



TESTIMONY OF

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BEFORE

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ON

“A Review of the Fiscal Year 2023 Budget Request for the
Department of Homeland Security”

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Introduction

Chairman Thompson, Ranking Member Katko, and distinguished Members of the Committee:

I appreciate the opportunity to appear before you today to discuss the Department of Homeland Security's (DHS) Fiscal Year (FY) 2023 President's Budget.

Every day, our Department interacts with the public more than any other federal agency. While DHS was created in response to a singular threat, among the Department's most impressive achievements in the two decades since the terrorist attacks on September 11, 2001 is its ability to evolve to address multiple complex challenges at once. Through it all, our workforce of more than 250,000 dedicated public servants has demonstrated exceptional skill and an unwavering commitment to keep every community across our country safe. The breadth of our mission and the scale of our impact requires organizational agility and appropriate resourcing to meet the dynamic and evolving threat landscape faced by our world-class workforce.

The FY 2023 President's Budget requests \$97.3 billion for DHS. Of this amount, \$56.7 billion is discretionary funding, \$20.9 billion is for mandatory funding and fee collections, and \$19.7 billion is for the Disaster Relief Fund to support response, recovery, and resiliency during major disasters. This Budget will help ensure that the DHS workforce has the tools necessary to safeguard the American people, our homeland, and our values. These resources will protect American communities, enhance border security, invest in a fair and orderly immigration system, protect our nation's networks and infrastructure from evolving cybersecurity threats, safeguard the transportation system, and strengthen disaster preparedness and climate resilience.

Thanks to the resources provided by Congress, the Department's extraordinary personnel have been able to accomplish highly impactful work throughout the Biden-Harris Administration to date. The FY 2023 President's Budget request for DHS will enable us to continue delivering for the American people.

Combating Terrorism and Targeted Violence

Combating all forms of terrorism and targeted violence is a top priority for DHS, and one that we cannot accomplish alone. As I have said several times before, the Department of Homeland Security is fundamentally a department of partnerships. Our ability to execute our critical mission relies on ensuring our partners across every level of government, in the private sector, and local communities have the tools and resources they need to stay safe.

Since the inception of this Department, the threat landscape has evolved dramatically and DHS has remained vigilant against all terrorism-related threats to the homeland. In the years immediately following the September 11th terrorist attacks, the Department focused on foreign terrorists who sought to harm us within our borders and threaten our interests abroad. This threat evolved to include homegrown violent extremists (HVEs) – the individuals in America who are primarily inspired by a foreign terrorist organization's ideology – and has continued to evolve to

include those fueled by a wide range of violent extremist ideologies and grievances, including domestic violent extremists (DVEs). DVEs are U.S.-based lone actors and small networks 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 intrusion, conspiracy theories promoting violence, and false narratives often spread online.

Today, U.S.-based lone actors and small networks who are inspired by a broad range of violent ideologies, including HVEs and DVEs, pose the most significant and persistent terrorism-related threat to the homeland. The Intelligence Community assesses that racially or ethnically motivated violent extremists (RMVEs) who advocate for the superiority of the white race, including white supremacists, and militia violent extremists (MVEs), present the most lethal DVE movement in the homeland. Per a March 2021 DVE assessment by DHS, the Federal Bureau of Investigation (FBI), and National Counterterrorism Center (NCTC), RMVEs are most likely to conduct mass-casualty attacks against civilians, while MVEs typically target law enforcement, elected officials, and government personnel and facilities.

In recognition of the gravity of the threat, I designated domestic violent extremism as a “National Priority Area” in our FEMA grant programs for the first time, while simultaneously increasing training opportunities for law enforcement partners through domestic violent extremism threat assessment and management programs. The FY 2023 Budget increases funding for the critically important Nonprofit Security Grant Program to \$360 million, to protect houses of worship and other nonprofit organizations from terrorism, targeted violence, and other violent extremist attacks. The hostage crisis in Colleyville, Texas earlier this year, alongside other recent tragic incidents, makes clear the need for this critical resource.

Further, DHS has renewed its commitment to share timely and actionable information and intelligence to the broadest audience possible. The FY 2023 Budget includes an increase of \$10 million for our Office of Intelligence and Analysis to enhance information sharing, analytic capabilities, and intelligence production to combat emerging threats and better collaborate with public and private sector partners.

Securing Our Border and Enforcing Our Immigration Laws

DHS works to secure and manage our borders while building a safe, orderly, and humane immigration system.

