



TESTIMONY OF

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BEFORE

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ON

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Chair Durbin, Ranking Member Grassley, and distinguished Members of this Committee,

Thank you for inviting me to join you today. DHS confronts grave challenges, both seen and unseen, on behalf of the American people. International and domestic terrorism endangers our communities and our shared values. Cybersecurity incidents are increasingly targeting our Nation's critical infrastructure, organizations of all sizes, and individuals alike. Extreme weather events and other climate change-related impacts are threatening our lives and livelihoods. We are also facing serious challenges on our southwest border that are complicated by the need to rebuild an immigration system that was systematically dismantled during the prior administration.

During my testimony today, I will highlight our Department's broad and diverse mission, which we are able to execute because of the more than 250,000 extraordinary public servants who comprise DHS and dedicate themselves to protecting our homeland every day.

Terrorism

This year, we observed the 20th anniversary of the September 11th attacks. The threat landscape has evolved since 9/11 and DHS remains vigilant against all terrorism-related threats to the homeland. In the years immediately following 9/11, the primary threat evolved from foreign terrorists to homegrown violent extremists (HVEs) – the individuals in America who are radicalized by a foreign terrorist organization's ideology. The threat has evolved further and now includes domestic violent extremists (DVEs) – U.S.-based lone actors and small groups who seek to further political or social goals wholly or in part through unlawful acts of force or violence, without direction or inspiration from a foreign terrorist group or foreign power. These actors are motivated by various factors, including biases against minorities, perceived government overreach, conspiracy theories promoting violence, and false narratives often spread online.

Today, U.S. based lone actors and small groups who are inspired by a broad range of ideologies, including HVEs and DVEs, pose the most significant and persistent threat to the homeland. Among DVEs, racially or ethnically motivated violent extremists, including white supremacists, will likely remain the most lethal DVE movement in the homeland. Since 2020, we have also seen a significant increase in anti-government and anti-authority violent extremism, particularly from militia violent extremists.

In January 2021, President Biden directed a review of U.S. government efforts to address domestic terrorism. As a result of that review, in June the White House released the first-ever *National Strategy for Countering Domestic Terrorism* to improve federal response efforts, while protecting privacy, civil rights, and civil liberties. In executing this strategy, DHS will:

- (1) focus on preventing terrorism and targeted violence, including through threat assessments, grants, and community-based prevention programs, as well as efforts to enhance public awareness;
- (2) assess, evaluate, and mitigate the risk of violence inspired by violent extremist narratives, including those narratives shared via online platforms; and,

- (3) establish partnerships with nongovernmental organizations (NGOs), including academia, and private sector entities, including technology and social media companies.

The strategy recognizes that online narratives espousing attacks on our fellow citizens, institutions, and critical infrastructure are a key factor in driving the radicalization and mobilization to violence by some recent lone offenders. DHS has shared analyses of this threat with our law enforcement partners at every level of government through formal information sharing channels, and with the American public through the National Terrorism Advisory System (NTAS). This year, I have issued three NTAS bulletins to contextualize the evolving threat landscape for the American people and provide information about how to stay safe.

Our Department is redoubling its efforts to provide timely and actionable intelligence and information to the broadest audience at the lowest classification level possible. As a result, DHS is augmenting its intelligence and information-sharing capabilities in collaboration with other government agencies; state, local, tribal, territorial, and campus law enforcement partners; and private sector partners. This includes publishing and disseminating intelligence bulletins that provide our partners with greater insight into evolving threats, and situational awareness notifications that inform public safety and security planning efforts to prevent terrorism and targeted violence.

We are also reviewing how we can better access and use publicly available information to inform our analysis. DHS's Office of Intelligence and Analysis (I&A) has enhanced its ability to analyze, produce, and disseminate products that address DVE threats, including violent extremist narratives shared via social media and other online platforms. This year, I&A also established a dedicated domestic terrorism branch that is leading our efforts to combat this threat.

Further, the newly formed DHS Center for Prevention Programs and Partnerships (CP3) is expanding our Department's ability to prevent terrorism and targeted violence through the development of local prevention frameworks. Through CP3, we are leveraging community-based partnerships and evidence-based tools to address early risk factors and ensure individuals receive help before they radicalize to violence.

