



U.S. Immigration and Customs Enforcement

STATEMENT

OF

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REGARDING A HEARING ON

*“U.S. Immigration and Customs Enforcement
Resource Management and Operational Priorities”*

BEFORE THE

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HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON HOMELAND SECURITY

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Introduction

Chairwoman Roybal-Allard, Ranking Member Fleischmann, and distinguished members of the Subcommittee on Homeland Security:

Thank you for your continued support for the dedicated and hard-working women and men of U.S. Immigration and Customs Enforcement, better known as ICE. Every day, the over 20,000 dedicated, proud, professionals at ICE work to promote homeland security and public safety through the broad enforcement of over 400 federal laws governing border control, customs, trade, and immigration. I am proud to serve beside them, and thankful for the opportunity to appear before you today to represent them and their families.

As you are aware, the Fiscal Year (FY) 2022 President's Budget has not yet been submitted to Congress. As such, I am unable to address any specific budgetary details included in the ICE FY 2022 budget request until after the President's Budget is released. That said, I look forward to discussing the state of our component - our operational challenges, impacts of working in the COVID-19 environment on our workforce, and our efforts to remain nimble and forward-leaning amidst shifting dynamics. I also look forward to highlighting our continued efforts to ensure we make the most efficient and effective use of the resources Congress provides to ICE to carry out our vital homeland security mission.

ICE appreciates the funding provided in FY 2021 to carry out its missions and sustain infrastructure. We are grateful for the additional positions to support our Homeland Security Investigations' investigative programs, Enforcement and Removal Operations' alternatives to detention, the Office of Professional Responsibility's detention oversight functions, and Management and Administration's mission support capabilities and capacity. I am also aware of, and will continue to prioritize, ICE's ability to ensure timely and accurate responses to your requests for information and reporting requirements across a range of key areas, including: Southwest Border enforcement data; budget execution; human capital and staffing; and execution of resources provided for case management and the non-detained docket. ICE is committed to providing Congress with sufficient detail for it to exercise its oversight function.

Enforcement and Removal Operations (ERO)

Interim Enforcement and Removal Priorities

ICE is committed to enforcing immigration laws humanely, effectively, with professionalism, and in accordance with government and Department of Homeland Security (DHS)-wide enforcement and removal priorities. On January 20, 2021, President Joseph R. Biden, Jr. issued Executive Order (EO) 13993, *Revision of Civil Immigration Enforcement Policies and Priorities*, 86 Fed. Reg. 7051 (Jan. 25, 2021), which articulated the Administration's baseline values and priorities for the enforcement of the civil immigration laws. On the same day, then-Acting Secretary of Homeland Security David Pekoske issued a memorandum entitled, *Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities*, which established interim civil immigration priorities for the Department.

Subsequently, on February 18, 2021, I issued a memorandum to ICE personnel entitled, *Interim Guidance: Civil Immigration Enforcement and Removal Priorities*, which established guidance in support of the interim civil immigration enforcement and removal priorities set forth in former Acting Secretary Pekoske's memorandum. This interim guidance will remain in place until Secretary Mayorkas issues new enforcement guidelines.

The interim guidance provides that ICE, including both Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI), will focus its limited resources on cases presumed to be priorities, including Priority Category 1: National Security; Priority Category 2: Border Security; and Priority Category 3: Public Safety.¹ The interim guidance is being applied to all civil immigration enforcement and removal actions, including deciding when and under what circumstances ICE officers and agents should issue a detainer, arrest a noncitizen for an administrative violation of the civil immigration laws, detain or release a noncitizen, issue a Notice to Appear, grant deferred action or parole, or execute a final order of removal. It is important to note, however, that the interim priorities do not require or prohibit the arrest, detention, or removal of any noncitizen. Instead, officers and agents are expected to exercise their discretion thoughtfully, consistent with ICE's important national security, border security, and public safety mission. These interim enforcement and removal priorities have allowed ICE to focus its limited resources on making priority arrests and removals while fulfilling its important national security, border security, and public safety mission.

