the priorities.

I believe there's several different bills out there. So, I think it's finally just getting everybody on board and getting it done is what we're waiting on. I think our session just convened a few weeks ago. That is one of the top priorities from the representatives that we've spoken to.

Mr. BENTZ. Yes, thank you for being here. I yield back.

Mr. DUNN. Thank you.

Chair JORDAN. The gentleman yields back. The gentlelady from North Carolina is recognized.

Ms. ROSS. Thank you, Mr. Chair. First, Mr. Dunn and to your wife, I am just so profoundly sorry for your loss. I have met with the families of focus who have lost loved ones to fentanyl.

It is a problem in my home State of North Carolina. I think it is quadrupled the problem. So, I am 100 percent with you in finding a way to stop this drug from coming into our country and spreading throughout the country. So please, please know that.

I am just somewhat saddened by this hearing because we have had the opportunity to work on bipartisan immigration reform, both immigration reform that deals with the safety and security of our border and that addresses the needs of our workforce. I represent North Carolina. So, we have a huge agriculture industry that is dependent on migrant farm workers.

We also have a lot of people in our State who come to work in high tech companies and in biopharma. They are having difficulty with their visas and extending their stays. It really is incumbent on all of us to work together to solve this problem.

We are seeing some glimmers of hope on the Senate side. My great fear that we are going to have one-sided hearings on the House side that don't bring people together to be able to both solve the situation at the border which is both a humanitarian and a safety issue and make sure that we have the workforce that we need. As I said, in my State of North Carolina, that workforce comes from all corners of the world, but has insecurity about whether or not they are going to be able to stay and whether or not their children are going to be able to stay.

So, it is my hope that the majority on this Committee really wants to do that hard work. I know that Congresswoman Lofgren is not here right now. The work that she did on farm worker modernization was bipartisan and important and helped with border issues and helped with making sure we had enough farm workers.

I worked last session in a bipartisan way to help the documented Dreamers. These are young people who come here legally with their parents on a visa. Because our immigration system is so broken; they have to self-deport at age 21.

We have bipartisan sponsors on the House and Senate side. It got through the House. We are really, really hoping to work on that.

So, it is in that spirit that I would both ask my colleagues to work on this issue and I will be asking some questions of our witnesses. My first question is for our judge. Please tell me how to appropriately pronounce your name.

Mr. SAMANIEGO. It's sort of easy. It's Samaniego.

Ms. ROSS. Samaniego. So, as I have said, immigration has become such a partisan issue. What I would like to know from you, what are things that work where you think we can get some bipartisan support at the border?

Mr. SAMANIEGO. I'm glad you're saying that, Congresswoman, because we gain a lot of traction and things seem to be moving in the right direction. Then when politics enters, it sort of distracts us from doing what we need to do. I think you would think at this point that necessity would give us the way toward getting job creations and we hear a lot about that.

I ask two questions from every migrant, every person I meet.

- (1) How long have you been traveling just to get them to sympathize with what's happening with them?
- (2) What is it that you did in your country?

I can tell you plumbers, teachers, bricklayers, and agriculture. Everyone has—there's no one that has said, I'm just a laborer or I'm just a—they've worked in farms. They've worked in doing things that we need.

So, if you connect the two that we have a tremendous need, I know just in El Paso, right there on the border, we have maybe 20 percent, that we could use 20 percent, especially in the service industries, in the entertainment industries. They have all that talent and the abilities. I think the first thing is instead of trying to eat the elephant in one sitting that we start saying, what are some of the small things that we could do?

I believe from just my experience that job creation and connecting the immigration situation to jobs. We've already lived through the bracero situation that we need it, and we used it properly. It was very successful.

So, I think the first thing is that I hear is they're ready to work. If we could connect it with our needs here in our country.

Ms. ROSS. Thank you so much, and I yield back.

Mr. SAMANIEGO. Thank you.

Chair JORDAN. The gentlelady yields back. Judge why wasn't it fixed last year?

Mr. SAMANIEGO. Pardon me?

Chair JORDAN. Why wasn't it fixed last year? The gentlelady talked about working in a bipartisan fashion to fix this problem. Why wasn't it fixed last year?

Mr. SAMANIEGO. Why wasn't it fixed last year?

Chair JORDAN. You talked about the concerns and how we have to work together to fix—I am just wondering, why wasn't it fixed last year? Because they didn't need bipartisan support last year. Last Congress, they controlled everything in the Federal Government. If it is a Federal Government solution, why didn't they fix it?

Mr. SAMANIEGO. Well, one of the things that we're doing today, and I appreciate that is we're having a dialog. Those dialogs can lead to—

Chair JORDAN. I am all for dialog. I am all for working together. Now, it is all bipartisan. First, they say there is no problem at the border. The border is secure.

Then they come in here and say, oh, no, no. We got to work in a bipartisan way to fix it now that we are in control of the House of Representatives. All I am saying is last Congress, they controlled everything.

Joe Biden is a Democrat in the White House. The Senate was controlled by the Democrats and the House was controlled by the Democrats. Why didn't they fix it then?

Mr. SAMANIEGO. I think that falls more in your corner than mine.

Chair JORDAN. My corner?

Mr. SAMANIEGO. Yes, because—

Chair JORDAN. The minority last Congress?

Mr. SAMANIEGO. All we do is maintain the flow and try to do the best we can with a broken system. We have nothing to do with fixing a system. So, this—

Chair JORDAN. You understand how the U.S. Government works, right? You get a majority in the House and majority in the Senate. They pass something that goes to the President. He signs it. They could have done that last Congress. They didn't.

Mr. SAMANIEGO. Well, what a great—

Chair JORDAN. Why not?

Mr. SAMANIEGO. —opportunity for you to be different.

Chair JORDAN. Great opportunity. That is why we are having the hearing. They criticize us on the hearing. They said, why are we starting this Congress off with this hearing?

They can't have it every way. They can't blame Republicans when they were in control. You come here and you can say, oh, no, now it is time for bipartisanship. We welcome that.

If we really want to address the problem, the problem that caused Mr. and Ms. Dunn to lose their son, the problem that Sheriff has talked to us about that has been so, so dramatically changed in the last couple of years. That is what we want to address. I yield the remainder of my time to the gentleman from Texas, Mr. Roy.

Mr. ROY. I thank the Chair for his remarks. I am just going to followup, Judge with the question of the—well, you and I came to an agreement about the numbers of 55,000 roughly that had been encountered in December in the El Paso sector, some 200 and I can't remember the exact number. I am sorry, a 145,000 or 50,000 encountered over the fiscal year, the three-months. How many of those encountered have been turned away under Title 42?

Mr. SAMANIEGO. Have been what?

Mr. ROY. How many of those have been turned away under Title 42 with respect to the—

Mr. SAMANIEGO. I'm not sure of the number. I think from the border patrol, they're looking at about 35 percent.

Mr. ROY. Yes, that tracks with the numbers that I understand, right? So, you are talking out of the 55,000, you would have 18,000–20,000 that would have been turned away under Title 42.

You have about 50,000 of those 150,000 that would have been turned away under Title 42.

Yet, we know that there was a situation in El Paso with the difficulty of dealing with the processing and the numbers. Now, we have got bussing going on across the country. What happens if Title 42 is no longer being enforced?

Mr. SAMANIEGO. Well, I think you're doing the right thing because as you know it was a public health mandate. It had nothing to do with migration. If you want to figure out and get to the problem, that was very confusing because it had to do with something totally different that is now being utilized.

To me, I think the reason we would lift it is because we can continue the process and do it properly. You're not going to have all these other individuals that are trying to cross illegally because that's their only way to get here. Because as I said over and over that there's a lot of them that have been stuck in middle that they came thinking that Title 42 is going to be lifted. When it wasn't lifted, then they fell into this desperation. I believe and I've said over and over that if we—

Mr. ROY. Judge, I am running out of time. I am sorry. I don't want to—we just have limits on time.

Mr. SAMANIEGO. Go ahead.

Mr. ROY. I would say to you that what you just described is all in the context of border security. It is all in the context of who comes in and who doesn't, right, which is what border security is. So, there have been some who have been critical of saying that we should enforce our existing laws with respect to asylum laws, asylum laws which require detention.