Violence, food insecurity, poverty, and lack of economic opportunity in several countries in the Western Hemisphere are driving unprecedented levels of migration to our southwest border. The devastating economic impact of the COVID-19 pandemic on the region has only exacerbated these challenges, while human smuggling organizations peddle misinformation to exploit vulnerable migrants for profit.

The Biden-Harris Administration is committed to pursuing every avenue within our authority to secure our borders, enforce our laws, and stay true to our values. Yet, a long-term

solution can only come from long-needed legislation that brings lasting reform to a fundamentally broken system.

On April 1, 2022, the Centers for Disease Control and Prevention (CDC) announced that, as of May 23, 2022, its Title 42 Public Health Order will be terminated. Title 42 is not an immigration authority, but rather a public health authority used by the CDC to protect against the spread of communicable disease. Until May 23, 2022, the CDC's Title 42 Order remains in place, and DHS will continue to process families and single adults pursuant to the Order. However, beginning on May 23, 2022, DHS will return to processing families and single adults using Title 8 authorities.

Under Title 8 of the U.S. Code, those who attempt to enter the United States without authorization, and who are unable to establish a legal basis to remain in the United States (such as a valid asylum claim), will be removed. They are also subject to long-term consequences beyond removal from the United States, including bars to future immigration benefits.

In September 2021, DHS began planning in anticipation of the eventual lifting of the Order. DHS is leading a whole-of-government plan to prepare for and manage projected increased encounters of noncitizens at our southwest border. Several elements of this plan are already being executed as we manage a historic number of encounters. In doing so, our objective continues to be the safe, orderly, and humane processing of noncitizens, consistent with our laws, while protecting national security and public safety.

The six pillars of our plan are as follows: (1) we are surging resources, including personnel, transportation, medical support, and facilities to support border operations; (2) we are enhancing United States Customs and Border Protection (CBP) processing efficiency and moving with deliberate speed to mitigate potential overcrowding at Border Patrol stations and alleviate the burden on the surrounding border communities; (3) we are administering consequences for unlawful entry, including removal, detention, and prosecution; (4) we are bolstering the capacity of non-governmental organizations to receive noncitizens after they have been processed by CBP and are awaiting the results of their immigration proceedings, and we are ensuring appropriate coordination with, and support for, state, local, and community leaders to help mitigate increased impacts to their communities; (5) we are targeting and disrupting the transnational criminal organizations and smugglers who take advantage of and profit from vulnerable migrants, and who seek to traffic weapons and drugs into our country; and (6) we are deterring irregular migration south of our border, in partnership with the Department of State, other federal agencies, and nations throughout the Western Hemisphere to ensure that we are sharing the responsibility throughout the region.

DHS has deployed unprecedented numbers of personnel, levels of technology, and expanded resources to the southwest border. The Department has also made critical security improvements along the northern border, and invested in hiring additional U.S. Border Patrol personnel, fielding new technology, and bolstering infrastructure while also strengthening efforts to increase the security of the nation's maritime borders. We have developed an integrated and scalable plan to activate and mobilize resources, increase processing and holding capacity while improving efficiency, and are implementing COVID mitigation measures. We are continuing to

process migrants in accordance with our laws, including expeditiously removing those who do not have a valid basis to remain in the United States. With partners, we have launched a counter-network targeting operation focused on transnational criminal organizations affiliated with the smuggling of migrants, and in close coordination with the Department of Justice (DOJ), we will refer border-related criminal activity to DOJ for prosecution when warranted, including that of smugglers, repeat offenders, and migrants whose conduct warrants such a law enforcement response.

We must continue to leverage our dedicated workforce and cutting-edge technology to continue to secure our borders. The President's Budget requests \$1 billion for investments in effective and modern port and border security, including the modernization of facilities; investments in risk-based border security technology and assets; and efforts to ensure the safe and humane treatment of migrants. The Budget funds the hiring of 300 new Border Patrol agents and 300 new Border Patrol Processing Coordinators to respond to migration along the southwest border. The additional Processing Coordinators will allow agents to focus on their core law enforcement mission in the field. If enacted, this would be the first increase in the number of Border Patrol Agents since 2011.

In addition to our work to secure our borders, we are building a fair, orderly, and humane immigration system. United States Citizenship and Immigration Service (USCIS) administers the Nation's lawful immigration system. Last year, USCIS received approximately 9.1 million applications, petitions, and requests that spanned more than 50 different types of immigration benefits. USCIS welcomed 855,000 new U.S. citizens and has already naturalized 429,000 individuals this year. USCIS also approved over 172,000 employment-based adjustment of status applications in 2021 and completed approximately 39,000 affirmative asylum cases and 44,000 credible fear determinations.