Enforcing Immigration Laws

ICE's immigration enforcement efforts are led by the approximately 6,000 law enforcement officers of ERO, with the mission to protect the homeland through the arrest and removal of those who undermine the safety of U.S. communities and the integrity of U.S. immigration laws. ERO's deportation officers fulfill ERO's important public safety and national security mission by identifying, arresting, or detaining removable noncitizens, and as required, removing noncitizens with final orders of removal.

The Southwest Border

Securing our nation's borders and safeguarding the integrity of our immigration system is a primary focus of ICE officers and agents throughout the country, as well as the Department from top to the bottom. Immigration enforcement is the largest single area of responsibility for both ERO and the Department and is a critical component of the overall safety, security, and well-being of our nation. The number of families and unaccompanied children entering the country between ports of entry on the Southwest Border continues to rise and challenge the capabilities of DHS to process these noncitizens. In Fiscal Year (FY) 2021, as of March 31, 2021, U.S. Customs and Border Protection (CBP) has had over 569,000 encounters with noncitizens at the Southwest Border. Of those, more than 48,000 have been unaccompanied children and nearly 94,000 have been individuals who are part of a family units. As has been the case with previous migration surges at the Southwest Border, these numbers place significant strain on U.S. government agencies, including ICE. As a result, ICE is taking steps to address each situation in an effective, efficient, and safe manner in line

¹ https://www.ice.gov/doclib/news/releases/2021/021821_civil-immigration-enforcement_interim-guidance.pdf.

with America's values.

There is a humanitarian crisis at the border. Unaccompanied children² are arriving in unprecedented numbers. We have made enormous strides in ensuring these children are transferred to the safe custody and care of the Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR) within 72 hours after determining that a child is unaccompanied. Upon apprehension by CBP, unaccompanied children are typically transferred to ERO for a short period to safely transport them to HHS ORR custody for the coordination and implementation of care and placement with appropriate family members or sponsors.

There are also large numbers of families attempting to cross the Southwest Border. When families are apprehended by CBP, they are typically transferred to ICE custody. ICE currently operates two family staging centers (FSCs)—formerly family residential centers—in Texas: the Karnes County FSC and the South Texas FSC. ICE anticipates it will continue to require such facilities ensure the safe and efficient processing of the increasing number of family unit arrivals. Families arriving at the FSCs receive a comprehensive health assessment and are offered COVID-19 testing at intake prior to being in-processed and evaluated for potential release into the United States pending immigration court proceedings. Families who test positive are isolated until medically cleared in accordance with Centers for Disease Control and Prevention (CDC) guidelines. In March 2021, ICE converted the FSCs from over-72-hour residential programs to an under-72-hour staging facilities. This conversion minimizes the average length of stay, which is consistent with the *Flores* Settlement Agreement and ICE's limited ability to detain accompanied children as part of families beyond 20 days. The care and custody of the families at the FSCs continues to be governed by the full set of ICE's 2020 Family Residential Standards.

Additionally, to assist in efforts at the Southwest Border, ICE has signed a short-term contract with the non-profit division of Endeavors—a Texas-based non-governmental organization (NGO)—to provide temporary shelter and processing services for family units who have not been expelled under Title 42 and are therefore placed in immigration proceedings under Title 8. This increase of migrants at the border, coupled with current COVID-19 social distancing requirements, requires additional space to supplement ICE's current capacity to process family units in centralized locations prior to release. Hotels along the Southwest Border serve as Emergency Family Staging Sites and will provide temporary residential shelter care and healthcare in compliance with the *Flores* Settlement Agreement and a modified version of the ICE Family Residential Standards (FRS). ICE continues to apply the FRS as its quality of care model with limited changes. These changes include minor modifications to those standards, such as education requirements for children, that apply to stays in excess of 72 hours and are consistent with the family staging centers mentioned above.

² An unaccompanied child is defined by statute as a child who has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide care and physical custody. *See* 6 U.S.C. § 279(g)(2).