That is what our current laws require, detention while you make a determination, right, a determination of credible fear for persecution under our asylum laws which is a smaller number than the number of people who are coming that would qualify. So, we are saying we should detain to make those determinations. The connection to Title 42 is really important because the current administration is even in all its bluster about Title 42 still defending the law in court because they know what happens when Title 42 goes away.

What you just described is really important for the American people to understand. You just described it in the context of border security, not the context of COVID and a pandemic because it is being used as a border security Band-Aid. What we must do as a body is embrace policy changes to ensure we can effectuate management of the flow while respecting our laws with respect to asylum which is precisely what House Republicans are putting forward, notwithstanding the allegations of my colleagues on the other side of the aisle. I am over my time. I yield back.

Chair JORDAN. The Chair now recognizes the gentleman from Maryland, Mr. Ivey.

Mr. IVEY. Thank you, Mr. Chair. I want to thank all you for coming to testify today, Mr. Dunn and your family, in particular. I want to commend you actually. You have turned a tragedy in your family into action to making a difference in your community and your State. I was especially appreciative of your comments about

the effort to legalize testing for fentanyl, I guess, in Texas, in this Texas State legislature.

Mr. DUNN. Correct.

Mr. IVEY. OK. Well, I think it is important for people like you to continue that kind of work, bring that activism into the public arena, because I think you have voices that are immensely important. It is certainly an impact in my community just the past week or two. In fact, Congressman Trone and I were having to deal with a situation, a family that straddles our two districts in Montgomery and Prince Georges County is having issues with fentanyl.

I have seen recently there have been high school deaths and overdoses with respect to fentanyl. So, it is clearly a major problem. I am supportive of your efforts to try and address it.

I was a prosecutor beginning back in 1990. So, it wasn't fentanyl then. It was crack cocaine. When I became an elected prosecutor in Prince Georges, we still had cocaine. There was PCP. There were all sorts of drugs like that, some of it coming across the border like cocaine, some of it like PCP not.

I think it is clear that this is an issue that we need to do more to address. That is kind of why I was disappointed with H.R. 29. It is a bill as I reviewed it that was supposedly the Republican leadership effort on addressing these kinds of issues.

I just took a look at the bill, and it didn't really do anything with respect to addressing many of the problems you discussed today such as the need for additional resources. To get rid of the backlog, I think judges and courts and the like to address some of those issues. I think Congressman Swalwell asked about whether 20,000 additional border agents would be helpful.

There are no additional resources that are provided under this legislation. Their legislation raised some additional issues too that I wanted to raise. We got a letter from the U.S. Conference of Catholic Bishops which they submitted to the Congress in response to their reading of H.R. 29.

Their position was they asked for Members to vote against it.

We urge you to vote against H.R. 29, as well as any subsequent legislative proposals that would unjustly deprive vulnerable peoples the legal right to seek humanitarian protection in the United States.

I know we have had a little discussion about whether this bill impacts humanitarian rights.

Clearly the Catholic bishops had concerns about it. This bishop wrote this.

Most concerning is that the bill effectively expands the policy that's of Title 42 without any exceptions for those with bona fide asylum claims, unaccompanied children, victims of torture, victims of trafficking.

Protecting these populations delineate, and they lay out some of the statutes that are in place currently. Moving forward with this piece of legislation would exacerbate the harm faced by vulnerable persons while also failing to meaningfully address the root causes of migration and the unsustainable conditions at our southwest border. Not only will the challenges we face persist, people will suffer.

We must remain true to our laws and our Nations proud tradition of offering safety and opportunity to those who have lost everything besides hope for a better future.

They end with this.

The Bishops Committee called on us to reject the contemporary forces of division that tempt us with a false choice between our security and our humanity. Our great Nation is capable of safeguarding both our humanity and our security.

Judge, let me ask you, what sorts of resources and support do you think would be helpful in addressing this crisis that we are having at the border? I think you testified a little bit about the Governor and the absence of support at the State level. I wondered if you would elaborate on that.

Mr. SAMANIEGO. Yes. I mean, they have resources, and they should be understanding what we need. Texas, for some reason, people forget. They think we're maybe part of New Mexico because we're so far away from the capital.

So we need to be able to have those discussions on sheltering, on processing. Like I said, we could go up to as much as 1,200 a day processing. All of these are individuals that have sponsors and they're able to move quickly, that same day. That helps us to be able to address all the other concerns that we have of the other 60 percent. I want to, real quickly, if you don't mind, just to comment on the Congressman from Texas.

Mr. IVEY. My time is expired. So, perhaps we should wait until the next round.

Chair JORDAN. You can get that on the next round. The Chair now recognizes the gentleman from Kentucky, Mr. Massie.

Mr. MASSIE. I yield my time to Mr. Fitzgerald from Wisconsin.

Mr. FITZGERALD. I thank Mr. Massie for the time. Sheriff, one of the things I try to focus on in the hearings that we have had on the border is the corridors that exist throughout the United States because I am always perplexed when you hear people talk about, well, it is an issue at the border, but it is not an issue in Wisconsin or South Dakota or North Dakota. That is not the case, right? The other thing I would say is strip clubs, head shops, truck stops, all these types of locations is kind of where this stuff is transported, right?

We started to see that probably 10 years ago, maybe even longer, and how it is being distributed. So, I was wondering if you could comment on that because the one thing we have with fentanyl is we still have issues related to it not being a Schedule 1 drug. That is something this Congress should do as well. I wonder if you can comment on that.

Mr. DANNELS. I can. There's been a shift over the last couple years on smuggling. I'll answer. There are two thoughts on this.

First, since there's less border patrol on the border now and they're more into processing, they're very thin. So, the migrants that are being smuggled, they get them up to the closest asphalt, the closet highway. Cars pull in, grab them. They're gone.

So, the old corridors like you're talking about that was very common, they're not as used like they used to. They don't have to because they don't have to get that deep into our counties. The other aspect of what you're talking about, the trafficking aspect of it where they're trafficking kids and adults, females and males, the trafficking aspect, the nonconsensual part of it is, yes, they're taking them to stash houses.

They're making them servant, within truck stops, for example, within strip clubs and places like that. Just a little side note on that, and the question has been asked to me. One of the things we've done on the many innovative thoughts is we have a program through our nonprofit where we're going after the cartels that are trafficking these people.

We're going after them not just in my county. Working with sheriffs in Dallas, Texas, Sacramento, California, and throughout urban areas where we know they're being taken to and exploited. So, we're doing that program. Again, that's a multimillion-dollar program that we're putting forward.

Mr. FITZGERALD. Thank you very much. I appreciate the comments, and I would yield back to Mr. Massie.

Mr. DANNELS. Thank you, Congressman.

Mr. MASSIE. Thank you. I yield my time to Mr. Roy from Texas.

Mr. ROY. I thank the gentleman from Kentucky. Kayla Hamilton, 20 years old, Aberdeen, Maryland, she was recently brutally murdered by an MS-13 gang member who was allowed into the United States as a UAC last year who is 17 years old. There is a 24-year-old Honduran immigrant was charged with murder and the brutal stabbing death of a Florida man after crossing the U.S. border illegally while posing as a UAC.

He was found covered in blood after allegedly killing a father of four who had taken the immigrant in because the immigrant had posed as a UAC. It is not always as simple as some of my colleagues say. Some of my colleagues on the other side of the aisle have been spending some time today misleading the American people, telling untruths about legislation that I have put forward, H.R. 29, and in so doing, using words like unchristian.

The legislation to be clear to all is legislation that reiterates existing law. It makes very clear that under existing law we are supposed to detain when we have somebody who is seeking asylum. It maintains our asylum laws in full and requires that we detain.

To be clear and for everybody to listen, I want to follow with Mr. Dannels for your view on this. My colleagues on the other side of the aisle are universally saying to the American people and to all they represent, to every single American citizen they are saying that they believe we should release against current law, that we should release into the United States using parole, which is supposed to be on a case-by-case basis. Release into the United States under parole where notices to appear without having full intention of someone making an asylum claim.

They are making false accusations about a law saying that we should follow the law and detain. So, my question for you, Sheriff, with your knowledge of the law is, if we were going to follow the law, would that not slow down the numbers, funnel in those who can make a legitimate asylum claim so that they can then be detained for an adjudication of that claim, so they can still claim asylum and Americans would be safer and migrants would be safer? Could the sheriff respond to that?

