

**DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS FOR FISCAL YEAR 2025**

HEARINGS
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE
ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

ON

H.R. 8752

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, AND FOR OTHER PURPOSES

Department of Homeland Security

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS FOR FISCAL YEAR 2025

WEDNESDAY, APRIL 10, 2024

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:30 p.m. in room SD-192, Dirksen Senate Office Building, Hon. Christopher Murphy (chairman) presiding.

Present: Senators Murphy, Murray, Tester, Shaheen, Baldwin, Peters, Britt, Collins, Murkowski, Capito, Kennedy, and Hyde-Smith.

DEPARTMENT OF HOMELAND SECURITY STATEMENT OF HON. ALEJANDRO MAYORKAS, SECRETARY

OPENING STATEMENT OF SENATOR CHRISTOPHER MURPHY

Senator MURPHY. Good afternoon, everyone. Welcome to today's hearing concerning fiscal year 2025, and the Budget Request from the Department of Homeland Security (DHS). I am calling this hearing to order.

And we welcome Secretary of Homeland Security, Alejandro Mayorkas, to testify about the fiscal year 25 request. Thank you for being here on a very busy day.

Looking forward to a serious and lively discussion about the Department's budget priorities for the coming year, nothing is more important in our Federal budget than supporting the 260,000 Federal employees who spend every day defending our Nation.

I have reviewed the President's proposed budget. I support lots of it. I have questions about other parts, and I look forward to our subcommittee's bipartisan work.

I want to use the rest of my time here today to address two elephants that linger in the room. First, this budget, even with this proposed increase, is not enough to secure our border and manage the unusually high levels of immigration to the United States, that started not in 2021 or 2022, but in 2019, not when President Biden took office but, when President Trump was President.

This budget doesn't provide enough money, and this budget, by definition, cannot update the immigration laws of this country, which are outdated and broken. But do you know what did provide enough money?

Do you know what did update and fix our broken laws? The Bipartisan Border Bill, negotiated by myself, Senator Lankford, Sen-

ator Sinema, with help from Senator McConnell and Senator Graham. It would have provided \$20 billion in extra emergency funding to buy 50,000 detention beds, to hire 4,300 new asylum officers, 100 new immigration judges, 1,500 border patrol agents, 1,000 new deportation officers, the list goes on and on.

In addition, our bill would have made a massive down payment on fixing our broken border and immigration authorities. It would have given the power to the President to close portions of the border to ordinary asylum claims during periods of high crossings. It would have elevated the screening standard for asylum claims to make sure that only truly meritorious claimants enter the country. It would have reduced, maybe most importantly, the time to process an asylum application from 10 years, in some cases, to just weeks or at worst months.

It would have eliminated the use of 235A Parole at the border, and greatly narrowed and refined the uses of humanitarian parole. That is just the tip of the iceberg. If passed, this would have been the most significant, most serious reform of immigration law in 40 years. And it would have been effective at greatly slowing the pace of arrivals at the southern border and making sure that our system of legal immigration, the key to American greatness, is not abused.

And that is why it is not the law. It is not the law because it would have made a big down payment on fixing the problem. Republicans rejected this bill because they didn't want to fix the problem. Donald Trump and the Republicans decided that they would be better off with the border a mess because it would help them politically.

That is not me saying that. Here is what one honest Republican senator said, "The border is a very important issue for Donald Trump", and the fact that he would communicate to Republican senators and Congress people that he doesn't want us to solve the border problem because he wants to blame Biden for it is really appalling.

Now, I am eager to hear about the President's budget request, but we could have done something together in a bipartisan way to give the real levels of adequate funding, real changes in the law to protect our nation.

The second thing that hangs over this hearing is the political impeachment articles that are about to be sent to the Senate. There is not a single act of impeachable misconduct alleged by these articles. The process was an embarrassment to the House of Representatives. These articles are laughable on their face. One article accuses the Secretary of a high crime and misdemeanor for failing to stop millions of non-citizens from being released into the United States.

Let us be clear. Despite Congress' inability to respond to this crisis, the Biden Administration and Secretary Mayorkas have removed, returned, or expelled more migrants in 3 years than the Trump Administration did in 4 years. The annual apprehension rate is the exact same between the Trump Administration and the Biden Administration.

Another impeachment article rages about the Immigration Court backlog, a backlog that has existed in Republican and Democratic administrations, a backlog that is the consequence of Congress' un-

willingness to adequately fund a solution, a backlog that—wait for it—would have been solved by the Bipartisan Border Bill that the House Republicans so honestly concerned about the state of immigration, killed.

But what makes me most angry about this impeachment is its attempt to personally impugn Secretary Mayorkas. His life is one of public service, the youngest U.S. Attorney confirmed by the Senate, the former director of United States Citizenship and Immigration Services (USCIS), the former deputy director of DHS. He has sought out the toughest, most controversy-laden jobs in Government. He was in the room, personally, for nearly all of our 4 months of torturous negotiations. Why? Because Republicans and Democrats trusted him, because the Republicans asked for him to be in that room, because they knew that he would be an honest broker.

So we are very lucky, in my mind, to have Secretary Mayorkas protecting our Nation. He shouldn't have to endure this process. But we are glad that he is here today.

We have a number of opening remarks. I am going to turn it over now to Senator Collins. To be followed by Senator Murray. To be followed by Senator Britt. And then we will turn it over to you, Secretary Mayorkas, for opening comments.

STATEMENT OF SENATOR SUSAN M. COLLINS

Senator COLLINS. Thank you very much, Chair Murphy, and Ranking Member Britt, for your courtesy. And for holding this important hearing, and allowing me to make a few brief remarks.

I also want to welcome Secretary Mayorkas. I apologize that I have to leave very shortly, as I am scheduled to speak at a very exciting and momentous Congressional Gold Medal Ceremony for the Rosie the Riveters, in just a few moments.

Before I leave, I want to express my concern that the President's fiscal year 2025 Budget Request does not do nearly enough to address the flood of illegal migrants and fentanyl entering the United States. The U.S. Border Patrol reported a record 2.5 million encounters of foreign nationals entering our country along the southwest border without authorization in fiscal year 2023, and the numbers only continue to rise.

Migrant encounters have also grown dramatically, albeit from a much lower pace, at the northern border, increasing 73 percent in fiscal year 2023. In November, and I have discussed this with the Secretary, a group of 20 Romanians were arrested crossing the border into Maine illegally, two of whom were flagged as transnational organized crime matches. Similarly, just in February, three Chinese nationals were intercepted attempting to cross into Maine illegally.

We have also seen staffing shortages as Border Patrol and other officers have been transferred to the southwest border. And that brings me to the question I want to ask the Secretary today.

Mr. Secretary, last year I raised with you a problem whereby Customs and Border Protection (CBP) refused to provide services to an international ferry service between Bar Harbor, Maine, and Nova Scotia, Canada. It is requiring the ferry to pay the full an-

nual salaries of four CBP officials even though the ferry only utilizes them for a few months of each year.

Now, it appears that CBP officials have informed the City of Eastport, Maine, a town a couple of hours away from Bar Harbor, that the agency cannot accommodate four, just four, planned international cruise ship arrivals in Eastport this fall, even though CBP staffed a larger number of international cruise ship arrivals in Eastport last year, and Bar Harbor is seeing a reduction in international cruise ship arrivals.

The cruise ship industry is vital to many Maine communities and delivers millions in economic benefits to our state annually. This is the flip side of the problems that we are now seeing on the southwest border, creating also problems on the northeast border, and northern border in general.

Mr. Secretary, what I am asking from you today is to look into this staffing issue and follow up with me to try to resolve this problem.

Senator MURPHY. Thank you, Senator Collins.

Senator Murray.

Senator COLLINS. Thank you.

STATEMENT OF SENATOR PATTY MURRAY

Senator MURRAY. Thank you very much, Mr. Chairman.

Thank you, Secretary Mayorkas, for joining us today. I am really glad we have this opportunity to talk about how we can get DHS the resources it needs to fulfill its mission to keep our communities safe and our Nation secure. And I hope that we can all agree the Department of Homeland Security does essential work that should not be undermined or short-changed by partisan infighting.

The fiscal year 2024 Homeland Funding Bill that we just passed provided critical resources for the Department. But we know the needs for this Department and other agencies far exceed what we were able to provide under very tight spending caps.

For the better part of last year, Democrats have been laser-focused on meeting the Department's increased operational needs and addressing the serious challenges that we have at the border. Chair Murphy spent months relentlessly negotiating a set of bipartisan policy changes, and resources to meet the existing needs and fund new authorities were added to those policy changes. That package, of course, never made it out of the Senate. Everyone here knows why.

But we must continue working together to actually address the problems that we are facing and make sure DHS has the basic resources that it needs to manage our border in a humane, orderly, and fair manner, and carry out its truly wide-ranging responsibilities.

Secretary Mayorkas, I am interested in hearing from you today, as we all, are about the pressing funding needs of your Department. I hope that all of our colleagues will work with us to meet those needs, because, you know, our economy really depends on our ability to ensure that countless goods, as well as people, can move through our borders in a safe, orderly, and timely way. And our security depends on our ability to do all of that while effectively stopping threats, like drug smugglers, and fentanyl, sex, and labor traf-

fickers, not to mention cyber attacks are the very real, and growing threat of White Supremacy.

And as we do all of this we have got to make sure that we do the utmost to make sure people are being treated humanely, and continue our long tradition of welcoming people from across the world who are seeking safety from persecution or conflict, and opportunities for a better life. This is vital to us as our reputation, as the leader of the Free World, and land of opportunity, and because as we have seen throughout history immigrants do make our Nation stronger.

So we look forward to your testimony today and the opportunity to ask you questions.

Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Chair Murray.

Senator Britt.

STATEMENT OF SENATOR KATIE BRITT

Senator BRITT. Chair Murphy, before I start, just a point of personal privilege. I need to give you public congratulations. Our two teams faced off in the final four, I am incredibly proud of the Crimson Tide, and all the players and the positive impact they made both on the tournament and have for the state. Everybody from Grant Nelson, who John Hoeven always tells me is from North Dakota, he doesn't let me forget that. Nick Pringle, Mark Sears, Mark Sears' mom, who may be our true MVP, but Nate Oats did an incredible job, but at the end of the day obviously you all came out victorious, not only in the final four, but in the tournament for the second year in a row, pretty incredible. So while I will never miss an opportunity to say, Roll Tide, I have to tip my hat say, congratulations and go Huskies.

Senator MURPHY. Well, and Alabama, to their credit, gave us our closest game in 2 years, we only beat you by 14 points.

Senator BRITT. There you go. We will take it.

Senator MURPHY. All right.

Senator BRITT. We will be back. We will be back next year. Thank you.

Mr. Chairman, thank you for holding this hearing; and thank you Mr. Secretary for testifying today. I am pleased that we were able to avoid a year-long continuing resolution when it came to the fiscal year 2024 Homeland Security Appropriations Bill.

The fiscal year 2024 Bill took incremental steps to start moving away from merely managing the border crisis created under this administration, and actually included significant steps to strengthen our border security and immigration enforcement on our nation's interior, and right there at the border. In particular, it was great to see the fiscal year 2024 funding for over 2,000 and new border patrol agents, as well as additional ports of entry officers, and ICE officers.

The Final Bill also importantly included a 22 percent increase in detention beds, a major increase in funding for removal operations was awesome, and something I was pleased to see.

Disappointingly, President Biden's fiscal year 2025 budget request for the Department of Homeland Security does not follow this model, and instead repeats the same mistakes of his previous budg-

et request. Once again, this administration has proposed cutting the DHS base budget. The fiscal year 2025 Presidential budget request would cut base DHS funding by more than \$1.25 billion, a reduction of 2 percent from the fiscal year 2024 levels.

At a time when our country, undoubtedly, faces a national security and a humanitarian crisis of historic proportions at our southern border this is completely nonsensical. Considering that President Biden has proposed increasing the EPA budget by roughly 20 percent, it clearly shows where this administration's priorities are.

It is clear that this administration's budget request in recent years are designed to merely manage the border crisis it created, and will not actually solve the problem, nor will border policy legislation that doesn't take away President Biden's ability to continue to abuse tools and loopholes that fuel and facilitate the entry of inadmissible aliens into the United States, including the unprecedented abuse of the Presidential Parole Authority.

The truth is that we have a President who could take executive action, and if he wanted to he would. If reports that we are seeing today are accurate, the President has finally, after over 1,100 days into his administration, admitted that he does have the authority. Unfortunately, rather than reversing course this inadequate budget request for the Department of Homeland Security only doubles down on the failed policies of the last 3 years.

Across the board, the administration is failing to put its money where it matters. This includes the ongoing fentanyl crisis; fentanyl is responsible for more than 200 deaths every single day, and is the number one cause of death for Americans ages 18 through 45.

I want to commend the brave men and women of CBP, Immigration and Customs Enforcement (ICE), and the U.S. Coast Guard, who are on the front lines each and every day to interdict fentanyl, and other deadly drugs, but the numbers are increasingly shocking. In fiscal 2023 ICE Homeland Security Investigation seized nearly 42,000 pounds of fentanyl, while CBP seized an additional 27 pounds of fentanyl, almost all of it at the southern border.

These numbers are roughly double the amount seized in the previous year. While President Biden's budget request and includes many references to commitment to countering, fentanyl, its actual funding request is sorely lacking. The request includes no new funding for nonintrusive invasive inspection equipment at ports of entry, and only marginally increases marginally new investments for counter-fentanyl labs, technology, and staffing.

The cartels continue to evolve their activities to stay ahead of our best efforts, and a budget that makes only minimal new investment to combat fentanyl will fail to make the progress we need in order to protect American families and communities from this poison.

Mr. Secretary, for the fourth year in a row, this administration has submitted a Homeland Security Budget that fails to provide sufficient resources to allow the men and women of the Department to protect our Nation and the many threats it faces. At a time when migrant encounters continue to set record after record, when the number of migrants released into the interior of the United States is overwhelming, the ability of local communities to absorb them, and when fentanyl and dangerous criminals continue to flood

our Nation and kill our citizens, it is unacceptable that this administration's response is to cut base funding for the Department of Homeland Security.

I look forward to working with the Department, and my colleagues on the Appropriations Committee, to enact a budget for fiscal year 2025 that builds on the steps taken in fiscal year 2024 to strengthen our border security, increase immigration enforcement, crack down on the cartels that are trafficking these substances into our country.

Thank you, Mr. Chairman. I yield back my time.

Senator MURPHY. Thank you very much, Senator Britt.

I will now turn it over to Secretary Mayorkas, for your opening comments.

SUMMARY STATEMENT OF HON. ALEJANDRO N. MAYORKAS

Secretary MAYORKAS. Chairs Murphy and Murray, Ranking Member Britt, distinguished Members of this Committee.

Every day, the 268,000 men and women of the Department of Homeland Security carry out our mission to protect the safety and security of the American people. They protect our shores, harbors, skies, cyberspace, borders, and leaders. They stop fentanyl and other deadly drugs from entering our country. They lead the response to maritime emergencies.

As we speak, they are engaged in the response to the tragic Francis Scott Key Bridge collapse in Baltimore. They help communities recover and rebuild after a natural disaster. They combat the scourges of human trafficking, forced labor, and online child sexual exploitation, and so much more, all this, despite a perennially insufficient budget.

The dedicated public servants of DHS deserve full support, and the American people deserve the results a fully resourced DHS can deliver. The funding opportunities outlined in the President's fiscal year 2025 Budget for DHS are critical to meeting both goals. I welcome the opportunity to discuss this proposed budget and highlight some of its key proposals with you today.

When our Department was founded in the wake of 9/11, the threat of foreign terrorism against high visibility targets was our primary concern. That foreign terrorist threat persists, and the U.S. continues to be in a heightened threat environment. We now also confront the terrorism-related threat of radicalized homegrown offenders and small groups already resident here in the United States.

This budget provides for an \$80 million increase to our Department's Nonprofit Security Grant Program, in additional funds for Targeted Violence and Terrorism Prevention grants so that DHS can better help communities prevent tragedies from occurring. As lone actors in nation states increasingly target our critical infrastructure and our data, the President's budget provides Cybersecurity and Infrastructure Security Agency (CISA) with needed funding to improve our cybersecurity and resiliency.

Fentanyl is wreaking tragedy in communities across the country. DHS has interdicted more illicit fentanyl, and arrested more individuals for fentanyl-related crimes in the last two fiscal years than in the previous five combined. We must do more.

The President's budget includes critical funding to advance our strategy, including funds for nonintrusive inspection technology, and targeted operations. During a time when the world, including our hemisphere, is experiencing the greatest displacement of people since World War II, DHS has toughened our border enforcement and is maximizing our available resources and authorities. In the last 11 months, we have removed or returned more than 630,000 individuals who did not have a legal basis to stay, more than in every full fiscal year since 2013.

The President's budget would further expand these efforts. It provides \$25.9 billion for CBP and ICE, including funds for hiring more enforcement personnel. A separate \$265 million would be used by USCIS to bolster refugee processing as we continue to expand lawful pathways and ensure that protection remains accessible for those who qualify under our laws.

Our immigration system, however, is fundamentally broken, including our asylum system that so significantly impacts the security of our borders, and the processes we administer at them.

Only Congress can fix our broken and outdated system, and only Congress can address our need for more Border Patrol agents, asylum officers, and immigration judges, facilities, and technology. Our administration worked closely with a bipartisan group of senators to reach agreements on a National Security Supplemental package, one that would make the system changes that are needed, and give DHS the tools and resources needed to meet today's border security challenges. We remain ready to work with you to pass this tough, fair, bipartisan agreement.

Finally, extreme weather continues to devastate communities. And let me turn, if I may, for a moment, Chairs and Ranking Member Britt, to Senators Kennedy and Hyde-Smith. I am tracking very closely the extreme weather that has struck both Louisiana and Mississippi, flooding in Mississippi, a tornado touching down in Slidell, Louisiana, and our FEMA personnel are ready to deploy as the needs of your constituents so require.

Last year, Federal Emergency Management Agency (FEMA) responded to more than 100 disasters. Our budget provides \$22.7 billion to assist community leaders and help survivors in the aftermath of major disasters, and additional funds to invest in resilient strategies that will save lives and taxpayer money in the decades to come. Essential to our success across all mission sets is our Department's ability to recruit and retain a world-class workforce.

In addition to the frontline border workforce I mentioned, the President's budget includes \$1.5 billion to maintain our commitment to fairly compensate the Transportation Security Administration (TSA) workforce, continuing the long overdue fiscal year 2023 Initiative we worked together to implement.

I look forward to further discussing these critical missions and our Department's needs for both the coming and current fiscal years. The recently passed 2024 budget, though welcome and helpful to many of our operations, was enacted too late to implement an appreciable hiring surge. It reduced by 20 percent much-needed support for cities dealing with migrant-related challenges, and it cut critical research and development funding, the compounding effects of which our Department will feel for years.

I am eager to work with you to address these and other shortfalls in the weeks ahead, as I am eager to deliver, together, the sustained funding, resources, and support that the extraordinarily talented and dedicated public servants of DHS need and deserve. Thank you.

[The statement follows:]

PREPARED STATEMENT OF HON. ALEJANDRO N. MAYORKAS

INTRODUCTION

Chair Murphy, Ranking Member Britt, and distinguished Members of the subcommittee: I appreciate the opportunity to appear before you to discuss the Department of Homeland

SECURITY'S FISCAL YEAR 2025 PRESIDENT'S BUDGET.

Since its inception, the Department has continuously evolved to achieve its mission. It has done so in an increasingly dynamic threat landscape through new programs and capabilities, cross-component collaboration, and unflinching dedication. Today, we are the third largest department in the Federal Government with a 268,000-member workforce. Every day, our personnel interact with the U.S. public more than any other Federal agency as we ensure the safety and security of all Americans, promote lawful trade and travel, protect our critical infrastructure, develop resilience to man-made and natural disasters, respond when disaster strikes, advance the security of cyberspace and modernize information technology, combat human trafficking and online child sexual exploitation, protect communities from illicit drugs and weapons, safeguard our borders, defend U.S. interests in the Arctic and the Indo-Pacific, guard our Federal buildings, and much more.