Earlier this year, DHS and DOJ published an interim final rule to improve and expedite the processing of asylum claims for recently arriving migrants. The FY 2023 Budget includes \$375 million for USCIS to support asylum adjudications, including resources to operationalize this transformative rule, ensuring that those who are eligible for asylum are granted relief quickly, while those who are not can be promptly removed. In addition, the FY 2023 Budget requests approximately \$389 million for USCIS to continue to reduce application and petition backlogs, process refugee admissions, and administer international programs.

On the first day of the Biden-Harris Administration, DHS issued new immigration enforcement priorities for the Department, instructing DHS officers and agents to prioritize the apprehension and removal of noncitizens who pose threats to national security, public safety, and border security. On September 30, 2021, I issued a superseding memorandum entitled *Guidelines for the Enforcement of Civil Immigration Law*. These updated enforcement priorities, which went into effect on November 29, 2021, instruct DHS officers to prioritize the apprehension and removal of noncitizens who are threats to national security, public safety, or border security. To grow and innovate the tools DHS employs to enforce our immigration laws and ensure related compliance, ICE will expand the Alternatives to Detention (ATD) program to enable it to supervise a larger population of noncitizens in immigration enforcement proceedings. The Budget includes an increase of \$87 million to accommodate this continued expansion of the

ATD program.

Combating Human Trafficking, Forced Labor, Child Exploitation, and Protecting Victims

The DHS Center for Countering Human Trafficking (CCHT) oversees the DHS mission to combat human trafficking and the importation of goods produced with forced labor. In 2021, the CCHT reduced the processing time for Continued Presence authorizations from 30 days to 15 days, better serving victims of human trafficking by affording them a legal means to temporarily live and work in the United States. CCHT also worked closely with ICE Homeland Security Investigations (HSI) to initiate more than 1,100 human trafficking investigations, make more than 2,300 criminal arrests related to human trafficking, and assist over 720 victims of human trafficking. Additionally, ICE continued, and in some instances strengthened, its valuable relationships with foreign law enforcement partners to facilitate the arrest of fugitives with active criminal arrest warrants from their home countries.

The DHS Child Exploitation Investigations Unit (CEIU) – part of the HSI Cyber Crimes Center (C3) – leads the nation in the fight against online child sexual abuse. CEIU detects and apprehends producers and distributors of child sexual abuse material and perpetrators of transnational child sexual abuse; identifies and rescues child victims around the world; and trains domestic and international law enforcement partners in cutting-edge investigative practices. In FY 2021, CEIU identified and/or rescued 1,177 child victims in child exploitation investigations. CEIU also arrested 3,776 individuals for crimes involving the sexual exploitation of children and helped to secure more than 1,500 convictions. Additionally, CEIU's Angel Watch Center issued 1,722 notifications regarding international travel by convicted child sex offenders, resulting in more than 600 denials of entry by foreign nations.

The FY 2023 President's Budget requests \$18 million in dedicated funding for the CCHT, which would be the first appropriated funding for this critically important Center. The Budget would also enable the permanent relocation of the DHS Blue Campaign to the CCHT, ensuring organizational alignment of the Department's anti-human trafficking efforts. Additionally, the Budget includes \$59 million to support the DHS Cyber Crimes Center, including its Child Exploitation Investigations Unit, which is leading the fight against the horrific epidemic of online child exploitation. To support these critical operations, the Budget also provides \$25 million to expand the efforts of the Victim Assistance Program, which delivers essential support to victims encountered during HSI investigations. This funding will allow HSI to hire 59 new victim assistance specialists and will enhance HSI's victim-centered approach as it takes on investigations of a wide range of federal crimes, including human trafficking, child sexual exploitation, financial scams targeting the elderly and other vulnerable populations, white collar crimes, and human rights abuses.

In response to the federal requirements under the Uyghur Forced Labor Prevention Act (UFLPA), signed into law by President Biden on December 23, 2021, DHS is leading the development of a whole-of-government enforcement strategy as the chair of the Forced Labor Enforcement Task Force. In the FY 2023 President's Budget, DHS requests \$70 million to secure the necessary personnel, technology, training, and outreach that CBP needs to enforce the UFLPA and prevent the importation of goods made with forced labor from China. This

investment will strengthen CBP trade enforcement activities and expand capacity due to anticipated workload increases at U.S. ports of entry.