Mr. DANNELS. Yes, Congressman. The answer to that is yes. That's our approach. National sheriffs, western sheriffs, southwest border, I addressed that with Secretary Mayorkas in a room about

enhanced judicial oversight when it comes to how we address them at the border.

Right now, there is no consequence. I mean, they know if they come here, they claim those couple words, they're in the country. They'll come back within the year for their first hearing and then—

Mr. ROY. So, that is key. They know that they will get released.

Mr. DANNELS. Yes.

Mr. ROY. Therefore, that is the problem at the border. I yield back.

Chair JORDAN. I thank the gentleman for yielding. The gentleman from Texas, Mr. Gooden, is recognized.

Mr. GOODEN. Thank you, Mr. Chair. Judge Samaniego, I was listening to your testimony earlier. In your opening statement, you said there is no open border in Texas.

Yet, it seems that you have spent the last several years processing as you said, migrants that have come across. So, I don't know how you can say there is no open border. You mentioned several times, in fact, that you are processing illegal immigrants.

I would like for you to elaborate what you mean by processing, because a little over a month ago, about 1,500 migrants crossed the Rio Grande in a single night. A report suggested because there weren't enough beds, more than 600 of these were released—these migrants were released into the streets. Is that an example of processing?

Mr. SAMANIEGO. The example of processing is the border patrol lets us know about those that have been sponsored. They vet them at that point. This is where we work really closely with them.

Mr. GOODEN. So, you are saying if they have a sponsor they are allowed into the country?

Mr. SAMANIEGO. No.

Mr. GOODEN. That is the requirement?

Mr. SAMANIEGO. No, that facilitates the fact that they're allowed into our country. Then when they're processed, they become legal. At that point, the fact that they have a sponsor allows us to work with the legal—the persons that are legal. We never try to process illegal at any point at any time. There's no consideration for that.

Mr. GOODEN. One of the things you mentioned were these NGO's. Catholic Charities was brought up. Are you aware if taxpayer dollars are being spent on those? You talked about bus tickets and shelter. I have been to the border personally and seen Catholic Charities put migrants in hotels and send them to the airport and purchase flights. Where is that money coming from?

Mr. SAMANIEGO. Well, most of it is—in El Paso, most of them are donations from the public. They get donations. We have Annunciation House.

Mr. GOODEN. So, you don't believe there is any taxpayer dollars being spent on that?

Mr. SAMANIEGO. Well, let me give an example. One of the leading individuals at houses and shelters and moves them forward is Annunciation House. They will not take one cent from Federal money. They do not want Federal money because they just feel like they've be trapped into that.

Mr. GOODEN. Well, the information that I have from our government is that we have spent quite a bit on that. I hope this Com-

mittee will determine just exactly how much. I would also implore you to revise some of your wording.

You have called several of us racist because of—yes, in your opening testimony. You said, “There is no invasion of migrants in our country. Saying as such continues a false racist narrative.”

Then you went so far as to try to link these words to a horrible crime that was committed in your city. I would advise you to watch your words and be careful when you are talking about people like Mr. Dunn who are voicing a very serious issue. Migrants are absolutely invading this country.

I applaud this bill. I am very disappointed in the testimony I heard from my colleague in Maryland, citing the Catholic Bishops. I believe the Catholic Bishops have endorsed this Catholic charity’s ruse to encourage more migration.

They have encouraged and facilitated child trafficking and a lot of the violence that we have seen. Our borders are absolutely open. I will yield the balance of my time to Mr. Roy from Texas.

Mr. ROY. I yield back to—

Chair JORDAN. Mr. Goodwin, would you yield?

Mr. GOODEN. I will yield to the Chair.

Chair JORDAN. I thank the gentleman for yielding. Sheriff:

- (1) On day one, President Biden terminated the national emergency declaration on the southwest border.
- (2) On day one, he halted construction of the border wall.
- (3) On day one, he revoked President Trump’s immigration enforcement priorities.
- (4) On day one, he paused deportations.
- (5) He moved to terminate the asylum cooperative agreements with Northern Triangle countries.
- (6) He suspended enrollments in the Remain in Mexico program.

Did any of those things factor into the conditions you described in your opening statement and this influx of people coming to our border? Did any of those six things that President Biden did on day one contribute to the situation we now find ourselves in?

Mr. DANNELS. Mr. Chair, it did. That’s all of it.

Chair JORDAN. Every single one?

Mr. DANNELS. Every one of them changed. We went from what I consider probably in my 38-year career almost manageable borders. That was also shared—

Chair JORDAN. So, I want to be clear what you said, Sheriff. The most manageable border we had in your 38 years in law enforcement was two years ago?

Mr. DANNELS. Yes, it was.

Chair JORDAN. OK. Then on day one, President Biden terminated the national emergency declaration of the southwest border. That is contributed to the problem we now have, right?

Mr. DANNELS. Yes, sir.

Chair JORDAN. He halted construction on the wall. Has that contributed to the problem we now have?

Mr. DANNELS. Yes, my border is frozen in time in my county.

Chair JORDAN. Yes, and he revoked President Trump's immigration enforcement priorities. Has that contributed to the problem we see now?

Mr. DANNELS. It has.

Chair JORDAN. Including the fentanyl getting to communities and harming people like Mr. Dunn's son?

Mr. DANNELS. Yes.

Chair JORDAN. Not harming, taking his life. He paused deportations. Is that hurting? That is what Mr. Roy was just talking about.

Mr. DANNELS. It's all a collective message that the border is open.

Chair JORDAN. Terminated the asylum cooperative agreements and suspended enrollments in the Remain in Mexico program, that is contributing to the situation we now have?

Mr. DANNELS. Yes.

Chair JORDAN. All right. So, this idea that if we just give more agents, build more wall, put in the roads, more drones, more border security which I am all for, that is not going to solve it until you go back to these policies. Is that right?

Mr. DANNELS. That is correct. Mr. Chair, if I could add one more thing is before President Biden took office, myself and several other sheriffs on behalf of National Sheriffs met with President Biden's transition team and went over all the current plans on the border to include what was working. I was told by his transition team, Sheriff, we appreciate all you're doing. They were very optimistic that things were doing well on the border. They took over. That all changed.

Chair JORDAN. Now, that is important what you just said. I know I am over time, and I will go the gentleman from Colorado. What you just said is important because you basically told the Biden Administration, do this and we will have a secure border, the most secure in your 38 years of experience in law enforcement. They said basically thanks but no thanks. Is that right?

Mr. DANNELS. They actually were very complimentary. I was shocked on day one—

Chair JORDAN. Even worse.

Mr. DANNELS. Yes, I was shocked. They were very, thank you, Sheriff, for everything you're doing. Day one when I saw that, I was disappointed and shocked.

Chair JORDAN. I yield to the gentleman from Colorado, Mr. Neguse.

Mr. NEGUSE. Thank you. Thank you, Mr. Chair. A couple things, first, I want to say congratulations to the Chair on his ascension to the Chairship of the Committee. I missed the organizing this morning, and so I want to make sure—

Chair JORDAN. We missed you.

Mr. NEGUSE. Well, I appreciate that. I will be here for all the future meetings. I also want to say thank you to the acting Ranking Member, my colleague from Texas, Ms. Escobar, for her leadership during, of course, a very difficult time for the country and for her community in El Paso. We are all grateful for her service to the country, the caucus, and to her community that I visited and that I look forward to visiting again.

To the witnesses, I want to say thank you, Judge, for your testimony and for your service. Of course, Sheriff, thank you for your service and the service of your many deputies and all the law enforcement who are engaged in herculean efforts in protecting our communities.

Mr. Dunn, I want to tell you that our hearts and our thoughts and our prayers are with you. My wife and I are expecting our second child later this year, a son. It breaks my heart to hear your story and very much want you to know that I think across both sides of the aisle here everyone expresses our deepest condolences to you and to your family.

Sheriff, I just want to dig in a little bit on your testimony. I reviewed the written testimony that was submitted by all the witnesses. A lot of—you had written testimony, but then also a memo that was essentially an appendix to your testimony.