The FY 2025 President's Budget for the Department totals \$107.9 billion, providing the resources needed to keep our Nation safe, strong, and prosperous. This funding supports the Department's ever-evolving mission set and aligns with key Presidential priorities. The Budget continues investments to advance our mission to combat terrorism, to secure our borders and enforce immigration law, to counter threats of fentanyl and other illicit drugs, to promote a humane and efficient system of refugee processing, and to address personnel needs. The Budget supports Indo-Pacific engagement and readiness operations. It supports investing in and building a resilient nation, laying a foundation for the responsible use of Artificial Intelligence (AI), and bolstering cyber defenses and national resilience. This testimony highlights FY 2025 investments which ensure the Department has the resources it needs to enforce our laws and keep the American people, our homeland, and our values secure.

Of the \$107.9 billion requested in FY 2025, \$62.2 billion is discretionary budget authority, and \$22.7 billion is for the Disaster Relief Fund to enable response and recovery efforts during major disasters and emergencies and to build resilience to natural hazards. A TSA legislative proposal related to fees, if enacted, would decrease net discretionary appropriations by \$1.6 billion by directing more offsetting collections directly to TSA. The Budget also includes a proposed \$4.7 billion Southwest Border Contingency Fund to respond to changing conditions on the Southwest Border.

The Budget includes, and reiterates the need for, the Administration's border and disaster supplemental requests transmitted to Congress in October, which total \$17.9 billion for DHS. Additionally, DHS urges Congress to pass the Senate's bipartisan border security supplemental in order to provide vital funding and authorities in the Department's efforts to secure the Southwest Border, build capacity to enforcement immigration law, and counter trafficking in fentanyl.

I am eager to work with Congress to deliver for the American people and the men and women who protect our Homeland.

ADVANCE OUR MISSION TO COMBAT TERRORISM

The President's Budget supports the Department's continued efforts to combat terrorism, both domestically and abroad. The FY 2025 Budget fully funds the DHS Special Events Program, a critical program that gathers information on more than 57,000 special events, to identify and assess terrorism risk to high profile events across the Nation and facilitates the risk rating of special events using the Special Events Assessment Rating (SEAR) methodology.

The President's Budget provides \$418.0 million to support the Countering Weapons of Mass Destruction Office (CWMD), increasing our security against chemical, biological, radiological, and nuclear (CBRN) terrorist threats. Funding of \$181.4 million provided to CWMD in the President's Budget are dedicated to support State, local, Tribal, and territorial (SLTT) partners by building personnel and technical capabilities and increasing knowledge regarding CBRN threats and incidents.

Continuing to invest in innovative solutions is vital in countering weapons of mass destruction and to the Department's frontline personnel who rely on such technologies, including United States Coast Guard (USCG) Special Mission Units. The President's Budget provides \$138.3 million to ensure CWMD possesses the resources needed for research, acquisition, development, test, and evaluation of next generation technology to bolster environmental biodetection and chemical defense programs.

The Budget includes an \$80 million increase for the Nonprofit Security Grant Program (NSGP), which provides target hardening and other physical security enhancements for nonprofit organizations at high risk of terrorist attack, including places of worship. The NSGP is designed to integrate nonprofit preparedness activities with broader State and local preparedness efforts. It is also designed to promote coordination and collaboration in emergency preparedness activities among public and private community representatives, as well as State and local government agencies. Additionally, the budget includes \$18 million for the Targeted Violence and Terrorism Prevention Grants to support activities to prevent the recruitment or radicalization of individuals to violence by interrupting those efforts, building community-level resilience, and identifying the early signs of radicalization to violence and providing appropriate interventions through civic and public health organizations, law enforcement, or other entities.

SECURING THE BORDER AND FACILITATING LAWFUL TRADE AND IMMIGRATION

Countries throughout the Western Hemisphere and across the world continue to face unprecedented levels of migration inflamed by violence, food insecurity, corruption, dire economic conditions, and the lingering effects of the COVID-19 pandemic. Failing authoritarian regimes in Venezuela, Cuba, and Nicaragua, and an ongoing humanitarian and security crisis in Haiti and Ecuador, have driven millions from their homes. Several countries' uncooperative governments severely restrict our ability to return their nationals. Migrants from the Middle East, Central Asia, Africa, and Asia are using pathways through Central and South America to reach the United States. Migratory movements are often leveraged by human smuggling organizations that exploit migrants for profit as part of a billion-dollar criminal enterprise.

U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) work together to secure America's borders and enforce our Nation's immigration laws. CBP is responsible for securing our Nation's borders to protect against terrorist threats, combat and deter transnational crime, and facilitate lawful travel, trade, and immigration. ICE protects our Nation through criminal investigations and enforcing immigration laws to preserve national security and public safety and stands at the forefront of our Nation's efforts to strengthen border security, counter fentanyl, and prevent the illegal movement of people and goods. The FY 2025 Budget includes \$25.9 billion for CBP and ICE to continue these vital functions and significant investment in personnel and technology to carry out these critical mission sets.

The requested CBP funding includes an increase of \$210.3 million that would support the hiring of an additional 350 Border Patrol Agents, an additional 310 Border Patrol Processing Coordinators, 150 CBP Officers, and 411 Operational and Mission Support Personnel. Additional field agents and support staff will bolster situational awareness, respond to enhanced levels of migration, and advance the enforcement mission. It supplements CBP's efforts to reduce reliance on the Department of Defense by including \$39.8 million to sustain Integrated Surveillance Towers along the Southwest Border. The Budget also provides \$26.2 million for research and development efforts in critical operational capabilities such as Counter-Unmanned Aircraft.

Requested ICE funding includes \$2 billion for 34,000 ICE Enforcement and Removal Operations (ERO) immigration detention beds. The Southwest Border Contingency Fund will resource additional detention beds if conditions require increased capacity.

The request of \$2.5 billion for ICE Homeland Security Investigations (HSI) would fund additional personnel and technology enhancements for investigative capacities, including a \$21 million increase for child exploitation investigations, a vital national asset in the global fight against transnational criminal threats. These investigations

helped inform a forthcoming national public awareness campaign. Children, teens, parents, trusted adults, and policymakers will be educated and empowered to prevent and combat online child sexual exploitation and abuse; learn how to report online enticement and victimization; and obtain response and support resources for victims and survivors of online child sexual exploitation. We look forward to launching this campaign with our partners this month.

Working within a broken immigration system and in the face of enormous challenges and consistently insufficient funding, DHS faithfully enforces the law to secure our borders. We are removing and returning record numbers of migrants who are unable to establish a legal basis to remain in the United States. Since mid-May 2023, we removed or returned more than 630,000 individuals, the vast majority of whom crossed the Southwest Border, including nearly 100,000 individuals in family units. Total removals and returns in the last 11 months exceed removals and returns in every full fiscal year since 2013.

COUNTERING FENTANYL

Fentanyl is one of the deadliest drugs our country has ever faced. It is 50 times stronger than heroin and remarkably cheap and easy to produce. The profit potential and potency of small doses of fentanyl complicate efforts for law enforcement personnel cracking down on smuggling operations. CBP and ICE are working together with federal, State, and local partners to successfully combat transnational criminal organizations and counter their trafficking in fentanyl and other controlled substances. The Department has stopped more illicit fentanyl and arrested more individuals for fentanyl-related crimes in the last two fiscal years than in the previous 5 years combined.

The Department's FY 2025 Budget includes critical investments in the fight against fentanyl. Through investments in Non-Intrusive Inspection technology and targeted operations such as Operations Artemis, Rolling Wave, and Argus, CBP and ICE HSI increased the interdiction of fentanyl, fentanyl precursors, and collateral contraband, in particular the pill presses used to manufacture fentanyl. The Administration is also prepared to send to Congress a legislative proposal to cement the Unity Agenda Strategy to combat the fentanyl epidemic.

SUPPORTING REFUGEE PROCESSING AND A FAIR, ORDERLY, AND HUMANE IMMIGRATION SYSTEM

The Biden-Harris Administration is committed to safeguarding the integrity of our Nation's immigration system by efficiently and fairly adjudicating requests for immigration benefits. U.S. Citizenship and Immigration Services (USCIS) provides safe, lawful pathways for migration. The FY 2025 Budget includes \$265 million for USCIS to bolster refugee processing in support of the Administration's goal to welcome up to 125,000 refugees from across the world, including up to 50,000 from the Western Hemisphere; expand the E-Verify Program; and support the Citizenship and Integration Grant Program.

INVESTING IN CYBERSECURITY AND EMERGENCY COMMUNICATIONS

The Department's Cybersecurity and Infrastructure Security Agency (CISA) serves as both America's cyber defense agency and as the National coordinator for critical infrastructure security and resilience.

President Biden signed the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA) into law in March 2022. To meet CIRCIA's requirements, CISA must add new staff, update existing programs, and implement new processes and technologies. The FY 2025 Budget includes critical resources to facilitate CISA's ability to receive, analyze, and share reports required under CIRCIA once regulatory reporting requirements become effective. The Budget includes \$115.9 million to help ensure CISA has sufficient funds for staffing, operations, and technology to successfully implement CIRCIA.

The FY 2025 Budget also includes \$394.1 million to support the Joint Collaborative Environment, which enables CISA to fulfill its mission of centralizing and synthesizing cyber threat and vulnerability data across federal, SLTT, and private sector stakeholders, and rapidly work with these stakeholders to reduce associated risk.

Additionally, the Budget includes \$469.8 million for Continuous Diagnostics and Mitigation to complete mobile asset deployments, continue cloud asset deployments to fill capability gaps, and align to agency zero-trust use cases. Funding also sustains existing Endpoint Detection and Response investments and incorporates sensors to increase operational visibility within the Network Security Management capability.

The Federal Government continues to leverage TSA's unique authorities—including the ability to issue Security Directives and Emergency Amendments within hours of receiving information about a threat—to address cyber threats. Cyber threats grew dramatically over the past decade and that growth shows no sign of slowing down. Accordingly, the FY 2025 Budget includes an increase of \$15 million to conduct critical mission support functions to reduce cyber threats to American critical infrastructure in both near and mid-terms, and in support of both the surface and aviation sectors.

RESPONSIBLY DEPLOYING ARTIFICIAL INTELLIGENCE TECHNOLOGY

At the Department of Homeland Security, we embrace the responsibility to ensure that AI is developed and adopted in a way that realizes its full potential while protecting the public from any harm its irresponsible or adversarial use might cause. The FY 2025 Budget enables the Department to responsibly leverage AI and machine learning to advance our homeland security missions while protecting individuals' privacy, civil rights, and civil liberties. Funding includes \$5.0 million for a new AI Office, led by the Chief AI Officer, within the Office of the Chief Information Officer. The AI Office will be responsible for setting priorities, directing policies, and oversight of the responsible use of AI across DHS.

DHS will continue to deploy AI tools across strategic areas of the homeland security enterprise, including efforts to counter fentanyl, combat child sexual exploitation and abuses, deliver immigration services, secure travel, fortify our critical infrastructure, and enhance our cybersecurity. Consistent with President Biden's Executive Order, DHS will also direct funds to manage AI in critical infrastructure and cyberspace, promote the adoption of global AI safety standards, reduce the risk that AI can be used to create weapons of mass destruction and other related threats, combat AI-related intellectual property theft, and help the United States attract and retain skilled talent.

The FY 2025 Budget provides additional AI funds for talent recruitment programs that will benefit DHS missions, including the DHS AI Corps that launched in February to hire 50 AI experts in the Department. The effort has already received over 3,000 applications. Funds will also support training programs to build AI literacy across the Department's workforce and secure AI systems in critical infrastructure. The funds will also support existing ICE, CBP, and Federal Emergency Management Agency (FEMA) programs ensuring investment and expansion in line with Executive Order 14110, Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.

In March 2024, we introduced the DHS AI Roadmap, which outlines the Department's AI initiatives and the technology's potential across the homeland security enterprise. It is the most detailed AI plan put forward by a Federal agency to date, directing our efforts to fully realize AI's potential to protect the American people and our homeland, while steadfastly protecting privacy, civil rights, and civil liberties.

Our roadmap for the coming year includes exploring new AI applications and pursuing a whole-of-government strategy for ensuring the safe, secure, and trustworthy development and use of AI. We are seeking to engage partners across government, the private sector, and academia to bolster our Nation's security.

INVESTING IN A DISASTER-RESILIENT NATION

FEMA strengthens the Nation's ability to prepare for and respond to disasters of all types and magnitudes via partnerships with SLTT governments and the delivery of assistance to disaster survivors. In January, DHS announced historic changes to FEMA's Individual Assistance Program that ensure survivors will be provided with faster and easier access to resources they need immediately after a disaster. Last month, these changes went into effect and they will transform how we interact with survivors and empower individuals and communities in all future disasters.

The Budget includes increased funding for programs and activities that support FEMA's goals to lead whole-of-community efforts in resilience and promote and sustain a prepared nation. The FY 2025 Budget provides a major disaster allocation totaling \$22.7 billion for FEMA to assist SLTT partners and individuals affected by major disasters and emergencies. This funding will support FEMA's continued recovery efforts from the devastating Maui fire, Hurricanes Maria, Fiona, and Ian, and other major disaster activity. In Maui our teams are on the ground delivering assistance in Lahaina and across Maui. As the roads are cleared and debris removed, as a temporary elementary school has opened, and as survivors begin to rebuild their homes, FEMA will continue to be there on the long road to recovery. The funding Congress provides directly impacts our ability to ensure survivors have the

assistance they need to return to Lahaina and their community. The Budget provides approximately \$3.2 billion in FEMA grants bolstering SLTT community partnerships to improve the Nation's disaster resilience and preparedness strategies and includes the previously mentioned \$385 million for the NSGP.

INCREASING COAST GUARD PRESENCE IN THE INDO-PACIFIC REGION

The U.S. Coast Guard is a vital part of the Administration's national security vision. Increasing USCG's presence in the Indo-Pacific region is critical to that vision, the investments detailed below will enable a stable, free, and open region, and solidify the United States as a trusted partner in the region.

The FY 2025 Budget provides \$12.3 billion in net discretionary funding to sustain current readiness, resilience, and capabilities while building the Coast Guard of the future. The Budget expands efforts for the Coast Guard's two highest acquisition priorities, the Offshore Patrol Cutter (OPC) and Fast Response Cutter (FRC). The OPC replaces the Coast Guard's fleet of Medium Endurance Cutters that conduct missions on the high seas and coastal approaches while FRC funding expands the program of record and construction of two FRCs in support of the Nation's Indo-Pacific Strategy. Of the \$263 million provided to USCG, \$200 million will increase the FRC fleet from 65 to 67 boats, which are well-equipped to engage with partner nations throughout the region.

The Budget also provides funding to support training, partnerships, and meaningful engagement in the Indo-Pacific region. For example, it includes funds for an Indo-Pacific based Coast Guard Marine Transportation System (MTS) Assessment Team that will drive regional economic prosperity by performing vital Ports and Waterways Safety Assessments, Port Access Route Studies, and Waterways Analysis and Management System studies. Additionally, the budget also funds a Maritime Engagement Team focused on bolstering partner-nation capacity, and regional maritime advisors, liaison officers, attachés, legal support, and foreign engagement personnel that will support the U.S. presence and our interests in the region.

THE 2024 PRESIDENTIAL CAMPAIGN AND NATIONAL SPECIAL SECURITY EVENTS

The U.S. Secret Service (USSS) protects the President, the Vice President, their immediate families, visiting heads of state, other designated individuals, and the White House Complex, the Vice President's residence, foreign diplomatic missions, and other designated buildings. Additionally, the USSS coordinates security at National Special Security Events, such as the State of the Union Address, the United Nations General Assembly, and international summits hosted in the United States, such as the upcoming NATO Summit. The Service also protects the Nation's financial infrastructure by investigating counterfeiting, identity theft, computer fraud, and other financial security crimes.

This year, the USSS will increase protective details, travel and overtime related to the Presidential Campaign. The FY 2025 Budget includes \$70 million to ensure the 2024 Presidential Campaign is adequately resourced for the protection of major candidates, designated nominees, their spouses, and nominating conventions. This funding supports enhanced protection, security, travel, and overtime for the 2024 Presidential Campaign and includes resources to train USSS personnel and other Federal partner agencies.

The President's Budget also includes \$16.0 million to support planning and prepositioning of assets needed for the protection of the 2026 FIFA World Cup and \$19 million for other NSSEs.

MODERNIZING TSA PAY AND WORKFORCE POLICIES

Every day, TSA personnel help millions of travelers reach their destinations safely, fulfilling one of our Department's core missions since our founding in the wake of the September 11 attacks. The TSA workforce deserves to be fairly compensated at rates comparable with their peers on the General Schedule pay scale. The FY 2025 Budget includes an additional \$1.5 billion to continue the FY 2023 initiative to increase TSA pay levels, making TSA pay comparable to Federal Government employees in similar positions and enhancing recruitment and retention efforts.

The Budget resources TSA passenger volume growth expectations in FY 2025 to follow the historical growth rate of 4.5 percent averaged over the 2014–2019 period, which equates to an average 3.1 million daily passengers in 2025. Increased volume equates to greater risks to passenger safety. To mitigate this risk, the President's Budget includes \$174 million to adequately staff checkpoints to meet the demands of the increased passenger volume while maintaining minimal wait times for passengers.

CONCLUSION

The Department was founded to confront a threat environment that has proven to be increasingly dynamic and diverse. The FY 2025 President's Budget builds on our successes to meet the ever-changing threat landscape we face and prepares the Department to meet the threats of tomorrow.

It is the privilege of my life to represent and serve alongside the DHS workforce—a workforce that has time and again demonstrated exceptional skill and steadfast commitment to keeping the Homeland safe and secure.

I am grateful to this Committee for your continued support and the opportunity to appear before you today. I look forward to working together and to answering your questions.

NOMINATIONS NOT CONFIRMED BY THE SENATE

Senator MURPHY. Thank you very much, Mr. Secretary. Thank you for your comments. We will begin rounds of five-minute questions. I will begin.

I have first a personnel question for you. Jeff Rezmovic was nominated to be the Chief Financial Officer (CFO) of DHS last year. His nomination has been pending for some time before the Senate. Of course his nomination is especially important to the Appropriations Committee. It doesn't make a lot of sense to have an agency this large without a CFO for this long. I assume you would agree with me that his confirmation the ability to get a CFO working with you at the Department is of the utmost importance.

Secretary MAYORKAS. It most certainly is Mr. Chair, and I have worked very closely with Jeff Rezmovic for about 7 years now, previously when I was a Deputy Secretary. And let me say, unequivocally, that he is pure gold as a public servant. I should also note that the woman over my left shoulder, Ann Tipton, who is serving as our Chief Financial Officer, is also pure gold. We need a Senate-confirmed CFO for the stabilization that it provides our Department.

EMERGENCY SUPPLEMENTAL PACKAGE

Senator MURPHY. You have heard me testify to the amount of resources that would have been allocated in the Emergency Supplemental that included \$20 billion to surge to 50,000 detention beds, to hire over 4,000 new asylum officers to attack the backlog, 1,500 new border patrol agents and officers. Can you talk for a moment about what those kinds of resources would have allowed you to do had both Republicans and Democrats come together and supported that bipartisan Supplemental Package?

Secretary MAYORKAS. Chair Murphy, my first encounter with the immigration system, the broken immigration system was in the 1990s, when I served as a Federal prosecutor in California. And I learned then that the system was fundamentally broken, and it remains so. This piece of bipartisan legislation would have been the most transformative change to our broken immigration system, not only for the resources it provided, but for the changes in the law that it delivered, it would have brought such extraordinary fairness and speed to a system that is suffered backlogs, and interminable timelines in the processing of claims.

It would have plussed up our personnel in an unprecedented fashion as you have commented it would have allowed us to adjudicate asylum claims that now take more than 7 years to run

through the courts, in sometimes less than 90 days, absolutely transformative, not only from an efficiency perspective but also, fundamentally, from a security perspective.