Family unity will be maintained while families are in residence at the hotels along the Southwest Border, and residents will have access to legal counsel and may be enrolled in an alternatives to detention program prior to their release, as appropriate. Other services while in residence include telephone access, meals, access to remote religious programming, and age appropriate recreation/leisure activities. ICE ensures that all individuals in its custody are treated with dignity and respect and are provided the best possible care.

Additionally, ICE has assigned more personnel to the Southwest Border to fulfill required functions including, but not limited to, transporting migrants, assisting CBP with Title 42 expulsions, and engaging with NGOs. As of April 12, 2021, ERO has temporarily reassigned 67 additional personnel³ to support Southwest Border operations.

Title 42

The world is currently facing a global pandemic, caused by what is commonly known as COVID-19. Given the ongoing COVID-19 pandemic, the CDC has determined there is a serious danger of the introduction and spread of the COVID-19 virus in congregant CBP stations and facilities, which could present a danger to migrants, CBP's frontline agents and officers, and the general populace. As a result, HHS issued an order pursuant to its authority under 42 U.S.C. §§ 265 and 268, which directs DHS to assist HHS in preventing the introduction into the United States persons who create a danger of introducing communicable diseases into the United States.

Pursuant to Title 42, individuals and families apprehended at and between the ports of entry without authorization continue to be expelled to their country of last transit – Canada or Mexico – where possible. When that is not possible, the U.S. Government makes every attempt to expel these individuals to their country of origin. While both CBP and ICE are tasked with supporting the CDC in the application of Title 42, CBP determines which noncitizens are subject to Title 42 expulsions, including any decision about whether an individual should be excepted from expulsion owing to consideration of humanitarian interests or for other reasons specified in the Order. ERO's role is limited to obtaining a foreign government's authorization to receive Title 42 expulsions, as well as coordinating such expulsions through informal arrangements. From March 20, 2020 through April 11, 2021, ICE has facilitated the expulsion of 38,951 noncitizens pursuant to Title 42 via ICE Air Operations.

The exercise of Title 42 authority by CBP has enabled ICE to play its part in safely securing the border. By reducing the numbers of entrants into the United States who require quarantine, isolation, and follow-on care, the U.S. Government is better able to focus its efforts on the safety and welfare of those in U.S. custody or control. The expulsion of noncitizens at the border determined by CBP to be subject to Title 42 has been critical to ICE's efforts to ensure adequate space for social distancing and reduce the spread of COVID-19 throughout its detention facilities. ICE is concerned, however, that without Title 42 measures in place pursuant to the CDC's public health judgment and authority, a new increase

³ ICE personnel include ERO full-time personnel and does not include any contract personnel.

in migration at the Southwest border could compromise these efforts and undermine public health efforts.

Managing ICE's Detained Population During the COVID-19 Pandemic

ICE has taken and continues to take important steps to safeguard the health and safety of those in its custody and to detect and mitigate the spread of COVID-19, including the implementation of measures to allow for greater social distancing. In March 2020, ICE convened a working group of medical professionals, disease control specialists, detention experts, and field operators to identify enhanced steps to minimize the spread of COVID-19. As a result of that working group, ICE recommended that all detention facilities make efforts to reduce the population to 75 percent of capacity or less. While CDC guidance recommends facilities not exceed 75 percent of population capacity, ERO asked local jails that house ICE detainees to meet the 75 percent target and set a target of 70 percent population capacity for dedicated ICE facilities. In FY 2021, as of May 1, 2021, there were 17,222 detainees in ICE custody.⁴ ICE's detained population has decreased by over 66 percent since the end of FY 2019 and by 41 percent since the same time in FY 2020.

On April 10, 2020, ERO released the COVID-19 Pandemic Response Requirements (PRR), a guidance document developed in consultation with the CDC. Specifically, the PRR sets forth specific mandatory requirements expected to be adopted by all detention facilities housing ICE detainees, as well as best practices for such facilities, to ensure that detainees are appropriately housed and that available mitigation measures are implemented during this unprecedented public health crisis. Throughout the pandemic, ICE has released several updated versions of the PRR, the most recent of which was released on March 16, 2021.