I reviewed that appendix. You suggest a lot of proposals of ideas of programs that I gather you believe would help us ameliorate the emergency and what is happening on our southern border. In digging through some of these, just for example, you list enhanced funding for regional communication interoperability with local law enforcement.

I think that is something that all Members of Congress would support, Democrats, Republicans. That is a commonsense step that we ought to be funding. You list here continued funding and support for the Stonegarden program.

I don't know if you can talk a little bit about what the Stonegarden program is. I am certainly aware of it. Some of my colleagues might not be. I know my colleagues from Texas are. If you care to talk a little bit about that program, the DHS program that you would like to have seen continued support for.

Mr. DANNELS. It's one of the only programs, Congressman, where Stonegarden actually brings partnership between CBP and sheriffs and local law enforcement to include our State law enforcement. It's a program that sheriffs nationally and beyond have supported. It pays our overtime to include EREs, employee related expenses, to work side by side with border patrol. It's a great program.

Mr. NEGUSE. Here is why I bring that up. The Stonegarden program has been in existence for quite some time.

Mr. DANNELS. Yes.

Mr. NEGUSE. Back during the Administration of President Obama, it was at about 50 million dollars given the fiscal year. Right now, we are funding it at 90 million dollars for the Fiscal Year 2023 budget the President has submitted. That is the exact same number that former President Trump submitted during the course of his Presidency.

I guess why I offer that is because to me these aren't partisan proposals that at the end of the day are focused on blaming one side or the other. This is an example of something that President Biden has continued to do to support. I presume you support that, that he is—

Mr. DANNELS. I do.

Mr. NEGUSE. —continued funding for the Stonegarden. Similarly, you put here one of the items in terms of a proposal that you would like to implement is to hire more immigration and asylum hearing

officers for all POEs or port of entries I presume that acronym. I am sure you are already aware of this that on January 5th—so a few weeks ago, the President announced that there would be an increase of officers at the border to help process migrants. That is in addition to the 25,000 officers. Obviously, we are waiting in terms of the President's budget to get the exact number. I think that is something you support as well, I presume, in terms of adding more officers?

Mr. DANNELS. I do. I do.

Mr. NEGUSE. I reason why I am asking those questions again, just to kind of land here at the end, is that from my perspective and from my constituent's perspectives in Northern Colorado and Western Colorado, they are focused on solutions, trying to solve the problem. You have outlined a couple of solutions here. I would love to be able to have a thoughtful conversation with my colleagues on the other side of the aisle about these different prescriptive proposals and get to a place where we can find consensus.

Unfortunately, at least as I have gathered from the parts of the hearing that I have heard, it is a lot of heat from some of my colleagues unfortunately about blame and sort of characterizing the problem instead of solving the problem. So, I am hoping that we can get to that. With that, I would like to yield my remaining time to the Ranking Member.

Ms. ESCOBAR. Thank you, Mr. Neguse. Two quick points: First, the folks that are being processed by CBP who are seeking asylum, I want to remind my colleagues seeking asylum is legal. So, once they have been processed, they are legally in the country. Second, Mr. Roy stated that we called his bill unchristian. We did not. We are quoting his colleague from Texas in the Republican conference, Mr. Tony Gonzalez. His is the one who called Mr. Roy's bill unchristian.

Finally, I would like to ask my colleagues not to slander the U.S. Conference of Bishops, Catholic Charities, and the Catholic Church as one of our Republican colleagues did just moments ago. Thank you. I yield back.

Chair JORDAN. The gentleman from Texas is recognized, Mr. Nehls.

Mr. NEHLS. Thank you, Mr. Chair. I would like to thank the witnesses for being here. It is no secret. Quite honestly, it is self-evident.

We are facing the worst border crisis in the history of our great country. It is self-induced. It is a self-induced crisis. It falls at the feet of Joe Biden and his borders, Kamala Harris who have expressed very little interest in addressing our border crisis, evidenced by their unwillingness to place the American people first.

I would like to address Sheriff Dannels. Thank you for almost your four decades of service in law enforcement. Sheriff, in your written testimony, you highlight tragedies in your country related to illegal immigration. I am a former Sheriff in Texas, Bend County. I feel your pain. Sheriff, I feel your pain.

Mr. DANNELS. Thank you.

Mr. NEHLS. I also experienced the loss of life of innocent county residents, Americans at the hands of Joe Biden's irresponsible border policies. It is very clear the individuals from around the globe

that have been invited into our country by this administration do not have America's best interest at heart. I say this because they are willing to kill.

Sheriff, you shared a personal tragedy in your written testimony of a citizen. It was Wanda, I believe. She was 65 years old attending her birthday party trying to go and celebrate her 65th birthday. Rammed by a car, high speed chase, ran a red light, and it killed her.

The smuggler had three illegal aliens inside that vehicle. It ended her life. Then I understand that shortly thereafter her son ended up driving upon the scene. I can't imagine. I can't imagine how he felt, what he felt when he saw that car with his mother inside that vehicle.

Stories like this are often too common. They are common today. I want to show you this here. This is me here. This guy, this guy, his name is Mr. Zavala.

He ran over and killed Ms. Booth. Her last name is Booth, 81 years old. Ran her over, fled the scene, and took off. We apprehend him.

Our sheriff's office apprehended him a couple hours later. We start booking him into the county jail. We run him. This knucklehead has been deported six previous times, six.

I think the American people are going to want to say, how does a guy get deported more than once? Has been deported six previous times. These are just a few stories that Sheriff Dannels and I, we are sick of telling these stories.

We are sick of having to have families come into our offices and explain that their loved ones were killed by people that should be here in the first place. I would like to turn my attention to Judge Samaniego's testimony. Judge, your written testimony claims your center has assisted 26,829 asylum seekers, and I think it opened up on October 10, 2022, correct?

Mr. SAMANIEGO. That's correct.

Mr. NEHLS. So, about four months, 26,000. Fair enough. Data has shown that between the years of 2008–2019 just 14 percent of aliens who claim credible fear were granted asylum. So, that means 86 percent don't.

So, 14 percent of 26,829 is 3,756. Would you agree with that number? OK. Congratulations. Your center has assisted over 23,000 illegals that have been scattered throughout the country, coming into Houston, buses, right, bus every day, scattered throughout the entire country.

There are 23,000 of those that will never be able to have a legitimate asylum claim because only 14 percent of them do. Sir, that puts the American people at risk. It puts the American people last.

You stated there is no invasion of migrants in our community, nor are there hordes of undocumented immigrants committing crimes against citizens or causing havoc in your community. I will say this. El Paso PD, February 25, 2022, violent crimes on the rise in El Paso.

The sergeant said we have seen a 27 percent increase in offenses involving weapons, stabbings, and everything. Here is another one. El Paso cops arrest two migrants and overwhelm border city. That is your city, sir.

People selling dope, doing all sorts of stuff. Illegals, Venezuelan running around in stolen police cars. Cops are having to chase them.

Here two days ago we have here in the city of Houston the enforcement removal operations. Had to remove a guy that was in Houston illegally. He goes out and commits an armed robbery in the city of Houston, right?

We arrest him. Thank goodness we arrested him. We find out he has a murder warrant out of Mexico. So, we have some problems here, sir. I would like to ask you this question. Do you believe that these illegal migrants are coming into our communities harming the American citizens? Thank you. Your answer is yes.

Mr. SAMANIEGO. Not the percentages you mentioned.

Mr. NEHLS. You may know that Houston is right next to my district. I will say this. My eyes are wide open. The American people's eyes are wide open. I would ask you to open yours. I yield back.

Mr. MOORE. [Presiding.] Chair recognizes Ms. Bush.

Ms. BUSH. Thank you. To Mr. Dunn, my condolences. Very, very sorry for your tremendous loss. To Judge Samaniego, thank you very much for your testimony and for listening, enduring, and for giving your testimony.

St. Louis and I are here to recognize the humanity of all people regardless of immigration status. We are here in opposition to any racist agenda pursued by Republicans. Let's take a moment to reflect on the is first month of Republican control of the House.

The disastrous and embarrassing Speaker's vote that resulted in the selling of the gavel to a bunch of pro-coup Members of Congress, the seating of insurrectionists and someone who defrauded his way into Congress. That is where we are. Now, this hearing whose purpose it seems it to amplify the anti-immigrant hysteria and right-wing conspiracy theories.

