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EXAMINING THE DEPARTMENT OF DEFENSE'S DEPLOYMENT TO THE U.S.-MEXICO BORDER

HEARING

BEFORE THE

SUBCOMMITTEE ON BORDER SECURITY, FACILITATION, AND OPERATIONS

OF THE

COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES

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EXAMINING THE DEPARTMENT OF DEFENSE'S DEPLOYMENT TO THE U.S.-MEXICO BORDER

Thursday, June 20, 2019

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON BORDER SECURITY,
FACILITATION, AND OPERATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:01 a.m. in room 310, Cannon House Building, Hon. Kathleen M. Rice [Chairwoman of the subcommittee] presiding.

Present: Representatives Rice, Correa, Torres Small, Green of Texas, Clarke, Thompson, Higgins, Lesko, Joyce, Guest, Peters, and Jackson Lee.

Miss RICE. The Subcommittee on Border Security Facilitation and Operations will come to order. The subcommittee is meeting today to receive testimony on examining the Department of Defense's deployment to the U.S.-Mexico border.

Good morning. I would like to start by welcoming our witnesses who are here today to provide information on the support that the Department of Defense is lending to the Department of Homeland Security at the U.S.-Mexico border. The DoD's presence on the border is not new. Their support of DHS operations has indeed evolved over the past year. Right now it would appear that this administration is testing the limits of that relationship.

Since the first large group of migrants began traveling north from Central America in April of last year, fleeing violence, poverty, and persecution within their home countries, the President and DHS have relied heavily upon the DoD to support their border security operations. It is important to note here that the April 2018 caravan, the President's principal reason for first deploying the National Guard, shrunk down from an estimated 1,500 migrants to approximately 300. Nevertheless, the President issued a memorandum at that time directing the Secretary of Defense to deploy as many as 4,000 National Guard troops to the Southern Border. Today, approximately 2,300 National Guard troops remained deployed in Texas and Arizona to support more than 16,000 Border Patrol agents who are also currently assigned to border region.

In early October 2018, there were more reports of another caravan originating in Central America. Despite advanced warning and ample time to plan and scale their response, CBP seemingly did not prepare for the surge in arrivals nor did the Department ask Congress to increase its capacity so that it could more effectively process migrant families. In fact, no such request was made of Con-

gress until earlier this year. Instead, the President preferred a show of force and requested the deployment of 5,200 active-duty military personnel to the Southern Border a week before the 2018 midterm elections. Most of these personnel were tasked with hardening ports of entry, providing aerial surveillance between ports of entry, as well as providing medical care, transportation, and other services to support Border Patrol.

By December 2018, there wasn't much more for these troops to do, and their days were largely devoid of any meaningful duties. Recently, Congress was notified of similar deployment of DoD personnel to paint 1 mile of border barrier in California. Personally it is difficult to believe that the administration is doing everything in its power to resolve the humanitarian crisis at our Southern Border when Congress receives notifications such as this one.

In February, the President declared a National emergency after a 35-day Government shutdown which was caused over a fundamental disagreement over the necessity of a border wall. After Congress denied this funding request, the President sought to divert billions of dollars in previously-appropriated defense funds to build this wall. Now it seems the administration is planning a multi-year deployment of active-duty soldiers to the Southern Border.

Taken together, these actions point to a steep escalation in the DoD's role at our Southern Border, and these policy decisions will have consequences and long-term effects. Broad questions remain about whether the actions this administration has taken are an appropriate use of DoD and DHS resources.

Continued reliance by DHS on the DoD for handling the Southern Border will likely have ramifications on both departments' ability to carry out their respective missions. Both departments are accountable to the American people through Congress—both departments are accountable to the American people through Congress, and I ask that both DHS and DoD leadership commit to transparency by sharing any and all requested information with this committee and the other oversight committees moving forward.

[The statement of Miss Rice follows:]

STATEMENT OF CHAIRWOMAN KATHLEEN M. RICE

JUNE 20, 2019

Though DoD's presence on the border is not new, their support of DHS operations has indeed evolved over the past year. And right now, it would appear that this administration is testing the limits of that relationship. Since the first large group of migrants began traveling north from Central Americain April of last year—fleeing violence, poverty, and persecution within their home countries—the President and DHS have relied heavily upon the DoD to support their border security operations.

It is important to note here that the April 2018 "caravan"—the President's principle reason for first deploying the National Guard—shrunk down from an estimated 1,500 migrants to approximately 300. Nevertheless, the President issued a memorandum at that time directing the Secretary of Defense to deploy as many as 4,000 National Guard troops to the Southern Border. And today, approximately 2,300 National Guard troops remain deployed in Texas, Arizona, New Mexico, and California to support more than 16,000 Border Patrol agents who are also currently assigned to border region.

In early October 2018, there were more reports of another caravan originating in Central America. Despite advanced warning and ample time to plan and scale their response, CBP seemingly did not prepare for the surge in arrivals, nor did the Department or ask Congress to increase its capacity so that it could more effectively process migrant families.

In fact, no such request was made of Congress until earlier this year. Instead, the President preferred a "show of force" and requested the deployment of 5,200 active-duty military personnel to the Southern Border a week before the 2018 midterm elections. Most of these personnel were tasked with hardening ports of entry; providing aerial surveillance between ports of entry; as well as providing medical care, transportation, and other services to support Border Patrol. By December 2018, there wasn't much more for these troops to do, and their days were largely devoid of any meaningful duties. And recently, Congress was notified of similar deployment of for DoD personnel paint 1 mile of border barrier in California.

Personally, it's difficult to believe that the administration is doing everything in its power to resolve the humanitarian crisis at our Southern Border when Congress receives notifications such as this one. In February, the President declared a National emergency after a 35-day Government shutdown, which was caused over a fundamental disagreement over the necessity of a border wall. After Congress denied this funding request, the President sought to divert billions of dollars in previously-appropriated defense funds to build this wall. And now, it seems the administration is planning a multi-year deployment of active-duty soldiers to the Southern Border. Taken together, these actions point to a steep escalation in the DoD's role at our Southern Border. And these policy decisions will have consequences and long-term effects. Broad questions remain about whether the actions this administration has taken are an appropriate use of DoD and DHS resources.

Continued reliance by DHS on the DoD for handling the Southern Border will likely have ramifications on both departments' ability to carry out their respective missions. Both Departments are accountable to the American people though Congress, and I ask that both DHS and DoD leadership commit to transparency by sharing any and all requested information with this committee and the other oversight committees moving forward.

Miss RICE. I thank our witnesses for joining us for this discussion today. I now recognize the Ranking Member of the subcommittee, the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Madam Chair. I thank you, gentlemen and madam, for your service to our country.

The situation at the Southwest Border is beyond a crisis. Even the liberal *New York Times* editorial board, the *Wall Street Journal* editorial board, the Senate minority leader, Chuck Schumer are calling on House Democrats to act. Unfortunately, our Majority had denied the House multiple opportunities to fund the needed supplemental humanitarian assistance that has been called for; 17 times, 17 times House Democrats have rejected immediate humanitarian border aid.

Increasing numbers of migrants are bringing children on the dangerous journey to our border more than ever before with the most significant inflection point being the weakening immigration laws caused by the *Flores* settlement extension to families.

There are more than 17,000 migrants in Customs and Border Protection custody along our Southwest Border in facilities designed to hold 4,000. My colleagues are quick to point out that people have died. But the Majority has repeatedly rejected our effort to provide immediate humanitarian support.

Customs and Border Protection have been forced to release more than 77,000 people who have entered our country illegally on a notice to appear, a summons. This fuels the cartel propaganda that if you step foot on U.S. soil, you can stay. We are seeing an increase in apprehensions in migrants originating outside the Western Hemisphere including Africa underscoring that this crisis has a global security scope.

More than 40 percent of law enforcement officers tasked with securing our border are tied up doing administrative and processing tasks. They have been pulled away from their primary security

mission. Further, 6 Border Patrol interior checkpoints which catch a significant percent of hard narcotics brought into our country have been closed to redirect agents to process migrants. Hundreds of Department of Homeland Security employees are now at the border to assist with processing which diminishes the readiness of other components to carry out their mission. Worsening this crisis, my colleagues across the aisle have zeroed out funding for additional Border Patrol agents refusing to provide backup for the men and women on the front lines. This hearing is well-timed.

Today we have the opportunity to hear more about the National security aspect of this crisis at the border. There have been documented media reports that terrorist groups are calling on followers to blend in with migrants to gain entry into the United States. We know from DHS intel sources that cartels are openly chartering buses to drop hundreds of people at a time in remote areas of the border, and cartels run large drug loads through while agents are occupied by the migrant group.

Criminal organizations are charging up to $7,000 per person to smuggle the human beings across the border. It is incredible. More than 144,000 migrants were encountered by Customs and Border Protection in the May time frame at the border. That is more than a billion dollars last month alone potentially flowing to criminal cartels.

I am encouraged by the DoD presence at the border to bolster Customs and Border Protection efforts and help return agents to the line. Such a deployment is not a new concept. CBP and the National Guard have a long-standing working relationship on the counter drug task forces as well as past operational deployments to the border under President Obama's administration and President George W. Bush.

National Guard personnel are assisting with logistical and administrative support operating sensor and imaging detection systems, providing mobile communications, augmenting border-related intelligence efforts, and many other functions.

Separately, in response to nearly 8,000-person caravan approaching the border November 2018, President Trump sent troops from the Army Corps of Engineers, military police, command and control teams in aviation, engineering, and medical, and pilots to fly helicopters to drop Border Patrol agents in areas where border breaches had occurred.

The Army Corps is efficiently constructing enhanced physical barriers in some places along the border where it is needed. We need more. DoD personnel also manage CBP sensors and surveillance equipment to alert the field agents of illicit activity.

I would like to thank the witnesses before us here today and ask that they speak to the situation on the ground and the current threat environment, the resource constraints you are operating under, and the long-term strategy for the mission. Your service is to be noted. You are deeply appreciated.

Madam Chair, I yield back.

[The statement of Ranking Member Higgins follows:]

STATEMENT OF RANKING MEMBER CLAY HIGGINS

JUNE 20, 2019

The situation at the Southwest Border is beyond a crisis.

Even the liberal *New York Times* Editorial Board, the *Wall Street Journal* Editorial Board, and Senate Minority Leader Chuck Schumer are calling on House Democrats to act.

Unfortunately, our Majority has denied the House multiple opportunities to fund the needed supplemental humanitarian assistance. Seventeen times. Seventeen times House Democrats have rejected immediate humanitarian border aid.

Increasing numbers of migrants are bringing children on the dangerous journey to our border, more than ever before, with the most significant inflection point being the weakening of our immigration laws by the *Flores* settlement extension to families.

There are more than 17,000 migrants in Customs and Border Protection custody along our Southwest Border in facilities designed to hold 4,000.

My colleagues are quick to point out that people have died. But the Majority has repeatedly rejected our effort to provide immediate humanitarian support.

CBP has been forced to release more than 77,000 people who entered our country illegally on a Notice to Appear, fueling cartel propaganda that if you step foot on U.S. soil, you can stay.

We are seeing an increase in apprehensions of migrants originating outside the Western Hemisphere, including Africa, underscoring that this crisis has a global security scope.

More than 40 percent of law enforcement officers tasked with securing the border are tied up doing administrative and processing tasks. They have been pulled away from their primary security mission.

Further, 6 Border Patrol interior checkpoints, which catch a significant percent of hard narcotics, have been closed to redirect agents to process migrants.

Hundreds of Department of Homeland Security employees are now at the border to assist with processing, which diminishes the readiness of other components to carry out their missions.

Worsening this crisis, Democrats in Congress have zeroed out funding for additional Border Patrol agents, refusing to provide back-up for the men and women on the front lines.

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Criminal organizations are charging $7,000 per person they smuggle to the border. More than 144,000 migrants were encountered by CBP at the border in May—that's more than $1 billion last month alone potentially flowing to cartels.

I am encouraged by the DoD presence at the border to bolster CBP efforts and help return agents to the line.

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I want to thank the witnesses before us for being here to speak to the situation on the ground and the current threat environment, the resource constraints you are operating under, and the long-term strategy for the mission. Your service is to be noted. You are deeply appreciated.

Miss RICE. Thank you, Mr. Higgins.

I now recognize the Chairman of the full committee, Mr. Thompson, for an opening statement.

Mr. THOMPSON. Thank you, Chairwoman Rice and Ranking Member Higgins for holding today's hearing.

Using DoD resources for border security purposes is not new. But I support Congressional oversight of the evolving use of these resources by the Trump administration for what appears to be an immigration-based agenda.

I don't think it is any secret that I disagree with many of the Trump administration's policies affecting the border. Some of these policies directly contradict shared goals of addressing the on-going humanitarian crisis on the Southern Border.

For example, last summer the administration moved to drastically limit, or meter, the number of asylum seekers processed through land ports of entry along the Southern Border at the same time DHS Secretary asserted that on-going—that going through ports was the only legal pathway to claim asylum.

Then-Secretary Nielsen and the Department called this effort cueing, or cue management. I call metering a violation of the U.S. asylum law. Our laws do not place a limit on the number of people who can apply for asylum.

A DHS request for assistance to the DoD from December 2018 confirms that DHS was seeking to deter people by stating that the successful deterrent at the ports of entry has resulted in attempted entry between the ports of entry. This is stated as a reason why DHS would need DoD support on our Southern Border. This begs the following question: Why has the Trump administration actively aggravated the challenges on our Southern Border? Are military resources true and necessary to handle these challenges? I specifically would like to hear from our DHS witness on this matter.

In early March of this year yes, then-commissioner McAleenan stated that the Border Patrol is on track to apprehend more than a million people this year. This is not a new feat as Border Patrol has accomplished this 19 times over the last 40 years with less agents, technology, and other tools that what Congress has provided over the past decade. However, the committee acknowledges that the demographics of people presenting at the border, namely families and unaccompanied children, present a unique and difficult set of challenges for the Border Patrol.

We need to reach a mutually-agreeable solution to these immediate challenges in short order to truly begin addressing the crisis. But despite seeing this growing trend over the past 5 years, the only solutions the Trump administration continue to implement are ones that prevent people from reaching the United States instead of solutions to manage the reality at hand. The most wasteful of all, the President's continued obsession with building a big beautiful border wall.