ILLEGAL IMMIGRATION DETERRENCE

Senator MURPHY. Let me ask you specifically about how you achieve an increased deterrence. I think there is a perception here that by just loading up on detention beds you can have an appreciable impact on deterrence, but what the Bipartisan Bill tried to do, at your and others urging, was to provide more immediate certainty on asylum claims, to adjudicate those claims in a handful of days, or weeks, instead of what happens today, 5 years, or 10 years.

Now, that is just the right thing to do for the country, it is just fair to have that outcome at the border rather than 10 years later, but tell us a little bit about the elements of this bill, including that element, that would have had an impact on deterrence, that would have stopped people from ever contemplating the journey to the border, and how that can only be achieved by changes in law not just changes in funding levels.

Secretary MAYORKAS. Absolutely Mr. Chair. So fundamentally the risk calculus of intending migrants would have changed dramatically because right now what they see is a broken asylum system and they understand that when they are encountered at the border and make a claim for asylum their claim is ultimately adjudicated sometimes in more than 7 years our backlog is immense and it has been growing year over year for well more than a decade.

And what happens is in those 7 years, they work, sometimes they have United States citizen children, and they gain a sense of footing in the United States before their claims to stay here has even been adjudicated. Under the bipartisan legislation, that multi-year process would have been transformed to as little as 90 days, and sometimes even quicker.

And given the denial rate for most asylum claims, an intending migrant would have the calculus of deciding, should I take that dangerous journey? Should I place my life savings in the hands of smugglers only to be turned around upon arrival in the United States, within 90 days? An absolute game changer.

DRUG TRAFFICKING: FENTANYL

Senator MURPHY. Finally, let me ask you about a topic that we have spent a lot of time talking about relative to the fentanyl trade. The fentanyl trade between the United States and Mexico is a circle. Fentanyl comes into the United States, money and guns leave the United States. That is why, on a bipartisan basis, we have provided additional money for outbound inspections so that we are catching, not all, but an appreciable amount of guns and money as it leaves the United States. This trade can only work if the guns and the money leave and the fentanyl comes back.

What percentage of traffic today is subject to outbound inspection, and what is a realistic projection for how we are going to expand outbound inspections in this fiscal year?

Secretary MAYORKAS. Chair Murphy, I will have to get the precise numbers to you subsequent to this hearing, but let me say that CBP, U.S. Customs, and Border Protection, and Homeland Security Investigations, the investigative arm of Immigration and Customs Enforcement, are working in tandem to address the outbound flow of both money and guns.

In fact, Operation Without a Trace will provide the data to you. It has been an extraordinarily effective operation to curtail the movement of guns and money. We also have deployed Transnational Criminal Investigative Units to Mexico to work with our law enforcement partners in Mexico to address this issue. And we are, of course, very well and closely aligned with our United States Department of Justice.

Senator MURPHY. Great. I look forward to that update.

Senator Britt.

Senator BRITT. Thank you, Chair Murphy.

ICE: IMMIGRATION, DUE PROCESS, AND REMOVAL

Mr. Secretary, one of the criticisms we have heard from you repeatedly when it comes to Title 42 expulsions, is that expulsion doesn't result in the delivery of a real consequence in the way that deportations or removals do, and removal is, of course, the ultimate consequence for violating our immigration laws. That being the case, do you agree with me that the approximately 1.3 million illegal aliens in the United States who have received due process and have been given their final orders of removal by an immigration judge should be expeditiously removed from the United States?

Secretary MAYORKAS. Ranking Member Britt, I am not familiar with the numeric figure that you cite, but an individual who has been provided due process, who has a final order of removal, should be removed from the United States. When we adjudicate, the fact that they do not have a lawful basis to remain in the United States, they should be removed.

Senator BRITT. Absolutely. Thank you so much. I am so glad we agree on that. Over a three-year period, the Biden administration has actually removed fewer people in total, so the first 3 years, not the last eleven months, the first 3 years removed fewer people in total than both Presidents Obama and Trump removed in each individual year of their administration.

So I am hopeful that we can have the appropriate resources there and we are able to remove the 1.3 million people who have been given due process. And on that note, if you had more ICE officers, more funding for officers there, would that be a helpful tool in being able to remove these individuals that have been given their due process?

Secretary MAYORKAS. Two points, if I may, Ranking Member Britt.

Senator BRITT. Yes.

Secretary MAYORKAS. In response to your discrete question, the answer is, yes. More personnel would assist us, not just the officers and agents themselves, but of course, the support personnel upon which they rely. But with respect to the data that you cite, I should note that we have removed on a monthly basis more aggravated

felons resident in the United States, unlawfully, than in the prior administration, on a monthly basis.

Senator BRITT. Okay. And obviously, we are not talking about felons, we are talking about those people who have been given due process and are set to remove. We need to go ahead and remove them, because that serves as a deterrent, and talking about what we were discussing before.

So as you probably are aware with respect to due process, the Syracuse University found, in 2021, approximately 200,000 Immigration Court cases were dismissed because DHS failed to file a notice to appear with the court. Are you aware that that number is 12 times higher than the number of cases dismissed for the same reason during all the years before fiscal year 2024 up 'til fiscal year 2020 combined?

Secretary MAYORKAS. Ranking Member Britt, my understanding is that number may or may not be accurate, so we are looking into that number, one. Number two, it is not necessarily that the notice to appear was not filed, but the notice to appear might have had a deficiency. That has been an issue for years in the Department of Homeland Security, and in fact, we have used technology to improve the accuracy and correctness of notices to appear.

Senator BRITT. Good.

Secretary MAYORKAS. And I think we have data with respect to the success of those notices to appear that is more current.

Senator BRITT. Does DHS intend to reissue the notice to appear in those cases?

Secretary MAYORKAS. Yes, most certainly.

Senator BRITT. Okay. Great.

Secretary MAYORKAS. It is our responsibility.

Senator BRITT. Excellent. All right. There are more than 7 million migrants on that non-detained docket when we were talking about; so double the number at the start of this administration. When you look at that, and you look at the record-shattering numbers of people who have entered this country illegally and released into our interior, do you believe that that represents an increased risk to public safety in this country?

Secretary MAYORKAS. I think it is a powerful reflection of an absolutely broken immigration system. And let me share with you a data to evidence the fact that this has been years long in the making. In 2010, the average—

Senator BRITT. I only have a minute and 50 seconds left, so I am going to have to continue moving on, but I do want to say that ICE has detained more than 32,000 migrants here with criminal convictions, and another 11,000 with pending criminal charges. Some of these criminal records, those with criminal records, have actually been released by ICE into the United States.

And a couple of examples, that I want to make sure we get out there. There have been 4,700 with convictions for assault, 450 of whom have been released, there have been 5,200 with convictions for drug crimes, 261 of which have been released, there have been 1,100 with convictions for weapons' crimes, 92 of which have been released. There have been 1,200 with convictions for sexual assault, 46 of whom have been released, and there have been 490 with convictions for homicide, 50 of whom have been released.

So I am hopeful that we can agree that when we have this type of chaos at our border, that it does increase the risk for our public safety here in the country.

And so with my last 42 seconds, I do want to ask you a quick question: When it looks at the Cubans, Haitians, Nicaraguans and Venezuelans (CHNV) Program and what we are seeing, we have got some data that says that DHS approved approximately 97.6 percent of applications that were received under the CHNV Program. And so that approval rate, to me, is indicative of applicants not receiving that individualized case-by-case consideration that is required by the law. And your response to that, do you feel like there is just a kind of a blanket gift of the CHNV Program into the interior? Or do you feel like those have been mindfully looked at individually?

Secretary MAYORKAS. Ranking Member Britt, those cases are reviewed on an individualized basis. In response to your earlier point, I look forward to providing you with the data which reflects an increased focus on individuals in the interior of the United States who do not have a lawful basis to stay, and who have suffered a criminal conviction, because our success rate is far greater than in the prior administration.

Senator BRITT. Thank you.

Senator MURRAY. Senator Tester

SOUTHERN BORDER: FUNDING FOR AND BUDGET REQUEST

Senator TESTER. Thanks, Senator Murray. And I want to thank you for coming for the committee today, Secretary Mayorkas.

Look, all you have to see is what is gone on, on the southern border, and you know that we are in a situation that needs immediate repair, immediate fixing, and immediate overhaul, whatever you want to call it. When I visit with the folks in Montana, look, it is kind of like a Reagan philosophy for them: legal immigration, they are okay with; illegal immigration needs to end, and needs to end yesterday. I have made clear that both the President, you, and Congress, need to step up to address this problem in a very proactive way, should have done it a long time ago.

We are seeing a high number of encounters at the southern border. We all talk about fentanyl coming into this country, and quite honestly, all the way up to the northern border. By the way, it has infected Montana in a big, big way. This poison is killing a lot of people.

As the chairman of this committee pointed out, a couple of months ago, Congress has had its opportunity to do something about the southern border, and the northern border, I might add, and Montana being a northern border state, that is important. And I think you know that they will go to the weakest link in the fence.

And Congress decided to play politics with it. And say, the last 60 days, I can tell you the week after we failed to pass that bill, there were at times where 6,500 people were coming across that border, and they could have been stopped if we would have passed this bill. And we chose not to play politics with it. And if you want to see how it is being played politics with, come to Montana and turn on the TV.

The fact is, the border needs to be fixed, and we need to step up as Congress, the administration needs to step up, you need to step up. And I think if we are able to do that, we can fix it. But it is going to take continual due diligence on the border to make it happen.

After Congress missed their opportunity to help fix this problem by changing the Asylum Rule, and bringing technology to the southern border, and bringing manpower to the southern border, I called on you and President Biden to use your executive powers to do whatever you could do to secure that border, as many of my colleagues have talked about here.

So my question for you is: Does the administration have any plans to use any additional executive powers to address the situation at the southern border?

Secretary MAYORKAS. Senator Tester, we continue to consider what additional executive actions we could take that would survive legal scrutiny and have an impact on border security. And I should note that the effort to close the border through executive action is something that the prior administration tried, and they were enjoined from doing so.

So the real enduring solution is the bipartisan piece of legislation that was negotiated intensely over several months, but we are, and continue to look at what executive actions we can take.

Senator TESTER. Well, it is apparent the status quo has not worked and is not working currently. And I would also say that this proposal for funding for Homeland Security is inadequate. And we need to work on this. I will say the same thing, by the way, about the Defense Subcommittee Budget. It is inadequate. I don't know about the others, but we have got to figure out a way to fix this, because the threats at the southern border, and the threats we see in the world through the Defense Committee are entirely connected.

And so, that if we see folks coming across the border, you know they aren't necessarily from the countries we assume they are from. We have had folks that, potentially, could be terrorist threats. And if they get into the country, it is a problem.

So I would call on all my colleagues on the Appropriations Committee to work together in a bipartisan way to try to get these budgets up to a point where they really will do the job that the American people expect in the southern border, and the northern border, and the Department of Homeland Security, whether it is our hurricane in Louisiana, or whether it is people coming across the border, need the resources to get this done.

You know, the National Border Council, which represents thousands of border patrol agents, keeps our border safe, they endorsed that bill that Congress decided to play politics with, 2 months ago. It said it would drop illegal border crossings nationwide, it would allow our agents to get back to detecting and apprehending those who want to cross our border illegally and evade apprehension.

You talked about the Border Bill, and how important it was to get across. Let us just assume for a second in an ideal world that we, as Congress people, quit taking our instructions from people who want to play politics with policy and actually pass good policy.

Is there anything else that needs to be done if we were to pass that Border Bill that the Chairman of this committee, and Lankford, and Sinema negotiated out?

Secretary MAYORKAS. That Bipartisan Border Bill would have been transformative in advancing the security of our border.

Senator TESTER. Anything else need to be done other than that?

Secretary MAYORKAS. In the immigration system, writ large, the legal immigration system, there are many other fixes that need to be made. But from a border security perspective, this was an extraordinary Legislative measure, extraordinary.

Senator TESTER. Thank you. And thank you, Mr. Chairman. I have a few more questions, but we will present for the record. Thank you.

And thanks, Senator Murray.

Senator MURPHY. Senator Murkowski.

COAST GUARD: FUNDING AND BUDGET REQUEST

Senator MURKOWSKI. Mr. Chairman, thank you. Mr. Secretary, thank you for being here. I, too, am concerned about the border as we all are, but I am going to talk to you about that other border that is a little harder to identify, and that is what happens on the waters. I want to talk about the Coast Guard because I am concerned about our Coast Guard.

We are asking our Coast Guard men and women to do more, to take on more, whether it is trying to intercept across in the southern waters there, not on land but in the border areas on our waters.

I note in your testimony before the committee today, you don't reference the Coast Guard at all in your oral comments. You do mention, in your written testimony, the expansion that the Coast Guard presence will take in the Indo-Pacific region. I recognize that.

But I will tell you, Mr. Secretary, I worry. I worry about what we are putting on our United States Coast Guard in terms of enhanced mission. In addition to what you want to do in the Indo-Pacific, you have got an Arctic that is wide open and getting wider and more open all the time. And you know that the resources that we have up there to cover that huge expanse are not sufficient.

And yet, I looked at this budget, and I am not sure who is not advocating for our Coast Guard. Sometimes I think our Coast Guard does not advocate for their budget sufficiently enough. But I am very worried about whether or not the Coast Guard actually even belongs in the Department of Homeland Security, because as I look, I look at your org chart here, a lot, a lot of boxes, and here is the Coast Guard hanging out at the very, very bottom, kind of, on its own. And then I look at the budget, and I feel like it is almost orphaned within the Department. And our reality is that the priorities just continue.

So let me ask about this. We are in a place where, again, the demands are even greater. We did not see the Coast Guard included in the President's Border or National Security Supplemental Funding request. That disappoints me a great deal. We have seen the Coast Guard resources basically being cannibalized, for lack of a better word, for funding other agencies within the DHS budget.

And then again, the budget anticipates an expanded area of emphasis in the Indo-Pacific. Well, I think the efforts in the Arctic are left languishing.

And you know as well as I do, the issue with the icebreakers. We were able to prevent another unforced error just a couple of weeks ago, when it comes to meeting the Arctic commitment by securing funding to procure the commercially available icebreaker, that funding had been taken from us in the prior fiscal year, so we had to fight to keep it in. We were successful with that. But we are looking at the Polar Security Cutter (PSC) line.

Admiral Fagan states that the PSC is the top acquisition priority, and yet, the fiscal year 2025 budget reflects zero funding for the program. In fact, the program received \$150 million rescission. We worked hard to limit that. I appreciate working with the chairman on this; she understands very, very well.

But again, we have got fiscal year '24 rescission, fiscal year '25 would have been the second year in a row for funding on that program that would have been paused. So I would like you to share with the committee whether or not you feel that our Coast Guard is receiving the necessary budget support given the increased operations that they face.

And second, if you can speak to the issue of the icebreakers, and whether or not the PCS is viewed as a top acquisition priority, and really give it to me a little more broadly. Are the Coast Guard budgets being reduced at DHS level; because that is how those of us that are following Coast Guard, are feeling?

So I am going to let you talk now. I have taken four minutes to shape it up for you, but please help me out, because I am worried about our Coast Guard.

Secretary MAYORKAS. Senator Murkowski, I share your concern, because, in fact, more and more is being asked of the United States Coast Guard, and remarkably they perform more and more every single day. As this hearing is proceeding, they are in Baltimore responding to the tragic collapse of the bridge.

Senator MURKOWSKI. Probably are going to be in Louisiana too.

Secretary MAYORKAS. And they will be there as well, and they were in the Hawaii on a search and rescue mission following the tragic fires there. Let me assure you with respect to your institutional point, I believe very strongly that the United States Coast Guard belongs in the Department of Homeland Security, from a mission perspective, number one.

Number two, I fight vigorously for the budget for the United States Coast Guard, and I have encouraged the leadership of the Coast Guard, across the country, not just in Headquarters for them to fight for the budget as well. I can only echo of the concerns that you have expressed, that the Coast Guard is underfunded, and it is specifically underfunded when it comes to execution of the Arctic Strategy.

Russia has between 30 and 50 vessels capable of navigating through the Arctic region; they vary in capability, but there are 30 strongly capable vessels, and we fight with two antiquated vessels, and yet our Coast Guard personnel work magic with them. I would be eager to work with you to plus-up the Coast Guard's budget.

You know, we work under statutory caps, there are tradeoffs. But I would welcome the opportunity to work with you to increase the Coast Guard's budget quite significantly, and we are incredibly grateful for, I believe it was \$140 million, to obtain the commercially available Icebreaker. That is the tip of the spear of what we need.

Senator MURKOWSKI. Well, it is a gap filler. I would like to talk to you about the one Polar Class Vessel that is in the water; apparently, Polar Star, it suffered some damage, I just learned about this, I don't know what the status is going to be, but it is a reminder to me that as an Arctic Nation, when we have one operational Polar Class vessel, and it doesn't even get to the Arctic, we are woefully behind.

Mr. Chairman, I want to work with you on this on what we can do to better help our Coast Guard. I know it is important to you as well.

Senator MURPHY. Absolutely. Thank you, Senator Murkowski, for your commitment and vigilance on this issue. I look forward to working with you.

Chair Murray.

ICE DETENTION: FACILITIES

Senator MURRAY. Thank you, thank you again Mr. Secretary. Let me just say I am been very frustrated by recent reports on the overuse of isolation from the general population at ICE facilities, including at Northwest ICE Processing Center in Tacoma. University of Washington Researchers found that over the last five Years half of the 10 longest placements in administrative segregation across ICE's national population were at that facility.

And I want to stress how concerning it is that ICE continues to use this practice so frequently for so many individuals, and reportedly does so without consistent accurate documentation of its use. What steps has ICE taken to make sure its contractors are following ICE policy on the use of administrative segregation?

Secretary MAYORKAS. Chair Murray, this is an issue that I am underway in reviewing with Immigration and Customs Enforcement, with ICE. The use of segregation sometimes is at the request of the individual detainee, him or herself, by reason of circumstances in a facility, sometimes it is for the safety and security of our personnel or other detainees. It is a very case-specific issue, but I am meeting with members of the community as well as the workforce, and I just need about three weeks to circle back with you and give you a full report on the path ahead because I know it is an issue of concern to you and to others as well.

Senator MURRAY. Absolutely. And I would really like you to commit to an independent investigation conducted by an entity outside of the Department to inspect the conditions and practices at that ICE facility in Tacoma. Would you be willing to do that?

Secretary MAYORKAS. I would be very pleased to consider that. And Chair Murray, if I may; we have a new leader of the Office of the Detention Ombudsman, an office that was created specifically for this purpose, her name is Michelle Brane, and I think she would be extraordinarily capable in conducting this review, if that

would be of satisfactory to you. And I would be pleased to discuss it with you.

Senator MURRAY. Okay. I will talk with you about that. But I really strongly caution that ICE needs to take these unsafe, inhumane conditions, we have seen documented actually over the last two decades, very seriously when you consider renewing the contract at that facility, it expires in 2025. And I will continue to talk with you about that.

Secretary MAYORKAS. Thank you.

BORDER SECURITY: FUNDING

Senator MURRAY. Secondly, over the last 6 months, the President has repeatedly sought support from Congress to fund critical needs on our border, it is funding that provides a humane environment for some of the most vulnerable people in our hemisphere, it is funding that supports the critical work of the agents and officers who safeguard our border, and critical resources to improve the detection and seizure of narcotics, including fentanyl, preventing these threats from entering our communities.

Most recently, that included our bipartisan effort in the Senate that combined both policy changes and new resources. Given the recent fiscal year 2024 Appropriations provided to the Department, along with the ever-revolving threats on our border, are there additional resources the Department needs in fiscal year 24?

Secretary MAYORKAS. There are. Chair Murray, we continue to believe that the resources and the legislative changes that were contained in the Bipartisan Legislation are greatly needed by our Department and would really advance our mission.

HABITAT RESTORATION

Senator MURRAY. Okay. Thank you. And our committee will work with you on that as we move through this year's process. On a different topic: Habitat restoration projects in my home state of Washington, and really throughout the country, are really key to recovering our endangered species like salmon and upholding our Tribal Treaty Rights, however, the current standards for FEMA's National Flood Insurance Program do not differentiate between requirements for important habitat restoration projects and development projects like a parking lot or a strip mall.