As it relates to our continued focus on combatting international terrorism, we are actively assessing the counterterrorism-related and other threats that could develop over the coming months and years, including those related to the fall of the Government of Afghanistan, and ensuring we have the resources and operational infrastructure required to protect the Homeland.

Further, this year, and for the first time, I designated combating domestic violent extremism as a "National Priority Area" for the Fiscal Year 2021 State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) grant programs. Recipients of these grants will be required to spend at least 7.5 percent of their awards on combating DVE, meaning that states and local governments across our Nation will spend at least \$77 million in grant funding on capabilities to detect and protect against these threats.

Cybersecurity

Cyber threats from nation-states and state-sponsored and criminal actors remain one of the

most prominent threats facing our Nation. We have recently seen numerous cybersecurity incidents impacting organizations of all sizes and disrupting critical services, from the SolarWinds supply chain compromise to the exploitation of vulnerabilities found in Microsoft Exchange Servers and Pulse Connect Secure devices, to ransomware affecting entities from Colonial Pipeline to JBS Foods to Kaseya. The assaults on these companies, not to mention interference in our elections, have reinforced the importance of cybersecurity and how we preserve and defend an open, interoperable, free, secure, and reliable Internet, and stable cyberspace.

Ransomware incidents continue to rise. In 2020, nearly 2,400 state, local, tribal, and territorial governments, healthcare facilities, and schools across our country were victims of ransomware. That same year, victims paid an estimated \$350 million in ransoms, a 311 percent increase over the prior year, with the average payment exceeding \$300,000. We believe there is significant under-reporting of ransomware incidents and the true impact is greater.

To increase our Nation's cybersecurity resilience, DHS has taken the following steps, among others:

- In February, I issued a call to action to tackle ransomware more effectively, including by increasing national adoption of cybersecurity best practices recommended by our Cybersecurity and Infrastructure Security Agency (CISA). In July, alongside DOJ and other federal partners, DHS launched StopRansomware.gov – the first whole-of-government website that pools federal resources to combat ransomware and helps private and public organizations of all sizes mitigate their related risk and increase their resilience.
- In the wake of the Colonial Pipeline incident, TSA issued two security directives to strengthen the cybersecurity and resilience of our Nation's critical pipelines. The security directives require pipeline companies to report cybersecurity incidents to CISA, designate a cybersecurity coordinator to be available 24/7, and implement specific mitigation measures to protect against ransomware attacks. I recently announced that TSA is taking steps to enhance the cybersecurity of our nation's surface and aviation transportation systems and the maritime domain.
- In August, through CISA, our Nation's cybersecurity quarterback, we announced the creation of the Joint Cyber Defense Collaborative to develop and execute joint cyber defense planning with partners at all levels of government and the private sector – to prevent and reduce the impacts of cyber intrusions and ensure a unified response when they occur. This initiative underscores the whole-of-society approach needed to increase cybersecurity resilience.

We have also taken several steps to support our key partners:

- The Secret Service has continued expanding its cybercrime enforcement programs through the National Computer Forensics Institute (NCFI), the nation's premier federally funded training institute for state, local, tribal, and territorial law enforcement officers, prosecutors, and judges in cybercrime investigations. We look forward to working with this Committee to reauthorize NCFI over the coming months and to identify additional legislative options to strengthen the ability of law enforcement to counter transnational cybercrime.

- DHS increased the required minimum spend on cybersecurity via FEMA grant awards from 5 percent to 7.5 percent this year, representing an increase of \$25 million. We are also optimizing existing grant programs to improve the cybersecurity capacity and capabilities of SLTT governments.
- DHS also continues working closely with SLTT partners to help protect their election systems from interference. Through CISA and I&A, DHS works with our federal partners, all 50 states, local jurisdictions, and election technology partners to provide resources to keep our elections secure and resilient.