The President has resorted to testing the bounds of his authority by diverting money from the Department of Defense in order to build this wall faster as he phrased it in February of this year. His effort to claim a National emergency and use previously-appropriated defense funds to build the wall have encountered multiple lawsuits. These machinations continue at the same time DoD's

manpower and other resources are being deployed to the U.S.-Mexican border.

I am eager to hear from today's witnesses about the work and coordinated efforts being undertaken by the National Guard and DoD with DHS at the border. I would also like to learn more about the cost both literally and figuratively of having an extended presence of military personnel in our border communities. What we discuss today will help the committee address the issues at the border in a productive manner. I thank our witnesses for informing our efforts in this by joining us today.

I yield back, Madam Chair.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

JUNE 20, 2019

Using DoD resources for border security purposes is not new, but I support Congressional oversight of the evolving use of these resources by the Trump administration for what appears to bean immigration-based agenda. I don't think it's any secret that I disagree with many of the Trump administration's policies affecting the border. Some of these policies directly contradict the shared goal of addressing the on-going humanitarian crisis on the Southern Border. For example, last summer the administration moved to drastically limit or meter the number of asylum seekers processed through land ports of entry along the Southern Border at the same time the DHS Secretary asserted that going through ports was the only legal pathway to claim asylum.

Then-Secretary Nielsen and the Department call this effort "queuing" or "queue management." I call metering a violation of U.S. asylum law; our laws do not place a limit on the number of people who can apply for asylum. A DHS Request for Assistance to the DoD from December 2018 confirms that DHS was seeking to deter people by stating that: "The successful deterrence at the POEs has resulted in attempted entry between the POEs." This is stated as a reason why DHS would need DoD's support on our Southern Border.

This begs the following questions—why has the Trump administration actively aggravated the challenges on our Southern Border? Are military resources truly necessary to handle these challenges? I specifically would like to hear from our DHS witness on that matter. In early March of this year, then-Commissioner McAleenan stated that the Border Patrol is on track to apprehend more than a million people this year. This is not a new feat, as Border Patrol has accomplished this 19 times over the last 40 years and with less agents, technology, and other tools than what Congress has provided over the past decade.

However, the committee acknowledges that the demographics of people presenting at our border—namely families and unaccompanied children—presents a unique and difficult set of challenges for the Border Patrol. We need to reach a mutually-agreeable solution to these immediate challenges in short order to truly begin addressing the crisis. But despite seeing this growing trend over the past 5 years, the only solutions the Trump administration continues to implement are ones that prevent people from reaching the United States instead of solutions to manage the reality at hand.

The most wasteful of all is the President's continued obsession with building a "big, beautiful" border wall. The President has resorted to testing the bounds of his authority by diverting money from the Department of Defense in order to build his wall "faster," as he phrased it in February of this year. His efforts to claim a National emergency and use previously-appropriated defense funds to build the wall have encountered multiple lawsuits. These machinations continue at the same time DoD manpower and other resources are being deployed to the U.S.-Mexico border.

I am eager to hear from today's witnesses about the work and coordinated efforts being undertaken by the National Guard and DoD with DHS at the border. I would also like to learn more about the costs—both literally and figuratively—of having an extended presence of military personnel in our border communities.

Miss RICE. Thank you, Mr. Chairman.

Other Members of the committee are reminded that, under the committee rules, opening statements may be submitted for the record.

Without objection, Members not sitting on the subcommittee will be permitted to participate in today's hearing.

I welcome our panel of witnesses. Our first witness, Chief Carla Provost, leads the U.S. Border Patrol. Chief Provost began her career with the U.S. Border Patrol in the Tuscon sector. Since then she has served in a number of positions in the Yuma, El Paso, and el Centro sectors until becoming deputy chief of the U.S. Border Patrol in 2016. Prior to joining the U.S. Border Patrol, chief provost served as a police officer in Manhattan, Kansas.

Our second witness is Mr. Robert Salesses, the deputy assistant secretary of defense for Homeland Defense Integration and Defense Support of Civil Authorities. In this position, he is responsible for the development of National homeland defense and security policy and oversees DoD's response to National emergency operations in support of civilian entities.

Mr. Salesses has a long history of service with the Federal Government including time spent as a deputy special assistant for the Homeland Security task force. Mr. Salesses is also a retired Marine Corps officer.

I now recognize the gentlelady from Arizona, Mrs. Lesko, to recognize today's Minority witness.

Mrs. LESKO. Thank you very much, Madam Chairman.

I am proud to welcome Major General Michael T. McGuire, the adjutant general for the great State of Arizona, from where I am from, who concurrently served as the director of the Arizona Department of Emergency and Military Affairs. He is responsible for managing the day-to-day activities of Arizona's Army and Air National Guard joint programs in the division of emergency management. He leads an 8,000-member department of which 2,400 are full-time Federal military and civilian personnel and 600 are full-time State employees.

General McGuire received his commission from the United States Air Force Academy in 1987. He attended undergraduate pilot training at Shepherd Air Force Base, Texas, followed by several operational combat and training assignments in the F–16 Fighting Falcon. He joined the Arizona Air National Guard's 162d Fighter Wing, Tuscon International Airport, in 2001 as an F–16 instructor pilot.

In 2010, commanded the 214th reconnaissance group at Davis-Monthan Air Force Base, Arizona, where he flew the MQ–1B Predator and led the unit in combat operations in support of overseas contingencies. Prior to assuming his current duties, he served as commander, 162d Fighter Wing. General McGuire is a fighter weapon school graduate and a command pilot with more than 4,000 flying hours and 250 combat and combat support flying hours.

I am proud to welcome our very own Arizonan who has served our country well and continues to serve our country and State.

Thank you, sir, for being here.

Miss RICE. Thank you, Mrs. Lesko.

Without objection, the witnesses' full statements will be inserted in the record. I now ask each witness to summarize his or her statement for 5 minutes. We will begin with Chief Provost.

STATEMENT OF CHIEF CARLA PROVOST, U.S. BORDER PATROL, U.S. CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY

Chief PROVOST. Thank you. Good morning, Chairwoman Rice, Chairman Thompson, and Ranking Member Higgins, as well as the distinguished Members of the subcommittee. I couldn't be more proud to represent the men and women of the U.S. Border Patrol and to speak to the critical support our DoD partners are providing us each and every day.

In the Border Patrol, we know what it takes to secure the border, what we call operational control, also known as op con. Op con requires the right combination of technology, physical barriers, and manpower to identify, impede, and respond to illegal cross-border activity.

As you are all aware, I have been forced to divert 40 to 60 percent of Border Patrol's manpower away from the border as we process and care for nearly 435,000 families and children that have flooded across our Southern Border so far this year. As the chief of the Border Patrol, I know that every agent that I am forced to pull away from border security directly harms our ability to achieve op con.

People often ask why we need to secure the border when so many families are turning themselves in. But think about the number of agents who must abandon their post to assist when a group of over 1,000 illegal aliens walk into the United States at 4 in the morning. This happened just last month, and it set a record for the largest group in the 95-year history of the Border Patrol.

With 193 of these large groups so far this year, our operations are now being overwhelmed on a daily basis. At the same time, our border security mission has not gone away. Many illegal aliens and smugglers are trying to evade law enforcement. We have apprehended more than 224,000 single adult aliens on the Southern Border, a 28 percent increase compared to last year. We have arrested more than 6,800 criminal aliens and gang members. We are seeing more high-volume drug seizures, a sign that smugglers are becoming more brazen.

In just one incident at the Rio Grande Valley, we seized more than 700 pounds of cocaine crossing the river. Just last week, agents in RGV again seized a large load of methamphetamine with an estimated value of over $5.6 million. This is why the support we receive from DoD is invaluable. With fewer agents available to maintain situational awareness alone the border, DoD camera operators have contributed to more than 15,600 apprehensions and the seizure of more than 38 pounds of marijuana and $2,300 in currency.

On the ground and in the air, the situational awareness helps keep the limited number of agents we have on the border safe and aware of illegal activity. So far this year we have observed more than 100,000 people who have successfully evaded arrest, a 5-year high in what we call got-aways. These are just the ones that we

know about. Even with DoD's support, I fear that we are missing far many others.

Not only does this show the value of situational awareness but that it is only effective when combined with a timely law enforcement response. Additionally, the National Guard, through Operation Guardian Support, is assisting our operations in a range of areas including air support, radio communications, maintenance, and brush clearing. In fiscal year 2019 to date, the National Guard has provided more than 5,800 air hours and contributed to more than 94,000 apprehensions and the seizure of more than 24,000 pounds of marijuana, 231 pounds of methamphetamine, and $7,000 in currency. Like the hundreds of agents that I have redeployed to the Southern Border from other locations, I know the sacrifice our DoD brothers and sisters are making to support us.

To all the men and women out there on the border every day, I cannot thank you enough for the sacrifices you are making. Many of you are away from your families, working long hours in harsh border environments and facing overwhelming challenges. I wish I could tell you when our operations will return to normal. But as long as we face this crisis, I will continue to ask for DoD support.

Additionally, I will continue to ask Congress to address the gaps in our immigration framework that encouraged this flow. Smugglers falsely advertise a safe journey to the border misleading families that anyone who arrives with a child will not be deported under current U.S. policies.

While smugglers primarily target the northern triangle, family units from 52 countries have illegally crossed the Southern Border so far this year. In just 2 weeks, more than 740 individuals from African Nations, primarily family units, have been apprehended in Del Rio sector alone compared to only 108 who cross the Southern Border in the first 8 months of the fiscal year. Families from countries like Brazil, Nicaragua, Ecuador, Cuba, Peru, Romania, and Vietnam are taking the same pathways through Central America and Mexico to take advantage the gaps in our system.

We are now entering the hot summer months increasing the risk to migrants and placing more demands on my agents. If Congress continues to ignore the needed changes in law, I don't know when I will be able to refocus my agents toward our border security mission or tell DoD their assistance is no longer needed.

What I do know is, without a doubt, DoD support has made a difference in Border Patrol's ability to carry out our mission.

Thank you, and I look forward to your questions.

[The prepared statement of Chief Provost follows:]

PREPARED STATEMENT OF CARLA L. PROVOST

JUNE 20, 2019

Chairwoman Rice, Ranking Member Higgins, and Members of the subcommittee, thank you for the opportunity to testify before you today.

Our Nation is experiencing an unprecedented border security and humanitarian crisis along our Southwest Border. We have surging levels of individuals entering without proper documentation. This fiscal year through May, Border Patrol has apprehended over 593,000 illegal aliens between ports of entry along the Southwest Border. CBP's Office of Field Operations encountered an additional 80,000+ inadmissible individuals at ports of entry along the Southwest Border. This year-to-date level exceeds the full-year apprehensions of any fiscal year in the last decade. We

have also set an unfortunate new record of the largest migrant group ever apprehended—more than a thousand migrants illegally crossing the border together in El Paso, Texas, in late May.

The demographic shift toward more vulnerable populations, combined with overwhelming numbers, has caused 40 to 60 percent of Border Patrol agents to be pulled away from our border security mission to provide humanitarian support—that's 40 to 60 percent of our front-line workforce that is not available to stop drugs, gang members, and dangerous criminals from entering our country. In addition to the nearly 600,000 apprehensions to date, Border Patrol has documented more than 100,000 individuals who successfully crossed the border illegally and disappeared into border communities before agents could respond. This is the highest level of observed "got aways" since fiscal year 2014. This high level of "got aways" is a direct result of agents being reassigned away from the front line to provide humanitarian support to the unprecedented numbers of individuals and families in custody. In fiscal year 2019 to date, UAC and family units represent 66 percent of all Southwest Border inadmissible individuals and apprehensions.

CBP AND THE DEPARTMENT OF DEFENSE

At CBP, we have a long history of working closely with our partners at the U.S. Department of Defense (DoD), united by the common purpose of keeping the United States and its people safe and secure.

DoD's U.S. Northern Command, U.S. Southern Command, and U.S. Indo-Pacific Command have long supported our border security mission. National Guard personnel have provided support—such as counternarcotic support operations—in areas including Tucson, Yuma, and West Texas for decades. Previous administrations also directed DoD to temporarily authorize the use of National Guard personnel to support CBP. National Guard personnel have assisted CBP by providing aviation, operational, logistical, engineering, and administrative support in Operation Jump Start from 2006 to 2008, and again in Operation Phalanx from 2010 to 2016.

Specifically, during Operation Jump Start, National Guard personnel provided interim surveillance and reconnaissance (air, ground, satellite imagery), linguists; air and ground transportation, engineering (fences and roads), and logistics (medical, temporary shelters, and food service) support to CBP while CBP recruited, trained, and deployed additional agents. This interim support increased situational awareness that facilitated more than 173,000 CBP arrests, the rescue of 100 people, and the seizure of more than 300,000 pounds of drugs. Most importantly, Operation Jump Start contributed to a significant decrease in illicit trafficking activity in many areas of the border.

DOD SUPPORT TO THE BORDER SECURITY CRISIS

On April 4, 2018, President Trump directed DoD to support the Department of Homeland Security in securing the Southern Border. Multiple requests for assistance have further expanded DoD support efforts to address the continuously evolving border security crisis. The on-going deployment of DoD and National Guard personnel, equipment, and assets provide critical support to our law enforcement agents.

In Operation Guardian Support, National Guard personnel are providing air support in the form of light and medium-lift helicopters; infrastructure support, such as road maintenance and vegetation clearing; operational support, such as fleet maintenance and repair and law enforcement communications assistance; and surveillance support as surveillance camera operators.

To be clear, National Guard personnel supporting Operation Guardian Support do not conduct law enforcement activities and do not have direct contact with migrants. However, they are providing tremendous assistance to CBP. By taking on these important supporting tasks, such as infrastructure repair or surveillance assistance, these National Guard personnel enable Border Patrol agents to focus on law enforcement activities at the border.

In 2018, in response to a Central American caravan of unprecedented size, CBP requested additional DoD support during Operation Secure Line. DoD personnel provided planning assistance; engineering support, such as temporary barriers, barricades, and fencing; fixed-wing and rotary-wing aviation support to transport CBP personnel; medical teams to triage, treat, and prepare for commercial transport of patients; command-and-control facilities for CBP personnel; temporary housing for CBP personnel; and personal protective equipment for CBP personnel.

Additionally, DoD personnel are augmenting border security situational awareness utilizing CBP Mobile Surveillance Capability (MSC). MSC systems provide long-range mobile surveillance and consist of a suite of radar and camera sensors

mounted on vehicles. Such vehicles are deployed to operate the system, which automatically detects and tracks items of interest and provides the operator with data and video of the observed subject. Agents often work alone in rugged, remote areas. The surveillance DoD provides helps us keep the agents on the ground safe and aware of illegal activity happening along the border.