The Republican position on immigration is to inflict as much cruelty as possible on people fleeing suffering and persecution. As Democrats, we need to recognize this reality and refuse to be a part of it. That is why I strongly oppose the administration's expansion of Title 42 and the reinstatement of the asylum transit ban. These lawless and inhumane policies deny the right to asylum while failing to address any of the underlying structural problems of our immigration system. So, Judge Samaniego, I want to ask you, do you believe Title 42 is an effective or a humane immigration policy?

Mr. SAMANIEGO. It is not. I thank you for being practical, because I need to get back to this idea of detaining them until they're able to vet them. That's one of the most impractical things I've ever heard of.

Right now, Border Patrol is shivering thinking, how are we going to do that? Without the community being involved, we're pushing that on them where they have 1,400 spaces. We're going to detain them?

We talk about the humanity of the Border Patrol. Just think about what it would take to detain until we vet them. It'd be impossible.

I remember growing up and we'd say, how do you put 50 people in a Volkswagen? Twenty-five in the front and 25 in the back. That's about as impractical as this idea of detaining them until you

can let them go when you don't the facility. You don't have the manpower.

It's those impractical solutions that confuse people. So, I tell you that we've been able to manage things. We know that when there's issues in other parts of the border is because of the lack of organization.

It's the lack of collaboration. It's a lack of a lot of different things. When you have people running in to your country because you're not well organized and you're not using collaboration.

We've had two or three incidents. We have 800 people out that we're not able to manage because of funding. There are communities that have had as many as 10,000 because they're not organized properly.

So, I can tell you our strategy works. If people listen to it and we were able to share the ideas in how we've been successful, I can tell you that we minimize the problem, incredibly minimize the problem for the Federal Government. There should be some kind of appreciation for a community that is sensible about what's happening in El Paso.

We all know that we don't want it to happen to the rest of the Nation. All we hear is that I used the wrong word or that I said racist. I never said that.

What I said is that using those narratives creates more racism in a community. I didn't say anything about the people involved in it. So, I thank you for looking at practical reasons. I'm appalled when somebody has an idea like detaining them as a solution when that's the most impractical thing you could probably do. Thank you.

Ms. BUSH. Thank you. Thank you for your work and thank you for explaining that. As Democrats, we must refuse to adopt illegal and ineffective solutions to this complex, longstanding crisis. We must be better than what we are seeing coming from Republicans.

Republicans want to talk about Biden's border crisis. The reality is we have a broken immigration system because Republicans want us to. So, they can hold these hearings to mask the fact that they have no affirmative agenda that actually helps people.

So, they can spew their lies about immigrants bringing fentanyl across the border while exploiting victims and refusing to support advancements in public health and addiction treatment. So, they can take out their anger and insecurities on the most vulnerable. History will not look kindly on those politicians. Thank you, and I yield.

Mr. MOORE. Chair recognizes Mr. Hunt from Texas.

Mr. HUNT. Thanks, Mr. Chair. I really appreciate it. Mr. Dunn, thank you, sir, for being here. My condolences to you and your family from the bottom of my heart. I am very sorry, and I hope we can do something to fix this issue of fentanyl in our country.

Mr. Dannels, sir, thank you very much for your continued service from the bottom of my heart. Thank you very much, sir. Judge, thank you so much for being here. Thank you for taking the time out of your very busy schedule to be here. I greatly appreciate everybody on this panel today.

We have heard a lot of talk today about the five million people—illegal people that have entered this country. That is a fact. There is just absolutely no getting around that.

Five million people have entered our country illegally. That is the equivalent to seven congressional districts. Enough Fentanyl has poured into country to kill every American five times. I will say that again, to kill every American five times. Sir, your son is one of those Americans. This is a fact.

I am from Houston. Houston is known for a lot of things. We are known for the world champion Astros. We are also known as being the human trafficking capital of the entire world.

That is not anything I am proud of. This is all happening at our southern border as we live and breath every single day. Sir, Judge, I am not criticizing what you are saying, and I have listened to you. I can hear your heart and understand where you are coming from.

You did say that there is no invasion here. I am somebody that likes to look at the definition of things before we actually can have this conversation. For the definition of an invasion is an incursion by a large number of people or things into a place or sphere of activity.

I will say it again. An incursion by a large number of people, and I would say five million people constitutes a large number, or things, and I would say enough fentanyl poured into our country to kill an American five times is a thing. I would consider that to be the direct definition of the word invasion.

My colleague, Mr. Gooden, talked about race and using the word racism and racist. I have been Black for a long time, sir. So, I get it. I have been a minority in this country for a very long time.

This is actually not about race. This is actually an issue of public safety. If I call this an invasion, sir, I am not racist. I can assure you I am not racist.

What I can assure you is that I want to make sure that fentanyl doesn't indiscriminately kill any race, religion, color, or creed because fentanyl doesn't care where you are from. Fentanyl doesn't care about race. Fentanyl kills indiscriminately.

This gentleman right here works his tail off every single day to stop that from happening. Now, there has been a break in the dam and that is pretty obvious because a couple of years ago, of course, we have got some problems. It wasn't amplified to the level that we are seeing every single day.

The reason why we have to be careful with what we call and what we deem racist moving forward in the future is because we start to lose focus on what the actual problem is. This administration of the Democrat party unfortunately uses race as a scapegoat for everything. As somebody that wants to make sure that we do attack racist issues when they do occur, we can't be the boy who cried wolf and blamed racism all the time.

I am here to hold this administration accountable to understand that there are issues of race that need to be addressed. Sir, this ain't one of them. I applaud some of your actions in El Paso. It sounds like you are doing some great things.

I am going to tell you being born and raised in Texas, living in Houston, we have a problem. This problem has precipitated over the course of the past two years. That is a fact.

I get working together. I get reaching across the aisle. This morning, I can't believe that we had a one-hour debate over wheth-

er or not we should say the Pledge of Allegiance before we convene every day, one hour.

That, to me, is antithetical to the point of this meeting today. I implore you all to be careful with using race because your son is no longer here and I am sorry. There are 100,000 sons and daughters that are no longer here because of fentanyl last year.

This debate is very important and very spirited. I implore this entire Committee to take a strong look at what is happened over the course of the past few years and to derive substantive solutions to this problem so that our youth can continue to have a future for these country. It ain't about race. We are all in this together. I yield back, Chair. Thank you.

Mr. MOORE. The Chair will recognize himself for five minutes. Let me first say thanks to all the witnesses. We appreciate you being here.

Mr. Dunn, you and Ms. Janel, I am reminded of Romans 8:28. It says, I know the plans I have for you, the plans to prosper and not do you harm. More importantly, all things work together for those who are called according to your purpose.

Ms. Janel was telling me how you are using this to share to young people across the country. That is a service to our great Nation, and we are grateful. Thank you for being here.

With that, Sheriff Dannels, I want to cut away to you here for a little bit. I went to the border, been a couple times down there. One of the things that I took away, and we talked a lot of statistics.

A lot of the things we have seen, the record five million which is basically my State's entire population of Alabama. We had that many encounters on the border. The one thing that kind of struck me the most and it was what I begin to talk about and find out that there was a price that these people were paying to come across the U.S. border. So, will you explain to me exactly who is controlling the U.S. southern border and who is getting paid?

Mr. DANNELS. Congressman, it's a simple answer and that is the criminal transaction organization that's called the cartels. They control the south of our national border, south of it's all controlled. They control guns across.

There are prices based on who you are. Are you a terrorist coming from a different country? India was 21,000 dollars, for example. The minimum is, like, around 7,000 dollars right now.

Most of these people don't have it. So, when they come across the country, though they might go through a processing as Hon. Judge has talked about. They're servant to the cartels at the end which is usually for sex trade, gangs, drugs, labor, you name it. I have seen no win-win in this, because we don't have a manageable process right now.

Mr. MOORE. So, Sheriff, one of the things I heard was initially, of course, with inflation in our country, the rate we are spending money, everything is going up. When I was out there, it was about 4,000 dollars for anybody just south of the U.S. border. Then the Triangle countries further south, it was seven to eight thousand.