In accordance with the PRR, ICE evaluates all new admissions within five days of entering ICE custody to determine whether the detainees fall within the populations identified by the CDC as potentially being at higher risk for serious illness from COVID-19 and/or the subclasses certified in *Frailhat v. ICE*, 445 F. Supp. 3d 709709 (C.D. Cal. 2020). The ERO Field Office Director (or designee) and the Field Medical Coordinator are notified, as well as the detainee and his or her counsel, as soon as practicable, but in no case more than 12 hours after determining whether the detainee meets the criteria.

ICE has implemented several prevention and mitigation strategies to reduce exposure to COVID-19 in ICE detention facilities. For example, ICE guidance mandates detailed medical screening when a noncitizen is booked into custody and has also instituted screening guidance for new detainees who arrive at facilities to assess symptoms and identify those who meet the CDC criteria for epidemiologic risk of exposure to COVID-19. ICE also immediately isolates detainees with fever and/or respiratory symptoms in appropriate medical housing. Isolation protocols include housing the detainee in a private medical housing room, which may be an airborne infection isolation room equipped with negative pressure, if available, and implementation of transmission-based precautions.

⁴ ICE National Docket data are a snapshot as of May 1, 2021. ICE Detention data exclude ORR transfers/facilities, as well as U.S. Marshals Service Prisoners. FY 2019 End-of-Year Detained Population: 51,181; FY 2020 32,580 (as of April 11, 2020); FY 2021 Year-to-Date – 17,22,393 (as of May 1, 2021).

ICE also utilizes an infection prevention strategy known as cohorting, which involves housing together detainees who are asymptomatic but who have been exposed to a person with an infectious organism. The duration of the cohorting period for COVID-19 is 14 days from the most recent exposure. If an ICE detainee is confirmed through laboratory testing to have COVID-19, symptoms are mild to moderate, and the detainee does not medically require a higher level of care, the detainee will be managed in a medical housing unit by on-site health care professionals. Additionally, any detainee who requires a higher level of care is transferred to a hospital with advance coordination (e.g., calling in advance to discuss the detainee's condition and protocols for safely receiving the individual).

Testing is another prevention and mitigation measure that ICE has taken to address the COVID-19 pandemic. In accordance with the PRR, all new admissions to ICE detention facilities require COVID-19 testing within 12 hours of arrival; testing of all new admissions before they join the rest of the population in the facility, and medically isolating them individually or in cohorts while COVID-19 test results are pending help prevent potential transmission. ICE also notes that all detained individual noncitizens quarantined as close contacts with a COVID-19 positive individual should be re-tested at the end of the quarantine period before release from quarantine. In short, it is a requirement that ICE test 100 percent of those who come into ICE custody for COVID-19.

Vaccines for ICE detainees are being allocated by local and state health departments and were incorporated into the total COVID-19 vaccine amount distributed by the federal government to each state. ICE will follow the recommendations of the CDC's Advisory Committee on Immunization Practices and other relevant federal government guidance regarding vaccine prioritization to ensure detainees receive their vaccinations as quickly as possible. ICE has significant experience in administering vaccines to detainee populations, and ICE Health Service Corps-staffed facilities can administer vaccines to detainees if a supply of the COVID-19 vaccine is provided.

As with all medical procedures, ICE guidance will require consent of the detainees regarding the receipt of the COVID-19 vaccine providing appropriate language services as needed and, following CDC and other clinical guidance. ICE will also administer the vaccine in accordance with any restrictions based on the detainee's medical history. At this time, a limited number of ICE detainees have begun to receive the COVID-19 vaccine based on availability and priorities for vaccinating individual detainees in the state where they are currently detained. As of May 5, 2021, 2,707 detainees have received at least one dose of the COVID-19 vaccine and 1,229 detainees have completed their vaccine series.