DoD and CBP have also expanded our partnership of over a decade to construct new border barriers in key locations across the Southwest Border. Investments made using DHS-appropriated resources and Treasury Forfeiture Funds are being executed by the U.S. Army Corps of Engineers. Forty-four of the approximately 205 miles DHS has funding on hand to support are already complete—with many more miles under way. DoD is also assisting DHS by executing approximately 129 additional miles with counterdrug funding, adding barriers, roads, and lights that will block known drug smuggling corridors. A portion of the DoD-funded barrier construction is currently on hold due to a court injunction from the United States District Court—Northern District of California. These barriers provide a tangible mechanism to deter, stop, and/or delay those illegal entrants that would seek to evade the Border Patrol. At no time in our history has this been more critical than today, when a significant portion of our front-line workforce is focused on addressing the humanitarian crisis at our borders.

MAKING A DIFFERENCE

Since Operation Guardian Support began in 2018, CBP has carried out thousands of apprehensions, seized thousands of pounds of dangerous drugs, and performed multiple rescues. In fiscal year 2019 to date, DoD assistance has contributed to more than 87,000 deportable alien arrests, and the seizure of more than 24,000 pounds of marijuana, 228 pounds of methamphetamine, and more than $7,000 in currency. Additionally, DoD's MSC surveillance support missions have contributed to more than 13,000 apprehensions and the seizure of more than 3,700 pounds of marijuana and $2,000 in currency. Their support has made a difference in CBP's ability to carry out our mission.

For example, in January of this year, a Lordsburg Border Patrol agent operating infrared surveillance equipment saw 4 individuals walking northbound near a smelter on Highway 1113. The individuals were wearing camouflage clothing and custom-made footwear designed to mask their tracks. Border Patrol All-Terrain Vehicle (ATV) Units and a National Guard helicopter responded to the area, and the helicopter crew—equipped with night vision equipment—was able to locate the 4 individuals. The helicopter crew guided the ATV Units to the hidden individuals, who were arrested. The National Guard crew then alerted and guided the agents to several large rectangular burlap sacks in the area, which tested positive for marijuana. In total, the bags of drugs weighed 135.6 pounds, with an estimated street value of $108,640.

In another example, in June 2018 Border Patrol agents from the McAllen Station in Texas received information from Mexico's emergency call center regarding a lost Mexican national in distress. Border Patrol agents operating an aerostat camera located the lost migrant, who was suffering from dehydration. The Border Patrol agents provided coordinates to a nearby Texas Army National Guard helicopter pilot who was supporting Operation Guardian Support. Minutes later, the National Guard pilot located the subject and quickly guided Border Patrol agents to the location. There, a Border Patrol agent who is a certified Emergency Medical Technician treated the lost Mexican national for dehydration.

In addition, last year in the Tucson Sector, the Arizona National Guard supporting the Ajo Border Patrol Station provided vehicle mechanics to help complete an inspection of the station's fleet. During the inspection, the National Guard mechanics identified and repaired more than 80 vehicles with suspension issues that could have led to significant safety hazards for Border Patrol agents patrolling in isolated areas. While this could have taken weeks to resolve, with the National Guard's help, Border Patrol was able to complete the inspections and repairs within 2 days.

CONCLUSION

Border security is National security—there is no difference—and the crisis on our Southwest Border puts our National security at risk. I have repeatedly asked Congress to act, to address the outdated legal framework and broken immigration system that has caused dangerous mass migration with no end in sight. Without legislative solutions, CBP expects the need for continued DoD support to help address the diversion of resources away from the border security mission to the current humanitarian crisis.

Thank you for the opportunity to appear before you today. I look forward to your questions.

Miss RICE. Thank you, Chief Provost.

I now recognize Mr. Salesses to summarize his statement for 5 minutes.

STATEMENT OF ROBERT G. SALESSES, DEPUTY ASSISTANT SECRETARY OF DEFENSE, HOMELAND DEFENSE INTEGRATION AND DEFENSE SUPPORT OF CIVIL AUTHORITIES, DEPARTMENT OF DEFENSE

Mr. SALESSES. Good morning, Chairwoman Rice, Chairman Thompson, Ranking Member Higgins, distinguished Members of the subcommittee. Thank you for the opportunity to testify before you today on the Department of Defense's support to the Department of Homeland Security in securing the Southern Border of the United States.

As already pointed out, DoD has a long history of supporting border security efforts. Since the early 1990's, Active Duty National Guard personnel have supported Federal, State, and countered drug activities with detection and monitoring, transportation, communications, and engineering support. More recently, DoD has been called upon to support Customs and Border Protection and the Department of Health and Human Services to include, in 2006 to 2008, Operation Jump Start, nearly 6,000 National Guard personnel deployed to the Southwest Border.

From 2010 to 2017, CBP's Operation Phalanx, National Guard personnel again deployed to the Southwest Border. Between 2012 and 2017, DoD provided shelter for approximately 16,000 unaccompanied children for HHS on DoD installations. Since April 2018, DoD support to DHS has evolved as the border crisis continues.

On April 4, the President directed that DoD support DHS in securing the Southern Border. Responding to the evolving challenges at the border and a marked rise in illegal migration of approximately 36,000 migrants per month, DoD surged military support to CBP in all 9 Border Patrol sectors in all 4 Southwest Border States in support of CBP's Operation Guardian Support. National Guard personnel have been supporting CBP with aviation, engineering, communications, vehicle maintenance planning, and other non-law enforcement missions.

This support provides badges back to the border by freeing Border Patrol agents to execute their law enforcement duties enhancing situational awareness along the Southern Border of the United States. As of today, there is 1,900 National Guard personnel supporting CBP Operation Guardian support.

In October 2018, a series of large migrant caravans, some deploying violent and dangerous tactics toward Guatemalan and Mexican authorities approached the U.S. Southern Border ports of entry. At the request of CBP in response to the magnitude of these caravans coupled with the unprecedented and simultaneous influx of 60,000 illegal migrants per month, DoD surged support to CBP's Operation Secure Line with active-duty personnel to enhance security at U.S. ports of entry.

Military engineers harden ports of entry by placing over 200 miles of concertina wire, barrier obstacles in and around 33 ports

of entry in California, Arizona, and Texas, provided rotary wing aviation support to expedite moment of CBP agent between ports of entry and provided military police for force protection of CBP agents performing their Federal functions.

In February 2019, another caravan of approximately 2,000 migrants secured transportation in Mexico arriving at the port of entry in Eagle Pass, Texas, within days not weeks. DoD surge support to Eagle Pass, Texas, to assist CBP.

Following this incident, DHS requested DoD make available a contingency for a crisis response force including engineers, medical force protection to support and assist at the ports of entry along the Southwest Border. As of today, there's 2,600 active-duty military personnel, are supporting CBP's operation Secure Line.

In February 2019, facing an influx now of over 76,000 migrants and multiple caravans per month, DoD expanded its support from hardening ports of entry to enhancing the security between the ports of entry principally providing additional detection and monitoring capabilities. DoD was asked to provide 1,200 military personnel to man 146 CBP mobile surveillance camera system trucks between the ports of entry across the 9 sectors for Southwest Border States.

In May 2019, CBP's capacity to process incoming migrants was exceeded by the approximate 100,000 migrants entering the United States per month. To deal with the migrant processing challenge at the Border Patrol stations, DoD is assisting CBP by providing military drivers to transparent migrants in CBP vehicles and military personnel to distribute meals and conduct welfare checks at Border Patrol stations.

DHS has also requested DoD assistance in establishing temporary detention facilities to house 7,500 single adult migrants at 6 CBP-designated locations in Texas and Arizona. DoD is being asked to provide tents and some support services at these locations.

The Department of Health and Human Services has also submitted a request for facilities or land to accommodate up to 5,000 unaccompanied children. On the 10th of June, the acting Secretary of Defense approved the use of facilities at Fort Sill, Oklahoma, or HHS to shelter approximately 1,400 children.

Since early 2000, the U.S. Army Corps of Engineers has worked regularly with DHS and CBP on various border barrier projects. In February 2019, as a result of the increasing flow of illicit drugs across the Southern Border, DHS requested that DoD use its authority in Section 284 Title 10 U.S. code to block drug smuggling corridors.

The Acting Secretary of Defense approved this request specifically by directing the transfer of $2.5 billion into the Defense Drug Interdiction and Counter Drug Activities account for construction of 129 miles of border barrier fencing which will block drug smuggling corridors in California, Arizona, and Texas. The Department is also assessing the use of Section 2808 authorities for military construction in support of the President's declaration of National emergency on the Southern Border.

In summary, the Department of Defense continues to adapt its support to DHS and CBP as it responds to this evolving crisis at the border. I have visited the border on several occasions, have wit-

nessed the tremendous efforts of our military personnel supporting and working with their DHS and CBP counterparts.

Chairwoman Rice, Ranking Member Higgins, distinguished Members of the committee, thank you for your continued support of the Department of Defense and the men and women of the U.S. Armed Forces. I look forward to your questions.

[The prepared statement of Mr. Salesses follows:]

PREPARED STATEMENT OF ROBERT G. SALESSES

JUNE 20, 2019

INTRODUCTION

Chairwoman Rice, Ranking Member Higgins, distinguished Members of the subcommittee: Thank you for the opportunity to testify today on Department of Defense (DoD) support to Department of Homeland Security (DHS), Department of Health and Human Services (HHS), and Department of Justice (DOJ) missions related to the security of the Southern Border of the United States.

THE DEPARTMENT OF DEFENSE HAS A LONG HISTORY OF SUPPORTING BORDER SECURITY

Using the substantial authorities Congress has provided, DoD has a long history of supporting efforts to secure U.S. borders.

Steady State

Active-duty and National Guard personnel have supported Federal and State counterdrug activities (e.g., detection and monitoring of cross-border trafficking, aerial reconnaissance, transportation and communications support, and construction of fences and roads) beginning in the early 1990's. Most recently, U.S. Northern Command's Joint Task Force-North executed 53 counterdrug support missions in fiscal year 2017 and 23 missions in fiscal year 2018. When the Secretary of Defense approved the 4 border States' plans for drug interdiction and counter-drug activities, DoD committed $21 million in funds in fiscal year 2017 and $53 million in fiscal year 2018.

When needed, DoD has provided planners to help DHS develop its Southern Border and Approaches Campaign (2014) and CBP's Crisis Migration Plan (2018).

DoD has also loaned facilities and special equipment, such as aerostats, ground surveillance radars, and ground sensors, to CBP.

Surge Support

- *Post–9/11 (2002).*—1,600 National Guard personnel were detailed to the U.S. Customs Service, the Immigration and Naturalization Service, and the Border Patrol at Northern and Southern Borders.
- *2004–2005—Operation WINTER FREEZE.*—129 Active-duty and National Guard personnel were deployed to Northern Border to interdict suspected transnational threats.
- *2006–2008—Operation JUMP START.*—6,000 National Guard personnel were deployed at the Southern Border from 2006–2007 and 3,000 National Guard personnel from 2007–2008. National Guard personnel improved infrastructure at the Southern Border by building more than 38 miles of pedestrian fence, 96 miles of vehicle barrier, more than 19 miles of new all-weather road, and repairing more than 700 miles of roads.
- *2010–2017—Operation PHALANX (2010–2017).*—Up to 1,200 National Guard personnel were deployed at the Southern Border from 2010 to 2012 and 200–300 National Guard personnel at the Southern Border from 2013–2017, conducting detection and monitoring, aviation support, aerial reconnaissance, and analytical support missions.
- *2012–Present—Housing Support for Unaccompanied Alien Children.*—DoD has provided temporary housing support to the Department of Health and Human Services (HHS), on a reimbursable basis, as part of the National response to the surge of unaccompanied alien children (UAC) at the U.S. Southern Border. Since 2012, DoD has provided DoD property for HHS to shelter nearly 16,000 UAC, who receive care, security, transportation, and medical services from HHS. Consistent with section 2815 of the National Defense Authorization Act for fiscal year 2017 (Public Law 114–328), the Secretary of Defense has certified that providing this sheltering support to HHS will not negatively affect military training, operations, readiness, or other military requirements, including Na-

tional Guard and Reserve readiness. A summary of this support is provided in the following table:

DoD Installation	Duration	Number of UACs
Lackland, AFB, TX	April 4–June 13, 2012	0
Lackland, AFB, TX	May 18–August 8, 2014	4,357
NAVBASE Ventura, CA	May 18–August 8, 2014	1,540
Ft. Sill, OK	May 18–August 8, 2014	1,861
Holloman AFB, NM	January 25–February 27, 2016	129
Ft. Bliss, TX	September 6, 2016–February 8, 2017.	7,259
TOTAL		15,946

DoD's presence and support at the Southern Border increases the effectiveness of CBP's border security operations, helps free up Border Patrol agents to conduct law enforcement duties, and enhances situational awareness to stem the tide of illegal activity along the Southern Border of the United States.

The numbers and types of migrants arriving at the Southern Border of the United States has exceeded the capacity of CBP, prompting the need for additional DoD support.

THE PRESIDENT DIRECTED DOD TO SUPPORT DHS

Since April 2018, DoD support to DHS has been provided pursuant to the President's direction, including his April 4, 2018, Presidential memorandum, "Securing the Southern Border of the United States." In this memorandum, the President directed DoD to support DHS "in securing the Southern Border and taking other necessary actions to stop the flow of deadly drugs and other contraband, gang members and other criminals, and illegal aliens into this country." The President also directed DoD to request use of National Guard personnel to assist in fulfilling this mission, including pursuant to Section 502 of Title 32, U.S. Code. Finally, the President directed the Secretary of Defense and the Secretary of Homeland Security, in coordination with the Attorney General, to determine what other resources and actions are necessary to protect our Southern Border, including Federal law enforcement and U.S. military resources.

DOD WORKS CLOSELY WITH DHS

Across the full-range of support that DoD has provided DHS—border security support, disaster support, special event security support, and support for protection of the President—DoD has worked closely with DHS as DHS develops its requests for DoD assistance as deliberately, expeditiously, and effectively as possible to meet mission needs.

