

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on Oversight of U.S. Customs and Border Protection
December 11, 2018**

Commissioner McAleenan, welcome. Thank you for taking time out of your busy schedule to be here for this oversight hearing. We have a lot to discuss today.

At the outset, I'd like to respectfully remind my colleagues that this hearing is about the Customs and Border Protection agency. This is not a general Homeland Security oversight hearing and CBP is not the legislative body of the federal government—that's Congress.

However, CBP is one of our premier federal law enforcement agencies. Its officers and agents are responsible for counter-terrorism, counter-narcotics, border security, facilitating legitimate travel and trade, and processing both asylum seekers and unaccompanied alien children. All too often, the important work done by Customs and Border Protection officers gets lost in the current debate on immigration policy.

Commissioner, when we met last week, I was pleased to hear how committed you are to securing our border, and ensuring the safety of our Customs and Border Protection agents, migrants and other travelers, and the American people.

Today's hearing is an opportunity for this Committee to better understand the policies and actions of your agency. It's also an opportunity for you to explain to the American people the important role your agency plays in the day-to-day operations affecting our national security.

Perhaps the timeliest issue before your agency is the ongoing conflict at the U.S.-Mexico border. We're long overdue for aggressive increases in resources, technology, infrastructure and personnel.

For close to a decade now, we've seen record numbers of surges at the border. In FY18, over 396,000 individuals were apprehended at our southwestern border. And two months into FY19, there have already been over 102,000 apprehended.

This year alone we've seen three separate instances of mass caravans make their way up to the United States from the Northern Triangle. The most recent caravans—totaling around 10,000 people—have caught our attention for their propensity towards violence and aggression.

Reports of hundreds of adult males throwing Molotov cocktails, rocks and glass bottles at unarmed Mexican officials sends a message that the group marching towards America may not only be interested in peacefully seeking refuge and security.

Every day traffickers smuggle men, women and children across our border, often subjecting them to physical and sexual assault on the journey. Smugglers extort large sums of money from

migrants and force them to pay debts even after they arrive in the United States. Even now, in my home state of Iowa, I've received allegations that unaccompanied alien children are subjected to labor trafficking and forced to work on farms.

Smugglers have developed a lucrative business preying on vulnerable migrants. They use legal loopholes—like the restrictions on detaining families—to entice parents to entrust them with their young children, who are subjected to a harsh and long journey to the border. The smugglers in turn pair the children with strangers, so they can be released as a family unit when apprehended at the U.S. border.

In August, I sent a letter to Secretary Nielsen about a 13-year old Guatemalan girl, entrusted to a smuggler by her mother. Understanding that they would be released into the U.S. if they presented themselves at the border as a family unit, the smuggler paired the girl with an unrelated male who lied to CBP agents and said he was her father. Only after both were admitted to a hospital in California, did authorities learn the smuggler had repeatedly raped and abused the girl. I've raised similar concerns dating back to 2015.

It's not just smugglers. Cartels and transnational criminal organizations or TCOs also exploit vulnerabilities at the border. Since fiscal year 12, CBP's Office of Field Operations and the U.S. Border Patrol intercepted roughly 14.7 million pounds of cocaine, heroin, marijuana, meth and fentanyl. This includes a 384 percent increase in fentanyl seizures over the past 2 years. And in the past four fiscal years, Border Patrol arrested over 3,800 gang members—nearly half of which were MS-13.

The culmination of perceived vulnerabilities at our border and in our immigration laws can be seen in the most recent caravans of over 10,000 people that traveled from Honduras and Guatemala up to the U.S.

Let's be clear. Those who organized this effort have taken advantage of the economic insecurity of these people, the majority of whom are seeking a better life. We sympathize with these people, and we welcome those who wish to enter our country legally.

However, this is a nation of laws, and for the safety of all, there must be order. The American people are a generous people, but they have also made clear they don't want open borders.

Our job in Congress is not just to complain, but to propose sound policy solutions. That's why Senator Lee and I have urged the Administration to execute a safe third country agreement with Mexico that would allow asylum seekers to make their claims in the first country of arrival.

Such an agreement would address concerns I've raised about the potential for Special Interest Aliens or SIAs to mask themselves within mass caravans. I'd add that this concern is one we share with President Obama's own Homeland Security Secretary, Jeh Johnson.