Protecting the Traveling Public

The Transportation Security Administration's (TSA) key mission is to keep our traveling public safe. In FY 2021, TSA screened more than 491 million travelers and prevented a record number of firearms from being carried past security checkpoints into secure areas of airports and onto airplanes. On average, almost 98 percent of passengers waited less than 20 minutes at airport security checkpoints, while 96 percent of passengers in a TSA PreCheck lane waited less than five minutes. These wait times evidence TSA's ongoing efforts to improve the customer service and air travel experience for the traveling public, while protecting national security and public safety.

Since the inception of TSA 20 years ago, the screening workforce that keeps the American traveling public safe has been paid at a substantially lower rate than the rest of the Federal Government. TSA's strategic success depends upon how well we attract, hire, train, develop, promote, and retain our workforce. This Budget invests a historic \$992 million for expanded labor relations support capability, equal access to the Merit Systems Protection Board, and pay equity to ensure the TSA workforce is provided employment protections and pay commensurate with other federal employees.

Further, passenger volume projections and workflow analysis for FY 2023 have determined, as passenger volume approaches pre-pandemic levels, an increase in personnel is required to ensure security standards at airport checkpoints are met and the traveling public does not experience excessive wait times. The FY 2023 Budget includes \$243 million to address these projections and hire the personnel TSA needs to meet this critical mission.

Building Resilience to Disasters and Climate Change

DHS continues combating the climate crisis and mitigating climate change-related risks, which pose a grave threat to the safety, security, and prosperity of our communities. It is vital for the Department to lead by example by minimizing its own environmental impact, promoting resilience against the risks posed by climate change, and facilitating adaptation to reduce international and domestic climate change-related threats. From extreme heat and fires in the West to extreme storms in the Southeast, flooding in the Midwest to ice melting in the Arctic, DHS is on the front lines of helping communities develop resilience and respond to these threats.

To this end, DHS is investing in adaptation to support community resilience, increasing response and recovery capabilities, and making the disaster assistance process more accessible and equitable. The FY 2023 Budget provides \$3.4 billion for Hazard Mitigation grants, Building Resilient Infrastructure and Communities grants, and the Flood Hazard Mapping and Risk Analysis program to mitigate the effects of climate change through community partnerships, improved disaster resilience, and preparedness strategies. In addition, the Department's investments in several climate change initiatives will include a total of \$76 million to transition our vehicle fleet to electric vehicles and \$50 million for various projects in resilience, energy,

and sustainability. These investments will ensure DHS missions and support structures can both adapt to the impacts of climate change and mitigate the Department's greenhouse gas emissions impact on climate change.

The FY 2023 Budget request includes \$19.7 billion for FEMA to assist state, local, tribal, and territorial partners and individuals affected by major disasters and provides a total of \$3.5 billion in federal assistance to support local preparedness stakeholders through grants, training exercises, and other support activities.

Protecting our Maritime Security

Since its founding, the United States Coast Guard (USCG) has protected national and economic security in a complex and evolving maritime environment. In FY 2021, the USCG saved nearly 4,750 lives and prevented more than \$61 million in property loss. While executing their counter-drug law enforcement mission, they removed over 381,000 pounds of cocaine and over 71,000 pounds of marijuana worth an estimated \$7.2 billion in wholesale value.

The FY 2023 Budget provides \$817 million for the Coast Guard's two highest acquisition priorities, the Offshore Patrol Cutter (OPC) and the Polar Security Cutter (PSC). The OPC will replace the Coast Guard's fleet of Medium Endurance Cutters that conduct missions on the high seas and coastal approaches. The PSC supports national interests in the Polar Regions and provides assured surface presence in those ice-impacted waters. The Budget also requests \$125 million to acquire a commercially available polar icebreaker to increase near-term presence in the Arctic until the PSC fleet is operational.

The FY 2023 Budget also provides the necessary resources for the Coast Guard to conduct today's highest priority operations in support of national objectives and continue investments in USCG readiness. The budget invests \$124 million to support the operations, maintenance, and crewing of new assets to include five Fast Response Cutters, National Security Cutters #10 and #11, OPCs #2 and #3, a commercially available icebreaker, and three C-27J aircraft. Administration priorities include increasing operations in the Indo-Pacific and Atlantic Basin, and the Budget invests \$88 million to promote Coast Guard missions in these regions, along with strengthening cyber resilience and investing in the workforce.