So as a result of that habitat restoration projects that pose minimal risk to people or structures often experience very lengthy permitting delays and millions of dollars in cost increases, in some cases our local partners have given up on pursuing any kind of habitat projects entirely because of these FEMA rules. How can we work with your office to ensure that these important projects can move forward in a timely and cost-effective manner?

Secretary MAYORKAS. Chair Murray, I am not tracking this discrete issue. I will pay close attention to it, and then report to you.

COAST GUARD: OFFSHORE PATROL CUTTER

Senator MURRAY. Okay. If we could get back together on that, it has become a real challenge for us. And finally, I know the Senator from Alaska asked you about the Coast Guard, also critical to my

state. They are continuing to try to modernize their fleet and replace older vessels, they are now working far beyond their expected service lives, many of those programs like the Offshore Patrol Cutter require investments in shoreside infrastructure to adequately accommodate their needs.

With so many capital investment needs across the Service, how does your fiscal year 25 budget prioritize those investments to make sure the Coast Guard continues to have the assets and capabilities it needs to execute its mission?

Secretary MAYORKAS. Chair Murray, I remember very well when you and I visited a Coast Guard facility in your jurisdiction when I served as a Deputy Secretary. The fiscal year '25 budget does provide for two additional cutters to begin that process, but I do believe that Senator Murkowski is correct that we need to fund the Coast Guard at a greater level than, historically, has been the case.

CHILD CARE

Senator MURRAY. Very good. And I will just mention quickly, I am out of time, but on child care, it is an issue near and dear to me, and we have just provided new authority for—in the 2025 Appropriations Bill to use operations and support funding across your Department to fund and Employee Emergency Backup Child Care Program. If you can get back to me on how that is going to be implemented, and how that is going to be used, I would really appreciate it.

Secretary MAYORKAS. Most certainly. Thank you, Chair Murray.

Senator MURRAY. Thank you.

Senator MURPHY. Thank you, Chair Murray.

Senator Kennedy.

ILLEGAL IMMIGRATION

Senator KENNEDY. Mr. Secretary, I don't hate anybody. I look for grace wherever I can find it. And I certainly don't hate you. My Chairman talked about the Woolly mammoths in the room, and I am glad he brought that up. The Chairman's Immigration Bill was negotiated by two members of my party, Senator Lankford and Senator McConnell. And I don't—I don't speak for either one, they are both good men.

The Chairman said that the Republicans who negotiated his bill trusted you, and wanted you there, and I am not doubting his word. It gives me no joy to say this, but most Republicans don't trust you, and a vast majority of the American people don't trust you. That is why you have been impeached.

Now, my democratic colleagues are going to try to sweep your impeachment under the rug, and violate 200 years of Senate precedent in doing it. I don't think that they will be able to sweep the issue, maybe your impeachment, but not the issue under a rug as big as the United States of America. Again, it gives me no joy in saying this. I think well more than a majority of the American people think that as a result of your behavior, and President Biden's behavior, our southern border is an open bleeding wound, I think they believe that our southern border is chaotic, I think a vast majority of the American people believe that a lot of it is political, I

think a vast majority of the American people believe that it is chaotic by design, and that all of this is intentional.

And I think while vast majority of the American people who don't trust you believe in legal immigration. They don't believe in illegal immigration. And they think you do. And they think President Biden does. And they think that is why the border is open. And they think that your attitude, and President Biden's attitude is that while they may be poorer under President Biden, that they are stupid enough to believe you and the President when you say that it is not your problem. I think that needed to be said.

Isn't it a fact, Mr. Secretary that the number of illegal immigrants that you and the President allow into our country counts for Congressional district reapportionment?

Secretary MAYORKAS. Senator, I am not sure I understand your question, but I can surely share with you that I disagree with its phrasing.

Senator KENNEDY. Isn't it true, Mr. Secretary that the number of illegal immigrants that you and President Biden have allowed into our country counts for allocating electoral votes?

Secretary MAYORKAS. Same answer.

Senator KENNEDY. You don't know.

Secretary MAYORKAS. Don't understand your question.

Senator KENNEDY. It never crossed your mind?

Secretary MAYORKAS. The notion, Senator, that we intend to allow illegal immigration, is nothing short of preposterous and disrespectful—

Senator KENNEDY. So you do understand the question.

Secretary MAYORKAS. [continued] And if I may. It is disrespectful to the extraordinarily hard work that we perform, and far more importantly, that the personnel in the Department of Homeland Security and across this administration perform to stem illegal immigration, build lawful, safe, and orderly pathways, and invest in a working system. And we only wish, we only wish, that that Bipartisan Legislation, about which I have not heard a critical term about that—

Senator KENNEDY. Mr. Secretary, you are using up my time. You do this every single time. And it is a fact, and you know it, that the more people you allow into our country illegally, the more people are counted for reapportionment, and the more people that you allow into our country illegally, the more people are counted for allocating electoral votes. Now, maybe that is a coincidence, but that is a fact. And you know that. And you have done nothing, for 4 years, nada, zero, zilch, and in fact, the only people I know in this country who are better off today than they were 4 years ago are illegal immigrants, and that is as a result of your policy. I don't hate you for it, I don't hate anyone, but that is why you have been impeached. And my colleagues may try to cover it up, they are going to try to cover it up, but they can't cover up the facts.

I have gone over my time. I am sorry, Mr. Chairman.

Senator MURPHY. Senator Peters.

Senator PETERS. Well, thank you, Mr. Chairman.

Secretary Mayorkas, it is wonderful to see you here today, and I am going to see you again next week when you come before my committee, the Homeland and Governmental Affairs Committee.

And it is good to have an opportunity to ask your questions. I have always appreciated your candor, your professionalism, and your dedication to the mission. So thank you for the work that you do each and every day.

NORTHERN BORDER COORDINATION CENTER

In this year's Appropriations Bill, I was able to secure initial funding with the help of my colleagues here, including great help from Chair Murphy, for the Northern Border Coordination Center. This Center is going to play a critical role in coordinating our efforts to better secure our Nation's northern border. So my question for you, sir, is how does the Department plan to use this funding to address the threats that exist on our northern border?

Secretary MAYORKAS. Chairman Peters, we are very grateful for the funding, and for the concept of the Coordination Center, because what it does is it allows us to take a step back and take a look at the northern border, writ large, and decide where we need to allocate our resources, how we need to allocate it, and make sure that we are being as strategic as well as tactical as possible.

I have asked to meet with our CBP team to get the Coordination Center moving, and I have already spoken with the team about how we can use it to recalibrate staffing, as I know you and other senators, actually on this committee, have expressed concerns with respect to staffing at the northern border.

CYBERSECURITY AND INFRASTRUCTURE

Senator Peters: Thank you. Yeah, we definitely have to make sure that we have the people there and the coordination, so I appreciate your efforts on setting up that Center as quickly as possible. Mr. Secretary, I was pleased to see the Notice of Proposed Rulemaking published by CISA, as was required by my Cyber Incident Reporting for Critical Infrastructure Act. This Legislation, as you know very well, and the implementing rule, will ensure cyber incidents affecting critical infrastructure are reported to CISA so that they can help companies prevent similar attacks.

However, fiscal year 2024 Appropriations for this program were set at \$24 million below the requested level. So my question for you, sir, is how will this funding shortfall impact the Department's ability to implement this critical program, and are there other resources necessary in order to execute this rule as was intended by Congress?

Secretary MAYORKAS. Chairman Peters, this is a transformative piece of legislation that is really going to, when implemented, enhance the cybersecurity of our country. I just met with cybersecurity professionals from companies all over the country yesterday to talk about the Notice of Proposed Rulemaking that we issued and to solicit their feedback on the Cyber Incident Reporting for Critical Infrastructure Act (CIRCA) implementation.

One of the responsibilities that we are going to have as a Department, is to actually receive the Cyber Incident reports to be able to really analyze them, and assess them, and communicate to the community, the public, and the private community, our findings and our best practices. To fund us insufficiently is really going to handicap our ability to realize the full benefits of this trans-

formative legislation. We do need to be properly resourced here; it is a very significant undertaking.

COAST GUARD: GREAT LAKES STAFFING

Senator PETERS. All right. Well, we are going to work to make sure that that happens. I totally concur with you. I know that Senator Murkowski as well as Chair Murray shared their concerns about Coast Guard funding, particularly with infrastructure, ice-breakers, and cutters, et cetera, but as you well know, Coast Guard plays a vital role in the Great Lakes as well, and unfortunately, the Coast Guard is facing personnel shortages that are impacting their activities in the Lakes.

For example, personnel shortages recently hindered—essential operations at seven small boat stations along the coast in Michigan. So my question for you, Mr. Secretary, does the President's budget include necessary resources to address the Coast Guard's workforce challenges and ensure that it has personnel that are absolutely needed to effectively serve Michigan as well as the entire Great Lakes region?

Secretary MAYORKAS. Chairman Peters, I have got to take a look at the budget and confer with the Coast Guard about the implications of the budget for Michigan, specifically, and the facilities that the Coast Guard staffs there. Forgive me for not knowing today that geographic specificity, but I will circle back with you.

TSA STAFFING

Senator PETERS. I appreciate that, and we can follow up with you. Finally, I was pleased that Congress provided TSA, with sustained funding, to ensure that TSA frontline staff receive the pay and benefits equivalent to counterparts throughout the Federal Government. The Department's fiscal year 2025 budget request, if granted, would ensure that TSA personnel continue to receive equivalent pay and benefits, and I look forward to working with my colleagues to deliver to TSA, the pay and those benefits that they deserve, as they keep us safe every single day at airports across our country. My question for you, sir, is: As TSA continues to screen record numbers of passengers, how does this pay increase improve TSA's operations, workforce morale, and retention, as well as your recruitment efforts?

Secretary MAYORKAS. I have spoken with the administrator, David Pekoske, on a number of occasions; the pay increase has had a monumental impact, positively, of course, on both recruiting and retention, as well as, of course, morale.

Senator PETERS. Thank you, Mr. Secretary. Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Senator Peters.

Senator HYDE-SMITH.

COAST GUARD: SHIP PROCUREMENT

Senator HYDE-SMITH. Thank you, Mr. Chairman. Senator Mayorkas, it is my understanding that the delivery of the first polar security cutter, originally planned for 2024 may now occur no earlier than 2028 due to delays. The committee also has concerns

regarding the accuracy of the Polar Security Cutter's estimated procurement cost, given its size and complexity, it is a lot of moving parts there.

However, I am hearing great progress is being made right now between the ship builder in my state, and the Coast Guard in getting the Security Cutter Program on track. This is very good news since the Russian icebreaking fleet is the largest in the world, and the U.S. only has one, nearly 50-year-old operational heavy icebreaker.

The success of this program is very vital to our national security, and economic interest in the Arctic region. I hope the Department and the Coast Guard are working to support the ship builder however possible, so we may get these assets into the fleet as soon as possible. With that being said, I would like to receive assurance that progress will continue to be made, so please give me your position on the status of this program?

Secretary MAYORKAS. Senator Hyde-Smith, I am familiar with the challenges that we have had with the development and execution of the contract for the Polar Security Cutter, we are fully invested in that Polar Security Cutter; it is for the reasons you identify, very important to the United States Coast Guard, to our Arctic strategy, to our national security. And we are working very closely with the contractor to make this relationship work, and deliver that Polar Security Cutter as quickly as possible. We are fully vested in it.

Senator HYDE-SMITH. Thank you for that. And the U.S. Coast Guard in September 2023 informed me of what it calls Temporary Operational Workforce Adjustments across the nation in response to its workforce shortfall, reported at nearly 10 percent at that time. This included the temporary reduction of capabilities, and workforce at Coast Guard Station Pascagoula in Mississippi. I have been assured that its search and rescue capabilities remain sufficient and that it is only temporary. But I question whether that is realistic. As recently as last Wednesday, the Commandant stated that the Coast Guard should expect to see additional adjustments due to personnel shortages that will limit its ability to conduct its congressionally directed missions.

The Coast Guard has missed its recruiting goals for the last 4 years, and while I recognize that this issue has spread to nearly all of our Armed Services, the Coast Guard's failures are what I want to hear about from you today. There is significant request for funding to support recruiting and retention initiatives in the President's budget request, but I would like your thoughts on the root causes of this workforce retention crisis. What steps are you taking to address the concerns of the young Americans when they see how some of our Service members were treated when they were ordered to receive a vaccine that violated their religious beliefs?

What about when they hear from their veterans, and their families, and friends, of the unnecessary "woke" agenda of many senior leaders? This is a messaging and cultural problem at the very least, but I want to know if you have even begun to address these issues rather than just throw money at them?

Secretary MAYORKAS. Senator Hyde-Smith, I am working with leadership across the Department on strategies for recruiting and

retention of our personnel. You correctly identify the recruiting challenges that the different branches of the Military are experiencing, and it is not exclusive to the Military. I speak with law enforcement leaders on a regular basis, in different parts of the country, and it is a difficult recruiting and retention environment for law enforcement as well.

We do need funding so that we can engage in the recruiting efforts that are needed, and we are looking at creative ways to recruit young people to both the Coast Guard, and our law enforcement agencies within the Department of Homeland Security.

Senator HYDE-SMITH. Can you give me some examples of what you are actively doing now? Can you describe what you are doing?

Secretary MAYORKAS. Let me, if I may, give you one precise example. We are taking a look at what our presence is, and is not on university college and university campuses, what our education programs are like in high schools around the country to sensitize people about the valor and nobility of public service in the United States Coast Guard, in our law enforcement agencies, have a physical presence there to recruit them. That is one of the elements of the effort.

Senator HYDE-SMITH. I think I am out of time. Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Senator.

Senator Baldwin.

DRUG TRAFFICKING: FENTANYL

Senator BALDWIN. Thank you, Mr. Chairman, and good afternoon, Mr. Secretary.

The work that our Customs, and Border Protection, and Homeland Security do at our southern border is essential to keeping families across the country, and in Wisconsin safe. I am eager to discuss how appropriators can continue to support this critical mission.

So between 2019 and 2021, opioid overdose deaths in Wisconsin grew by a staggering 97 percent. In no small part due to synthetic fentanyl. In February, the Senate passed the FEND Off Fentanyl Act, a bipartisan bill that I co-sponsored to help protect our communities from the damaging effects of fentanyl and illicit substances crossing our borders. I was also proud to vote to advance the Bipartisan Border Security Bill that would have, among other things, invested in high-tech border security, disrupted the deadly flow of fentanyl into our country, and ensured that Wisconsin communities receiving migrants have the resources they need. And I was sorely disappointed to see partisan politics take hold, and the Senate ultimately did not pass the bipartisan compromise that we so urgently need.

Secretary Mayorkas, I know you have gotten another topic or question on this topic before I was able to return from presiding on the floor, but I would like to give you another opportunity to speak specifically to how this bill that we didn't pass, but that was negotiated over months, would have bolstered your efforts and the resources that you need to secure the border and stem the flow, specifically of fentanyl coming into this country. Can you please speak to that?

Secretary MAYORKAS. Thank you, Senator. We have interdicted more fentanyl in the past 2 years than in the last five prior years combined. We have arrested more individuals. That requires not only a dedication of personnel and effective strategies, but also the ability to harness technological advancements, most notably the nonintrusive inspection technology.

The importance of funding personnel is not only to secure our ports of entry where 90 percent or more of the fentanyl is smuggled in commercial trucks, and passenger vehicles, but also to be able to deploy people in the international arena, to plus-up our Transnational Criminal Investigative Units in different countries, in Latin America, to deploy individuals in different parts of the world to work with our allies, but I should say, “and” the bipartisan legislation would have given us funds for that technology, would have given us funds for our personnel, would have been transformative in plussing-up up our capability to interdict more fentanyl and address the smugglers and traffickers that deal in death.

TRADE: PACKAGE INSPECTION

Senator BALDWIN. Thank you, Mr. Secretary. I want to switch to a different topic, but that bears on, certainly, the fentanyl issue. Our current trade policy allows nearly three million packages into the United States daily, and almost none are inspected, so long as the shipper claims that the value of the product is less than \$800.

Our trade policy is being abused. It is being abused by companies from China that make products with forced labor, or sell counterfeit goods, wreaking havoc on American manufacturers and retailers. Worse, the loophole is used to ship fentanyl and its precursor chemicals directly into American communities, killing children and tearing families apart. I have authored legislation to lower the \$800 threshold and to bar China from using this so-called de minimis channel.

However, if Chinese exporters simply lie about the origin of their shipment or its contents, it doesn’t matter what threshold Congress ultimately sets. The shipments will keep coming in, and the destruction will continue. We need CBP to dramatically improve its inspection of shipments to protect our communities, and our fiscal year 2024 Appropriations bills calls on you to do just that. So what steps are you taking to use your existing authorities to address this issue, and how can this committee help?

Secretary MAYORKAS. Senator, I share your concerns with respect to the de minimis exception. There are three lines of effort that I have undertaken specifically. One is, for the first time, engage with my counterpart from the People’s Republic of China about the scourge of fentanyl, and the fact that China is a source country for the precursor chemicals, and the pill presses, and other equipment used to manufacture it, number one.

Number two, I think it was yesterday, it might have been the day before, I spoke with the textile industry and spoke to them about our new enforcement plan that I outlined and announced with respect to the de minimis exception, and the law enforcement strategies that we are employing to increase our impact on the reality that drugs and other contraband are making their way

through packages valued either accurately or inaccurately, at lower than \$800 in value.

And third, we are taking a look at how we can harness artificial intelligence to be a force multiplier of our personnel.

Senator MURPHY. Senator Capito.

BORDER PATROL AGENT STAFFING

Senator CAPITO. Thank you, Chairman Murphy, and it is nice to be back in the Homeland Security Subcommittee. And great to see Senator Britt there with you, you will both be great partners. And thank you, Mr. Chairman, for being a good partner when I was a ranking member. So I appreciate that.

And welcome, Mr. Secretary. I am just going to cut kind of to the chase here, because this is always something when I had the lead on our side is the number of border agents. We are always putting more money in. We put more money in this last time for 150 new border agents in 2025, requests asked for 250 more, 150 officers to staff ports of entry, 135 processing coordinators.

I would like to say, just as a statement, that I don't think the solution to the border issue, and to bringing these astronomical numbers down is to just keep adding more people to process more people because that obviously is not going to have the desired result. But I would like to know with the significant amount of funding that you were granted, what is the number of border agents right now? Is it going up? Is it at your max? What, you are allowed to have 21,370, I believe; so where are you on that?

Secretary MAYORKAS. We are hiring actively, Senator Capito. I will have to get to you the specific number. I concur with you, that it is not just personnel that is going to solve the challenge at our southern border, which is why the Bipartisan Legislation not only included additional resources but also fundamentally needed legislative changes that would have really changed the system and the number of people we encounter in the first instance.

Senator CAPITO. Yeah. How is the morale and retention? I mean, is that an issue, obviously, when you are trying to recruit, it has got to be?

Secretary MAYORKAS. Morale has been an issue in our Department of Homeland Security ever since I joined it and well before then. We are very focused on workforce well-being and are hoping that the well-being of our treasured employees is actually strengthening and improving despite the stresses and strains they undergo in their very difficult work.

Senator CAPITO. Yeah. I would assume that you would know whether you were close to your peak to the allowable amount of agents. I mean, are you close to that number? Or are you far away? Are you losing more people than you are gaining? Give me a sense of that?

Secretary MAYORKAS. We are close. We are close, but I don't want to misspeak and cite a figure that would not be accurate to you, and I will provide that to you with swiftness.

TSA STAFFING: AIRPORTS

Senator CAPITO. All right. We will follow up. We will follow up. I do have a question about the drugs and also the surveillance,

automated surveillance, but I do want to get to this one. For my seven airports that lost your TSA Law Enforcement Reimbursement Program where all of our seven commercial airports relied on for various law enforcement services, small airports just aren't able to provide this, the manpower here, and obviously, we were relying on this.