DoD carefully considers all requests for assistance, including in order to determine whether DoD has the requested capabilities and resources and whether providing the requested assistance is consistent with applicable law. When a request is approved, DoD works with the requesting department or agency to select the right forces and resources to meet the requested mission needs. DoD has used the same process for every DHS request for assistance related to DHS's border security mission.

Specific DoD support is driven by DHS requirements. DoD, consistent with the President's order, statutory authority, and operational considerations, helps DHS develop requests that will meet DHS requirements while mitigating potential impacts on military readiness, to the extent practicable. Consistent with the law and the President's order, DoD support is currently being provided on a non-reimbursable basis, to the extent legally available. DoD support is also provided consistent with Section 275 of Title 10, U.S. Code, and the Posse Comitatus Act (Section 1535 of Title 18, U.S. Code), which do not permit direct participation by military personnel in a search, seizure, arrest, or other similar activity.

DOD SUPPORT

April 2018 to September 2019—Augmentation (Badges Back to the Border)

- In support of CBP Operation Guardian Support, DoD has authorized National Guard personnel to support CBP in a duty status under Section 502 of Title 32,

U.S. Code, with the consent of, and under the command and control of, their Governors.
- Types of support: Aviation; communications; fleet maintenance; intelligence analysis; planning; and surveillance.
- At its peak, on November 26, 2018, 2,295 National Guard personnel supported CBP Operation Guardian Support (369 in California; 603 in Arizona; 119 in New Mexico; and 1,204 in Texas). As of June 5, 2019, 1,776 National Guard personnel were supporting CBP Operation Guardian Support (137 in California; 550 in Arizona; 18 in New Mexico; and 1,227 in Texas).

June to December 2018—Attorney Support for the Department of Justice

- DoD detailed 21 attorneys with criminal trial experience to the Department of Justice (DOJ) to serve as Special Assistant United States Attorneys (SAUSAs).
- This detail of DoD personnel was executed pursuant to the Economy Act and was on a fully reimbursable basis.

October 2018 to January 2019—Enhanced Security of Ports of Entry

- Active-duty military personnel support to CBP Operation Secure Line. Active-duty military personnel were selected because the Secretary of Defense determined that such personnel were the best-suited and most readily available forces from the Total Force to provide the assistance requested by DHS.
- Types of support:
  - Military planning teams to coordinate operations, engineering, medical, and logistics support.
  - Medium-lift rotary-wing aviation support, on-call 24 hours a day, to supplement the movement of CBP quick-reaction force tactical personnel in and around locations determined by CBP day or night.
  - Strategic lift aviation support, available with 12-hour notification, to move up to 400 CBP personnel and equipment to a location determined by CBP.
  - Engineering capability support that can provide temporary vehicle barriers and pedestrian-style fencing at and around a port of entry (POE), including but not limited to: Continuous anti-personnel intrusion fencing; one-way retractable vehicle anti-intrusion barricades; configurable pedestrian fencing; and fixed vehicle barricades. Based on an additional DHS request, concertina wire emplacement continued through March 2019. Ultimately, DoD personnel hardened 33 POEs and emplaced 200 miles of concertina wire.
  - Deployable medical units to triage and treat, up to 1,000 personnel every 24 hours. Such units were prepared to stabilize and prepare injured personnel for commercial transport to civilian medical facilities, as necessary.
  - Temporary housing for up to 2,345 CBP personnel.
  - Loan of personnel protective equipment (e.g., helmets with face shields, handheld shields, and shin guards) for 500 CBP personnel.
- At its peak, on November 7, 2018, 5,622 active-duty military personnel supported CBP Operation Secure Line.

November 2018 through March 2019—Force Protection for CBP

- On November 20, 2018, the President authorized DoD to use military personnel to protect CBP personnel performing their Federal functions within property controlled by CBP at or adjacent to one or more designated POEs.
- Although DoD military personnel were prepared to protect CBP personnel, they were not required to do so.

February 2019—Crisis Support

- The Acting Secretary of Defense approved a DHS request for support at CBP-designated POEs in the Del Rio and Laredo Sectors in Texas.
- Types of support:
  - Military protection of CBP personnel performing their Federal functions on property owned by CBP at or adjacent to one or more designated land POEs where caravan members presented a risk of disrupting or otherwise interfering with CBP's ability to carry out its Federal functions.
  - Immediate life-saving medical care for CBP personnel and migrants pending expeditious movement to civilian medical facilities.
  - Placement of temporary vehicle barriers and pedestrian-style fencing and emplacement of concertina wire at and around CBP-designated POEs.
  - Medium-lift rotary-wing aircraft and support personnel for tactical movement of CBP personnel (24-hour on-call ability to employ 2 simultaneous lifts of 6 to 8 personnel and associated equipment).

March to September 2019—Crisis Response Force

- The Acting Secretary of Defense approved a DHS request for crisis response support.
- Types of support:
  - On a contingency basis (i.e., available when needed), a medical response capability to treat up to 100 persons during a violent incident. DoD medical personnel would provide immediate life-saving care at the point-of-injury.
  - On a contingency basis, a minimum of 2 Military Police platoons, and not to exceed one Military Police company, capable of responding to multiple locations designated by CBP to provide force protection of CBP personnel performing their Federal functions on property owned by CBP at or adjacent to POEs.
  - One Military Police platoon to conduct, at a minimum, monthly exercises and training with CBP personnel.
  - Engineering support to: (a) Emplace temporary vehicle barriers, temporary fencing, and concertina wire at and adjacent to CBP-designated POEs; and (b) harden land POEs at the Southern Border in Texas.
  - Medium-lift, rotary-wing aircraft and support personnel for the tactical movement of 6 to 8 CBP personnel at and around POE locations designated by CBP.
  - Extension of DoD's loan of personnel protection equipment.

January through September 2019—Detection and Monitoring

- The Acting Secretary of Defense approved a DHS request for DoD detection and monitoring support.
- Type of support: mobile surveillance camera operators in 146 vehicles operating in Arizona, California, New Mexico, and Texas in all 9 Border Patrol Sectors. In May 2019, the Acting Secretary of Defense approved a request to increase the number of mobile surveillance camera vehicles to 155.

March through Present 2019—Blocking Drug-Smuggling Corridors

- In accordance with Section 284(b)(7) of Title 10, U.S. Code, the Secretary of Defense may, in support of the counter-narcotics activities of Federal civilian law enforcement agencies, construct roads and fences, and install lighting, to block drug-smuggling corridors across the international boundaries of the United States.
- In March 2019, the Acting Secretary of Defense approved a DHS request to use this authority to block drug-smuggling corridors in the Yuma Sector in Arizona and the El Paso Sector in New Mexico, specifically by constructing 51 miles of fencing, constructing and improving roads, and installing lighting.
- In May 2019, the United States District Court for the Northern District of California issued a preliminary injunction prohibiting the use of the $1 billion transferred pursuant to Section 8005 of the Department of Defense Appropriations Act, 2019, into the Defense Drug Interdiction and Counter-Drug Activities, Defense, account for construction under Section 284 of Title 10, U.S. Code (i.e., construction in the Yuma and El Paso CBP Sectors).
- In May 2019, the Acting Secretary of Defense authorized construction of an additional 78 miles of fencing pursuant to Section 284(b)(7)—this time to block drug-smuggling corridors in the El Centro Sector in California and the Tucson Sector in Arizona.
- In total, the Acting Secretary of Defense directed the transfer of $2.5 billion into the Drug Interdiction and Counter-Drug Activities, Defense account to block drug-smuggling corridors designated by DHS along 129 miles and in 4 Sectors along the U.S. Southern Border (i.e., El Centro in California; Yuma and Tucson in Arizona; and El Paso in New Mexico).

June through September 2019—Migrant Processing Support

- The Acting Secretary of Defense approved a DHS request for support with migrant processing.
- Types of support:
  - 160 licensed DoD military drivers to operate secure CBP vehicles to transport migrants from remote locations, POEs, and Border Patrol stations.
  - 100 DoD military personnel to heat and distribute meals and conduct welfare checks.

May through September 2019—Housing

- Unaccompanied Alien Children
  - DoD has agreed to support HHS by being prepared to provide capacity to temporarily house up to 5,000 UAC on DoD installations.

- Consistent with Section 2815 of the National Defense Authorization Act for fiscal year 2017 (Public Law 114–328), the Secretary of Defense is required to certify that providing this sheltering support to HHS would not negatively affect military training, operations, readiness, or other military requirements, including National Guard and Reserve readiness.
- DoD is currently providing HHS with capacity to house approximately 1,400 UAC at Fort Sill, Oklahoma, consistent with Section 2815.
- This support is provided on a reimbursable basis.

- Adult Migrants
  - The Acting Secretary of Defense approved a DHS request for support to shelter up to a total of 7,500 single migrant adults in CBP custody at 6 CBP-designated locations.

THE PRESIDENT DECLARED A NATIONAL EMERGENCY

On February 15, 2019, the President declared that "situation at the Southern Border presents a border security and humanitarian crisis that threatens core National security interests and constitutes a National emergency." In support of this National emergency, the President invoked 2 statutory authorities:

- Section 12302 of Title 10, U.S. Code, which authorizes the Secretary of Defense to order to active duty up to 1,000,000 members of the Ready Reserve for up to 24 months.
- Section 2808 of Title 10, U.S. Code, which authorizes the Secretary of Defense to use unobligated military construction funds to undertake military construction projects, and to authorize the Secretaries of the Military Departments to undertake military construction projects, not otherwise authorized by law that are necessary to support the use of the armed forces in connection with the National emergency.

CONCLUSION

Chairwoman Rice, Ranking Member Higgins, distinguished Members of the committee: This on-going, temporary DoD support is a continuation of DoD's long history of supporting DHS and CBP in their mission to secure U.S. borders. Thank you for your continued support to DoD and the men and women of the U.S. Armed Forces.

Miss RICE. Thank you very much, Mr. Salesses.

I now recognize Major General McGuire to summarize his statement for 5 minutes.

STATEMENT OF MAJOR GENERAL MICHAEL T. MC GUIRE, ADJUTANT GENERAL FOR ARIZONA, DIRECTOR, ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS

General MCGUIRE. Good morning, Chairwoman Rice, Chairman Thompson, Ranking Member Higgins, thanks to all the distinguished Members of the committee for allowing me to come here today and testify before you on behalf of the 7,800 citizens, soldiers, and airmen of the Arizona National Guard.

As you know, the National Guard of today dates its heraldry back to 1634, and the modern-day militia is funded by Congress under Title authorities since 1903.

The National Guard clearly is the first choice for homeland defense missions. We are forward-deployed in 3,300 communities at 2,700 different installations in 50 States, 3 territories, and the District of Columbia, each of us serving in 3 unique statuses.

First and foremost, Governor Doug Ducey can call the members of the Arizona National Guard to State Active Duty to support State requirements.

Second, he can collaborate with the Federal Government to call us to duty under Title 32 authority, a State status which is Federally-funded which is currently what is happening in its fourth iteration this time with Operation Guardian Support.

Or he can all us forward under Title 10 authority, the President can, to support contingency operations overseas as we have for nearly 12,000 man-years since 9/11.

Since 9/11, the 7,800 soldiers and airmen of the Arizona National Guard have deployed for 12,000 man-years. That means if each of us had served continuously since 9/11, we would have spent 1 year and 4 months overseas. We proudly support this mission. Governor Ducey came to me, and I'd to give you some specifics, since we are talking about Guardian Support today, about how we got to the position we are in today.

In April 2018, President Trump directed the DoD to support U.S. Department of Homeland Security. The Secretary of Defense then directed the National Guard to deploy up to 4,000 soldiers and airmen to meet the mission requirement to provide aviation, reconnaissance, situational awareness for the Southwest Border region. This directive did not have a formal named operation but was named Operation Guardian Support by Homeland Security.

Governor Ducey complied with and agreed to do this under Title 32 authority. On April 6, 2018, the Arizona joint task force formed a planning cell. Three days later we deployed 225 soldiers and airmen, all of them organic to the Arizona National Guard, to be in support of the supported command, in this case, our border protection and JTF West and Chief Karisch as the operational element subordinate to Chief Provost.

Today, we have 546 soldiers and airmen deployed from 16 States supporting 17 directed missions as requested through RFAs from DHS. The missions include under the category of operational support, radio communications, motor transport maintenance, motor transport operations, range safety officers, heavy equipment operators, paralegal support, administrative and clerical support, information analyst. Under the category of surveillance support: Camera and remote camera operations, imagery and sensor maintenance, unmanned aerial sensor operators. In the area of air support, light- and medium-rotary wing lift capacity and fixed-wing reconnaissance capacity.

The relationship between the Arizona National Guard and DHS is not new. For over 30 years, the Arizona National Guard has collaborated with the border protection agents that serve primarily in our border counties, 4 of them on the 389 miles of border between Arizona and Mexico.

So there is no misunderstanding, Arizona National Guard does not act in a law enforcement capacity nor do our citizen soldiers—or none of our citizen soldiers are placed in a position to come in contact with migrants and are there for the sole purpose of providing support to surge posted and armed officers to do their enforcement duties. Although not constrained by the Posse Comitatus Act under Title 32 duty, law enforcement is not our directed mission, and the agreement between the Governor and the President has stood since April 2018.

I yield back the balance of my time, ma'am. I look forward to the questions of the committee. Thank you.

[The prepared statement of General McGuire follows:]

PREPARED STATEMENT OF MICHAEL T. MCGUIRE

JUNE 20, 2019

INTRODUCTION

Good afternoon Chairwoman Rice, Ranking Member Higgins, and distinguished Members of the subcommittee. My name is Major General Michael T. McGuire, and I am the adjutant general of Arizona and director of the Arizona Department of Emergency and Military Affairs (DEMA). I appreciate the opportunity to appear before you today on behalf of the 7,800 citizen soldiers and airmen of the Arizona National Guard to discuss our mission to support the U.S. Department of Homeland Security as well as our other local, State, and Federal partners through a whole-of-Government approach to address the various transnational issues that impact our borders.

From the Pequot War in 1634 to the current Overseas Contingency Operations around the globe and Emergency Response Deployments around the Nation, this hearing today highlights a mission that the National Guard has capably executed for the past 385 years. The National Guard is the modern-day militia, and has a long and honored history of service to the country. Although the present-day National Guard was established with the Militia Act of 1903, the National Guard's heritage can be traced back to the first State-run militia regiments established by the General Court of the Massachusetts Bay Colony in 1636. Since that day, the National Guard has remained ready to answer the Nation's call during times of emergency and conflict. In honor of that great tradition, soldiers and airmen of the Arizona National Guard continue to stand ready to answer that call.