Alternatives to Detention and Case Management

The Alternatives to Detention (ATD) program is a flight-mitigation tool that uses technology and case management to increase compliance with release conditions and facilitate compliance with court hearings and final orders of removal. ATD has been in place for several years and uses three types of technology: telephonic reporting where a noncitizen reports via telephone and the telephone calls are compared against a voiceprint obtained during enrollment; GPS monitoring ankle bracelets to track the location of a noncitizen to

ensure compliance with release conditions; and SmartLINK which uses facial recognition and location technology to monitor participant compliance. Contract-based case managers also assist ATD participants in meeting important immigration obligations. This assistance includes referrals to community services and organizations, departure planning, and other important services. ICE notes that ATD does not serve as a substitute for detention, but rather seeks to increase compliance with release conditions, court appearances, and final orders of removal while allowing noncitizens to remain in their communities.

The ATD program was not suspended during the COVID-19 pandemic. The program continued to be fully operational following CDC guidelines regarding social distancing and state and city requirements. While the pandemic may have slowed the expansion of ATD, ICE has begun to take steps on a case-by-case basis to open new sites and locations. To mitigate the limitations imposed by social distancing, ICE and the ATD contractor have increased reporting through phone calls, the SmartLINK application, and, when possible, location verification to ensure residency. In addition, the ATD contractor and subcontractors have transitioned to a virtual model where they are able to provide services through virtual meetings without meeting face-to-face. Moreover, the ATD program has been used to help manage the flow of noncitizens crossing the Southwest Border. ATD utilizes staging sites, located at the Southwest Border, under-72-hour staging facilities, and the newly created Emergency Family Staging Sites to enroll participants into ATD. ICE notes that as of April 24, 2021, there are 95,160 participants enrolled in ATD, up nearly 12 percent from January 15, 2021.

As part of its ATD program, ERO operates the Extended Case Management Services (ECMS) modification to its ATD contract. The ECMS modification is designed for participants who have significant challenges and would benefit from more intensive case management support from more touchpoints than is currently available under traditional ATD case management services. Under ECMS, a minimum of six contacts between the participant and Case Specialist are required each month.

In addition to ECMS, ICE recently incorporated Wraparound Stabilization Services (WSS) to the ATD program portfolio of services. ICE has identified specific needs for the mental health and well-being of many participants that were not offered previously within ATD. To overcome this and to better assist ATD participants with meeting immigration obligations, ICE worked with its contract partner, who identified and subcontracted services to NGOs and community-based organizations, to provide these additional services. Some of the offerings available under WSS include, but are not limited to trafficking screening, trauma-informed therapy, family therapy, individual rehabilitation, and supplemental services evaluations (SSE). By placing ECMS and WSS services into the Intensive Supervision Appearance Program IV contract, ICE incorporated the Family Case Management Program⁵ principles into ECMS.

In FY 2021, to ensure that all participants are appropriately evaluated and that their needs are being met, ICE is expanding the availability of WSS from 54 to 80 cities and is incorporating the SSE into orientation and enrollment. Moving forward, ICE anticipates a

⁵ ICE discontinued the use of the Family Case Management Program in June 2017.

substantial increase in WSS participation and service availability. Further, ICE is working with NGO partners to increase offerings of services that are not currently available and that meet the needs of the ATD participant population.

ICE Engagement with Stakeholders

ICE recently held several listening sessions with various stakeholder groups regarding ICE's civil immigration enforcement and removal operations' interim guidance. I, along with CBP Acting Commissioner Troy Miller and U.S. Citizenship and Immigration Services Acting Director Tracy Renaud, participated in the listening sessions which included leaders from many organizations and state and local governments throughout the country. The listening sessions will serve to build toward the Department-wide enforcement and removal guidance that we expect the Department will issue soon.

Improved Reporting Requirements

ICE is committed to enhancing our technology and reporting capabilities to comply with the new administration's priorities and to create better transparency with stakeholders and the public. Quality data and technology is not only essential for ICE to be effective at decision-making and strategic, business, and operational planning, it enables ICE to communicate the important work the agency carries out to protect the security of the American people and homeland.