What do you say to those airports across the country where this was cut, and you have \$150,000 budgets, and holes in their budgets, to try to do this. What was the reasoning behind that? It certainly doesn't sound like a safety issue, it doesn't sound like it is making our airports more safe.

Secretary MAYORKAS. No, I think Senator, are you speaking of the fact that we sometimes rely on smaller airports to provide the security personnel instead of us?

Senator CAPITO. Yes.

Secretary MAYORKAS. Yes. With respect to the airports in your jurisdiction, I will have to follow up with you on that. From a fundamental policy perspective, if we had the resources, we would devote the personnel to—

Senator CAPITO. Well apparently you have had the resources in the past, and these were just cut this year. Our airport was notified, maybe a month ago, maybe when we passed this last bill, that their help with law enforcement agents. So that would be like if somebody's coming through TSA, and there is a gun in a backpack found, for instance, that law enforcement agent then would come in and help the TSA do whatever the local law enforcement would be doing. And apparently, we are missing that. And it seems like a pretty critical aspect.

Secretary MAYORKAS. Senator, I addressed this issue last year, I believe. I am disappointed to hear that it remains an issue.

Senator CAPITO. Yes.

Secretary MAYORKAS. I will circle back with you after I address it internally.

DRUG INTERDICTION: STAFFING

Senator CAPITO. Okay. Thank you. I know Senator Baldwin asked about fentanyl, and really concerned about what we see going on there and so I don't want to act like that is a de minimis question. It is not. But this Autonomous Surveillance Towers issue is something I think would be helpful if you have got manpower shortages. If people are coming between the ports, they obviously are, apparently, your budget has not reflected any kind of plus-up in that area that would fortify and help us interdict in those areas. What is your position on the Autonomous Surveillance Towers, and how helpful they have been, and would be as force multipliers?

Secretary MAYORKAS. Senator, the Automated Surveillance Towers, the ASTs, have been force multipliers, they have been effective. We are focusing, right now, our resources on the nonintrusive inspection technology, given the fact that the great majority of fentanyl that is smuggled into our country, comes in through the ports of entry in commercial trucks and passenger vehicles.

Senator CAPITO. I think you told me last time that the—I did ask about how many trucks were being interdicted, I mean, inspected, and you noted that 70 percent, but you didn't give me an exact fig-

ure at that time. Let us see, what percentage of cars are actually screened for drugs coming through the ports of entry? Do you have an update on that? Or does that sound like the same figure as last year? Or has it gone up, things like that?

Secretary MAYORKAS. I apologize, Senator. I will get you that data.

Senator CAPITO. Okay. I am striking out here. All right. Thank you.

Senator MURPHY. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And Mr. Secretary, thank you for being here today and for your testimony. As you know, and you may have already addressed this since I missed much of the questioning, but as you know, the National Security Supplemental that was introduced last fall included a billion dollars that was to be used for fentanyl interdiction. Most of this would have gone to nonintrusive inspection technology, as you point out. Most of the fentanyl that is coming in is coming in at ports of entry.

Sadly, because Donald Trump came out against the very excellent bipartisan package that was negotiated by Chair Murphy and others, the Senate failed to pass that and dropped out the billion dollars that would have helped with fentanyl interdiction. So, can you talk about how the lack of those Supplemental funds going to affect our ability to find fentanyl and other drugs at the border?

Secretary MAYORKAS. Senator Shaheen, the bipartisan legislation would have resourced us so significantly, to address not only the number of individuals encountered at our Southern border, to be able to process them more expeditiously for removal, but it would have also been transformative in terms of our ability to detect, interdict, and prosecute the attempted smuggling of fentanyl, because 90 percent or more of it comes through the ports of entry, and the ability to operationalize the latest technology at every single port of entry would have been extraordinarily significant.

Senator SHAHEEN. Yes. It is very disappointing that that became a political campaign issue, rather than something in the best interests of the country.

NORTHERN BORDER: MIGRANT NUMBER CONSISTENCY

Secretary Mayorkas, the last time you were before this committee, we discussed my interest in getting data on the numbers of migrants who have come across our northern border in New Hampshire, and you committed to working with me on this. This is an issue that I have heard both from law enforcement in my state, as well as other organizations like the American Civil Liberties Union (ACLU). And unfortunately, the agency didn't provide our office with this information for a number of months. You and I have had several conversations about this, I think, waiting to share it until weeks after it released the same information publicly to the New Hampshire ACLU, which would have been fine with me, except that the numbers that were released publicly to the ACLU are not the same numbers that the staff released to my office.

And in fact, we heard from your staff at the Homeland Security who indicated that the numbers that were provided to our office

were likely less accurate than those released by the agency. And that in fact, there is a different number than both of those that is now listed on CBP's public portal. So help me understand how this happens, and what we can do to address it, so we have the same information that is available to our office and to the local community so they have reliable information that they need in order to address concerns at the northern border?

Secretary MAYORKAS. Senator, I am very sorry to hear your concerns with respect to both the timeliness and accuracy of the data, we have provided to you and disseminated more broadly. I will look into that very quickly, very quickly.

Senator SHAHEEN. Thank you. I will hear from you by the end of the month, by the beginning of—

Secretary MAYORKAS. Oh. You will hear from me before the end of the month.

Senator SHAHEEN. Thank you. I appreciate that.

Secretary MAYORKAS. I was just worried you were going to say before the end of the week. But I will respond to you.

COAST GUARD: NEW HAMPSHIRE FACILITIES

Senator SHAHEEN. I will give you a little leeway on that. In January, we had a severe winter storm that damaged the Coast Guard facility in Newcastle, New Hampshire. So, now the Coast Guard no longer has berths for all its vessels. I appreciate the funding issues that exist with trying to repair and replace facilities like the Coast Guard berth, but it is a real challenge and a concern. I know that they are now looking at potential facilities to lease, but that is not a long-term solution.

So can you work with our office, with the Coast Guard, and help us figure out what we can do to ensure that the Coast Guard has what they need to continue to operate in New Hampshire?

Secretary MAYORKAS. I most certainly will.

Senator SHAHEEN. Thank you. They are important, not just to maritime safety and security, but also to environmental missions in the state. And in light of the tragic events in Baltimore, do you know if the Coast Guard is doing anything to address the potential for those kinds of events to happen in other ports along the seacoast?

Secretary MAYORKAS. Senator, it is not only the Coast Guard that is looking at this, but we, as a Department are. One of our areas of focus, or two areas of focus, on the one hand is port security, writ large.

Senator SHAHEEN. Right.

Secretary MAYORKAS. And on the other is the resiliency of our supply chains, which obviously are impacted by the tragedy in Baltimore. So we are looking at that from a number of different perspectives; a physical disaster such as the one that the Baltimore Bridge suffered, but also cyber attacks, and other threat streams, so we are indeed taking a holistic view of the situation.

Senator SHAHEEN. Well, thank you. And fortunately, we didn't have the same kind of catastrophe in New Hampshire or in Boston, but we have had similar accidents affect both the Memorial Bridge in New Hampshire, and the Tobin Bridge in Boston, that have shut down traffic for significant periods of time. So, unfortunately, as we

know, this is not an isolated incident, even though the drama of what happened in Baltimore is certainly worse than we have seen in some other places.

NORTHERN BORDER: FUNDING

And just finally, one of the provisions that was in that negotiated Border Bill that was important to us in New Hampshire with a northern border, was the Stonegarden Funds, which are reduced in the budget bills that just passed. But in addition to the funding being reduced, there were provisions in the Border Bill that would have committed to a certain percentage going to non-southwest Border States. Again, an issue that is important to us even though we don't have the challenges at our northern border that we do at our southern border.

There are still issues around law enforcement and communications that the Stonegarden funds have been critical to helping us with. So will you commit that you will take a look at the funding that has been passed, and see if we can ensure that the northern Border States also receive a proportionate share of those funds?

Secretary MAYORKAS. I will, Senator. And I was very disappointed to see a reduction in the Stonegarden funds.

Senator SHAHEEN. Thank you. Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Senator Shaheen.

Senator Britt and I have a few wrap-up questions, and then we will get you on your way. Senator Britt.

Senator BRITT. Yes. Thank you, Mr. Chairman.

ILLEGAL IMMIGRATION DETENTION: GOT-AWAYS

Thank you, Mr. Secretary. When we look at the number of individuals that are detained by ICE, roughly on average, there is been about 39,000 detained this year. My question goes to the fiscal year 2024 Appropriations Bill that was passed a few weeks ago and the funding level that was submitted there and passed for detention. Is that something that we need to continue, in your opinion, for fiscal year 25 to allow you to be able to detain the number of individuals you need to?

Secretary MAYORKAS. Yes, Senator.

Senator BRITT. Thank you very much. When you look at encounters obviously coming across the border, we know there is been a lot of discussion about known gotaways, and people that we have seen, but we don't know who they are, where they are going, or what their intentions are. The FBI Director warned that he is increasingly concerned that terrorists may seek that opportunity to enter the U.S., and he is concerned about what that does in the interior of our homeland. And so I know that that is something that you probably pay close attention to as well. Is that something that you agree with? Just when we look at what is happening in the Interior; it just increases threats across the homeland?

Secretary MAYORKAS. We are, indeed, very concerned about it. The safety and security of the American people is our highest priority. The Bipartisan Legislation would have provided us with additional staffing that would have strengthened the security of the southern border.

DRUG TRAFFICKING: FUNDING FOR

Senator BRITT. Yes. I am a big believer we have got to do our job right now. And so, as I look at fiscal year 2025, it is my goal to make sure that we get these dollars in the exact right place possible. I would love to see Congress start to do our job on time. I think that the American people deserve it, and I think every time we drag our feet they are the ones that pay the price. You know, the last time that we actually passed all 12 bills on time was 1997. I think it is not only fiscally irresponsible, I think it is morally irresponsible. I think you need to know what your budget is.

And I think when you look at something like a supplemental; you have to actually have based funding first, so my goal right now is to make sure that in fiscal year 25, we stretch every dollar, we put it where it matters, we put it where it can help you, and help the courageous men and women that work in the Department of Homeland Security do their job. So I am laser-focused on that. And that I really do appreciate the work that CBP and ICE have done in their seizures. I think they have grown when it comes to fentanyl and other illicit drugs.

They continue to seize more and more, which obviously we know that that means that is less that can get into our homeland. However, I know we can't simply seize our way out of it. And so, would love to know from you where would be best to direct dollars? You know, what are you doing to actually disrupt and dismantle that transnational criminal organization and kind of the flow of that? And is there a place, maybe more Homeland Security Investigations (HSI) agents and others, that would help disrupt that even more?

Secretary MAYORKAS. Ranking Member Britt, more personnel is certainly one element of the answer. More HSI agents, more support personnel for the agents, more Customs and Border Protection officers and agents.

Senator BRITT. Okay.

Secretary MAYORKAS. More funding for technology. I am listing the different things that the Bipartisan Legislation would have delivered.

COAST GUARD: WATERWAYS COMMERCE CUTTER PROGRAM

Senator BRITT. Okay. When we look at the Coast Guard, I strongly support the Coast Guard, and I am proud that Mobile is the home of the Coast Guard Aviation Training Center. And I am very proud of the Offshore Patrol Cutter being built in Alabama. However, that is just one of the pieces of a very large Coast Guard shipbuilding strategy. I am concerned with many other Coast Guard acquisition programs, which seem to be plagued with various issues. I am especially concerned about the status of the Waterways Commerce Cutter Program and the Polar Security Cutter program, which have been faced with significant delays in recent years.

I know that you have heard a number of my colleagues speak about this on both sides of the aisle. And I just taking a look at it, when you look at the Waterways Commerce Cutter, which was intended by Congress to be a small business shipbuilding program,

it has faced legal challenges, and other significant contracting challenges in recent months. And as the daughter of two small business owners, I think it is important to me that our entire Defense space, particularly as it pertains to shipbuilding, that they are giving consideration, and given every fair opportunity to compete.

And I think that that is what we need when we look at things that have just come down and the Naval Intelligence that was just declassified looking at the shipbuilding of China saying they can ship build 232 times faster than we can. I think that as many people as we have encouraging that particularly from a small business perspective, I think that is better for America.

So Mr. Secretary, will you commit to engaging your Coast Guard leadership and looking into the current state of play when it comes to the Waterways Commerce Cutter Program, and what options should be considered even if it means recompeting the program to ensure the Coast Guard receives the ship-building assets they need in a timely manner, and cost-effective schedule?

Secretary MAYORKAS. Ranking Member Britt, I certainly will engage with the Coast Guard.

Senator BRITT. Thank you.

Secretary MAYORKAS. And will look at this program and be in touch with you.

BORDER SECURITY: ILLEGAL IMMIGRATION DETENTION

Senator BRITT. I really appreciate that. And one last thing, when we look at the alleged killer of Laken Riley who entered the United States illegally in 2022, and then was released under DHS under a grant of parole, I am sure your Department has taken a look at that. And can you explain what specific, either humanitarian reason or reason of significant public benefit, as you all know one of those two things had to be used to authorize his release into the country. Can you explain that for this panel as well?

Secretary MAYORKAS. Ranking Member Britt, there was no derogatory information of which we were aware in our holdings, to compel the detention of this individual. It is a tragic circumstance. Our hearts break. I know all our hearts break for the family of Miss Riley. And we expect that the individual will be prosecuted correctly to the fullest extent of the law.

Senator BRITT. Thank you so much, Mr. Secretary. I appreciate that.

Senator MURPHY. Thank you, Senator Britt.

COAST GUARD: ACADEMY

Two final parochial questions for you, one, relative to the U.S. Coast Guard Academy in New London, Connecticut. Last time I was there, I was talking to cadets about a really serious need to upgrade the Academy's living quarters, specifically in the old Chase Hall Barracks, its oldest section, Annex A. This was built in the 1930s, requires some really significant asbestos abatement, but also there is a lot of stories of non-functioning heating, ventilation, air conditioning.

You were having a conversation earlier with Senator Hyde-Smith about the difficulty of recruitment, and obviously one of the ways

that we convince young men and women to come join the Coast Guard is to make sure that they have adequate living conditions.

So I was a little worried to see that this was not in the request, the upgrade of Annex A. It is in the unfunded priorities list. Mr. Secretary, I assume that you care deeply about the living conditions of the U.S. Coast Guard Academy, and just ask for your commitment to work with us on making sure that this project gets funded expeditiously.

Secretary MAYORKAS. Most certainly.

Senator MURPHY. And thank you for that. And then lastly, I am sure she is going to submit the question for the record, but I will just note that Senator Collins did, in her opening statement, ask you a question regarding CBP staffing of international cruise ship arrivals. And I will just ask you to add that to those questions that you take for the record, and hopefully have a response to Senator Collins sometime next week.

ADDITIONAL COMMITTEE QUESTIONS

With that, we are going to keep the record open for a week. That means we will ask that any additional questions from colleagues on the committee be in by the end of the day next Wednesday.

QUESTIONS SUBMITTED BY SENATOR PATTY MURRAY

Question. The Department of Homeland Security Office of Inspector General published the results of their unannounced inspection of the Northwest ICE Processing Center in Tacoma, Washington in May 2023. This inspection found room for improvement regarding “the medical staff vacancies, preventative screening practices, and immediate availability of an emergency delivery kit.” What progress has Immigration and Customs Enforcement (ICE) made in filling these vacancies? What other steps has ICE taken to improve the provision of medical services at the facility?

Answer. Regarding hiring improvements, the U.S. Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC) continues to work to fill its General Schedule (GS) and United States Public Health Service (USPHS) medical vacancies for the Northwest ICE Processing Center (NWIPC).

IHSC is actively addressing all vacancies, and all job announcements are centrally located in USAJOBS. To ensure maximum reach and dissemination of job openings, IHSC posted all vacancies in the All Partners Access Network (APAN), which is an information-sharing and collaboration platform for United States military and mission partners who do not have access to restricted networks. As of April 10, 2024, a USPHS Clinical Assistant Nurse Manager has been assigned to NWIPC with a start date of May 19, 2024, and there are three Call to Active-Duty personnel who will be assigned to NWIPC. Their applications are being processed by USPHS Headquarters.

For the medical staffing contract, ICE continues to document the vendor’s progress in meeting the established Acceptable Quality Level via the Quality Assurance Surveillance Plan (QASP) and possible Contract Discrepancy Reports (CDRs) with demand for cure within a defined period. ICE also conducts ongoing vendor engagement on the root cost of filling contractor vacancies and collaborates on mitigation strategies to address recruitment and retention.

To ensure sufficient medical services are available at the facility, ICE has taken numerous steps to increase staffing and improve resource allocation.

IHSC has initiated temporary duty support to provide assistance to the Northwest ICE Processing Center in addressing the current personnel shortage. In addition, ICE has increased the efficiency of clinical care by streamlining the triage process and allowing for prompt appointment scheduling and dissemination to appropriate medical providers for medical evaluation. Access to medical care has been enhanced through the implementation of staggered work schedules, and extended service hours for medical personnel.

After the Office of the Inspector General (OIG) completed its inspection on September 1, 2022, ICE made immediate improvements to the facility’s emergency delivery kit and preventative screening. On September 12, 2022, an Emergency Ob-

stetrical kit was made available for use at NWIPC, and all staff were subsequently trained on its use. The kit remains available to staff at the facility.

On September 22, 2022, NWIPC shifted annual physical examinations from nursing providers to medical providers, due to the fact that nurses are unable to order preventative screening tests as per the U.S. Preventive Services Task Force (USPSTF). Nursing staff continue to perform physical exams for intake, initial physical exam-simple (PE-S), sick call triages and evaluation, and other clinical encounters as appropriate in order to ensure medical providers can focus on the most pressing needs. Patients will be referred to medical providers if more complex issues are identified.

On September 23, 2022, NWIPC developed and published a local version of preventive health guidelines. On May 10, 2023, IHSC published national preventive health guidelines and the IHSC rescinded the locally created guidelines. IHSC is working to re-implement a standard six-month preventive health services appointment for all non-citizen detainees. The re-implementation of this appointment will help ensure detainees have access to preventive health services in accordance with our current preventive health guidelines.

Question. When using administrative segregation or disciplinary segregation, ICE is required to provide a copy of the segregation order describing the reasons for the detained noncitizen's placement in a Special Management Unit. What steps does the Department of Homeland Security take to ensure ICE employees and contractors adhere to ICE policy related to the use of administrative segregation and disciplinary segregation?

Answer. As a law enforcement agency, ICE expects all employees to adhere to the highest standards of professional conduct, including adhering to ICE policies and procedures, and to demonstrate integrity and professionalism in all aspects of their work.

Facility reviews of segregation placements are required pursuant to ICE national detention standards. These reviews are done by a multi-disciplinary committee of facility staff—including facility leadership, medical and mental health professionals, and security staff—who meet weekly to review all detained individuals currently housed in the facility's Special Management Unit.

ICE Policy 11065.1, Review of the Use of Segregation for ICE Detainees (Segregation Directive), requires agency reporting, review, and oversight of every facility decision to place a detained individual in segregated housing for 14 consecutive days or 14 days out of a 21-day period, and reporting and review within 72 hours of placement of any segregation placement when heightened concerns exist based on a detained noncitizen's health or other factors (i.e., special vulnerability). ICE Headquarters Segregation Review Coordinators conduct reviews of these cases to ensure compliance with policy (i.e., information is complete, sufficiently detailed, and required supporting documentation is completed and uploaded) and follow up with ERO field offices as necessary if there are questions/concerns regarding either the segregation placement itself or documentation of the placement.

In addition to robust internal oversight to ensure segregation is used in alignment with ICE's policies and detention standards, ICE accommodates and responds to external oversight entities including the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL), DHS Office of the Immigration Detention Ombudsman (OIDO), DHS Office of Inspector General (OIG), Government Accountability Office (GAO), and State Protection and Advocacy Systems, among others. These inspection and evaluation efforts may include responding to information requests, conducting records reviews, participating in interviews, and coordinating on-site inspections.