The National Guard remains the first choice for homeland defense operations, being uniquely trained and situated as the first line of support to the Nation's local, State, and Federal first responder and law enforcement agencies. Consistent with the citizen-soldier model of the early militias, the present-day National Guard is embedded in the local communities—policemen and firemen, small business owners, carpenters, civil engineers, plumbers, and mechanics. This fact provides intangible benefits—not only can the National Guard bring a response force with military capabilities but also civilian skills such as carpentry, mechanical, civil engineering, and business negotiation, but National Guard troops also have home-town familiarity with the geographic layout of the affected community, combined with an understanding of the most at-risk areas. Put another way, with nearly 3,300 installations in 2,700 communities around the country, the National Guard is America's "forward-deployed" homeland response force.

NATIONAL GUARD DUTY STATUS ENABLES LOCAL SUPPORT

The National Guard is a flexible force provider that can quickly provide direct and indirect capabilities based on constantly changing requirements and needs. Arizona National Guard supports Department of Homeland Security (DHS) requests for mission-enhancing capabilities to Customs and Border Protection (CBP) along the Southwest Border providing capacity to enhance CBP's ability to impede or deny illegal activity and enhance situational awareness.

Federal and State constitutions and statutes provide the primary authority for use of military forces by the Federal and State governments. These provisions, insofar as they apply to the National Guard, reflect the Constitutional balance of power between the sovereign States and the central Federal Government. National Guard forces are unique among all other military components in that they may be used in one of three legally distinct ways:

(1) by the Governor for a State purpose authorized by State law (State Active Duty); or

(2) by the Governor, with the concurrence of the President or the President's designee (e.g., the Secretary of Defense), for shared State/Federal purposes or for a primary Federal purpose (Title 32 Duty); or

(3) by the President for a Federal purpose authorized by Federal law (Title 10 duty).

OPERATION GUARDIAN SUPPORT

In April 2018, President Trump directed the Department of Defense (DoD) to support the U.S. Department of Homeland Security (DHS). The Secretary of Defense directed the National Guard to employ up to 4,000 soldiers and airmen to meet this mission set and provide with aviation, reconnaissance, operational, and logistical support to enable DHS to increase operational control and situational awareness of

the region. This directive, though not a formal named operation, has been informally nicknamed by DHS as Operation Guardian Support (OGS).

Arizona Governor Ducey ordered the Arizona National Guard to support this Presidential directive, and on April 6, 2018 a planning cell within the Arizona National Guard Joint Task Force was activated. On April 9, 2018, the Arizona National Guard deployed 225 soldiers and airmen to various DHS and CBP outposts along the State's border in support of this new border mission. An additional 113 soldiers and airmen were deployed 2 days later as authorized by National Guard Bureau (NGB). Today, there are 546 soldiers and airmen assigned of 764 authorized positions with support from 16 States and territories. There are 17 mission sets, per the fiscal year 2019 DHS Request for Assistance (RFA), operated from 16 Border Patrol and Port of Entry stations in the Yuma and Tucson sectors. The types of missions include:

- *Operational Support*.—Radio Communications, Motor Transportation Maintenance, Motor Transport Operations, Range Safety Officer, Heavy Equipment Operations, Paralegal Support, Administrative/Clerical Support, Information Analyst
- *Surveillance Support*.—Camera Operations, USG/Imaging Sensor Maintainer, UAS Sensor Operator
- *Air Support*.—Light Rotary, Medium-Lift Rotary, Fixed-Wing.

The relationship between the Arizona National Guard and DHS is not new. For 30 years, the Arizona National Guard has worked with various partners across the Federal Government in areas along the border, specifically through the National Guard Counter Drug program as codified in the 32 USC § 112 as well as various training missions of opportunity that present themselves to support both DHS and National Guard unit readiness. For example, one of our Transportation Companies obtained valuable training by moving concrete barriers from one Customs and Border Protection (CBP) Sector to another. In addition, the National Guard has supported 3 prior iterations of the border mission by providing aviation, operational, logistical, and administrative support in Operation Jump Start from 2006 to 2008, and Operation Phalanx from 2010 to 2016. Only during Operation Jump Start and the first phase of Operation Phalanx did the National Guard provide personnel to physically patrol the border to support CBP while additional agents were recruited, trained, and deployed. I will discuss both of these previous operations and our Counter Drug program in more detail in a moment.

The current OGS mission is being accomplished through the identification of specific RFAs by DHS to DoD/National Guard Bureau (NGB) for validation and then to the respective State as approved force authorization. Citizen soldiers and airmen are then assigned to those specific force authorizations. These RFAs require specific functions and duties as mentioned earlier—aviation, reconnaissance, and operational support—and the Arizona National Guard is filling RFAs at all of the border stations within the Tucson and Yuma border sectors in Arizona. The current iteration of the border support mission is informed by our experience with the previous border missions and has evolved based on the changing nature of immigration, transnational threats, and technology. Many of these RFAs are administrative in nature, which is by design to support DHS and allow them to focus on improving situational awareness and operational control along the border while they recruit, train, and deploy additional staff and agents.

So there is no misunderstanding, the Arizona National Guard does not act in any law enforcement capacity along the border, nor have our citizen soldiers and airmen been placed in a position that would come into contact with migrants with the sole exception of providing air lift capabilities to transport migrants experiencing an emergency life-threatening situation to a civilian medical facility. Although not constrained by the Posse Comitatus Act due to Title 32 deployment status, law enforcement is not our mission. Further, DHS has never requested the National Guard act or assist in a law enforcement capacity in any iteration of these border missions, and a long-standing Department of Defense directive specifically states that the Guard members will not act in a law enforcement capacity. The Arizona National Guard is strictly providing support, and, when done right, that support provides a training value to our military missions—in particular with the aviation, engineering, and ports of entry mission sets.

To date through fiscal year 2019 in Arizona alone, CBP has credited the National Guard with supporting CBP with over 26,500 apprehensions and seizure of more than 18,000 pound of marijuana, methamphetamines, and fentanyl. Aviation assets from Arizona and other States have provided nearly 3,000 flight hours in support of OGS. Arizona and other Guardsmen have also serviced 3,929 CBP vehicles, qualified 5,100 CBP personnel with their quarterly firearms requirement, and repaired/serviced 1,216 miles of roads. Additionally, individual readiness (medical and phys-

ical fitness) among Arizona Guardsmen has remained higher than State averages and that translates into increased unit readiness. Other activities like aviation and intelligence analysis directly align with yearly training requirements. General duties like Mission Command, Administrative Support, and Logistics enhance the soldier or airman's practical experience, all of which contribute to warfighter readiness.

As stated in my opening paragraph, a whole-of-Government approach is key. OGS supports DHS as a whole, but currently has only provided support to fill RFAs from CBP. The biggest threats along the border are not limited to illegal border crossings, but include violence and the trafficking of drugs, humans, and weapons. Separate from OGS, the Southwest Border legacy mission appropriation provided in the fiscal year 2019 DoD budget has allowed the Arizona National Guard to place 14 soldiers on orders to conduct mission analysis and training activities that support operations in Arizona's counties along the Southwest Border while improving readiness of the Arizona Army National Guard in areas such as aviation, transportation, and maintenance. Locally-developed partnerships like the Alliance to Combat Transnational Threats is a model for local, State, and Federal law enforcement coordination. As proof of this whole-of-Government success, we offer the Arizona National Guard Counter-Drug mission which partners with over 70 local, State, and Federal law enforcement agencies. In our domestic role, the National Guard is always in support of another agency, whether it is responding to an emergency, combating transnational crime, or supporting greater operational control and situational awareness of the border region. Operation Guardian Support is another opportunity to provide whole-of-Government support to our local, State, and Federal partners.

CURRENT ARIZONA NATIONAL GUARD PARTNERSHIPS—COUNTER DRUG TASK FORCE

Through the Arizona National Guard Counter Drug Task Force, we partner with over 70 local, State, and Federal law enforcement agencies. Authorized by the National Defense Authorization Act in 1989 under 32 USC § 112, the National Guard Counter Drug Program authorizes up to 4,000 National Guard members to perform drug interdiction and counterdrug activities in all 54 States and territories. The Arizona National Guard's Counter Drug program, referred to as the Counter Drug Task Force, began operations in 1989 and is currently the fourth-largest program in the country. The mission of the Counter Drug Task Force is based in law and provides military counterdrug and drug demand reduction support to local, State, and Federal law enforcement agencies and community-based organizations. For the past 30 years, the highly-skilled soldiers and airmen of the Counter Drug Task Force have provided unsurpassed operational counterdrug support, and continue to offer the continuity necessary to foster and maintain positive relationships with over 70 Federal, State, and local drug enforcement agencies and community organizations across the State of Arizona, including: Customs and Border Protection, Homeland Security Investigations, Drug Enforcement Administration, Federal Bureau of Investigation, Arizona High Intensity Drug Trafficking Area Center, Arizona Department of Public Safety, Arizona Counter-Terrorism Information Center, Metro Intelligence Support and Technical Investigation Center, Arizona Alliance to Combat Transnational Threats, USNORTHCOM, Joint Task Force North, and various county and city law enforcement agencies.

Serving in full-time National Guard Duty—Counter Drug status in accordance with 32 USC § 112, these soldiers and airmen are under State control and are not subject to the the Posse Comitatus Act. Counter Drug Task Force members have been given authorization to perform "Support Only" Counter Drug duties. It is this support role that brings the greatest benefit to our partners. The Counter Drug Task Force provides specific skill sets in support of civilian agencies, enhancing their capabilities and at the same time allowing them to devote their skill sets to their primary mission. These skill sets include: Investigative Case and Analyst Support, Communications Support, Ground Reconnaissance, Aerial Reconnaissance, and Civil Operations, formerly known as Drug Demand Reduction. These skills exercised through the Counter Drug Task Force in turn keep National Guard members in ready form when they are needed for other operations under the Governor's or the President's command.

PAST SUPPORT TO DHS AND CBP

Arizona has a total land area of just over 113,998 square miles and is the sixth-largest State in the Union. Arizona has an estimated population of well over 7 million. Arizona shares 389 miles of international border with Mexico and has 7 major ports of entry. Found between Arizona's ports of entry are a variety and combination of barriers that include pedestrian fencing, vehicle fencing, Normandy barriers, triple-strand barbed wire fencing and cattle guard crossings located on the Tohono

O'odham Indian Reservation only. The sovereign territory of the Tohono O'odham Nation straddles 75 miles (28 percent) of the Arizona/Mexico border. Nearly one-third of this reservation extends south directly into Mexico, and members of the Tohono O'odham Nation living on Tribal lands can freely traverse the border. Last month, the Tohono O'odham Nation approved a proposal by CBP to construct a virtual wall of 10 integrated fixed towers on Tribal lands to deter migrants and smugglers.[1]

Operation Jump Start (June 2006–July 2008)

On May 15, 2006, President George W. Bush declared Operation Jump Start as a 2-year, $1.2 billion program spread across the 4 Southwest Border States. The mission required 6,000 National Guard members the first year, and 3,000 the second year. The Department of Homeland Security and Customs and Border Protection were allocated forces based on their assessed needs that resulted in Arizona receiving 40 percent of the forces; the largest percentage of the 4 Southwest Border States. The goal of Operation Jump Start was to augment Customs and Border Protection with additional manpower for administrative and operational assistance missions, alleviating Border Protection agents of these responsibilities and allowing those agents to be sent back out to the field where they were needed most. Guard members from 51 of the 54 States and territories served in Arizona performing duties that included Entry Identification Teams, camera operators, logistical support, aviation support and engineering support. In total, 17,750 personnel participated on the mission. These personnel were comprised of individual volunteers, sourced unit rotations, and unit annual training rotations. During the first year of Operation Jump Start, an average of 2,400 National Guard personnel conducted operations in support of law enforcement efforts in Arizona. That number was reduced to 1,200 personnel during the second year.

Operation Phalanx Phase One (July 2010–February 2012)

On May 25, 2010, President Obama directed the temporary use of up to 1,200 National Guard personnel on the Southwest Border to support Department of Homeland Security requirements. Arizona was authorized 560 of the 1,200 personnel for the mission which equates to 46 percent of total mission personnel. Like Operation Jump Start, National Guard personnel are funded under U.S. Code Title 32 § 502(f), in accordance with the published Department of Defense order. Operation Phalanx supports both Customs and Border Protection and Homeland Security Investigations by supporting three key mission sets: Entry Identification Teams, Video Surveillance System support, and Intelligence Analysis.

Of the 560 personnel initially authorized for Operation Phalanx in Arizona, 504 personnel were tasked to support entry identification sites that operated on a 24-hour basis in close proximity to Arizona's Southern Border. Soldiers and airmen staffed 25 overt Entry Identification Team sites across 4 stations in the Tucson sector. Due to increased threat and violence along the international border, Arizona National Guard personnel were armed and assumed a higher arming status than similar missions during OPERATION Jump Start. Rules for the use of force were clearly defined, published, and provided to each service member on the mission.

Operation Phalanx Phase 2 (March 2012–December 2016)

In December 2011, the Department of Defense announced National Guard personnel supporting the Department of Homeland Security would be reduced from 1,200 to no more than 300 personnel and included a change in mission. In addition to continuing the intelligence analyst mission, the National Guard transitioned from a ground observation role to an aerial reconnaissance mission.

WAYS TO IMPROVE OPERATION GUARDIAN SUPPORT

There are limited mission modifications necessary. The CBP and Arizona National Guard have remained aligned in requests and support. The highly flexible nature of the National Guard and our constant communication with CBP has ensured we are meeting the needs of CBP in this dynamic environment.

Miss RICE. Thank you, Major General.

I thank all the witnesses for their testimony. I will remind each Member that he or she will have 5 minutes to question the panel. I will now recognize myself for questions.

[1] Hennessy-Fiske, Molly. "Arizona Tribe Refuses Trump's Wall, but Agrees to Let Border Patrol Build Virtual Barrier." *Los Angeles Times,* Los Angeles Times, 9 May 2019, *www.latimes.com/nation/la-na-arizona-tribe-border-patrol-trump-wall-20190509-htmlstory.html.*

Chief Provost, the subcommittee, in planning this hearing, invited the military adviser to the Secretary of Homeland Security to testify about these efforts. But we were informed that he was not ready to do so because he was newly reassigned to that position and did not feel that he could get up to speed even with 2 weeks time.