None of this is possible without a cybersecurity workforce that is big enough, skilled enough, prepared enough, and diverse enough to remain agile and combat evolving threats. DHS is therefore taking action to recruit, develop, and retain top-tier cybersecurity talent. In July, we initiated the largest cybersecurity hiring initiative in DHS history with the onboarding of nearly 300 cybersecurity professionals and the extension of an additional 500 tentative job offers. This initiative exceeded its goal by almost 50 percent. We also launched the Cybersecurity Honors Program to recruit recent graduates with degrees in cybersecurity-related fields. In November, we will launch the Cybersecurity Talent Management System (CTMS) to hire and retain the very best cyber talent. As part of CTMS, we will establish the DHS Cybersecurity Service, to increase access to public service careers in cybersecurity, modernize our Department's ability to recruit mission-critical cybersecurity talent, and better compete with the private sector.

Operation Allies Welcome

This summer, the United States and our allies conducted one of the biggest airlifts in history, safely evacuating more than 124,000 U.S. citizens and lawful permanent residents (LPRs), vulnerable Afghans, and third-country nationals from Afghanistan.

At President Biden's direction, DHS stood up a Unified Coordination Group (UCG) to most effectively bring to bear the resources, expertise, and authorities of every part of the federal government to support the safe resettlement of vulnerable Afghans in our country, many of whom worked on behalf of the United States. Through the UCG, we are able to provide a broad range of services, including those related to COVID-19 testing, vaccinations, initial immigration processing, and resettlement. The work of the UCG is undertaken in close collaboration with state and local governments, nongovernmental organizations, interagency partners, and the private sector.

Screening and Vetting

The U.S. government is working around the clock to screen and vet evacuees, consistent with the dual goals of protecting our national security and supporting the safe resettlement of vulnerable Afghans in the United States. As with any population entering the United States, DHS works to ensure that those seeking entry do not pose a national security or public safety risk. Through the efforts of counterterrorism, intelligence, and law enforcement professionals at DHS, the Department of Defense, Federal Bureau of Investigation, National Counterterrorism Center, and other Intelligence Community partners, the federal government employs a multi-layered and

rigorous screening and vetting process that begins overseas before individuals are cleared to travel to the United States and continues upon their arrival in our country.

To support these screening and vetting operations abroad, DHS deployed approximately 400 personnel to transit points in Bahrain, Germany, Kuwait, Italy, Qatar, Spain, and the United Arab Emirates where Afghan evacuees are brought prior to any onward travel to the United States, for processing, screening, and vetting. At these transit points, biometric and biographic information is collected from every evacuated individual. U.S. citizens and lawful permanent residents (LPRs) are allowed to enter the United States and travel onward. Afghan nationals with approved visas, including holders of Special Immigrant Visas (SIVs), are admitted upon successful inspection. Afghan nationals without a visa are, on a case-by-case basis, paroled into the country for urgent humanitarian reasons and subject to certain conditions of parole, including vaccination requirements. In partnership with the Departments of Defense and State, most parolees have been welcomed at domestic military facilities for additional processing.

Afghan Evacuee Resettlement

Through OAW, we have welcomed over 80,000 evacuees to the United States to date. These evacuees have included more than 6,000 U.S. citizens and over 3,500 LPRs. Approximately 70,000 Afghan evacuees have been paroled into the United States. Close to 50 percent of evacuees are eligible for SIVs, having taken significant risks to support our military and civilian personnel in Afghanistan, working for or on behalf of the U.S. government or our coalition forces, or being a family member of someone who did. Others worked as journalists, human rights activists, or humanitarian workers and had careers that put them at risk of retribution from the Taliban. And many are family members of American citizens and LPRs.

Through a whole-of-government approach, we are ensuring that Afghans arriving in the United States have been thoroughly screened and vetted, undergo medical screenings, receive appropriate vaccinations, and can build a new life for themselves and their families. We have developed capacity at eight domestic military bases to provide continued processing, shelter, and essential support to our Afghan guests until resettlement organizations can integrate them into their new communities. Over 47,000 of the evacuees who have arrived in the United States are temporarily residing in one of these facilities, where they are provided a wide range of services such as the ability to apply for employment authorization. As a condition of their parole, Afghans nationals are required to receive vaccinations for various illnesses, to include measles, mumps, and rubella (MMR); polio; varicella (chickenpox); and COVID-19, among others. A failure to comply with these medical requirements, or any other applicable conditions of parole, could result in the termination of parole status and removal from the United States.