Question. In the October 26, 2022 GAO Report on "Immigration Detention: Actions Needed to Collect Consistent Information for Segregated Housing Oversight", it was recommended that the Director of ICE provide specific guidance to ERO field offices on the level of documentation needed to support all segregated housing placements. This recommendation remains open. When will ICE provide this guidance to ERO field offices and when will all field offices be expected to have this guidance fully implemented?

Answer. This effort is ongoing. In March 2024, ICE upgraded its Segregation Review Management System (SRMS) to include additional data fields and new requirements prior to being able to create and save a segregation case record. Updated guidance was provided to personnel during multiple training sessions with the SRMS field users.

In addition to the system update, ICE is drafting an Enforcement and Removal Operations (ERO) Segregation Policy to supplement current directives and policies related to segregation. This policy includes more detailed guidance to ERO field of-

offices on how to appropriately record segregation stays. ICE ERO plans to implement this guidance by the end of fiscal year 2024.

QUESTIONS SUBMITTED BY SENATOR JON TESTER

Question. In the FY24 appropriations bill, Congress provided \$7.5 million for additional communication equipment. This funding was provided to CBP for seamless integrated communications to extend connectivity for agents where commercial cellular service is present and not present. This funding was intended to address communication needs for Border Patrol agents.

Does DHS intend to provide this funding to Border Patrol agents?

Answer. Yes. This funding will help provide Seamless Integrated Communication (SIC) mesh network connectivity to support limited data transport (i.e., Position Location Information with Tactical Awareness Kit [TAK] and data connectivity with CBP Air and Marine Operations aircraft) utilized directly by United States Border Patrol Agents. Additional funding would be required to cover Land Mobile Radios (LMR) or Long-Term Evolution (LTE) integrated voice communication.

A portion of the \$7.5 million will also be applied to engineering and support services that will enable SIC field deployments.

Question. Does DHS have sufficient resources to upgrade existing radios with LTE and to improve communication in more rural areas?

Answer. Funding in the Fiscal Year (FY) 2025 President's Budget for Tactical Communications (TACCOM) program supports continuous sustainment of the existing Land Mobile Radio (LMR) system, however does not provide enhancement of TACCOM program to purchase LMR with Long Term Evolution (LTE) capability.

Additionally, the Advanced Deliverable Voice Operational Networking (ADVON) program addresses communication gaps and issues where there is a need to connect to the user to the communication network. This effort is critically important for the U.S. Border Patrol in rural areas, as ADVON will take responsibility for the maintenance of existing Seamless Integrated Communications (SIC) deployments and the desired expansion of SIC beginning in FY 2026.

With both TACCOM and ADVON, funds are directed to solving communication gaps, upgrades, and maintenance in areas that have the greatest operational need.

Question. In the FY24 appropriations bill, Congress appropriated funding to hire an over 1,000 new Border Patrol Agents and bring the agency's end strength up to 22,000 agents. Does DHS have a plan to increase staffing to 22,000 agents?

Answer. Yes. CBP is actively working to build upon the recruiting and hiring process improvements completed in recent years and to identify additional recruiting and hiring strategies to meet the fiscal year 2024 appropriated staffing level of 22,000 Border Patrol Agents.

Previous efforts include enhancing our applicant sourcing initiatives and streamlining the hiring process to improve applicant volume and yield rates to achieve hiring goals. Specifically, CBP leveraged recruitment incentives for new hires, enhanced marketing and advertising, increased virtual recruitment and webinar events, expanded the recruiter workforce, used technology to modernize the hiring process (e.g., structured interview and entrance exam may be completed online), and released multiple hiring videos to make each step of the hiring process more transparent.

A full report on CBP's approach to meeting the appropriated staffing level will be forthcoming.

Question. Does DHS need any additional tools or authorities in order to get these agents hired, trained, and deployed as quickly as possible?

Answer. CBP will provide a full account of resources and support required to meet the fiscal year (FY) 2024 appropriations in the forthcoming required Congressional report.

Question. Does DHS plan to make any changes to the polygraph requirements for hiring new agents, specifically for individuals who previously served in the armed forces, in law enforcement, or already have a security clearance in order to increase recruitment and hiring?

Answer. As mandated by the Anti-Border Corruption Act, all applicants for law enforcement positions are required to undergo a polygraph examination as part of the hiring process. The polygraph is a vital tool used to supplement the background investigation for undocumented criminal actions, illegal drug activity, and national security risks such as ties to terrorist, cartel, and foreign adversary activity.

DHS recognized the impact of polygraph requirements on recruitment and has made progress in standardizing and aligning the Department's polygraph programs

to maximize efficiencies and further accelerate the pre-employment polygraph examination process. On April 1, 2024, CBP leadership approved the removal of automatic disqualifiers for these drug categories, to be implemented on May 1, 2024, consequently aligning with ICE, TSA, and USCG. CBP's previous threshold was 90-day automatic disqualifier for marijuana and 2 years for the misuse of prescription drugs and use of steroids.

Question. By 2026, airports must purchase, operate, maintain, and train personnel to use explosive detection system (EDS) equipment to screen aviation workers. This new requirement sets up new screening infrastructure at airports that parallels what TSA already has in place for travelers. TSA already has the trained staff to detect threat items, the EDS equipment installed, and access to intelligence information about threats to effectively screen individuals throughout the airport environment; airports do not.

Has TSA considered delaying implementation of the EDS requirements for aviation worker screening under the recent national security amendment?

Answer. At this time, TSA is not considering delaying implementation of the explosive detection system (EDS) requirements for aviation worker screening under the airport security program national amendment, which took effect on September 25, 2023.

Question. The FY24 appropriations bill and the FY25 budget request eliminate funding for two key TSA security programs that reimburse law enforcement officers who respond to security threats at checkpoints and for state and local-led canine teams who work in the airport environment. These funding eliminations affect airports across the country, including in Montana, especially when funding is eliminated with very little notice.

Has TSA seen the benefit of funding these important programs in previous years?

Answer. Transportation security is a shared responsibility of the Federal Government and state, local, tribal and territorial partners. TSA's layered approach to security relies on its partnership with local and state entities, to include local law enforcement officers.

TSA continues to operate in a dynamic environment and the challenges and risks it encounters continue to become more complex. TSA's strategic, disciplined approach allocates limited resources intended to reduce risk and optimize every dollar. Participants who choose to participate in the canine no-cost other transaction agreement (OTA) will continue to receive TSA training courses, yearly certifications, canine replacements, training support, explosives magazine storage, and yearly replacements of canine explosives training aids.

Airport operators and their state and local law enforcement partners play a critical role in maintaining security at airports across the country. Airports are required by statute to provide law enforcement services, as agreed to in the airport operator's Airport Security Program (ASP).² TSA's Law Enforcement Officer Reimbursement Program (LEORP) provided partial reimbursement to program participants to augment the services already required by officers in the ASP. In the event of a security incident, law enforcement officers must still respond and provide support in accordance with the relevant ASP.

Over the years, TSA has worked with, and will continue to work with, state and local law enforcement to develop capacity and relationships and ensure that local law enforcement personnel are available and committed to respond to a security incident within a set period of time. TSA will also continue working closely with its law enforcement and security partners to mitigate any concerns during the transition.

Question. Has TSA consulted with any airports about how eliminating these programs, especially on short notice, could impact other security priorities given limited airport budgets?

Answer. Yes, TSA regularly communicates with our stakeholders at multiple levels, individually and through stakeholder association groups including:

- Airport Council International-North America (ACI-NA)
- Airport Law Enforcement Agencies Network (ALEAN)
- American Association of Airport Executives (AAAE)
- Airlines for America (A4A)
- Regional Airline Association (RAA)
- National Air Carrier Association (NACA)

² See 49 U.S.C. § 44903(c); 49 CFR §§ 1542.103(a)(12), 1542.215. and 1542.217.

In addition, the TSA Administrator regularly meets with these associations and has relayed TSA's budget proposals to our partners. Stakeholders have been aware of the proposed budget since March 13, 2023, when the President's Budget was released to the public.

In discussions with airports across the nation, the major issues that have been raised are around response to unattended items in the transportation environment and use of canines to screen checked baggage as a mitigation when systems go down for short periods of time. TSA will continue to work closely with airports and airlines to prioritize security needs. To help alleviate the impact on our partners, TSA is continuing to fund these agreements through May 1, 2024.

Question. Cancer is a leading cause of death in the fire and emergency services and fire and EMS personnel have an increased risk of dying from cancer when compared to the general public. In fact, the International Agency for Research on Cancer (IARC) declared the occupational exposure faced by firefighters to be a Group 1 carcinogen. Established in July of 2022, the DHS Office of Health Security is intended to serve as the "medical, workforce health and safety, and public health authority for DHS." The Office of Health Security has indicated to fire service stakeholders its intention to work to combat cancer in the fire and emergency services.

What efforts have been made thus far by the Office of Health Security and what further efforts are under consideration to address the scourge of cancer in the fire service?

Answer. The Office of Health Security (OHS), Federal Emergency Management Agency's (FEMA), United States Fire Administration (USFA), and Science and Technology Directorate (S&T) continue to collaborate on several lines of effort related to enhancing the health and safety of firefighters, including those within the Department of Homeland Security (DHS). These efforts include participating in interagency forums and programs that are focused on mitigating cancer in firefighters, including from exposure to carcinogens such as per- and polyfluoroalkyl substances (PFAS).

In May 2023, OHS and USFA jointly hosted a listening session which included stakeholders from all major fire service organizations including the International Association of Fire Fighters (IAFF), International Association of Fire Chiefs (IAFC), National Association of State Fire Marshals (NASFM), National Fire Protection Association (NFPA), National Fire Protection Association (NVFC), Congressional Fire Services Institute (CFSI), National Fallen Firefighters Foundation (NFFF), and International Association of Arson Investigators (IAAI). This workshop included discussion on the current state of science regarding firefighter cancer, current and future concerns regarding PFAS and other carcinogens in the firefighting environment, and how DHS can enhance partnerships with the nationwide firefighting and emergency medical services communities such as maximizing adoption of cancer screening programs. At the 2023 United States Fire Administrator's Summit on Fire Prevention and Control, the establishment of a comprehensive firefighter cancer strategy was one of seven critical issues identified for action by the Federal Government. The outcomes of these forums have directly informed new interagency collaborations and future DHS-funded programming such as educational and awareness initiatives.

DHS is also collaborating with the Centers for Disease Control and Prevention (CDC), the National Institute for Occupational Safety and Health (NIOSH), and National Institute of Health (NIH) National Cancer Institute on various programs including risk communications to the firefighting community. NIOSH, which has a mandate to assure safe and healthful working conditions, is the premier research agency focused on the study of worker safety and health. Accordingly, NIOSH leads significant projects that are focused on understanding and reducing cancer risk among firefighters. Previously, NIOSH and the USFA conducted a multi-year study (2010–2015) which examined the link between firefighting and cancer. This study of 30,000 career firefighters in major urban areas (Chicago, Philadelphia, and San Francisco) showed higher rates of digestive, oral, respiratory, and urinary cancer diagnoses and deaths compared to the general population. In 2018, the Firefighter Cancer Registry Act directed CDC and NIOSH to develop a registry to study cancer among firefighters. The National Firefighter Registry (NFR) is partially funded by USFA and has been operational since 2023 and to date has enrolled nearly 13,000 firefighters in the registry.

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

COAST GUARD

Question. I appreciate the verbal commitment you provided to me during the Senate Appropriations Committee's hearing to ensuring the Coast Guard has everything it needs to continue to operate in New Hampshire following the severe January storm that badly damaged the Coast Guard's facility in New Castle.

How quickly will the Coast Guard bring the New Castle facility back to an acceptable state of readiness?

Answer. The Coast Guard is mission capable in New Hampshire and able to meet mission response time requirements at Station Portsmouth Harbor in New Castle while necessary assessments and repairs are underway. Following the damage from the severe storm in January, the Coast Guard initiated engineering assessments of the impacted facility, including the covered mooring and surrounding retaining wall structures, and began temporary repair work. The Coast Guard is committed to ensuring that the members of Stations Portsmouth Harbor have the resources required to complete their mission in support of the community they serve.

H-2B VISAS

Question. I appreciate that the Department has already made available more than 60,000 additional H-2B visas for this fiscal year, but small businesses in New Hampshire and across the country still face significant challenges accessing sufficient visas for their temporary workers. I understand that current law gives the Department the authority to release up to an additional 4,600 visas this year.

When are you planning to release these additional allowable visas?

Answer. The Department of Homeland Security (DHS) has already increased the H-2B cap by the maximum allowable amount permitted under the September 2023 Fiscal Year (FY) 2024 Continuing Resolution and does not intend to further increase the cap in FY 2024.

On November 17, 2023, DHS and the Department of Labor (DOL) jointly published a temporary final rule increasing the numerical limit (or cap) on H-2B non-immigrant visas by up to 64,716 additional visas for all of FY 2024. As explained in the temporary final rule, DHS determined that 64,716 additional visas are the maximum allowed by Congress under the FY 2024 supplemental cap authority. USCIS has received enough petitions to meet the cap as of March 7, 2024; H-2B cap-subject petitions received after this date for positions to be filled in this fiscal year will be rejected.

Question. How are you working with the Department of Labor to improve seasonal businesses' timely access to H-2B visas?

Answer. As noted above, on November 17, 2023, DHS and DOL jointly published a temporary final rule increasing the H-2B cap by up to 64,716 additional visas for FY 2024. This increased number of H-2B visas improves seasonal businesses' ability to access H-2B visas. In addition, by making additional visas available throughout all of FY 2024, the temporary final rule provides employers with notice and certainty of what will become available throughout the fiscal year. The temporary final rule also allocated 5,000 additional visas for later in the second half of the fiscal year, which provides access to late season employers who otherwise may not have the opportunity to file for cap-subject H-2B workers. DHS and DOL issued this temporary rule within 2 months of the statutory authorization to do so, allowing employers to timely use these newly authorized visas.

USCIS PROCESSING DELAYS

Question. Though I understand that significant progress was made in the last fiscal year, the U.S. Citizenship and Immigration Services (USCIS) net backlog was 4.3 million cases at the end of Fiscal Year (FY) 2023. I remain concerned about these longstanding processing delays and extreme backlogs that continue to persist.

What actions are you taking to urgently improve USCIS processing speeds and reduced backlogs?

Answer. USCIS has developed, and continues to implement, a comprehensive strategy for backlog reduction. The strategy includes (1) workforce management through employee engagement and accelerated hiring, (2) increasing efficiency through processing and technology, and (3) regulatory and policy efforts. Each of these components are reflected in the USCIS FY 2023—FY 2026 Strategic Plan priorities that have been communicated to all levels of staff.

As a result of these efforts, USCIS has more than 21,000 staff on board (a historic high) and aims to have almost 22,000 staff onboard by the end of the fiscal year. USCIS continues to implement processing and technology efficiencies through ex-

pansion of online filing, file digitization, and other system improvements. Further, many of the regulatory actions in our Unified Agenda and recent policy actions increase efficiency.

In FY 2024, USCIS was appropriated \$68.7 million for backlog reduction in affirmative asylum and employment authorization documents. As of Quarter 2 of FY 2024, the net backlog has decreased to 3.8 million cases, a 24 percent decrease since the end of FY 2022.

Question. How is the Department implementing the significant appropriations provided in both FYs 2022 and 2024 to address this problem?

Answer. At the end of fiscal year (FY) 2023, the USCIS net backlog was 4.3 million cases, down more than 760,000 (15 percent) from the over 5 million cases in the net backlog at the end of FY 2022. This steady backlog reduction was achieved even as the agency experienced a record year in filings, as described above.

The \$275 million provided in appropriated funding in FY 2022 was crucial to accomplish this reduction in overall backlog. For example, as described in our FY 2022 progress report,¹ USCIS and the Department of State issued all available employment-based immigrant visas in FY 2022—double the pre-pandemic number. This was an all-hands-on-deck effort across the agency given that any unused visas at the end of the fiscal year would become unavailable at the start of FY 2023 (October 1, 2022). In the final quarter, USCIS worked cases 7 days a week to effectively address pending applications. This surge of overtime resources was made possible by congressional appropriations specifically directed for backlog reduction efforts.

In FY 2024, USCIS received \$68 million in appropriated funding for backlog reduction that Congress provided in the “Further Consolidated Appropriations Act, 2024,” Public Law 118–47, on March 23, 2024. This funding is divided equally between addressing affirmative asylum backlog reduction and employment authorization backlog reduction. The Asylum Division will spend its portion of the appropriations on technological improvements to reduce processing times and other costs associated with reducing the affirmative asylum backlog.

USCIS continues to make significant progress to reduce our net backlog of Employment Authorization Document (EAD) applications. In FY 2023, USCIS reduced the EAD backlog by 49 percent.

Technology improvements, supported by the FY 2022 Congressional appropriations, were crucial in achieving these reductions. The FY 2024 appropriations will help USCIS accelerate this progress.

Question. USCIS has multiple online tools that are used to share processing updates and estimated timelines. While these are helpful in providing information to the public, I am concerned that the tools provide inconsistent information. I have heard from constituents concerned about the status of their cases because the information provided to them by the myUSCIS timeline and case tracker is different than the information provided by the public case status and processing times tools available on the USCIS website.

What is the reason for these discrepancies?

Answer. USCIS provides aggregate processing times information on the public Processing Times webpage. USCIS recently launched the myProgress tool (available to people with a myUSCIS account) which provides an estimated time for an individual to receive a decision on their case. These two important tools provide different information to stakeholders and customers.

The processing time displayed on the public USCIS website is the amount of time it took USCIS to complete 80 percent of adjudicated cases over the last 6 months. Processing time is defined as the number of days (or months) that have elapsed between the date USCIS received an application, petition, or request and the date USCIS completed the application, petition, or request (that is, approved or denied) in a given six-month period. As such, this website provides retrospective data on how long USCIS has taken over the last 6 months to complete a form type.

In contrast, myProgress provides an estimate of how long an individual’s case may take to complete. MyProgress utilizes historical information to forecast an estimated completion time and will adjust the forecast based on new information. For example, if a request for evidence is sent to an applicant, myProgress will adjust the estimated completion date based on the individual’s case information.

USCIS continues to evaluate stakeholder feedback in order to provide clearer and more useful information through all of our channels.

Question. How is USCIS working to ensure that accurate and consistent information is used across all USCIS tools?

Answer. USCIS is committed to ensuring accurate and timely information for all of our customers and stakeholders. USCIS continues to evaluate and improve the

¹ See https://www.uscis.gov/sites/default/files/document/reports/OPA_ProgressReport.pdf

ways we communicate information, including providing more information on the differences between the public Processing Times webpage and the individual myProgress tool in myUSCIS.

QUESTION SUBMITTED BY SENATOR KATIE BRITT

Question. The Biden Administration released Jose Ibarra, the alleged killer of nursing student Laken Riley, into the United States under a grant of parole after he entered the United States illegally in September 2022. As you are aware, the Immigration and Nationality Act requires that parole only be granted to aliens on a case-by-case basis for a specific urgent humanitarian reason or reason of significant public benefit. That being the case, can you please provide the specific humanitarian reason or reason of significant public benefit that was used to justify the release of Ibarra on a grant of parole?

Answer. The materials requested contain law enforcement sensitive information from the Department and interagency partners and cannot be made part of public record. They are also subject to privacy laws that prevent the release of certain information, although the Department may be able to provide additional detail under separate cover.

QUESTIONS SUBMITTED BY SENATOR SHELLEY MOORE CAPITO

PRECHECK

Question. When TSA allowed for new vendors to offer PreCheck services, they didn't make a distinction between renewing existing individuals vs. reaching new potential users. What percentage of enrollments being provided by these new vendors are for renewals vs. new applications to the program?

Answer. TSA continues to grow TSA PreCheck active membership, increasing the number of individuals receiving expedited screening at the airport. As of April 2024, over 38 million individuals have access to TSA PreCheck expedited screening. Of those, 19 million have enrolled in the TSA PreCheck Application Program, TSA's Trusted Traveler Program.