My question to you is, is the U.S. Border Patrol the sole entity within DHS that is coordinating these joint efforts with the Department of Defense at this time?

Chief PROVOST. Thank you for the question, ma'am.

No, Chairwoman, that is—we are not the sole ones. I will tell you, we work very closely with DoD. We do have planners that are embedded with them, because the majority of the support is supporting my men and women between the ports of entry, though as discussed earlier, a lot of work has been done within CBP as well at the ports of entry. So we are probably the main receivers of the support from the Border Patrol side of the house.

Miss RICE. My question is, when you are in need of something and you are reaching out to DoD, are you doing that directly?

Chief PROVOST. We have planners embedded with them. We create—from Border Patrol and from CBP, we do create the request for assistance in conjunction. Then we work with our partners at DoD. So that is being handled by some of my personnel.

Miss RICE. So before you make any request, are you running that up the chain through DHS and the leadership there?

Chief PROVOST. Yes, ma'am.

Miss RICE. Do you have conversations with anyone in the administration outside of DHS?

Chief PROVOST. Outside of DHS? Do I?

Miss RICE. Yes.

Chief PROVOST. No, I do not.

Miss RICE. OK.

OK. I just want to continue with you, Chief Provost, because you spent some time during your testimony talking about the seizure of drugs that we know happens at our border. My question to you is, has DHS conducted any assessments on the impact that DoD's planned or proposed border wall projects for areas between ports of entry might have on the volume of illegal narcotics entering the country?

Chief PROVOST. When it comes to the illegal narcotics coming across, there are really two types. There is what we know, meaning what we have seized, and then what we don't know, which is a difficult thing. I know Congress has asked numerous times on that. The area of 2,000 miles along the Southwest Border with Mexico, though, is a very vast and expansive area. As I stated in my opening statement, my concerns are what is getting across that I do not know about. I do know that the cartels are taking advantage of the humanitarian crisis. The example that I gave——

Miss RICE. No. No. No. I don't mean to interrupt, but I have an limited period of time.

Prior to DoD going ahead with, as Mr. Salesses has talked about, them building actual barriers at the border, did DHS conduct a study to see if they were building in the right areas and what im-

pact that would have on the drugs that are coming across the border?

Chief PROVOST. Border Patrol has identified where we need barrier. We have done that through a field-driven process where my field leadership and each of their respective areas identifies, and through the border security improvement plan, we have identified those miles where we have high traffic of—whether it is narcotics, illegal activity.

So we had already——

Miss RICE. So you do—so you do the assessment.

Can we see that assessment that you have done?

Chief PROVOST. The border security improvement plan?

Miss RICE. Well, and any updates to that that may—that are driving where DoD is doing their work.

Chief PROVOST. We have provided that to some. I will ensure that you have our border security improvement plan.

Miss RICE. OK. In May of this year, both Acting Secretaries of DHS and DoD announced their intent to continue joint efforts on the Southern Border. The chairman of the joint chiefs of staff later confirmed this by announcing that the Pentagon is working with DHS to develop what they called a multi-year plan for the border suggesting that DoD will deploy personnel to the Southern Border for at least the remainder of this current administration.

My question is to you, Mr. Salesses, is you mentioned previous instances where there was this collaboration that seemed primarily on a temporary basis. When you used the word multi-year, that kind-of—that doesn't sound so we are trying to address a crisis that is happening right now. That seems more like you are planning on embedding yourselves on the border for the long haul. So my question is, what is the status of this planning effort and what are its objectives?

Mr. SALESSES. Chairwoman, it is actually a joint venture. We have provided military planners to DHS. We actually have provided a general officer to work with DHS and CBP to develop a longer-term plan. We know that the crisis continues. But we want to know what the future looks like and to plan for that.

So there is a team that has been put together. They are developing a what we refer to as campaign plan to make sure that we understand where all the deficiencies are and the gaps are, not just at the Southern Border but within the whole immigration system starting from what happens in Central America to what happens in the immigration process all the way to—back to DOJ in that regard.

Miss RICE. OK. Thank you.

Now, I know I am out of time, but I just—Chief Provost, and I guess to you, Mr. Salesses. It seems to me that the reason why DoD has to come in is because you, as the CBP and higher up the chain to DHS, have decided that you are going to take trained Border Patrol agents away from their—the jobs that they are trained to do and have them doing different things that independent contractors could be hired to do so that you wouldn't create the crisis and need DoD to intervene.

So I just wanted to throw that out, because it seems to me that, you know, to take Border Patrol agents away from what they are

trained to do and have them doing, you know, activities that can be done by hiring independent contractors, which you have been given the money to do, seems a little shortsighted. But I don't have any time for any more questions, so I just wanted to comment on that.

I now recognize the Ranking Member of the subcommittee, the gentleman from Louisiana, Mr. Higgins, for questions.

Mr. HIGGINS. Thank you, Chairwoman.

Chief Provost, you mentioned that the decisions made regarding enhanced physical barriers, the specific miles of those requested barriers, and some that are under construction was field-driven. What do you mean by that, ma'am? Would you clarify? That means that, based upon data, that—provided by actual boots-on-the-ground knowledge of where enhanced physical barrier is needed, can you clarify that, please?

Chief PROVOST. Certainly, sir. I have 9 sectors along the Southwest Border. In each of those sectors, I have Border Patrol agents, ground agents that are involved in the process of identifying where a barrier is needed. That goes all the way up through the respective chief of each sector. They identify within their areas of responsibility where they believe that barrier makes sense in supporting our mission.

Mr. HIGGINS. Not to interrupt you, madam, but you are not—you are referring to one continuous long barrier, or are you talking about 17 miles here, 15 miles there, 10 miles the next place, et cetera?

Chief PROVOST. That is correct. It is dependent upon the traffic. We look at—when we talk about operational control, we look at the need for situational awareness, which often comes through technology or personnel, the response, which is our personnel, and impedence and denial, which is what that barrier brings.

Mr. HIGGINS. Yes, ma'am.

You also mentioned, and thank you for clarifying that, because no one is talking about putting a 30-foot wall on top of a 200-foot cliff, are we?

Chief PROVOST. No.

Mr. HIGGINS. There is already a 200-foot wall there.

Chief PROVOST. Big Bend sector would be an example of natural barriers.

Mr. HIGGINS. You mentioned layers of security in your opening statement. You mentioned technology to detect an incoming illegal crossing. You mentioned physical barrier to deter, I believe was your language——

Chief PROVOST. To impede and deny.

Mr. HIGGINS [continuing]. That physical crossing, and to delay it. You mentioned enhanced capacity to respond. This is generally the layered security that we have referred to in this subcommittee. Would you concur that that is the type of security that we need? That these elements work together.

Chief PROVOST. In my 25 years now that I am coming up on on the border, I have seen the benefits of a mixture of these resources. That mixture varies depending upon locations. But it is a mixture. It is not one or the other. We need some of all of this.

Mr. HIGGINS. Thank you. I'd like to give you an opportunity to address the status of the spirit of your men and women as they face unending stress and crisis every day. I commend you, ma'am, and American men and women that serve our country on the border. I just cannot imagine how they can continue day after day after day.

Would you, please, address what I might refer to as a humanitarian crisis growing within our own forces there?

Chief PROVOST. Certainly, sir. Thank you for that question.

First and foremost, my men and women are the ones doing the real job out there, and I am just honored to have the opportunity to represent them.

This crisis, and it is a crisis, I have stated it before, is certainly having an impact on my men and women. The hours that they are working, the things that they are seeing, the time it is taking them away from their families, this is like no other crisis that I have seen in my career when it comes to the humanitarian side of the house. It is certainly draining on my men and women. When I go out and see them, I am extremely impressed with their resiliency. But they are working long hours. Many of them are detailed away from home supporting the overtime hours. Border Patrol agents already work a 50-hour week. Then I am asking them to work even more with overtime to be able to deal with the crisis. So it certainly puts a strain on them personally, and it has an impact on their families because they are away from home as well as they are dealing with this, not to mention the things they are seeing.

Mr. HIGGINS. Well, they are to be commended and given great honor for their service.

Do you think that it would do well for the spirit of your men and women to know that Congress had their back? That Congress was going to provide the resources that they had been requesting for a long time and is badly needed?

Chief PROVOST. Yes, sir, that would certainly help.

Mr. HIGGINS. Thank you, ma'am.

General McGuire, I give you my remaining time, sir, 15 or 20 seconds, just to address the military readiness and if your deployment has impacted, your overall mission from military preparedness, as these hours, these flat hours, et cetera, this active-duty time, has it been helpful?

General MCGUIRE. It actually has been very helpful for us to develop readiness. I will give you one example. We had a battalion headquarters deployed down from a State, it was Wisconsin, a year ago. They were converting to Mike model Black Hawks, and they were able to do all their readiness level progression training in support of border protection there from Silver Bell Army heliport. Got up on step in the new helicopter much quicker than if they had been home throughout that entire year.

Mr. HIGGINS. So this mission has actually, in your opinion, General, enhanced military readiness and preparedness?

General MCGUIRE. It doesn't degrade military readiness. We assign soldiers based on their military specialties and airmen based on their military specialties to expand skills that could be adapted back. The biggest risk to mission long-term is our ability to make sure that in States like Arizona and Texas that are providing the

majority of the force that is in support, that they have the opportunity to do the mission command task back at their unit so senior NCOs warrant officer and officers have the opportunity to train, to platoon company level readiness for those formations on their drill weekends.

Mr. HIGGINS. Thank you for that clarification, General, and for your service.

Madam Chair, I yield back.

Miss RICE. Thank you, Mr. Higgins.

The Chair will now recognize other Members for questions they may wish to ask the witnesses. In accordance with our committee rules, I will recognize Members who were present at the start of the hearing based on seniority on the committee alternating between Majority and Minority. Those Members coming in later will be recognized in the order of their arrival.

The Chair now recognizes for 5 minutes the gentleman from Mississippi, Mr. Thompson.

Mr. THOMPSON. Thank you, Madam Chair.

Chief, will you provide the committee how you are measuring the effectiveness of this joint deployment with DoD? What are your matrix?

Chief PROVOST. Thank you, Chairman. There are numerous metrics that we track when it comes to the benefits that—whether it is my men and women or the DoD are bringing. That has to do with border security and operational control.

We track our interdiction effectiveness rate. I spoke to got-aways earlier. That is one of the things that we track, as well as apprehensions, seizures, all of these types of things. We are tracking the specific numbers. As I stated, DoD has specifically helped us with over 100,000 apprehensions as well as drug seizures in marijuana, cocaine, and methamphetamine. That support, as my agents are being pulled away to deal with the humanitarian crisis, is key when it comes to us having situational awareness on the border, because my resources are depleted.

Mr. THOMPSON. So do you have any resources at this point based on the Chairperson of the subcommittee's comments to contract for any of those services you are taking the agents away?

Chief PROVOST. We have numerous contracts. I will use the medical, for example. When it comes to medical care, we have expanded our contracts there. When it comes to transportation, we do have contracts. That is just not sufficient to keep up with the amount of transportation that I need. A part of that has to do with the contractors' ability to get through—get enough individuals into the area. So most recent has been——

Mr. THOMPSON. So is it a matter you don't have money for the contracts, or is it the contractor you are using, just as you said, doesn't have the ability to find people?

Chief PROVOST. It is both, sir. When it comes to the amount of money that we have been spending on the humanitarian, we need more funding to support those contracts. At the same time, working in remote locations, it is difficult to get personnel into those locations at times. There aren't necessarily just—there are not necessarily individuals with the correct background to be able to work in the positions that we need them in.

Mr. THOMPSON. What I would like you to provide for the committee is your efforts to extend the contracts for services that you presently contract for that you are now deploying your agents to do. Can you provide——

Chief PROVOST. Certainly. We have the information on our contracts to include our transport and our medical contracts. We can——

Mr. THOMPSON. I am looking for your efforts to expand those contracts. You gave medical or any other contracts.

Chief PROVOST. Definitely.

Mr. THOMPSON. Thank you.

Chief PROVOST. Sure.

Mr. THOMPSON. Mr. Salesses, at this point, how much can you provide the committee in terms of the cost of that—the deployments up to this point.

Mr. SALESSES. Chairman, the estimated cost for the military support is about $400 million.

Mr. THOMPSON. To this point.

Mr. SALESSES. Yes, sir.

Mr. THOMPSON. Are you familiar with Section 2808?

Mr. SALESSES. Yes, sir.

Mr. THOMPSON. OK. So if you looked at that—have we accessed any of those funds to build a border wall?

Mr. SALESSES. Sir, we have not. There is no decision been made at that point. The Department continues to assess the use of 2808.

Mr. THOMPSON. Do you have any idea when the assessment will be complete?

Mr. SALESSES. Sir, I don't. You know, we have had a number of reviews and analysis of the border barrier in support of 2808, and that decision is pending. It could come in the next a couple of weeks.

Mr. THOMPSON. Well, the reason I ask is the deployment was predicated on a National emergency, and, you know, we have been at this a good while. So if it is a National emergency, you know, it either is or it is not. If it is this emergency, is that decision a DoD decision, or is it a decision at the White House?

Mr. SALESSES. Sir, it is a DoD decision.

Mr. THOMPSON. It is DoD?

Mr. SALESSES. Yes, sir, it is. It is the Secretary of Defense's. It is military construction that is necessary to support the use of the Armed Forces is what the authority says. So it is the Secretary's decision to make that determination. Again, he is working with the Chairman and others to assess the proper use of that. As you know——

Mr. THOMPSON. I understand. But we have all been told that we need to build this big beautiful border wall, and so that is an issue.

So do you think it is appropriate to use DoD assets to paint a border wall?

Mr. SALESSES. Sir, in fairness to you and I, the reason the wall is being painted is CBP and DHS asked us. This paint that is being applied has been—has indicated that there is an anti-climb feature, so if people try to scale the wall, that that makes it very difficult. So this is a test of 1 mile to see how effective that anti-climb paint is going to be. That is——

Mr. THOMPSON. So you are saying it is fine——

Mr. SALESSES. Yes, sir.

Mr. THOMPSON [continuing]. To paint it?

Mr. SALESSES. To support this effort, with everything that is going on, it seems like a reasonable——

Mr. THOMPSON. Chief, can you tell why we can't contract for the painting of the wall?

Chief PROVOST. I cannot speak to the funding aspect of it. I identify the operational requirement that I have when it comes to barriers.