Strengthening Our Nation's Cybersecurity

Cyber threats from nation states and state-sponsored and criminal actors remain one of the most prominent threats facing our nation. This threat has been heightened by the ongoing Russia-Ukraine crisis. On March 21, 2022, President Biden warned that evolving intelligence indicates the Russian Government is exploring options for potential cyber attacks against the United States. Within the past year and a half, we have seen numerous cybersecurity incidents impacting organizations of all sizes and disrupting critical services, from the SolarWinds supply chain compromise to the exploitation of Log4j vulnerabilities found in Microsoft Exchange Servers and Pulse Connect Secure devices. Further, ransomware incidents – like those impacting Colonial Pipeline, JBS Foods, and Kaseya – continue to rise, as high-impact ransomware incidents against critical infrastructure organizations have increased globally, impacting

organizations of all sizes. The rate at which cyber incidents occur is rapidly increasing, and it is the Department's responsibility to help protect our nation's civilian networks and critical infrastructure from these attacks.

DHS, through the Cybersecurity and Infrastructure Security Agency (CISA), continues to work closely with partners across every level of government, in the private sector, and with local communities to protect our country's networks and infrastructure from malicious cyber activity. CISA has since taken several steps to increase our nation's cybersecurity and resilience, including by creating the Joint Cyber Defense Collaborative (JCDC) to develop and execute joint cyber defense planning with partners at all levels of government and the private sector; launching the Shields Up campaign in February 2022, recognizing the heightened risk of malicious cyber activity related to the Russia-Ukraine conflict, to amplify online free cybersecurity resources and guidance for how organizations of every size and across every sector can increase their cybersecurity preparedness; and working with federal, state, local, and election technology partners to protect election systems from interference.

The President's FY 2023 Budget request includes \$174 million for CISA to continue the work established through the American Rescue Plan Act of 2021, to expand cybersecurity service offerings that protect federal networks and critical infrastructure against evolving cyber threats. These funds will allow CISA and its partners to adapt to new systematic risks and maintain the progress gained in taking actions to bolster critical operational and strategic cyber risk mitigation capabilities. In addition, the Budget also provides \$425 million for the CISA Continuous Diagnostics and Mitigation program to strengthen the security of Federal Government civilian networks and systems. These efforts will close the crucial gaps that exist in large agency enterprises and provide CISA with visibility into unauthorized, potentially malicious activity targeting federal networks. The Budget further includes \$68 million for the JCDC, an increase of \$15 million, to ensure CISA can continue expanding critical cyber operational planning and partner engagement activities.

Additional Authorizations

In addition, there are two reauthorizations that the Department requires to continue its work in critical mission spaces.

First, the authority to establish and operate Joint Task Forces (JTFs) sunsets at the end of this fiscal year. JTFs provide a direct operational coordination layer to enhance the multi-faceted challenges facing DHS. JTFs remove stove-piped approaches to meeting challenges. They do this by developing and implementing an integrated approach that maximizes resources and capabilities within the Department for long-term missions and challenges. Today, JTF-East is responsible for ensuring Departmental unity of effort in the southern maritime approach to the United States and demonstrates the tangible, positive impacts that JTFs can have on enhancing DHS operations.

Beyond setting cross-Department wide goals and planning in a unified manner, JTFs further the Department's maturation by empowering Department officials to focus the Department's resources to achieve DHS goals. This realizes the promise in the Homeland

Security Act and subsequent creation of DHS to bring together organizations with homeland security roles in a coherent whole to achieve comprehensive security.

Lastly, the Department appreciates Congress providing authority for DHS to conduct counter unmanned aircraft systems (C-UAS) operations. Detection efforts and C-UAS deployments during the past two years have confirmed the threat from unmanned aircraft systems (UAS) is real and significant. Components are combating a multitude of threats from malicious and errant UAS operators, including thousands of illegal cross border flights every year, surveillance of our agents and operations, conveyance of contraband across the border, and the potential for drones to cause disruptions at airports and other critical infrastructure with great economic and impact. DHS has deployed C-UAS equipment over 250 times to protect senior government leaders, Special Event Assessment Rating events, National Special Security Events, the southern border, and other sensitive federally protected facilities.

We look forward to engaging with you, your staff, and other key stakeholders in the near future regarding the recently submitted C-UAS legislative proposal.

Conclusion

It is among the greatest privileges of my career to represent and work alongside the dedicated public servants who are DHS and who work tirelessly, selflessly, and often at great personal sacrifice to execute our critical mission. The FY 2023 President's Budget requests the necessary funding and authorities for the Department to carry out its wide-ranging mission and remain vigilant to defend against and combat a dynamic threat landscape, while protecting privacy, civil rights, and civil liberties.

Thank you for the opportunity to appear before you and discuss the Department's FY 2023 Budget request. I look forward to taking your questions.