TSA saw record growth in the program during fiscal year 2023, with over 4 million individuals enrolling for the first time and an additional 1.5 million members renewing their membership. Over the past 12 months, over 30 percent of all travelers at airports had TSA PreCheck on their boarding pass. This accelerated program growth has improved overall security and efficiency at United States airports. Part of TSA's success and growth of the TSA PreCheck Application Program is the partnerships with each of the TSA PreCheck enrollment vendors.

TSA works to ensure that all vendors are treated fairly and equitably as intended by the legislative requirements that mandated the use of multiple enrollment providers. As new vendors begin enrollment operations, TSA provides updated communications to the public to ensure applicants and members are aware of the options for TSA PreCheck enrollment and renewals. For example, TSA updated the renewal notice sent to current members whose membership will expire within 6 months. The notice directs them to TSA's renewal page where options and pricing are provided so members can make informed decisions about their renewal.

As of April 2024, the new TSA PreCheck enrollment vendors have been authorized to operate in limited capacity. TSA has stringent requirements that must be met prior to authorizing the new vendors to fully operate. Rollout requires that vendors begin deploying online renewals to ensure the technology is functioning, prior to testing the more complex workflow and process for new in-person enrollments.

The new TSA PreCheck enrollment vendors have only been authorized to conduct in-person enrollments at limited locations. Because of the limited in-person enrollment locations, the renewal volume exceeds the volume for new enrollments to date. Since August 2023, when TSA's first new enrollment vendor was authorized to start renewals, TSA has completed 2.7 million new enrollments and 1.5 million renewals, of which our new enrollment vendors share is 2 percent of new enrollments and 25 percent of renewals. TSA believes the new enrollment numbers will increase as the enrollment providers become fully operational and deploy to additional locations.

Question. Has TSA considered other methods, including new technology, to expand enrollment in PreCheck, particularly to rural and other underserved areas, using these new agreements? If so, can you describe those methods?

Answer. Yes. In TSA's Other Transaction Agreement (OTA) statement of work (SOW), TSA included a requirement that vendors have a start-to-finish secure on-line or mobile enrollment capability, as required by the legislation calling for multiple enrollment providers. TSA was seeking innovative solutions to meet the needs of rural and underserved communities, such as online and remote enrollment solutions.

Since the Federal Bureau of Investigation (FBI) does not allow for biometrics (fingerprints) to be collected remotely and submitted for a fingerprint-based criminal history records check, TSA considered vetting of an applicant by means other than biometrics, as required by Section 1937(c)(2) of the 2018 TSA Modernization Act. In April 2019, TSA published a Request for Capabilities to determine if any existing solution could overcome the shortcomings of biographic-based vetting. TSA thoroughly analyzed private sector solutions. However, the private sector did not propose any viable solutions that met the requirements that vetting must be "as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation" (Section 1937(c)(2)(iii)).

As described above, TSA is working with our enrollment providers to continue to make enrollment as easy as possible, especially for individuals in rural areas. This includes:

- Having more temporary enrollment events, often in partnership with regional airports;
- Working to implement technology that will enable U.S. passport holders to prove their citizenship without presenting their physical passport; and
- Making it easier to enroll on-the-spot with only a photo identification (ID).

TSA will continue to evaluate technologies and processes that make it easier for the traveling public to enroll in TSA PreCheck.

Question. How is TSA working to ensure that new enrollment centers established with this expansion are not duplicative—geographically or otherwise—with enrollment services provided under UES? What criteria does TSA use to establish new centers?

Answer. TSA evaluates proposed enrollment locations based on the following factors: geographic location (proximity to other enrollment providers), operational availability (providing additional hours of operation not previously available), enrollment capacity and demand in a particular area, customer service, and customer experience. Site specific factors may impact the ultimate decision to approve or deny a location.

TSA continues to expand TSA PreCheck enrollment offerings and increase the number of individuals receiving TSA PreCheck benefits at the airport. It is easier for members of the traveling public to enroll in TSA PreCheck with more enrollment locations, which helps improve overall checkpoint security and efficiency. A key part of this premise involves assessing proposed enrollment center locations to ensure they provide opportunities to reach new customers. TSA evaluates proposed enrollment locations based on the following factors:

- Geographic location (proximity to other enrollment providers)
- Hours of operation (providing additional hours of operation not previously available)
- Enrollment capacity and demand in a particular area
- Customer service
- Customer experience

Site specific factors may ultimately affect the decision to approve or deny a location. For example, a proposed enrollment center location may not be far from a competing vendor but may offer evening or weekend hours that are not available at the competitor's location. These additional hours make the location more accessible to individuals who work during the day and are unable to visit the enrollment center during traditional 9:00 a.m. to 5:00 p.m. workday hours. Therefore, these new locations make it easier for individuals to enroll and ultimately improve security and the customer experience at the checkpoint.

TSA requires vendors to submit site surveys for each location before approval. The survey provides key information and photographs to ensure the location meets all contract requirements as well as the standards for customer experience.

GLOBAL ENTRY

Question. Expanding trusted traveler programs has been a significant security priority for this committee and our other authorizing committees. While TSA PreCheck

enrollment has exceeded everyone's expectations, we remain concerned about the growing backlog of applications for Global Entry, and the strain placed on the Customs and Border Protection's (CBP) staff and officers. There are concerns DHS is missing a major opportunity to utilize the existing private sector TSA enrollment infrastructure for Global Entry. This has the potential to unlock significant resources you say you need at CBP. Have you considered leveraging the TSA enrollment capabilities to expedite the front-end biometric and biographical collection needed for Global Entry applications? Can the Department commit to exploring this option with our committee?

Answer. U.S. Customs and Border Protection (CBP) and the Transportation Security Administration (TSA) have been working together for several years on various options to streamline the enrollment process for the five DHS trusted traveler programs.

CBP and TSA remain focused on enhancing the enrollment experience for Global Entry (GE) and TSA PreCheck. This includes providing for existing PreCheck members to apply for GE benefits, utilizing the biometrics captured at a PreCheck enrollment center for their GE enrollment, and taking steps to expedite these applications.

It also includes improving the usability of the Trusted Traveler Programs (TTP) website and better informing applicants about the various programs and options available. CBP data shows that, in any given year, around 40 percent of GE users do not travel internationally. Ensuring that everyone is applying for the best program(s) to meet their travel needs allows the agencies to manage resources more effectively and ultimately gives travelers the best application and membership experience.

In addition to these efforts, CBP continues to make tremendous progress towards meeting demand for GE. Most GE applications are quickly approved; during the first half of fiscal year (FY) 2024, CBP enrolled a record 2.2 million GE applications, including both initial and renewing members. Interview availability is up over 200 percent from FY 2023, with around 135,000 appointments available within the next 90 days, and over half of enrollment centers have availability within 30 days.

The customer experience divisions of both CBP and TSA are heavily involved with these efforts with the goal of creating a Trusted Traveler Program (TTP) experience that is streamlined, accessible, and least burdensome to our customers. The Department of Homeland Security is committed to exploring all opportunities to improve the process.

PUBLIC CHARTER OPERATIONS

Question. Per a recent media statement by the TSA, the agency is actively investigating security protocols pertaining to so-called "public charter" scheduled passenger flight operations, aiming to address significant vulnerabilities in current procedures. Could you offer insights into the progress of this investigation and any proposed changes under consideration? Can we expect any type of new security directive or rulemaking soon?

Answer. TSA conducted a risk assessment of public charter operations in the fall of 2023. This assessment found that the existing minimal security requirements may no longer be adequate, given very large changes in the volume, availability, and awareness of these operations compared to two decades ago. Further, there have been substantial improvements in security for scheduled commercial passenger aviation over that time, while there has been essentially no advancement in requirements for public charter operations.

TSA is in the process of developing a proposal for security procedures that would apply to Twelve-Five operators that conduct public charter operations. These procedures would be described in the Twelve-Five Standard Security Program (TFSSP) and, in accordance with 49 Code of Federal Regulations (CFR) 1544 regulations, will be posted for industry comment for 45 days.

Based on the information provided above, TSA is not proposing the issuance of a security directive or rulemaking. Instead, it would be an amendment to the current TFSSP describing procedures, including the screening of passengers and their property. The target timeline for issuance of a proposed amendment is summer of 2024.

TSA AVIATION PASSENGER SECURITY FEE

Question. The President's budget proposes eliminating the deficit reduction contribution paid through the passenger-paid TSA Aviation Passenger Security Fee. Recognizing the demand for expanded TSA staffing and recapitalizing aging security

equipment and screening systems, how would the Administration propose these funds be allocated if this proposal were implemented?

Answer. Since the Aviation Passenger Security Fee provides an offset to the TSA appropriation, implementing the proposal will only decrease net discretionary appropriations and not increase budget authority. The proposal would help to cover the costs of TSA's Pay Plan Adjustment, as well as the pay raise that applies to all Federal personnel, and other aviation security costs, which would otherwise require significantly increased discretionary appropriations.

Question. The aviation industry has been exposed to aging and inefficient TSA baggage screening systems—many over 20 years old. Funding for the Aviation Security Capital Fund (ASCF), which funds baggage explosive detection systems (EDS) at airports, has not kept up with inflation and has remained at \$250 million annually for many years. Would the Administration support a proposal to shift the deficit reduction offset funding to increase the ASCF to pay for safety improvements at airports?

Answer. The Administration supports aligning the revenue from the Aviation Security Capital Fund to offset aviation security requirements, as intended in legislation. Realigning the deficit reduction offset to the Mandatory Aviation Security Capital Fund, which funds checked baggage equipment and could also fund checkpoint technology, would reduce available offsets for discretionary spending and require Congress to either appropriate additional discretionary funds or cut certain TSA programs or personnel.

VEHICLE SCREENING AT PORTS OF ENTRY

Question. What percentage of vehicles (both passenger and cargo) entering our country are screened for drugs or other illicit materials at ports of entry?

Answer. In Calendar Year 2023, U.S. Customs and Border Protection (CBP) operationalized ten non-intrusive inspection (NII) systems across five Southwest Border (SWB) sites and initiated deployment of 28 NII systems for a total of 38 NII systems. Scan rates increased an average of 30 percentage at operational locations.

On average, the SWB sites were scanning all referred conveyances for NII scans at a rate of 2 percent for privately owned vehicles (POV) and 15 percent for commercially operated vehicles (COV). The goal is to reach a 40 percent scan rate of POVs and 70 percent scan rate of COVs by the time all systems are fully deployed in fiscal year (FY) 2026.

CBP is currently conducting a study to determine the scan rate impacts by location, which will be finalized by the third quarter of FY 2024. For the current 15 sites and 29 systems under construction, CBP expects a scan rate increase of over 45 percent across those locations but is still assessing how that rate correlates to scan rates across the entire SWB.

CBP also recognizes the increase of NII scanning operations will result in a substantial increase of vehicle images that require analysis and adjudication. CBP is actively working with industry partners to develop Artificial Intelligence and Machine Learning (AI/ML) capabilities to assist trained CBP officers in analyzing images, while enhancing their ability to interdict current and future threats. AI/ML will support decisionmaking by providing computer-assisted analysis of images, thereby increasing the effectiveness and efficiency of the operation.

QUESTIONS SUBMITTED BY SENATOR SUSAN M. COLLINS

Question. CBP has increasingly stated that it is unable to provide necessary services to several communities in Maine. As you will recall, last year I raised with you a situation where CBP refused to provide services to an international ferry service between Maine and Nova Scotia and is requiring the ferry to pay the full annual salaries of four CBP officials even though the ferry only utilizes CBP services for a few months each year. Now, it appears that CBP officials have informed Eastport, Maine, that the agency cannot accommodate four of the planned international cruise ship arrivals in Eastport this Fall, even though CBP staffed a larger number of international cruise ship arrivals in Eastport last year, and Bar Harbor is anticipating a reduction in international cruise ship arrivals. The cruise ship industry is vital to many Maine communities and delivers millions in economic benefits to Maine annually. Mr. Secretary, can you direct CBP to provide these essential seasonal services in Maine?

Answer. U.S. Customs and Border Protection (CBP) is endeavoring to implement a plan that will allow greater passenger capacity at the Port of Eastport, Maine.

Any increases to operational capacity will require significant commitments from the Eastport Port Authority.

CBP does not currently have the funding, staffing, or infrastructure in place to safely and securely process cruise ship arrivals in excess of 200 passengers at the Port of Eastport without taking critical resources from land border ports of entry. Reducing resources at land border ports of entry to facilitate increased capacity at the Port of Eastport would negatively impact the region as a whole and outweigh the potential positive impacts to the local area.

CBP's goal is to collaborate with the Eastport Port Authority and cruise line stakeholders to ensure a safe and secure operation is in place that will efficiently process arriving passengers without jeopardizing our vital national security mission or the safety of our officers and the traveling public.

CBP acknowledges the increased volume in Eastport. Based on the schedule provided by the Eastport Port Authority, foreign arrival cruise ship passengers during fiscal year (FY) 2024 will increase 2,244 percent when compared to FY 2023.

—In FY 2023 foreign arrival cruise ships carried 169 passengers and 87 crew.

—FY 2024 foreign arrival cruise ships are carrying 3,963 passengers and 2,310 crew, a 2,244 percent passenger increase from FY 2023.

Question. Last year, encounters at the northern border increased 79 percent, and thus far in FY25 encounters are up another 9 percent compared to the same period last year. We are increasingly seeing migrants travel from Mexico and other countries to Canada, banking that they will have an easier time crossing along the 5,525 mile northern border. In November, a group of 20 Romanians were arrested crossing the border into Maine illegally, two of which were flagged as transnational criminal organized crime matches and detained for expedited removal while the remaining were released into the community. Similarly, in February, three Chinese nationals were intercepted attempting to cross into Maine illegally. The final enacted FY24 Homeland appropriations bill includes funding for over 2,000 new Border Patrol agents to help respond to the surge in migrants at both the southern and northern borders.

What is your plan for hiring these needed agents?

Answer. U.S. Customs and Border Protection (CBP) is actively working to build upon the recruiting and hiring process improvements completed in recent years, and to identify additional recruiting and hiring strategies to onboard the 22,000 Border Patrol Agents funding in FY 2024 appropriations.

Previous efforts include enhancing our applicant sourcing initiatives and streamlining the hiring process to improve applicant volume and yield rates to achieve hiring goals. Specifically, CBP leveraged recruitment incentives for new hires, enhanced marketing and advertising, increased virtual recruitment and webinar events, expanded the recruiter workforce, used technology to modernize the hiring process (e.g., structured interview and entrance exam may be completed online), and released multiple hiring videos to make each step of the hiring process more transparent.

A full report on CBP's approach to meeting the appropriated staffing level will be forthcoming.

Question. Will you ensure some of these Border Patrol agents will be assigned to address the growing needs at the northern border?

Answer. CBP continually monitors threats and resource needs and is committed to ensuring appropriate staffing levels along the Northern Border.

Question. The surge in migrant encounters at both the southern and northern borders over the past 3 years has led to migrants flooding many communities in Maine and around the country. In Portland, Maine, a city of 68,000 residents, the city has been forced to provide housing and services to more than 1,800 migrants in the first 3 months of this year, with more migrant families continuing to arrive weekly. However, the city shelters are full, and there simply is nowhere else to put them. This is especially dangerous in Maine, where many migrants, including children, arrive without warm clothing in the winter and have no place to stay. I understand that you cannot prevent migrants from going to specific communities, but DHS releases millions of migrants every year.

What proactive steps is DHS taking to coordinate with local communities about their ability to absorb migrants?

Answer. DHS works directly with state and local officials to provide resources and guidance for communities receiving migrants. For example, in the fall of 2023, DHS issued a Receiving Communities Toolkit to share best practices, available sources of Federal support, and practical resources like a community self-assessment. The Department hosted an information session to share the toolkit, answering questions from communities, and continues to do outreach to communities to provide technical

assistance and coordination with regional Federal partners. Upon request, the Department has held one-on-one sessions with communities to understand their unique circumstances, provide technical assistance, and help strategize how best to maximize Federal resources. The Department has helped distribute materials developed by communities like Portland, Maine, to reception sites on the border to help dissuade migrants from traveling there. As of April 2024, Maine ranked 41st out of 50 states according to intended destination data collected by the Department for the period of May 2023 through April 2024.

DHS also provides financial resources to receiving communities. In April 2024, the Department and the Federal Emergency Management Agency (FEMA) issued two Notices of Funding Opportunity (NOFO) for the Shelter and Services Program—Competitive (SSP-C, \$340 million) and Shelter and Services Program—Allocated (SSP-A, \$300 million). FEMA holds numerous technical assistance sessions with communities across the country to help them understand the program, identify needs, and submit an application.

Question. What is DHS doing to advise migrants about the difficulty in finding services in overwhelmed communities?

Answer. We will continue to partner with communities as they work to assist recently arrived migrants. We continue to urge Congress to provide the resources needed to manage the Southwest Border in a humane, safe, and orderly manner, and provide communities across the country with the financial support they need. DHS has engaged with communities to educate work-eligible individuals about how to apply for employment authorization and has provided on-the-ground support for intake of applications for work permits.

Question. Mr. Secretary, I am concerned about the continued backlogs at USCIS in processing employment and other applications. As you know, I have introduced a bill with Senator Sinema that would shorten the required waiting period for certain asylum seekers in Maine and around the country to apply for employment authorization from 6 months to 1 month. However, there remains a several month backlog in processing these employment applications once asylum seekers are eligible to apply. My office is also assisting constituents in seeking resolution of USCIS applications that have lingered for years. USCIS last week implemented a new rule that will increase many application fees, and Congress appropriated funding in FY22 and in FY24 specifically to reduce the backlogs, but progress has been slow.

What is DHS doing to reduce these backlogs?

Answer. Historically high levels of asylum applications have had an equivalent downstream effect on initial employment authorization applications which exceed 100,000 monthly. USCIS currently has over 300 officers working on initial asylum-based employment authorization applications. Additionally, USCIS continues to offer overtime and is also developing and refining operational processes to increase adjudicative efficiency for these applications. As a direct result of these efforts, supported by congressional backlog reduction appropriations, USCIS is completing about 90 percent of initial asylum-based employment authorization applications within 30 days of receipt and more than 98 percent within 60 days of receipt.

Question. Will you commit to providing timely responses to their applications?

Answer. As described above, we are processing about 90 percent of initial asylum-based employment authorization applications within 30 days of receipt and more than 98 percent within 60 days of receipt. We are continually looking for ways to keep increasing our efficiency.

Question. Last year we lost 605 Mainers to drug overdoses, well more than one every single day. This is a tragedy that affects each and every one of our states. Seizures of fentanyl continue to increase dramatically, with levels in this fiscal year on track to double last year's totals. I commend the work of our front line officers who are dedicated to this effort and the success of various DHS operations aimed at seizing fentanyl. I am disappointed, however, that the Department's budget request includes limited new funding for combatting fentanyl, and much of this funding is focused on seizures. In particular, I believe we cannot ignore the role that China plays in the fentanyl crisis, as the vast majority of the precursor chemicals used for fentanyl originate in China and many of the fentanyl-related illicit financial flows are also traced to China. What measures are you taking not just to seize fentanyl at the border but also to address Chinese involvement in the fentanyl flowing into our country?

Answer. DHS is on the frontlines combating illicit opioids, including fentanyl. Through a whole-of-DHS effort in alignment with President Biden's National Drug Control Strategy, the Department has stopped more fentanyl and arrested more individuals for fentanyl-related crimes in the last 2 years than in the previous 5 years combined.

Earlier this year, the United States (U.S.) and the People's Republic of China (PRC) launched the U.S.-PRC Counternarcotics Working Group. Both sides emphasized the need to coordinate on law enforcement actions; address the misuse of precursor chemicals, pill presses, and related equipment to manufacture illicit drugs; target the illicit financing of transnational criminal organization networks; and engage in multilateral discussions.

ICE Homeland Security Investigations (HSI) is in active discussions with the PRC to enhance bilateral cooperation regarding illicit precursor chemicals originating from China. Engagement with foreign partners plays a pivotal role in these investigations. While ICE HSI possesses the authority to initiate supply chain investigations, it is restricted from executing most law enforcement actions in foreign jurisdictions without the permission of the host country. Through U.S.-China diplomatic efforts, the PRC has agreed to increase and enforce regulations in the manufacturing of fentanyl precursor chemicals.