Mr. THOMPSON. So just for the record, who determined to paint the wall with military assets?

Mr. SALESSES. DHS and CBP asked for our assistance to do that, asked DoD for that assistance. We are using engineers to do that, the same engineers that put the concertina wire on top.

Mr. THOMPSON. So, Chief, you asked for the military to paint the wall?

Chief PROVOST. So we have asked for that support, I believe, in one of the RFAs. RFA 7, I believe.

Mr. THOMPSON. Well, can you provide the committee with whatever direction that request to paint the wall by the military went to?

Chief PROVOST. Certainly.

Mr. THOMPSON. Thank you, I yield back.

Miss RICE. Thank you.

The Chair now recognizes, for 5 minutes, the gentlewoman from Arizona, Mrs. Lesko.

Mrs. LESKO. Thank you, Madam Chairman.

I am going to start by reading an article that was published 6 days ago in the Arizona Republic.

"The body of a 7-year old girl was found Wednesday about 17 miles west of Lukeville in a remote desert area, U.S. Customs and Border Protection said. Officials believe the child was India trying to cross from Mexico into the United States with a group from that country, according to the agency. Border Patrol agents believe human smugglers dropped the group near the Mexican border where they were told to cross the terrain into Arizona alone, the agency said. Agents searched for the missing people north of the border in remote terrain. They eventually found the little girl's body after a few hours. The remote area where she was found is a rugged desert wilderness with few roads and resources. The area had a high temperature around 108 degrees Wednesday. After agents found the girl's body, they continued to search for the other 2 people who had been traveling with her, the release said. The National Guard and U.S. Customs and Border Protection sent out aircraft and helicopters to search the area."

I am not going to read the rest of it, because I only have 3 minutes and 40 seconds left. But the point of reading this is that we have a crisis at the border. We have had a crisis at the border. I live in Arizona. I have been to the border. So it wasn't so long ago that Speaker Pelosi and Senator Schumer said this is a manufactured crisis.

So I am very happy to hear today from both the Chairman and the Committee Chairman that they are actually acknowledging

that there is a crisis now. So I really hope that we will work together, as I said before, to try to change some of these policies. Because as you can tell from this story, the smugglers could give a darn about these migrants. The smugglers are making money off these people.

So instead of blaming President Trump, I wish we would put the blame where it belongs, with these smugglers, with the cartels, with the people that are abusing these migrants. Also with us, quite frankly, because we are not changing our policies.

Last year we had two pieces of legislation that I know of where we could have changed our policies to help stop this flow of the smugglers exploiting migrants. But not one of my Democratic colleagues voted yes.

Now, fortunately, we have in the Senate some type of potential agreement to fund the humanitarian crisis over there at least, which has been rejected I think 17 times by my Democrat colleagues in the House.

So I want to work with you. I am not trying to be disparaging. But I do have a question for you, Chief Provost. How would the funding for the humanitarian crisis, the $4.6 billion that is being proposed, help you to solve the crisis at the border?

Chief PROVOST. Thank you, ma'am.

Well, in numerous ways. You just mentioned it when you talked about the tragedies that we are seeing out there. The rescues, we have already rescued over 3,300 people crossing the border. As you identified, the temperatures are rising. This is a dangerous time of year.

That funding would help in relation to all of the humanitarian expenses that are coming out of my operating budget right now, help support those medical contracts, transportation, help support when it comes to air support and getting—being able to get out into those remote areas, all of the consumables of taking care of these folks when they are coming into our custody and our care.

Those are expenses that are not in my baseline budget. They are just not there because of this crisis coming up here over the last year. It would support all of those efforts, the care of the individuals in our custody when it comes to the humanitarian crisis and then dealing with just what we see on a day-to-day basis on the border.

Mrs. LESKO. Thank you very much.

With the short time I have left, General McGuire, can you provide some examples of the positive impact the National Guard has had working with CBP on the border?

General MCGUIRE. Well, ma'am, you mentioned the unfortunate incident we had just a couple weeks ago. Fortunately, the aviation and rotary wing support that we have had has led to no less than one humanitarian save of a life in the desert every time we have done this, and this is our fourth iteration of this.

We have a great relationship with the JTF West Command and the Tucson and Yuma Sector chiefs. Because of the nature of us only getting involved when there is an emergent condition to answer the call, we have picked up a number of their 9–1–1 calls and been able to be in support of them.

The other thing I would say that has been hugely successful is it is great for our soldiers and airmen because they get the opportunity to contribute to their local communities. We just redeployed 400 soldiers from Afghanistan a month ago. All of them had been there for 10 months, so 400 of them redeployed, 58 of them asked immediately to turn around and try to fill the 200 soldier and airmen gap we have between what we presently have on the border and willing to go forward.

They are motivated to help. Fifteen percent of our guardsmen serve in their civilian capacity in police and law enforcement. It is the No. 1 sector for our National Guard formations. So they have a strong kinship with the Border Protections and Customs, OFO, and all the groups that they work with along the border. So it has been a great opportunity for all of them.

Mrs. LESKO. Thank you, Madam Chair.

Thank you for all the men and women that work in CBP, Department of Defense, the National Guard. You guys are heroes. Thank you.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes the gentlewoman from New Mexico, Ms. Torres Small.

Ms. TORRES SMALL. Thank you.

Thank you, Chief Provost, for your long tenured career and service in the Border Patrol. Thank you as well, Mr. Salesses, as well as Major General McGuire, for your service to our country.

I have the honor of representing New Mexico's Second Congressional District. I am the only Member of the Homeland Security Committee that represents a district directly on the U.S.-Mexico border, and I serve on both House Armed Services as well as Homeland Security. So this is an important issue.

Chief, I also just want to thank your staff. Dan has been great to work with, and thank you for that.

So, back to this issue, when DoD redirected $1 billion from military personnel to build 57 million—or 57 miles of wall, a lot of it is in some rural parts of my district. That is why the analysis of why that is going to make impact really matters to me.

Part of that needs to be—with everything that is going on in the border, part of that is about the drug interdiction, sector by sector. I know that the committee has actually asked for that information, the sector-by-sector analysis, and it hasn't received it.

So, Chief, would you commit to providing that sector-by-sector drug interdiction information?

Chief PROVOST. I will go back to the Department and see whether or not—I know we provide National. I am not sure when it comes to specific sector-by-sector. But I can tell you in the border security improvement plan, that that is part of the analysis that we do, and we will ensure that you get that plan.

Ms. TORRES SMALL. Well, thank you. The most up-to-date information is very helpful. We have to make sure we are adapting to changing circumstances. I really appreciate that your office has provided the El Paso sector information—drug interdiction information to my office recently, so I know it is possible to do.

Chief PROVOST. Very good.

Ms. TORRES SMALL. So, if you can commit to it, I would deeply appreciate it.

Chief PROVOST. OK.

Ms. TORRES SMALL. Thank you so much.

Moving on, I deeply also appreciate Border Patrol's investment in these potential support positions to do some of the work that is currently taking Border Patrol agents and Customs officers off of the line and from the ports of entry when it comes to, for example, hospital watch or transportation. We are excited to support that effort. So I wanted to get some more information from you specifically on the qualifications that you see will be necessary for that position.

Chief PROVOST. Certainly. We are in the process, as you well know, of developing that position and ensuring that—as well as the training that will go with that new position that we have created. It is in the final phases of determining everything that will go into it. So I do not have the full analysis.

Of course, we have our attorneys and everyone involved when it comes to what they need for all of the legal aspects of the position. But that being said, we are very, very close to having all of that completed and would be more than happy to get that to you.

Ms. TORRES SMALL. Thank you. As Congress looks at what and how to fund this humanitarian crisis, as much information about this position will be helpful.

The other conversation that you had about contracting support——

Chief PROVOST. Yes.

Ms. TORRES SMALL [continuing]. And the challenges, as well as I am pleased to hear that you are working to expand that support, will these supplemental, these support positions supplement the contract support or replace it?

Chief PROVOST. I apologize, ma'am, if I didn't understand the question. The supplemental positions?

Ms. TORRES SMALL. Yes, these—sorry.

Chief PROVOST. Those would be helping in processing, transport some of those, so it would support it. I would tell you obviously the time to hire and those types of things will take some time to hire and train individuals to—so to say depending—you know, whether it would ultimately fully take away the need for the contract support, I can't say at this point.

Ms. TORRES SMALL. OK. Our sense is that the need is so strong that it doesn't necessarily require replacement. We would be eager to see you expand as much as possible this—some of the needs here.

Chief PROVOST. Yes, ma'am.

Ms. TORRES SMALL. Thank you. Do you have a hiring target for these support positions?

Chief PROVOST. I do not have the total number yet on that. That is one of the things that we are trying to finalize right now.

Ms. TORRES SMALL. In my short remaining time, I just want to switch to military readiness as a member of House Armed Services. How is—sorry, Mr. Salesses, how is the DoD tracking potential impacts and declines in readiness?

Mr. SALESSES. So, Congresswoman, you can imagine from your experience on the House Armed Services Committee, we watch that very closely. So the chairman of the joint chiefs, the Secretary, the service secretaries, the service chiefs all monitor the readiness and, in fact, I just received the readiness briefing last week. Predominantly, it is Army and Marine Corps forces being deployed right now, and so they——

Ms. TORRES SMALL. Just with the 4 seconds left, how are they monitoring it?

Mr. SALESSES. Well, they monitor it through the process, the DRRS process that we have, which allows you to—the commanders at the local level, at the higher levels to input the readiness of the units based on personnel, based on equipment, based on their training and those kinds of things. So it is a very—the DRRS system is a sophisticated system.

Ms. TORRES SMALL. You are tracking the continued impact?

Mr. SALESSES. Yes, ma'am, we are.

Ms. TORRES SMALL. Thank you. I yield back.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes the gentleman from Pennsylvania, Mr. Joyce.

Mr. JOYCE. Thank you for yielding, Madam Chairwoman, and thank you for convening this hearing on one of the most critical and important topics that we face in Congress today. There is an unprecedented crisis that we as a Nation face on our Southern Border. Over 144,000 immigrants attempted to illegally enter between ports of entry along the Southwest Border in May 2019, a 622-percent increase over the same month, just 2 years ago.

In the face of the inaction by Congress on this matter, President Trump has had to declare a state of emergency and direct the Secretary of Defense to deploy National Guard troops to the border to help CBP deal with this incredible crisis.

It is necessary to point out that the reason for a National Guard presence at the border, as I learned from taking—talking to Border Patrol agents in Arizona just a month ago, is that we currently are overwhelmed at Border Patrol.

We are overwhelmed because my colleagues across the aisle refuse to take up the necessary legislation to fix the loopholes in our asylum system and because of the refusal to allocate the necessary $4.5 billion in emergency aid that the Department of Homeland Security has asked for in order to feed and shelter the families and unaccompanied children.

In fact, they blocked legislation that would do so 15 times in the last month alone. The unwillingness of Congress to solve this problem prompted me and 4 Members, colleagues from the Pennsylvania delegation, to ask our Governor to send Pennsylvania National Guard to the Southern Border. Unfortunately, the Governor called this a stunt, and he called the crisis on our Southern Border hyperbole.

So, today, I intend to find out from you, our experts, whether the Governor's assessment of the situation is correct or whether more National Guard troops are needed and could be effective at our border.

Chief Provost, I understand multiple States have sent National Guard troops and assets to assist with the Operation Guardian Support mission. Today's statements indicate that there are currently 546 soldiers and airmen deployed out of the necessary 764 that are authorized in positions.

If the State of Pennsylvania tomorrow offered you additional National Guard forces, would you be able to make use from them and would you be able to better secure and protect our Southern Border?

Chief PROVOST. Thank you, sir. Certainly. The—as I stated in my opening statement, the support from the Guard and DoD has been invaluable, particularly as my resources have been diverted away, 40 to 60 percent of my resources being diverted. It concerns me about border security. We are dealing with a humanitarian crisis, but that is negatively impacting our ability to secure the border, and border security is National security.

Mr. JOYCE. Additionally, Chief Provost, do you think that describing the current situation at our Southern Border as a hyperbole, do you feel that is correct?

Chief PROVOST. No. I would disagree wholeheartedly with that. This crisis, as I said before, is like nothing I have seen in my 25 years. It truly is a crisis. I have been saying that since at least February to Congress when I testified back then.

We need your support. We need the funding as well that you have mentioned to support throughout DHS, not just for the Border Patrol, because when my partners don't have the funding they need, it negatively impacts my operations as well. Because I am the only one—the Border Patrol is the only one who can't say no. When these folks are coming in, they end up in our custody and our care, and we can't say no. So I need funding as well for my other partners along the way, ICE, HHS to be able to do their portion of this, automatic way through DOJ.

Mr. JOYCE. Thank you, Chief Provost. Thank you for addressing the real crisis that you and your team face.

Chief PROVOST. Thank you.

Mr. JOYCE. Madam Chairwoman, I yield.

Miss RICE. Thank you. The Chair now recognizes for 5 minutes the gentleman from California, Mr. Correa.

Mr. CORREA. Thank you very much, Madam Chair.

I want to thank our witnesses, Chief Provost, for being here today. I do a lot of good work with your folks out in Orange County as well as at the border of San Ysidro.

Secretary of Defense, also thank you very much.

General McGuire, I want to thank all of you for your service to our country.

You are absolutely right, Chief, we do have a crisis unprecedented. I think it is one not just in our part of the world but Central America we have, what, 2 million refugees, Venezuelans spread around Central America. When you see this, when you see violence you see people doing what they need to do, which is flee for their lives. So this is a challenge for all of us.

Chief, President Trump on June the 8th praised Mexico for a huge deal in immigration. He says, and this is *New York Post,* June the 8th: Mexico agrees to keep Central America migrants seeking

asylum in the U.S. on the Mexican side of the border until their cases are decided. Tell me how this will affect your job or how we are going to implement this new immigration policy.

Chief PROVOST. You are—the program that you are discussing, Congressman, is a program that we have been working with the Government of Mexico on certain individuals.

Mr. CORREA. Before June the 8th?

Chief PROVOST. Yes, sir.

Mr. CORREA. How long have you—so was it a big deal on June the 8th, or was it a deal that had already been in the works?

Chief PROVOST. The Government of Mexico has agreed to expand that operation. We had been doing it in—with California and as well as El Paso.

Mr. CORREA. How are they expanding it?

Chief PROVOST. Accepting more individuals back to wait for their hearings.