Following the interim guidance on ICE's enforcement and removal priorities, ICE was able to quickly develop and deploy supporting technology and systems. ICE is collaboratively working with CBP on the Unified Immigration Portal (UIP) - a technical solution that will connect relevant data from systems of record across the immigration lifecycle to enable a more complete understanding of a noncitizen's immigration journey. ICE is currently exploring how the UIP could support ICE and CBP's predictive analytic needs for data driven management.

ICE has continuously worked to expand its data collection, analysis, and reporting capacity as well as improve its technology, systems, and processes. ICE is modernizing its data management, warehousing, and reporting capabilities to include new technologies and tools. The modernized data platform will enhance our existing reporting and analytics functions by providing more timely data and expanded reporting, analytics, and dashboarding capabilities to new and existing users, including the public.

Homeland Security Investigations

Combating Transnational Crime

ICE Homeland Security Investigations (HSI) is the principal investigative component of DHS, responsible for investigating, disrupting, and dismantling transnational criminal organizations (TCOs) and terrorist networks that threaten or seek to exploit the global infrastructure through which international trade, travel, and finance move. HSI's workforce

consists of more than 10,000 employees, including special agents, criminal analysts, mission support personnel, and contract staff assigned to over 220 cities across the United States and over 80 locations in 53 countries around the world. HSI's international presence represents DHS's largest investigative law enforcement presence abroad and one of the largest international footprints in U.S. law enforcement.

HSI has broad legal authority to conduct federal criminal investigations into the illegal cross-border movement of people, goods, money, technology, and other contraband into, out of, and throughout the United States. HSI utilizes these authorities to investigate a wide array of transnational crime and violations of customs and immigration laws, including money laundering; financial fraud and scams; cybercrime; intellectual property theft and trade fraud; narcotics smuggling; transnational gang activity; child exploitation; human smuggling and trafficking; illegal exports of controlled technology and weapons; identity and benefit fraud; human rights violations and war crimes; terrorism and national security threats.

In collaboration with its strategic partners in the United States and abroad, HSI special agents gather evidence used to identify and build criminal cases against TCOs, terrorist networks and facilitators, and other criminal elements that threaten the homeland. HSI works with prosecutors to indict and arrest violators, execute criminal search warrants, seize criminally derived money and assets, and take other actions designed to disrupt and dismantle criminal organizations operating around the world. These efforts protect U.S. national, border, and economic security, and ensure the safety of the public and our communities.

Most of HSI's approximately 7,100 special agents are assigned to one of HSI's Special Agent in Charge offices or multiple sub-offices located in 225 cities across the nation. HSI's domestic footprint is supplemented by more than 2,800 task force officers representing key strategic federal, state, and local partners in the fight to combat TCOs. HSI's international force is DHS's largest investigative presence abroad, anchored by special agents assigned to U.S. embassies, consulates, and Department of Defense combatant commands around the globe.

HSI's workforce is focused, talented and driven. From our mission support core, to our cadre of criminal analysts and special agents, our employees have shown that commitment to the mission is always front and center. Even when faced with such a devastating pandemic, our workforce has remained steadfast in our resolve, nimble in our approach and laser focused on the result - to protect the homeland.

Results and Impact

Despite the challenging operating conditions resulting from the pandemic, HSI has remained true to its core mission of protecting the homeland from transnational crime and threats. HSI's statistical accomplishments in FY 2020 were significant, with HSI arresting 31,915 criminal violators, including 3,691 for transnational gang offenses, 1,746 for human trafficking violations, and 3,074 for child exploitation offenses; confiscating 6,688 illegal weapons; seizing over 1.4 million pounds of narcotics, including 6,105 pounds of fentanyl, 493,216 pounds cocaine, 8,076 pounds heroin, and 178,283 pounds methamphetamine; identifying and rescuing 1,012 victims of child exploitation and 418 victims of human trafficking; and disrupting and dismantling countless TCOs. Additionally, HSI seized a

staggering \$1.8 billion in criminally derived currency and assets, dealing a significant blow to the operations of TCOs seeking to profit from their crimes. While these numbers are impressive, the real measure of HSI's impact and value lies in the positive effect HSI's investigations and operations have on our country and the lives of the people HSI special agents are sworn to protect and serve.