CBP also initiated a De Minimis Workgroup to formulate a strategy on fentanyl and other illicit shipments cleared under Section 321, or de minimis, entry processes, including Type 86. The working group has formulated a strategy that includes short-, mid-, and long-term plans to target non-compliant actors in the de minimis environment.

In particular, the strategy addresses master carton smuggling, which occurs when CBP only receives transactional manifest information for the exterior package, but within this package are multiple individual packages with various commodities destined for multiple consignees. This smuggling tactic impacts CBP's ability to target and segment risk against the true parties to the shipment, making it challenging to interdict precursor chemicals and pill presses. Such shipments often originate in the PRC.

The Biden-Harris Administration developed a counter-fentanyl legislative package that would support and strengthen CBP's ability to target violative shipments and shippers in the de minimis environment. This legislative package does many things, but it very importantly expands data requirements on low-value shipments and allows CBP to impose a fee in that environment. Such a fee would allow CBP to dramatically increase the volume of de minimis shipments inspected by supporting the hiring of nearly 4,000 additional staff, including 2,500 CBP Officers, as well as necessary infrastructure and hardware to support these additional positions.

CBP has been exploring potential statutory changes that would better position the agency to address fentanyl trafficking as well as hold trade industry parties accountable for self-policing their supply chains. This includes CBP's 21st Century Customs Framework (21CCF) package of statutory proposals for Department review and formal presentation to Congress, and it also includes ideas for additional statutory authorities identified by CBP's internal De Minimis Workgroup.

CBP has increased collaboration and information sharing with foreign counterparts, resulting in the agency's improved overall ability to target and seize shipments containing illicit opioids destined for the United States. Nevertheless, statutory updates are needed to equip CBP with higher quality data with which to make better risk decisions; allow greater flexibility for how CBP uses and shares that data and other information; and establish stronger penalties to hold bad actors accountable and incentivize the trade industry to self-police their supply chains.

QUESTIONS SUBMITTED BY SENATOR CINDY HYDE-SMITH

Question. In 2018, Congress enacted the TSA Modernization Act, which among other things, paved the way for additional vendors to participate in the PreCheck program. The intent of this expansion was not to duplicate the existing enrollment provider, who is also responsible for administering background checks for HAZMAT endorsements and the Transportation Worker Identification Card as part of their services, but to grow the PreCheck program by using new methods and reaching rural areas. Unfortunately, TSA has appeared to allow these new vendors to duplicate existing services without any requirements to reach new users.

When TSA allowed for these new vendors to offer PreCheck services, they didn't make a distinction between renewing existing individuals vs. reaching new potential users. What percentage of enrollments being provided by these new vendors are for renewals vs. new applications to the program?

Answer. TSA continues to grow TSA PreCheck active membership, increasing the number of individuals receiving expedited screening at the airport. As of April 2024, over 38 million individuals have access to TSA PreCheck expedited screening. Of

those, 19 million have enrolled in the TSA PreCheck Application Program, TSA's Trusted Traveler Program.

TSA saw record growth in the program during fiscal year 2023, with over 4 million individuals enrolling for the first time and an additional 1.5 million members renewing their membership. Over the past 12 months, over 30 percent of all travelers at airports had TSA PreCheck on their boarding pass. This accelerated program growth has improved overall security and efficiency at United States airports. Part of TSA's success and growth of the TSA PreCheck Application Program is the partnerships with each of the TSA PreCheck enrollment vendors.

TSA works to ensure that all vendors are treated fairly and equitably as intended by the legislative requirements that mandated the use of multiple enrollment providers. As new vendors begin enrollment operations, TSA provides updated communications to the public to ensure applicants and members are aware of the options for TSA PreCheck enrollment and renewals. For example, TSA updated the renewal notice sent to current members whose membership will expire within 6 months. The notice directs them to TSA's renewal page where options and pricing are provided so members can make informed decisions about their renewal.

As of April 2024, the new TSA PreCheck enrollment vendors have been authorized to operate in limited capacity. TSA has stringent requirements that must be met prior to authorizing the new vendors to fully operate. Rollout requires that vendors begin deploying online renewals to ensure the technology is functioning, prior to testing the more complex workflow and process for new in-person enrollments.

The new TSA PreCheck enrollment vendors have only been authorized to conduct in-person enrollments at limited locations. Because of the limited in-person enrollment locations, the renewal volume exceeds the volume for new enrollments to date. Since August 2023, when TSA's first new enrollment vendor was authorized to start renewals, TSA has completed 2.7 million new enrollments and 1.5 million renewals, of which our new enrollment vendors share is 2 percent of new enrollments and 25 percent of renewals. TSA believes the new enrollment numbers will increase as the enrollment providers become fully operational and deploy to additional locations.

Question. Has TSA considered other methods, including new technology, to expand enrollment in PreCheck, particularly to rural and other underserved areas, using these new agreements? If so, can you describe those methods?

Answer. Yes. In TSA's Other Transaction Agreement (OTA) statement of work (SOW), TSA included a requirement that vendors have a start-to-finish secure online or mobile enrollment capability, as required by the legislation calling for multiple enrollment providers. TSA was seeking innovative solutions to meet the needs of rural and underserved communities, such as online and remote enrollment solutions.

Since the Federal Bureau of Investigation (FBI) does not allow for biometrics (fingerprints) to be collected remotely and submitted for a fingerprint-based criminal history records check, TSA considered vetting of an applicant by means other than biometrics, as required by Section 1937(c)(2) of the 2018 TSA Modernization Act. In April 2019, TSA published a Request for Capabilities to determine if any existing solution could overcome the shortcomings of biographic-based vetting. TSA thoroughly analyzed private sector solutions. However, the private sector did not propose any viable solutions that met the requirements that vetting must be "as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation" (Section 1937(c)(2)(iii)).

As described above, TSA is working with our enrollment providers to continue to make enrollment as easy as possible, especially for individuals in rural areas. This includes:

- Having more temporary enrollment events, often in partnership with regional airports;
- Working to implement technology that will enable U.S. passport holders to prove their citizenship without presenting their physical passport; and
- Making it easier to enroll on-the-spot with only a photo identification (ID).

TSA will continue to evaluate technologies and processes that make it easier for the traveling public to enroll in TSA PreCheck.

Question. How is TSA working to ensure that new enrollment centers established with this expansion are not duplicative—geographically or otherwise—with enrollment services provided under UES? What criteria does TSA use to establish new centers?

Answer. TSA evaluates proposed enrollment locations based on the following factors: geographic location (proximity to other enrollment providers), operational availability (providing additional hours of operation not previously available), enroll-

ment capacity and demand in a particular area, customer service, and customer experience. Site specific factors may impact the ultimate decision to approve or deny a location.

TSA continues to expand TSA PreCheck enrollment offerings and increase the number of individuals receiving TSA PreCheck benefits at the airport. It is easier for members of the traveling public to enroll in TSA PreCheck with more enrollment locations, which helps improve overall checkpoint security and efficiency. A key part of this premise involves assessing proposed enrollment center locations to ensure they provide opportunities to reach new customers. TSA evaluates proposed enrollment locations based on the following factors:

- Geographic location (proximity to other enrollment providers)
- Hours of operation (providing additional hours of operation not previously available)
- Enrollment capacity and demand in a particular area
- Customer service
- Customer experience

Site specific factors may ultimately affect the decision to approve or deny a location. For example, a proposed enrollment center location may not be far from a competing vendor but may offer evening or weekend hours that are not available at the competitor's location. These additional hours make the location more accessible to individuals who work during the day and are unable to visit the enrollment center during traditional 9:00 a.m. to 5:00 p.m. workday hours. Therefore, these new locations make it easier for individuals to enroll and ultimately improve security and the customer experience at the checkpoint.

TSA requires vendors to submit site surveys for each location before approval. The survey provides key information and photographs to ensure the location meets all contract requirements as well as the standards for customer experience.

Question. Customs & Border Protection flies a fleet of about 100 light enforcement helicopters under the "Light Enforcement Platform" program of record, a quarter of which are between 20 to 35-years-old today. CBP has a goal of updating its fleet with modern technology and enhanced safety equipment by purchasing new replacement helicopters. However, over the past few years, including for FY25, CBP's budget has only requested funding for zero to two helicopters per year.

With unprecedented border crossings and aging equipment, how can CBP officers safely operate if the agency plans to replace only two 30- year old helicopters per year?

Answer. CBP's most immediate priority for the Light Enforcement Platform (LEP) Program is to replace the 17 oldest AS-350B2 light enforcement Rotary Wing aircraft that are currently in the fleet with a newer, more effective, and more standardized configuration of the Airbus H125 helicopter. CBP has a validated requirement to replace 58 of these aircraft.

CBP has a robust maintenance program, supported by dedicated and experienced maintenance contractors. This ensures that all aircraft are safe and operationally effective regardless of age.

Question. Additionally, at the current rate of two per year, both the oldest and newest will be outdated by the time the fleet is replaced. Does CBP intent to replace helicopters at a faster pace in the coming years.

Answer. CBP has a documented and validated need to replace 58 of the older configuration light enforcement rotary wing (RW) aircraft. Air and Marine Operations intends on ordering new aircraft as quickly as funding allows. The first ordered Light Enforcement Platform (LEP) RW must undergo testing to ensure the finalized design meets CBP's requirements. Future ordered LEP RW aircraft are expected to be delivered more quickly than the first ordered aircraft as they do not require the non-recurring design and testing that was necessary for the initial/prototype LEP RW configuration.

Question. Mississippi had six airports across the state that participated in TSA's Law Enforcement Officer Reimbursement Program. To their detriment, the program was eliminated entirely in Fiscal Year 2024. The elimination of this program will put many airports in a financial bind and force airports to divert resources from other security measures or, worse, completely do away with other services. Mr. Secretary, I have been hearing from the airports in my state that are worried about the lack of funding for this program.

Why was it recommended that the program be eliminated?

Answer. The elimination of the Law Enforcement Officer Reimbursement Program (LEORP) should not cause any security concerns at the airports that previously participated in the program. TSA's LEORP agreements partially reimbursed partici-

pants for providing more rapid response times in those airports above and beyond those already required by TSA. All airports are still required to comply with the requirements of applicable Security Directives, regulations, Airport Security Programs (ASP), and other authorities regarding law enforcement services.

All ASPs are developed in consultation with the local airport authority, and once completed, are subject to TSA inspection for airport operator compliance. As a result of that process, state and local law enforcement partners are better equipped than they have ever been before to meet emergent threats.

Question. Are there ways the department can work towards restoring funding for this program or finding new ways to address the safety concerns at these airports.

Answer. TSA will reimburse airports under this program for expenses incurred from January 1, 2024 until May 1, 2024. In addition, TSA continues to work with our airport partners to ensure safety of the traveling public through our airports.

Airport operators and their state and local law enforcement partners play a critical role in maintaining security at airports across the country. Over the years, TSA has worked with, and will continue to work with, state and local law enforcement to develop capacity and relationships, and ensure that local law enforcement personnel are available and committed to respond to a security incident within a set period of time.

Question. With record levels of illegal immigration in FY 24 the budget requested 25,000 beds, which was inadequate. In the emergency supplemental DHS supported 50,000 beds. Still, with record levels of illegal immigration including criminals, terrorists, DHS only requested 34,000 beds.

How is that sufficient and why did you move away from the 50,000 bed request?

Answer. On March 11, 2024, the President's Budget for Fiscal Year (FY) 2025 included funds to support 34,000 U.S. Immigration and Customs Enforcement beds with additional funding available through the \$4.7 billion Southwest Border Contingency Fund.

The FY 2025 President's Budget was built in the absence of a FY 2024 appropriation. Now that Congress has enacted the FY 2024 appropriation—thereby increasing the funding for ICE to sustain a detention capacity of 41,500 detentions beds—we look forward to working with Congress to ensure the FY 2025 Budget is sufficient to sustain these increases.

Question. In March 2023, the U.S. Coast Guard published an unmanned systems strategy, which stated, "The Coast Guard will seek to align our requirements, procurements, acquisitions, and funding to ensure UxS can be delivered at the speed of need and integrated with our workforce and existing assets. Embracing and integrating UxS will allow us to more effectively safeguard the American people and promote maritime safety and security in a complex and evolving environment."

Unfortunately, larger platform, medium altitude, long endurance capabilities were not included in the FY25 USCG Budget Request even as the as the Coast Guard faces near-term operational challenges. These challenges include; serious and severe manpower gaps; existing air fleet maintenance and readiness concerns including the grounding of C-27J aircraft; and identified shipbuilding construction delays and schedule slippage.

Unmanned aircraft (UAS) can help address several of the Coast Guard's operational challenges in the Arctic as well as the Caribbean—covering a much greater area of operation and longer duration than manned assets. How is DHS helping Coast Guard prioritize UAS adoption and acquisition to meet mission performance objectives?

Answer. The United States Coast Guard partners with U.S. Customs and Border Protection through the Joint Program Office for Unmanned Aircraft Systems to meet mission and performance objectives. This valuable partnership for employing maritime unmanned aircraft systems for DHS missions. The Department has supported and approved joint concepts of operation and requirements for these assets.

Question. U.S. Customs and Border Protection and the U.S. Coast Guard completed a CYQ1 joint three-month demonstration in the Caribbean utilizing a longer wing, long endurance UAS capability to conduct surveillance and support drug interdiction efforts. Please provide the committee with metrics on mission performance and mission effectiveness during this period for the region including what was the drug seizure total as compared to the same period without the asset last year?

Answer. From January 14, 2024, to April 19, 2024, a CBP Air and Marine Operations (AMO) MQ-9 Big Wing unmanned aircraft system (UAS) was deployed to the Caribbean Air and Marine Branch in Aguadilla, Puerto Rico, in support of Operation Sentinel Watch (OSW). During this three-month period the MQ-9 completed 1,163 flight hours with an 89.9 percent launch rate. This was a programmatic success for AMO as this is the greatest number of hours achieved out of all MQ-9 de-

ploysments outside of the continental United States. The strategic deployment of the MQ-9 to the Caribbean region resulted in:

- 625 apprehensions—a 254 percent increase from the same three-month period the year prior;
- 4 search and rescues—a 400 percent increase;
- 26,302 pounds of cocaine seized—a 260 percent increase; and
- \$60,927 seized—a 3,856 percent increase.

The success of the MQ-9 during OSW is the result of collaborative efforts from the United States and international law enforcement partners through interdiction events in international waters, that crossed international borders, and transitioned from maritime to land environments. Additionally, the MQ-9 discovery and confirmation of key transnational criminal organization logistical routes and hubs will improve the effectiveness of future counter-transnational organized crime operations in the Caribbean.

By comparison, in Calendar Year 2023, Quarter 1, the Coast Guard, without a long-endurance asset forward deployed to Puerto Rico, removed approximately 2,205 pounds of cocaine in the Eastern Caribbean.

Question. New technologies are emerging to enable drug trafficking vessels on the high seas, purposefully seeking to evade detection. Are CBP and USCG resourced sufficiently to procure and employ these technologies to interdict drug trafficking in the Caribbean and along our coastal borders?

Answer. The Coast Guard (USCG) continues to try to keep pace with the increasingly evolving threats and recognizes the advantages in capabilities, operational efficiencies, and effectiveness enabled by new technologies.

CBP continues to procure and employ new technologies to interdict drug trafficking vessels, especially small dark targets evading detection, on the high seas.

MARITIME DOMAIN AWARENESS

Question. Air and Marine Operations (AMO) has deployed two proof-of-concept “Big Wing” MQ-9s with mission endurance of over 30 hours, similar to the production MQ-9B to increase mission effectiveness on the high seas through the joint USCG/CBP UAS Program Office. Current UAS funding only supports 24x5 operations at AMO’s National Air Security Operations Center (NASOC) locations for both “Big Wing” and standard MQ-9s, which limits the flight hours and operational effectiveness of these aircraft. AMO also employs legacy P-3 Orion aircraft, which are highly capable and operationally effective.

AMO is pursuing its next generation of long-range maritime patrol aircraft through the Extended Border Foreign Operations Surveillance (EBFOS) programs, with an analysis of alternatives (AOA) scheduled for completion in Q4 fiscal year (FY) 2024. This AOA is considering a range of solutions including additional MQ-9s and manned aircraft. As a gap filler, AMO is modernizing its fleet of medium range DHC-8 maritime patrol aircraft through the “Kraken” program.

In specific high threat areas, AMO is deploying more persistent coverage through the Tactical Maritime Surveillance System (TMSS) aerostats. These have already proved effective in South Padre Island, Texas, and Puerto Rico. Additional capability is planned for California and Florida.

INTERDICTION

The All-Weather Interceptor (AWI) is an enclosed-cabin Coastal Interceptor Vessel (CIV) used for interdiction on the high seas in particularly difficult operating areas. The AWI standardizes the AMO fleet by replacing older and less capable 33 foot enclosed-cabin vessels. To date, 17 AWIs have been funded and the first prototype has been delivered. Full Operational Capability (FOC) is 21 vessels.

The UH-60 Blackhawk Medium Lift Helicopter (MLH) is a critical response platform in the maritime domain. CBP has a program of record to replace 1970s vintage UH-60As with modernized UH-60Ls that included a request for one conversion each in the FY 2024 and FY 2025 President’s Budget. No funding was provided in the FY 2024 enactment, which will delay the program reaching Full Operational Capability by 1 year and delivering modernized more capable aircraft to AMO operators. The program plans to resume production of one aircraft per year with funding requested in the FY 2025 Budget.

COMMUNICATIONS AND SENSORS

AMO requested funding in the FY 2024 and FY 2025 President's Budgets to replace obsolescent sensors on the in-service aircraft fleet to sustain and modernize its ability to interdict small, dark targets. The FY 2024 President's Budget requested funding for 2 Seavue Multi-Role radars for equipping maritime patrol aircraft, but no funding was enacted; this will delay the replacement of this critical equipment and drive increased sustainment costs of maintaining the existing systems. This is a critical investment to replace obsolete sensors that are less operationally effective and harder to maintain with new networked capabilities.

INFORMATION SHARING

The offshore environment is dangerous especially because communications can be challenging. AMO is working with the DHS Science & Technology Directorate (S&T) and innovation partners to explore new technologies, including but not limited to: Procure Proliferated Low Earth Orbit (PLEO) Satellite Communications (SATCOM), mesh network radios, Tactical Awareness Kit (TAK), and other technologies to increase communication reliability and extend range offshore. Minotaur links sensors, cameras, radar, and communication equipment into a single system, enhancing CBP's ability to identify and track suspicious or illicit activity at sea and providing a common maritime operating picture.

PERSONNEL

AMO requires trained and ready law enforcement personnel to conduct its missions and operate its aircraft, vessels, and supporting equipment. AMO has made significant progress in reaching its hiring targets and is currently at 1,840 of its 1,910 targeted end strength (including positions funded through the Puerto Rico Trust Fund).

What is the total operational and procurement cost-savings that the USCG anticipates from the grounding of the C-27J for fiscal year 2024 and 2025?

Answer. In Fiscal Year 2024 there are no anticipated operational cost savings. While the aircraft were grounded for two periods within the fiscal year, flight operations were continuous before, and immediately after the grounding period. The Coast Guard's C-27Js are flying and we are leaning forward with an increased operational tempo to ensure readiness and responsiveness in the mission space.

In FY 2025, there are no anticipated operational cost savings. The C-27J fleet is currently not grounded and operational and training missions should resume a normal profile for the entirety of fiscal year 2025.

Regarding FY 2024 and FY 2025 procurement costs, it is assumed that this is referring to Procurement, Construction and Improvement (PC&I) savings. There are no anticipated procurement cost savings in FY 2024 or FY 2025.

SUBCOMMITTEE RECESS

Senator MURPHY. [Whereupon, at 4:19 p.m., Wednesday, April 10, the hearing was adjourned, and the subcommittee was recessed, to reconvene at a time subject to the call of the Chair.]

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