We are moving individuals through these facilities as quickly and safely as possible. To date, we have resettled more than 16,000 Afghans into communities across our country. DHS is proud to be leading the coordination of OAW and we are grateful to Congress for the funding provided to support these efforts in the recently passed Continuing Resolution. This Operation represents the very best of America.

Southwest Border and Immigration

The Southwest Border Challenge and Migration Management

The Biden-Harris Administration is committed to building a safe, orderly, and humane immigration system, consistent with our immigration laws and our Nation's values. DHS continues enforcing our immigration laws and securing our border, while restoring fairness and efficiency to our immigration system.

We are facing three linked and significant challenges along our southwest border. First, high numbers of migrants, including unaccompanied children, arriving irregularly and encountered at and between ports of entry. Second, transnational criminal organizations (TCOs) seeking to profit from a range of illicit activities. Third, the ongoing impacts of COVID-19 on the processing of migrants and on DHS personnel responding to these challenges.

To address these challenges, DHS has leveraged the Federal Emergency Management Agency's (FEMA) coordination capabilities, activated our volunteer force of employees from across DHS, and expanded processing capacity. We are also helping the Department of Health and Human Services (HHS) increase its capacity to accept transfers and manage the care and custody of unaccompanied children efficiently and expeditiously, as required by the *Flores* Settlement Agreement, Homeland Security Act of 2002, and Trafficking Victims Protection Reauthorization Act of 2008. Further, DHS continues to assist in the enforcement of the Centers for Disease Control and Prevention's (CDC) Title 42 public health order and is also working with HHS to provide COVID-19 testing to noncitizens encountered along the southwest border to the extent practicable, in accordance with CDC guidance.

President Biden laid out a multi-pronged approach to addressing the factors that cause individuals to flee their homes in the first place and attempt the dangerous journey to our southwest border. The President further directed that we open lawful pathways for protection and opportunity from the region to the United States, in addition to ensuring fair, orderly, humane processing of migrants at our border and fixing our broken asylum system. As part of these efforts, DHS has taken several steps:

- (1) We increased the number of H-2B visas available for fiscal year 2021 to meet seasonal employers' urgent need to fill temporary positions for which they were unable to recruit qualified workers in their community, and allocated a portion to nationals of El Salvador, Guatemala, Honduras, and Haiti. Creating the opportunity for individuals to work legally and on a temporary basis in the United States provides direct benefits to individual workers, their families, and their local communities.
- (2) In coordination with the Department of State, we restarted the Central American Minors (CAM) refugee and parole program to reunite eligible children from El Salvador, Guatemala, and Honduras with their parents or legal guardians who are lawfully present in the United States or have a pending asylum application or U visa petition, with a cutoff date of May 15, 2021. This important program supports family unity and reduces incentives for irregular migration.

- (3) We reversed a 2019 announcement of plans to terminate the Haitian Family Reunification Parole (HFRP) program and are now working with the Department of State toward a resumption of robust processing to expedite family reunification for Haitians through safe, legal, and orderly channels of migration to the United States. Participation in the HFRP program requires individuals to receive a letter informing them of their eligibility to apply, and we are currently assessing when new letters might be issued.
- (4) We worked to improve the expedited removal process at the border to fairly and efficiently adjudicate claims of fear or persecution, determine which individuals have legitimate claims for asylum or other forms of humanitarian protection, and promptly remove those who are either not seeking protection or do not qualify.
- (5) In coordination with the Department of Justice (DOJ), we have begun a rulemaking process that would allow asylum officers to adjudicate certain asylum requests and other forms of humanitarian protection rather than referring individuals for removal proceedings before an Immigration Judge, speeding up the process and preventing further backlog in the immigration courts. We are working expeditiously to review public comments and finalize this rule.
- (6) On May 28, 2021, in collaboration with DOJ, we established a Dedicated Docket in the immigration court system to more expeditiously and fairly make decisions in immigration cases of certain families who arrive between ports of entry at the southwest border. This new process will significantly decrease the amount of time it takes for migrants to have their cases adjudicated, while still providing fair hearings for families apprehended at the border.