HSI's Operational Priorities

HSI's core mission is to protect the homeland from transnational crime and threats, and its six operational priorities – Combating Financial Crime, Investigating Cybercrime, Preventing Crimes of Exploitation, Ensuring Public Safety, Upholding Fairness in Global Trade, and Protecting National Security - serve as the foundation of HSI's investigative and operational focus. Utilizing HSI-led Border Enforcement Security Task Force (BEST) teams strategically placed across the country, HSI and its task force officers counter narcotics smuggling by TCOs that illicitly introduce and distribute fentanyl, heroin, other dangerous opioids, synthetic drugs, methamphetamine, and cocaine into and throughout the United States. HSI is at the forefront of the U.S. government's efforts to identify, infiltrate, disrupt and dismantle Mara Salvatrucha (MS-13) and other transnational criminal gangs and deny them access to illicit funds used to fuel violence in Central America and the United States. HSI also maintains the integrity of U.S. borders by combating TCOs that enable and profit from illegal immigration fraud and smuggling schemes. HSI detects, disrupts, and dismantles human smuggling networks that facilitate the illegal movement of people into the United States. Through its labor exploitation investigations, HSI promotes lawful employment in U.S. industry and prevents financial gain from illicit immigration labor practices. HSI also actively combats identity theft and document and benefit fraud activities that threaten border security.

HSI Operational and Programmatic Highlights Against TCOs

HSI continues to conduct significant enforcement actions pursuant to the National Air Trafficking Initiative (NATI), an HSI-led multi-office/agency unified effort to investigate and prosecute international aircraft smuggling in furtherance of narcotics trafficking in the United States and abroad. NATI seeks to identify, prosecute, disrupt, and dismantle transnational criminal networks that facilitate the international transportation of illicit narcotics from South/Central America to the United States.

Since its inception in 2020, the NATI has resulted in the seizure of approximately 33 metric tons of cocaine, 212 kilograms of marijuana, 60 aircraft (valued at over \$26 million), 26 kilograms of gold (valued at \$1.5 million), 15 vehicles (valued at over \$100,000) and over \$15.4 million dollars, with approximately 27 criminal indictments (for multiple violations of federal law regarding money laundering, fraud, and narcotics trafficking) and approximately 70 arrests. NATI metrics articulate its importance to the HSI investigative portfolio, DHS priorities, and the whole of government approach to stem the flow of narcotics into the United States by collaboratively working with foreign law enforcement, military, and judicial entities. The investigation is emblematic of the techniques and methodology HSI utilizes to attack the entire criminal network – its principals, operators, and financial/logistical facilitators – both domestically and globally.

In furtherance of the public safety and border security missions of HSI and the Department, HSI continues to target and investigate Mexican cartels and other criminal organizations engaged in illicit smuggling of dangerous precursor chemicals into the United States. Using sophisticated analytical tools and techniques, HSI and its partners proactively launch and pursue investigations into transnational precursor chemical smuggling networks operating around the world. These efforts have illuminated sources of supply in China and cartel facilitators in Mexico responsible for coordinating the smuggling of precursors across U.S. borders, and recently led to the February 3, 2021, seizure in Manzanillo, Mexico, of over 112,000 kilograms of precursor chemicals, to include 750 kilograms of the fentanyl precursor 4-piperidone hydrochloride monohydrate. This enforcement action stemmed from HSI's strong partnership with the Government of Mexico and was coordinated through HSI Mexico City's Transnational Criminal Investigative Unit, reflecting the critical role HSI plays in keeping dangerous narcotics off our streets.