We had a price at that time 20,000 dollars for Syrian refugees. Just recently, I think August Pfluger testified or told us that we had two Chinese nationalists captured on the U.S. southern border,

paid 80,000 dollars each to come in our country illegally. So, my question is, what happens to that individual that says we want to come to America, we want to come to the great land of prosperity, and they don't have the money?

Say they cut a 7,000-dollar deal with—whatever you call them cartel. Say they cut that deal, and they agreed to pay 7,000 dollars. From there, what happens?

Do they come in the country? Do they have to have the money prepaid? Are they indentured servants? I think the term slave I heard earlier today.

Mr. DANNELS. It truly is modern day slavery. I mean, the lessons of life and history should be playing out today. These people that don't—they go through processing. There is no doubt about it. They are well watched by these cartels that are on the U.S. side.

When they are released into a family member, a known family member, whoever, the bottom line is they are also receiving it by the cartels. We know that. We hear it. We see it. The American dream that you are talking about, Congressman, what we talk about, what people in this room are talking about, in those circumstances never met between they are a servant to these criminal cartels for bad, bad things.

Mr. MOORE. Sir, one scenario I heard, and you maybe can help me with this too. I heard that if they want to cut a deal and didn't necessarily want to be indentured servants and make installment payments, they could, in fact, back pay it, heroin, cocaine, or fentanyl across the border as their payment. Is that the case?

Mr. DANNELS. It's all part of the drug labor. They're going to do what the cartels do. A lot of the people make the comment when they're here in the United States, they're protected. They also have family in Mexico that they hold hostage. That keeps them doing what they do here. So, they have the strings on family in Mexico. We hear that all the time.

Mr. MOORE. Got you. One other thing I want to touch on really quick. When I was out at Fort Bliss, I went to the emergency intake center. That was for unaccompanied minors coming to the United States.

So, I decided just—I didn't take the tour through the facility. I decided to kind of stay outside. Sheriff, I was keeping an eye on things.

I actually started videoing buses with young people being shipped all over the country. They seized my phone onsite. They did not want any record of people being shipped, young unaccompanied minors, to Google addresses in the United States.

So, I asked the admiral onsite. I said, sir, can you tell me where are we shipping these children to? His response to me, well, we are just building the bus as we drive.

They had never seen the influx of youth that we are seeing coming here unaccompanied. They were building a bus as they drive. Here is the thing, guys. Here is the thing.

Young unaccompanied minors, they were not doing background checks on who we are shipping them to. So, we are shipping these children to Google addresses instead of back home to their country. Who knows what happens to those minors in this country. So, with

that, my time has come to an end. Who do I need to recognize? Mr. Kiley, you are recognized for five minutes.

Mr. KILEY. Mr. Dunn, I want to thank you again after going through the unthinkable, every parent's worst nightmare for your courage to speak out and do everything you can to stop other families from having to go through the same thing. The reality is that far too many families in this country have found themselves in the same unthinkable position.

I have worked with a number of them in my own district, one of whom is the Didier family. Laura and Chris Didier lost their son, Zach, two days after Christmas in 2020. He was a 17-year-old senior at Whitney High School, an Eagle Scout, soccer player, star of the high school musical, no history of drug use.

I have had the chance to get to know Laura and her husband, Chris, Zach's parents, over the course of the last couple years as they, like you, have worked to raise awareness about the dangers of fentanyl. As part of her work, Laura is actually here in Washington, DC, today meeting with lawmakers and is now here with us in the room. Laura, I don't know if you want to just briefly stand up so everyone can see your button there. It says Zach here.

Laura will also be my guest next week at the State of the Union. Thank you for everything that you are doing. Thank you, Mr. Dunn again as well.

There is bipartisan support in this country among Americans for securing the border. There should be bipartisan support in this Committee and in this Congress for supporting the border. I have been rather discouraged by what I have heard at today's hearing.

Now, there have been some thoughtful comments on both sides of the dais. Frankly, on one side of the dais, there has been a lot of excuses. We have heard that there may be other sources of the fentanyl in this country.

Does that mean we should ignore the overwhelming nexus with the vulnerabilities at our border? We have heard that what we really need is comprehensive immigration reform. That is a question separate and apart from securing the border which is about enforcing the laws that we already have.

We have heard that illegal immigration has been a problem for the last 50 years. Well, the two biggest years in terms of number of illegal border crossing by far have been the last two years, 2022 fiscal year, 2021 fiscal year. The month with the highest number of illegal border crossings is not some random month in the last 50 years in the 1970's or the 1980's. It was last month, December 2022.

The problem keeps getting worse. What strikes me is the lack of compassion from this administration and those making excuses for it. Compassion for the communities and families being ravaged by fentanyl. Compassion for those who are victims of the horror of human trafficking.

Compassion for the migrants themselves who are now dying in record numbers. During Fiscal Year 2022, a record number 856 died attempting to cross the southwest border. That is three times as many as just in 2020.

Another facet of this problem is the issue of sanctuary jurisdictions which we are seeing increasingly across the country where ju-

risdictions actively interfere with Federal immigration enforcement. My own State of California in 2017, the super majority legislature and Governor declared California a sanctuary State, forbidding local law enforcement from communicating with ICE regarding the whereabouts of wanted criminals. These are folks who are not just immigrants, not just undocumented immigrants, but who have committed crimes while they are here.

From the very beginning, it was predicted this would raise serious problems. The State's sheriff's Association wrote,

Before this was adopted, our overarching concern remains that limiting local law enforcement's ability to communicate and cooperate with Federal law enforcement officers endangers public safety.

They said it would preclude staff in our jails from notifying ICE at the request of the pending release of certain wanted undocumented criminals.

We have seen time and time again this prediction bear itself out in tragic ways. Just last year in California, there was one of the most horrific crimes I have ever seen. You had a man who murdered his own three daughters and their chaperone at a church just a few miles from the State capitol.

It turns out this individual was in the country illegally and had been in police custody just the week before because he had assaulted a police officer. ICE had asked to be notified of his release. The sheriff's office said we can't tell you because of the sanctuary State law. So, Sheriff Dannels, I just wanted to give you a moment if you had any thoughts on the ways that sanctuary policies are contributing to these problems.

Mr. DANNELS. Well, Congressman, thank you for your comments. Thank you because that's something sheriffs around the country are talking about. This is where that partnership with our Federal partners, State and local, have to work together. That collective recipe of success as I stated in my opening statement is true to how we protect our communities. Thank you for saying that.

Chair JORDAN. [Presiding.] Thanks, gentlemen. Sheriff, I know you got to catch a plane.

Mr. DANNELS. Yes.

Chair JORDAN. We are going to go—if you can, I think it is a five plane you got. We are going to go really quick with our last three here, and then we will get you out of here just ASAP. The gentlelady from Wyoming is recognized.

Ms. HAGEMAN. Thank you so much. Border security is national security. The failure of the Biden Administration to secure our southern border and uphold our Nation's laws has created a situation where the effects of the border crisis are felt nationwide. The number of people crossing the southern border last year dwarfs the number of people who live in the State of Wyoming.

Since Biden took office, over ten times the Wyoming population has crossed the southern border illegally. Statistics from the Wyoming Department of Criminal Investigations show a significant increase in fentanyl seizures within the State. In 2022, the Wyoming Department of Health put out a notice titled Fentanyl Burden Growing in Wyoming as the number of synthetic opioids involved overdose deaths more than quadrupled between 2018–2021.

This situation is simply unsustainable, and it is untenable. Sheriff, you have stated that you have seen the good, the bad, and the ugly being a border county and working in a border county. Can you highlight for the Committee where we were in 2013, 2018, and 2022 going into 2023 and how they might fall on that scale?

Mr. DANNELS. Well, besides my collective statements I have made during this hearing, I would like to hit on many of the aggravated attacks toward law enforcement. That has not been addressed today. I've always seen border issues in my 38-year career.

What I'm seeing now is something that I've never seen where almost every other car runs from us. They try to assault us. This is a fight and flight syndrome.

That's why we don't get the give-ups. To give you an example, I'll give you a story. I've got a deputy right now on administrative leave where he made a traffic stop at 10:00 at night on a vehicle. The driver got out. Fentanyl was thrown all over the highway. The driver was noncompliant. Border patrol came in behind my deputy to assist him because we work so close with them.