We also recently announced the Department's updated civil immigration enforcement and removal priorities, which empower the Immigration and Customs Enforcement (ICE) workforce to exercise discretion by focusing immigration enforcement efforts on those who pose a threat to national security, public safety, and border security. These priorities direct personnel to exercise prosecutorial discretion to achieve our safety and security as well as justice in support of our ideals as a Nation. We are actively working on training for the workforce; the enforcement guidance takes effect on November 29, 2021.

DHS places the highest priority on protecting the civil rights and civil liberties of the individuals with which it interacts and investigating any allegations of misconduct. We recently announced a new, comprehensive policy to guide ICE and U.S. Customs and Border Protection (CBP) enforcement actions in or near protected areas, replacing previous sensitive locations guidance. The first-ever policy for both ICE and CBP provides an expanded and non-exhaustive list of protected areas, including new designations such as places where children gather, disaster or emergency relief sites, and social services establishments. This builds on other Department-wide policies addressing immigration enforcement: one that limits enforcement in or near courthouses to preserve individuals' access to the courts, promote safety for crime victims, and help guarantee equal protection under the law; a second that articulates a worksite enforcement strategy to prioritize enforcement actions against unscrupulous employers who exploit unauthorized workers, conduct illegal activities, or impose unsafe working conditions.

U.S. Citizenship and Immigration Services (USCIS) issued a final rule removing the 2019 public charge rule from the Code of Federal Regulations to implement a federal court order vacating the rule, and is helping individuals access healthcare for which they are eligible, including COVID-19 testing and vaccines, without fear of adverse immigration consequences. USCIS is also actively pursuing new public charge rulemaking in line with the law and our values as a nation of immigrants.

The Family Reunification Task Force continues to lead an all-of-government effort to reunite families cruelly separated under the previous administration. Finally, the Biden-Harris Administration continues to take action to protect Dreamers and recognize their contributions to our country. In September 2021, we announced a notice of proposed rulemaking that would preserve and fortify the Deferred Action for Childhood Arrivals (DACA) policy. However, only Congress can provide permanent protection to Dreamers and the larger undocumented population. There is unanimity of agreement that we are operating under a broken immigration system and we need to fix it. I urge Congress to act swiftly to provide Dreamers and others the pathway to lawful immigration status they need and deserve.

Combatting Human Trafficking and Human Smuggling

Criminal organizations profit from the two distinct, but related, crimes of human trafficking and human smuggling by targeting and exploiting the most vulnerable among us. DHS is one of the leading federal agencies spearheading the fight against these horrible crimes. Using a victim-centered approach, DHS initiates approximately 1,000 human trafficking investigations and helps achieve hundreds of federal and state-level convictions each year against traffickers who exploit their victims for forced labor or commercial sex through force, fraud, or coercion. DHS also provides immigration relief to foreign-national victims of human trafficking and other designated crimes.

Human smugglers, many with ties to transnational criminal organizations, also profit by exploiting people who are seeking a better life. In particular, human smuggling seeks to profit from individuals facing desperate circumstances, often exposing the most vulnerable to extreme danger and abuse. DHS employs a counter-network approach to confront TCOs and other threat networks, leveraging unique authorities, data holdings, and partnerships to disrupt and dismantle these networks. Through a new initiative called Joint Task Force (JTF) Alpha, DHS and DOJ are working together to leverage joint investigative, prosecutorial, and capacity-building efforts to investigate and prosecute the most prolific and dangerous human smuggling and human trafficking groups operating in Mexico and the Northern Triangle. JTF Alpha also works closely with Operation Sentinel, which is led by CBP, to counter TCOs affiliated with migrant smuggling by targeting their members, associates, and assets, and employing a series of targeted sanctions against them.