HSI continues to prioritize the investigation, disruption, and dismantlement of TCOs that illicitly introduce fentanyl, heroin, and other dangerous opioids into the United States and gravely impact the health of our citizens and the safety of our communities. HSI's multi-pronged approach entails working with foreign partners to prevent opioids and other dangerous drugs from reaching our shores; combating the illicit importation and distribution of opioids and opioid precursors through international mail facilities and express consignment centers; exploiting cutting-edge technology to deter TCOs operating in the cyber realm; attacking the illicit use of financial systems and virtual currencies; and leveraging critical partnerships with state, local and federal law enforcement. In FY 2020, HSI seized 18,769 pounds of opioids, a 50 percent increase from FY 2019, which included 6,105 pounds of fentanyl, a 65 percent increase from FY 2019. For FY 2021 year-to-date, HSI has seized 8,967 pounds of opioids, which includes 5,905 of fentanyl – more than double the amount of seized fentanyl when compared to the same period from last fiscal year.

HSI continues to expand its BEST footprint across the United States and remains committed to using this model to ensure a comprehensive interagency response to the continuous border security, public safety and national security threat posed by TCOs. BEST teams eliminate barriers and leverage the authorities and resources of its federal, state, local, tribal, and international law enforcement partners in the fight to identify, investigate, disrupt, and dismantle TCOs at every level of operation. Continued congressional support for HSI is vitally important to the furtherance of its mission and investigative operations to combat the TCOs that threaten U.S. national security and public safety.

Management and Administration

All of ICE's non-law enforcement personnel play a critical role in ICE's ability to meet its national security and public safety mission. These dedicated professionals address a myriad of ICE operational needs, including hiring, finance, information technology, acquisition and procurement, policy and strategic planning, and leadership and career development training. While their work is largely outside the public eye, ICE cannot accomplish its mission without these dedicated professionals. At no time was that more apparent than during the ongoing pandemic.

COVID-19 had an enormous impact on our workforce, their families, and the way ICE does business. In support of the ICE workforce, the Management and Administration (M&A) directorate led efforts on the pandemic response, providing appropriate communications and guidance to the workforce on a myriad of COVID-19 response issues, acquiring and managing personal protective equipment to protect the workforce, rapidly implementing technology tools and enhanced network capability to support robust telework across ICE, tracking the operational status of our ICE facilities and developing and implementing a virtual onboarding and orientation program to ensure timely hiring. While the pandemic has been challenging, ICE will implement permanent changes to how we do business in the future that are positive for the agency and the workforce through the Workplace Transformation Initiative by creating an innovative and flexible work environment transitioning ICE to the right combination of modern, flexible, and technologically advanced work environments.

Despite the challenges presented by the pandemic and significant workload demands in supporting a 24/7 law enforcement agency, M&A continues to operate efficiently, and in many cases improve operations, to meet the critical mission needs of the agency. In FY 2020, ICE reduced the agency's backlog of Freedom of Information Act (FOIA) requests from a high of 66,896 to a current backlog of 3,253—a 95 percent reduction. ICE thanks the Committee for the funding provided in FY 2021 to enhance our FOIA processing resources to ensure we can meet our obligations to respond timely to FOIA requests. M&A is also working to update the Tuition Assistance Program and the Student Loan Repayment Program policies to ensure we are recruiting and retaining top talent consistent with the Committee's welcomed investment this fiscal year in these programs.

In the area of technology, the Office of the Chief Information Officer (OCIO) has completed the transition to scalable cloud environments in support of rapidly changing mission requirements and to take full advantage of Cloud Access Broker Security technologies for advanced cyber monitoring and strict user and application-level controls. To further maximize budgets and reduce redundancy of limited resources, ICE recently began deployment to automate common monitoring tasks to reduce incident response times for cybersecurity events. This allows our cybersecurity professionals to focus on advance threat actor techniques and increase threat hunting to discover vulnerabilities and new attacks in the environment.

Finally, there is no more important resource than the ICE workforce, and M&A continues to work aggressively to hire and equip the ICE workforce – achieving a 96 percent fill rate for ICE's positions in FY 2020 and delivering leadership and career development training each year to approximately 48 percent of our supervisory workforce. ICE's business operations improvement would not be possible without the Committee's continued support for ICE's infrastructure requirements and its non-law enforcement workforce.

Conclusion

In closing, I want to thank you again for inviting me to testify today. I am honored and humbled to represent the more than 20,000 dedicated employees who work for U.S. Immigration and Customs Enforcement. I look forward to your questions.