It turned into a physical altercation based on his noncompliance. There were three illegal migrants in the back seat that ran during this, added more confusion to the case for my deputy. As they got into the altercation to secure the driver, they fell into the roadway. Just as they get him cuffed up, the deputy looks up, within half a second, sees a car barreling at him. Actually, hits the suspect driver. Take him right from the deputy's hand, kills him, the deputy, and the car keeps going. We suspect it was another smuggler driver. That's an opinion. The deputy performed life saving measures on the individual. Medics got there, took over that.

As the deputy went back to the car to check the truck, which is standard, that's just what we do. Open the truck. A male migrant was being smuggled illegally actually attached my deputy a second time.

Ms. HAGEMAN. Goodness gracious.

Mr. DANNELS. When it got to the scene moments later, the deputy made a comment to me. He goes, Sheriff, I don't know how to prepare for this. I go, I don't know how you do it either.

The bottom line is this is a day in Cochise County with assaults. We had an agent that was attacked on a trail south of my area toward the border. They tried to take his gun from him.

One round was fired. They actually took a knife, tried to cut the agent's throat. He fought him off for seven minutes before my deputy got there.

The assaults were seen on—I've had deputies' drug by cartel drivers. I've seen them assault for no reasons and threats. I had the cartels across the line actually come across.

We had a couple different sources. They're coming to my county to kill one of my deputies, a random hit. So, I could talk all day on this, and I know you only got five minutes.

Ms. HAGEMAN. Well, Sheriff, giving us that report and that information is incredibly important. We all hold all the folks down there in our prayers.

Mr. DANNELS. Thank you, ma'am.

Ms. HAGEMAN. One aspect that is important to remember is that President Biden has not only halted the enforcement of the Na-

tion's laws at the border but he openly showcased his action to the world which only further encourages this security and humanitarian crisis. In contrast, the Trump Administration not only enforced our humane immigration laws, but also made enforcement known to the world. The reality is that Joe Biden has enabled the largest human and drug trafficking operation in U.S. history.

The tragedy of that is, as Milton Friedman saw, you can have either an open border or you can have a welfare State. That is just an economic reality. You can't have both.

It is the poorest U.S. citizens who suffer the most when the government refuses to enforce our immigration laws and secure our border with overextended services, lack of affordable housing, and suppression of wages. This tragedy is not only manmade. It is government mandated which is a tragedy and a legacy of this administration that must be fixed. Thank you.

Mr. DANNELS. Thank you, Congressman.

Chair JORDAN. I thank the gentlelady. The gentleman from Texas, recognize—Sheriff Dannels, when you have to go, you just tell me.

Mr. DANNELS. We're pushing time here.

Chair JORDAN. OK.

Mr. DANNELS. Maybe one more.

Chair JORDAN. All right. One more.

Mr. DANNELS. He knows my pain.

Chair JORDAN. Yes.

Mr. MORAN. Thank you, Mr. Chair. Judge Samaniego, I want to address my comments to you and some questions to you as well. Until my election to Congress in November 2022, I actually was a Texas county judge as well, serving for six years in East Texas in Smith County.

So, I am very familiar with the limitations of your job and the demands of your job, both in terms of manpower and financial resources to meet the needs of your local country just like I had to do for six years in Smith County. One of the things, though, that I can say is even in East Texas, we recognize that there is a real need to support border security and that there is a crisis on the border. So, I am surprised by your comments here today that would indicate that there is nothing wrong and nothing going on, on the border out there.

I have been out to the El Paso sector as well. So, I know firsthand that is simply not the case. During my tenure as a county judge, we worked even in East Texas to fight against the cartels doing things like setting up a financial crimes unit that was a statewide unit that is now leading the way against financial crimes that the cartel is using for human trafficking to underwrite their human trafficking and the drug trafficking.

We also in conjunction with our neighboring counties and several State, local, and Federal law enforcement agencies set up a TAG unit, a Texas Anti-Gang unit. You guys probably have one in El Paso County as well. hat works against the cartels.

So, I really am shocked here today that you would really dismiss the concerns of the right side of the aisle and say there is simply not a problem and not a crisis at all. I want to also address the fact that Judge Carruthers is not here today because being the

Terrell County judge, she is a good friend of mine. As county judges, we had lots of conversations about what was going on in Terrell County.

I recall those personal discussions way before I even decided to run for Congress of her saying, listen, there is times at night when the sheriff will call me and I am alone in our ranch on that 17,000 acre ranch by myself and he is calling me to say there are a large group of individuals that just crossed the border. You need to be very careful. You are in a very precarious situation.

She could not sleep well at night because of that. There is a lot of instances like that where she can recount that. I hope you are not discounting her story about what is going on in Terrell County. Are you at all doing that, sir?

Mr. SAMANIEGO. Absolutely. I think you're mixing things. That is, at El Paso is very, very different from those other communities. So, I cannot speak for them. I can speak for El Paso.

You've got the largest FBI. You've got the largest law enforcement. You've got a lot of conditions that you don't see. Having crime in El Paso is not—people know that's the worst place that you could go.

Mr. MORAN. In your capacity as county judge, you are focused on county operations.

Mr. SAMANIEGO. Absolutely.

Mr. MORAN. So, let's talk about that for a moment. Have you guys analyzed from the El Paso County standpoint what is the total cost of having to deal with on the local taxpayers' burdens and their backs issues related to migrants crossing the border illegally? Have you guys analyzed that cost?

Mr. SAMANIEGO. Absolutely. Ninety-five percent is paid by FEMA. They're the ones that are assisting. The Federal Government is assisting. Otherwise, we couldn't do it.

Mr. MORAN. Your sheriff's office I am sure is having to deal with those issues, or are they not?

Mr. SAMANIEGO. Well, we have not had increases in jails or migrants or related to migrants in the sheriff's office. It's related to—

Mr. MORAN. What percent of your population in your jail are migrants that have come over illegally across the border?

Mr. SAMANIEGO. Very small. Very small.

Mr. MORAN. What would characterize as very small?

Mr. SAMANIEGO. I wouldn't want to say something without fully understanding that. I could tell you I ask the sheriff all the time. Has there been an increase because of migrants? We don't face that.

Mr. MORAN. Has your dispatch operations tracked the number of calls that your sheriff's officers have to go on that deal with illegal immigration?

Mr. SAMANIEGO. Our biggest impact, Congressman, has to do with medical, like, people falling trying to get across the wall and hurting themselves and children hurting themselves. One of the things that you keep saying that things have changed. We're not taking into consideration that the world has changed, and there's an increase of a necessity to move into the border.

It's apples and oranges. When I talk to every single migrant that I talk to, they're having to experience things that they didn't expe-

rience last year, experience two years ago. These are new changes in the world that's creating the increase as well. So, it's not fair to say—

Mr. MORAN. I understand. Some things don't change like good fences make good neighbors. That is something I learned as a 12-year-old boy when my next-door neighbor told me I could swim in his swimming pool. Then the next thing I did was I took my friend over there without permission.

He said, you know what? That is not what I authorized you to do. He had that right. It is not because he didn't like me. It is because at the end of the day, that is his property. We were good neighbors as a result of ourselves respecting each other's property. Shouldn't we do that—

Mr. SAMANIEGO. Absolutely. I think there's some confusion that we don't want orderly. We don't have that luxury.

Mr. MORAN. So, then would you support Congressman Roy's bill that would just simply say enforce the laws currently in place?

Mr. SAMANIEGO. Well, that's what we do. There's nothing that we do—asylum is legal. The majority of people that come across is through asylum. That's legal. There's nothing I can do about that. [Simultaneous speaking.]

Chair JORDAN. Thank you, Mr. Moran. Thank you, Sheriff, for your testimony. More importantly, for your work that you do in the law enforcement community and express that same thanks to your deputies as well.

Mr. DANNELS. Thank you, Chair. Thank you all.

Chair JORDAN. I now recognize the gentlelady—you bet. I now recognize the gentlelady from Florida, Ms. Lee.