Combating the Flow of Narcotics into the United States

DHS employs a multi-layered approach to countering narcotics trafficking. ICE Homeland Security Investigations (HSI) special agents develop relationships with law enforcement partners abroad to exchange information, coordinate investigations, and facilitate enforcement actions to deter the ability of TCOs to smuggle drugs, people, and contraband into and out of the United

States. CBP's National Targeting Center uses advanced analytics and targeting capabilities to identify critical logistics, financial, and communication nodes and exploit areas of weakness in illicit opioid trafficking networks.

Further, ICE continues to leverage its Border Enforcement Security Task Force to bring together officers from more than 100 different law enforcement agencies to combat TCOs. This Task Force employs a broad range of federal, state, local, tribal, and international law enforcement authorities and resources to identify, investigate, disrupt, and dismantle these organizations at every level. Through this model, we have closed the gap between international partners in multinational criminal investigations.

Law Enforcement Coordination

Law enforcement personnel honorably protect and serve our communities across the country at great personal risk. DHS is committed to ensuring our law enforcement personnel and our law enforcement partners have the training and tools to execute their mission, including by protecting civil rights, civil liberties, and privacy.

In September, I announced the formation of the Law Enforcement Coordination Council (LECC), the first unified law enforcement coordination body at DHS, which will assess a broad range of law enforcement matters, including DHS law enforcement policies and training, in close coordination with our Office for Civil Rights and Civil Liberties, Privacy Office, and Office of Inspector General. This initiative builds on the Department's longstanding commitment to continuously evaluate and improve our law enforcement-related practices and policies to ensure they are consistent with the law, align with best practices, and protect inalienable rights. The LECC will better enable the Department to combat current and future threats to our country, while ensuring the safety of both our law enforcement personnel and the diverse communities we serve.

Climate Change

DHS continues combatting the climate crisis and mitigating climate change-related risks, which pose a grave threat to the safety, security, and prosperity of our communities. Whether it is extreme heat and fires in the West, extreme storms in the Southeast, or ice melting in the Arctic, DHS Components are first responders to the climate crisis.

Pursuant to Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad," the Department created a Climate Action Plan that identifies five priority actions:

- (1) Incorporating climate adaptation into national preparedness and community grants and projects, including through the continuation of the Building Resilient Infrastructure and Communities (BRIC) program – the funding for which President Biden doubled to \$1 billion. DHS's initial BRIC selections include wildfire resilience programs, flood control programs, and small-town coastal hazard mitigation plans;
- (2) Incorporating climate adaptation planning and processes into homeland security mission areas, including by reviewing current budget planning policies to assess whether climate change considerations are appropriately incorporated;

- (3) Creating climate-resilient facilities and infrastructure, including by aiming to have 50 percent of the DHS vehicle fleet be electric by 2030;
- (4) Ensuring climate-ready services and supplies, including by using CISA's national risk assessment program to assess climate impacts and adaptation strategies to secure supplies of food, medicine, energy, and other vital resources; and
- (5) Increasing climate literacy, including by developing and implementing a DHS-wide climate education plan to raise awareness among our employees about the climate crisis and how to combat it through adaptation and resilience strategies.

We are also working with states and local communities to help them prepare for and adapt to a changing climate. FEMA's grant programs are enabling us to shift from reactive disaster spending and to research-driven investments that increase resilience at the community level.

The Department also recently released its first-ever *Strategic Framework on Climate Change*, which outlines a vision for protecting our Nation from the existential threats posed by the climate crisis. We look forward to working with this Committee and other key partners on this important initiative.

Conclusion

The challenges I outline today represent a current snapshot of the most urgent issues currently facing the Department, yet they are not the only ones. While DHS was created in response to a singular threat, among the Department's most impressive achievements in the 20 years since 9/11 is its ability to address multiple complex challenges at once. Through it all, our workforce has demonstrated exceptional skill and an unwavering commitment to keeping our country safe.

I am grateful to this Committee for your continued support of DHS, both from a resource perspective and the provision of key authorities that allow the Department to adapt to an ever-changing threat landscape. I look forward to our continued work together and to answering your questions. Thank you.