Ms. LEE of Florida. Thank you, Sheriff, for being with us here today and to all our witnesses. The testimony that we have heard today makes clear that the crisis and lawlessness at our southern border is endangering every American community. Drug cartels and human traffickers are exploiting our failure to secure the southern border, and their criminal activities are eroding community safety across America.

In my community, authorities in Polk County confiscated recently 11 pounds of fentanyl. Following this drug bust, our State's Attorney General, Ashley Moody, announced that authorities had seized enough fentanyl in the last few months to kill every single Floridian. We have an obligation to take action to protect our communities.

We are a Nation of laws. We have an obligation to enforce our laws, to secure our borders, and to keep our community safe. I would like to return, Mr. Dunn, to your testimony and first express my sincere condolences for your loss.

As a mother, it is particularly important to me that we always remember that this isn't just a crisis of statistics. This is a tragedy in individual American families that cannot be set right. I would appreciate it, sir, if you would do us the honor of sharing with us a little bit more about your son. What was he like?

Mr. DUNN. He was an athlete, played football. He was an honor roll student. He was a friend. He had so many friends.

Ms. LEE of Florida. How would you describe the threat of fentanyl poisoning to your son and to other young men and women who are like him across America?

Mr. DUNN. It's there. I mean, he was exposed to it by somebody that he considered a friend. He unfortunately didn't survive.

He had other friends days later that were poisoned also. Luckily, they were saved. The threat is real. We've met at least 30 or so families personally in the short amount of time that we've been doing what we've been doing.

We don't get into what politics each other follows. I don't know the political affiliations of any of them. We don't talk about politics. It's not a political issue. Every single one that I've talked to since, they found out I was coming here, was tell them we have a problem.

Ms. LEE of Florida. Could you tell us about your organization, the Forever15Project?

Mr. DUNN. We primarily speak to schools. We're really trying to reach the youth in our communities. We do public speaking at schools, churches, any organization that'll have us come out and speak.

We've partnered with the Hays County Sheriff's Department. They do a presentation that presents facts and statistics on fentanyl. Then Janel will tell our story to make it relatable to the young people we're talking to.

We also do a lot of awareness through billboards. We paid to have a billboard in Hays County. We were fortunate enough to be provided other locations throughout the State of Texas because of the overwhelming response that media company received about our billboard. Just anything we can do to get the word out is what our focus is.

Ms. LEE of Florida. Are there changes that you would like to see enacted or things that we can do to help ensure that another tragedy like this doesn't occur?

Mr. DUNN. Just stop it from getting here. There's always going to be drugs smuggled in. It's happened forever.

In the last couple of years, not just fentanyl but all of narcotics smuggling has increased exponentially. While that in and of itself is bad, fentanyl is far deadlier than any other drug out there. It has a greater ability to kill more Americans than any other drug out there.

Ms. LEE of Florida. Thank you, sir. Mr. Chair, I yield the remainder of my time.

Chair JORDAN. Thank the gentlelady. The Chair recognizes the gentlelady from Texas for unanimous consent request.

Ms. ESCOBAR. Thank you, Mr. Chair. I ask unanimous consent, and this is on behalf of Mr. Ivey to submit into the record a letter signed by El Paso's bishop, the Most Reverend Mark Seitz, who is the Chair of the U.S. Council of Catholic Bishops Committee on migration. It is a letter asking Congress to oppose H.R. 29.

Chair JORDAN. Without objection, so ordered.

The Chair now recognized for our last five minutes of questioning, the gentleman from South Carolina, Mr. Fry.

Mr. FRY. Mr. Chair, thank you for having this hearing today. Thank you to our witnesses that are here. Mr. Dunn, words can't

express how sorry I am for your loss. I was in the general assembly in South Carolina up until recently and served as the Chair of the House opioid abuse prevention study committee where we passed 18 bills, a record investment.

I will tell you that every hearing that we started and every hearing that we finished, we started with families who were going through exactly what you are going through. So, I know how incredibly tough it is for you. I know how incredibly brave it is for you to be here today to share your story.

Mr. Chair, I will tell you it is amazing to me just hearing some of the things that have come out of this Committee that we on this side of the aisle have imaged things that we are engaging in conspiracy theories. We are not imaging the increase in human trafficking on our southern border. We are not imagining the record of amount of fentanyl seizures, fentanyl into this country, fentanyl associated deaths and overdoses that occur every single day.

We are not imagining five million people in this country or the 1.2 million got-aways we talked about a little bit, Judge, earlier about the amount of people who were seeking asylum. What is interesting to me just looking at the statistics was that, as was alluded to earlier, 14 percent of those individuals were considered lawful. Now, this was under an Obama Administration and a Trump Administration.

So, 14 percent of all people who said that they were seeking asylum were actually legitimate asylum seekers. Of that, a third—according to *Biden v. Texas*, a third of that absconded into the United States, never appearing for their immigration proceedings again. So, I look at the way in which the other side today has really glossed over the problems that have been exacerbated by this administration.

As somebody who has dealt with the opioid epidemic in my State and how I have studied how other States have handled it in Texas and elsewhere, I am incredibly frustrated by an unwillingness to deal with this problem. I did want to ask a few questions of both of you. I will start with you, sir.

You have been to—you have obviously seen Texas and other States and you have talked to parents involved. In your opinion, are governments attempting to trying to deal with in good faith the fentanyl epidemic in this country?

Mr. DUNN. Honestly, up until Noah's passing, we really didn't hear much about fentanyl. We had started to hear some about it shortly before he passed. Since then, our local sheriff's department has been very proactive.

I don't hear a lot on the State level. I know there's stuff—we know about the test strips and whatnot. I haven't heard—I've seen billboard media in the Dallas area. So, I'm sure there are other areas where awareness is being raised. I don't think on a wide scale level the issue is getting much attention.

Mr. FRY. We are not getting any attention in your opinion or much attention from the Federal Government to the level it should be?

Mr. DUNN. No.

Mr. FRY. What would you tell—piggyback on what Ms. Lee was talking about earlier. What would you tell parents and children about the risks associated with fentanyl?

Mr. DUNN. Like we tell our five-year-old daughter, don't take anything from anybody. You have to assume that everything is dangerous now. One of the comments, the sheriff that we do speakings with makes, "is the days of experimentation are over."

When you were a kid, you could try smoking pot or you could try this, that, or the other. Now, it's fentanyl has been mixed with everything. So, you can't assume anything is safe. If you don't get a prescription from a pharmacy, you can't assume that it's what you're getting.

Mr. FRY. Thank you, sir. Judge, really quick. President Biden recently visited the border passing through El Paso. I think there was a comment from you in the press that he didn't get to see the real difficulties. What did you mean by that and what difficulties did he not see on his trip?

Mr. SAMANIEGO. Well, I know a lot of people thought that we had something to do—they call it sanitizing. I could tell you that would be crazy on my part for him not to see what really was happening. It just so happened the numbers had come down. We wanted anybody please see what we really go through. So, we were not—

Mr. FRY. What do you think took him so long to visit the border?

Mr. SAMANIEGO. I can't tell you. I know that thanks to Congresswomen Escobar, we're really connected through her. She's connected to the Secretary, to the Ambassador. We're constantly communicating through them. So, I have a lot of trust that Congresswomen Escobar is relying the information that he needs. I don't think it's that important that he's not there, but that he supports what we're trying to accomplish and that is the humanitarian component that El Paso has been doing for centuries.

Mr. FRY. Thank you, Mr. Chair. I am out of time. I yield back.

Chair JORDAN. I thank the gentleman. Judge, just really quick if I could. You said the numbers went down. It just so happened they went down when President Biden visited your city and the Ranking Member's city. Are they back up now?

Mr. SAMANIEGO. No, no. We're still pretty low.

Chair JORDAN. OK, OK. I want to thank everyone. Before we adjourn, we want to inform all Members about a CODEL our Committee will be taking to the border on February 24th. I make the minority aware of that.

This hearing has made clear some of the problems that we—real problems that we see at our border and across our country. So, we want to make sure we can get down to visit that area here later this month. Without objection, all Members will have five legislative days to submit additional written questions for the witnesses for additional materials for the record.

Without objection, this hearing is adjourned.

[Whereupon, at 3:45 p.m., the Committee was adjourned.]

All items submitted for the record by Members of the Committee on the Judiciary can be found at <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=115264>.