Mr. CORREA. So they were—how many were they accepting and how much are they——

Chief PROVOST. There wasn't a set number per se, but we had started it in California and in the El Paso area.

Mr. CORREA. If you don't—and I am not trying to be argumentative with you. I would love to talk to you about this off-line.

Chief PROVOST. Certainly.

Mr. CORREA. But I am trying to figure out, as this program expands and this humanitarian crisis in terms of these refugees being now housed, I should say, on the Mexican side, how is that going to address our resource allocation north and maybe in the Southern Border to make sure we do the right thing when it comes to a humanitarian crisis?

Chief PROVOST. Well, we work very closely with the Government of Mexico when it comes to——

Mr. CORREA. Do you have any specifics on that, though?

Chief PROVOST. Are you asking for numbers, or are you asking for——

Mr. CORREA. Specific, yes. Do we have any thoughts of how we are going to implement this expanded plan?

Chief PROVOST. Yes. We have coordinated with the Government of Mexico. It is dependent upon them having the ability to take a certain number each day. We have already expanded that number. It does vary from day to day because it is dependent on numerous factors.

Mr. CORREA. Let me shift here real quick. I have got 2 minutes, unfortunately.

Secretary Kelly, when he was head of Homeland Security, he was in this committee and I asked him a question. In my words, his answer—we talked about border security—he said: It is not about border security. It is about regional security and coordinating with our allies around the world. He considered Mexico as one of our allies.

You mentioned your issue is you don't know—you are concerned about the things you don't know. So my question to you would be, are you coordinating with the Mexican authorities to identify, and are you in coordination from Mexico and maybe Colombia on the issues of immigration and possible drugs?

Chief PROVOST. So we have coordinated with Mexico for years, and we work very closely with our partners at—in Mexico. We also have individuals stationed world-wide——

Mr. CORREA. We are not going at this alone. We are not going at this alone.

Chief PROVOST. We have individuals stationed world-wide in various countries specific to immigration issues, drug trafficking, and the such, working closely with various governments.

Mr. CORREA. I am glad to hear you say that because when I was in San Ysidro about 6 months ago, I went in, and I looked at your station there, and I looked at their board. They have a black board or white board of the names of the individuals they had actually apprehended that evening or the evening before. Half the names were Hispanic. The other half were actually Indian surnames. I say this to you because you are right when you talk about this refugee crisis is not just regional. I think it is world-wide.

Finally, in the 20 seconds that I have, another article in *The Wall Street Journal,* 2 days ago: "U.S. Seizes Massive Haul of Cocaine Aboard a Ship in Philadelphia." This is the latest in a series of large cocaine busts along the East Coast.

You mentioned some numbers on drug seizures. How would you compare the drug seizures along the border inland versus those at sea?

Chief PROVOST. Well, it would be difficult. I don't want to speak for my partners at the ports of entry——

Mr. CORREA. Because I have talked to the Coast Guard my subcommittee addresses, and they have told me that the seizures off their coast are record-breaking as well.

Chief PROVOST. I would say that we have—are having a lot of seizures everywhere, sir.

Mr. CORREA. Thank you very much, and I look forward to talking to you off-line a little bit more. I yield.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes the gentleman from Mississippi, Mr. Guest.

Mr. GUEST. Thank you, Madam Chairman.

To all of the witnesses, first, I want to thank you for your service to our country. I want to thank you for what you are doing as you are attempting to manage what is a very difficult situation along our Southwest Border. I want to speak a little bit on drugs, kind-of follow up on the question that you were just asked.

Do we continue to have a drug crisis along our Southwest Border?

Chief PROVOST. Yes.

Mr. GUEST. It would be to each witness. Would you agree—would each witness agree that we currently have a drug crisis along our Southwest Border?

Chief PROVOST. Yes, I would agree.

Mr. GUEST. General, I think you addressed that in your report that—or your written testimony that you gave. You state that, through fiscal year 2019, with the National Guard support, CBP has over 26,500 apprehensions, 18,000 pounds of marijuana, methamphetamines, and fentanyl have been seized. Could you expand on that just a little bit, please, sir?

General MCGUIRE. Those are the numbers that we have through the Counter Drug Task Force and working with a multitude of law enforcement, both Federal, State, and local entities. The flow of illicit narcotics continues on the Southwest Border, and unfortunately, the Arizona corridor is a heavily-trafficked corridor. There have been quite a bit of violent activity in that area over the last 6 years. Most recently with the opioid crisis, the huge increase in Mexican black tar heroin has been the one thing that we have seen as a big uptick over the last 2 years.

Mr. GUEST. Chief, maybe you can speak on this. How does the current immigration crisis that we are seeing along our Southwest Border, how does that affect your operations as you attempt to stop the flow of illegal drugs into our country?

Chief PROVOST. It is pulling my manpower away from the ability to deal with the border security mission. I can tell you that the smugglers are certainly taking advantage of that while my men and women are dealing with the humanitarian crisis.

We have had examples where they have run large groups. We have apprehended over 193 groups of 100 people or more at a time already this year, fiscal year to date. They will run a large group of people, and then, while my agents are distracted dealing with that, they are running narcotics in other areas, and this is a tactic that they use.

Mr. GUEST. So, because of a lack of manpower to basically perform both missions simultaneously——

Chief PROVOST. Yes, sir.

Mr. GUEST [continuing]. The drug cartels are using the human trafficking and the immigration as a way to distract, to tie up your manpower, your resources. Then at the same time, they are using that as an attempt or an ability to smuggle illegal drugs in our country. Would that be correct?

Chief PROVOST. That is correct.

Mr. GUEST. You are saying that the drug cartels and drug organizations in Central and South America are aware of this problem, and they are using this problem as a way to continue to get illegal drugs into our country?

Chief PROVOST. Yes, they are.

Mr. GUEST. How have you seen this recent crisis that we are experiencing today, how does it differ from past immigration crises that we have seen along our bother?

Chief PROVOST. The key is the demographic shift. When we have had numbers of—and it was mentioned earlier of a million apprehensions previously—we have—that demographic has been generally single adult Mexican nationals who could be voluntarily returned and many of them were.

It also was a difference of—the numbers are—I would—I call them apples and oranges. You are comparing apples and oranges. I personally would catch the same group in Douglas, Arizona, back in the 1990's 3 times, so that was counted as 3 apprehensions. This—the numbers that we are catching now do not have a—we do not have a high re-apprehension rate because most of them are being brought into the country.

So the demographic has changed. It takes a lot more for my manpower to process these individuals. Then there is the humanitarian

care issues that we are dealing with too and the time that it takes to deal with that, 76 trips to the hospital a day with individuals that we are apprehending.

Mr. GUEST. Chief, too, just very quickly, before my time is up, if additional funding was appropriated by Congress, could you use additional manpower along our Southwest Border to prevent illegal drugs from flowing into our country?

Chief PROVOST. Most definitely.

Mr. GUEST. If Congress were to change our current immigration laws or asylum laws so that we did not have the flood of individuals coming into our country seeking asylum, would those changes, in your opinion, would it also help you and your agency better be able to keep out illegal drugs from coming into America?

Chief PROVOST. Yes, it would.

Mr. GUEST. Thank you, Madam Chairman. I yield back.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes the gentleman from California, Mr. Peters.

Mr. PETERS. Thank you, Madam Chair and Ranking Member Higgins, for allowing me to join the subcommittee today.

The San Diego sector has seen tens of thousands of migrants, including unaccompanied children, family units, and single adults arrive at our border since October. The city and the county of San Diego, the State of California, and many local organizations of volunteers have stepped in to take care of the migrants entering the community. Certainly grateful for their dedication and hard work.

The relationship between the CBP and the Armed Services is not new in San Diego, as you well know. Particularly, I visited with Border Patrol officers most recently in March and saw how the Coast Guard supports border security operations in a pretty seamless way. The Coast Guard Medical Corps has been asked to assess CBP's medical programs, which is critical to make sure that the migrants are being taken care of, especially after these treacherous journeys.

I think the concern we have is that the Federal Government has relied on its military forces to enhance enforcement outside of the normal relationship and that maybe we are deploying the military in places where that is really not the appropriate personnel. I want to talk a little bit about that today.

Mr. Salesses, the DoD is currently reviewing, I understand, a request to house an additional 1,400 accompanied—unaccompanied children. Is that correct?

Mr. SALESSES. Sir, that has actually been approved. We are going to house those children at Fort Sill——

Mr. PETERS. Great.

Mr. SALESSES [continuing]. And they should start being housed there sometime mid-July, sir.

Mr. PETERS. So tell me how you assign the duties. How does the Department work with CBP or HHS to set up and maintain the facilities, and who staffs them and who oversees it?

Mr. SALESSES. So, sir, HHS is responsible for the children, as you point out, and we work very closely with them. They come to us and ask that we identify facilities and potentially land to house the

children. They would establish soft-sided facilities if they were going to use the land.

What we have done is that they go out and they do a site assessment at a military facility like they did at Fort Sill. They look at the facilities that are available to them to house the children. They make an assessment based on the location and their ability to provide the services that are needed. DoD does not provide any services. We just provide the facility. They provide the care to the children. That is the way that it——

Mr. PETERS. I want to say that, when I visited the border in March we—it was very—made very clear to us that the DoD understands this role. They were providing logistics support and reconnaissance, and I guess that that is within their scope of their expertise.

But the other thing we heard, Chief Provost, was that there were authorized positions in CBP that you couldn't fill. So I understand that there must be some obstacles to getting people hired. Can you tell me what those are?

Chief PROVOST. Well, certainly. There is a lot of competition in the law enforcement world in general right now when comes to hiring? That being said, we have made—last year was the first year we made progress. We hired more people than we lost, and we are on track to do that again this year. But I certainly need many, many more resources.

We have expanded our recruitment program. We are seeing more individuals come into the pipeline, as we would call it. My academy is currently full, which is a good sign, first time it has been in a few years. All of the classes are full through the fiscal year, so I am happy to see those kinds of numbers coming in. But it does take time to hire for Federal law enforcement and particularly into CBP through the process. We have expedited the process, the hiring process, and taken several steps in that area as well.

Mr. PETERS. It would be my preference and I suspect that most of my colleagues would like to see CBP doing the CBP jobs and for you to hire up so that the military could go back to more characteristically military functions rather than border staffing.

But the other side of that is, is this processing coordinator, which is a new role too for CBP. You may have touched on this with Ms. Torres Small, but are the qualifications going to be different for typical agents for that kind of position?

Chief PROVOST. It is a lesser qualification, and Ms. Torres Small did ask about it. We are in the process of finalizing exactly what that position will be like, the training that is involved. But the duties will be to be able—the position is there so that I can put my Border Patrol agents back doing their main job.

Mr. PETERS. Right. What would be the expectation about the processing coordinator developing relationships with local organizations that are providing these kinds of humanitarian services?

Chief PROVOST. I cannot say at this time in relation to working with them. I know, you know, we work very closely with several nongovernmental organizations across the Southwest Border.

Mr. PETERS. I have run out of time, but I just ask you to look at that because a lot of people are on the ground responding to the

Trump administration's change of policy back in October. I think we can learn a lot from each other, and I look forward to that.

I yield back. Thank you, Madam Chair.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes the gentlewoman from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. I would like to thank the Chairwoman for her courtesies extended, and I want to thank the Ranking Member for his.

Also let me thank all of the witnesses that are here today for their service to the Nation.

This is a committee that I have served on before in the midst of, however, the heinous and terrorist act of 9/11 as this whole department was being created, so there is a long-standing relationship with both the Homeland Security Department, its creation, the broadness of its jurisdiction, and then, of course, the committee that has oversight. I would say that, though we have certainly had common interests with the Department of Defense, this is an issue of the utilization of the Defense Department has always been of concern.

So let me, first of all, ask, to General McGuire, how many troops are there on the border now?

General MCGUIRE. We currently have 564 Arizona soldiers and airmen deployed in our—or 546. We have a resource allocation and could be up to 764 in Arizona. The total number between Arizona and Texas operating under gubernatorial authority, I think, is just over 2,000.

Ms. JACKSON LEE. So these are National Guard?

General MCGUIRE. All of the forces that are subordinate to Governor Ducey and myself are National Guardsmen. There are additional title 10 active component, Mr. Salesses has mentioned, primarily Marine Corps and Army folks don't have those specific numbers.

Ms. JACKSON LEE. Are they in the hundreds? You are saying there is over 2,000 military personnel?

Mr. SALESSES. Ma'am, I could—if it is helpful, I can answer those questions for you, ma'am.

Ms. JACKSON LEE. Yes.

Mr. SALESSES. Yes, ma'am. So there is 2,700 active-duty military members deployed in support of CBP. They are deployed in all 9 sectors and all 4 border States. As General McGuire pointed out, there is roughly 2,000 National Guard personnel deployed. The predominance of National Guard folks that are deployed are military members that are deployed in Texas and Arizona. There are a small number in California and New Mexico.

Ms. JACKSON LEE. All right. So the larger numbers are in Arizona and Texas. Who is defining on a day-to-day basis the role that the military plays?

Mr. SALESSES. Ma'am, that——

Ms. JACKSON LEE. Well, first, there is a leadership directive from Washington, I assume. Who is doing that, but who is giving them assignments day-to-day?

Mr. SALESSES. The assignments that are happening day-to-day are done at the operational level. We receive requests—the Depart-

ment of Defense receives a request from the Department of Homeland Security for the specific requirements that they would like us to assist with, whether that is helicopters or mobile surveillance camera operators, the type of military support that we are providing right now.

That is approved by the Defense Department, by the Secretary of Defense, and then the operational commanders below that, in this case, the Northern Command for the active component. The individual TAGs, like General McGuire, who is managing the National Guard for Arizona, and the TAG from Texas is managed——

Ms. JACKSON LEE. Thank you. My time is short, so let me——

Mr. SALESSES. Yes, ma'am.

Ms. JACKSON LEE. I appreciate it.

Chief, let me ask you questions very quickly. People are appalled, and we will be providing as much money—I want to put on the record, it shouldn't be a Republican or Democratic matter, but the conditions of the border are compounded by the administration's rules and policies and precipitous announcements.

Tell me, have you gotten a more credible health structure? When I was there, the Coast Guard were working off of a table with some chairs as it relates to health care. Then have you improved the conditions that women and children are living in, particularly those who manage to get across the border? I know there are conditions on the other side of the border with Mexico, but the conditions and the visuals are dastardly, and children shouldn't be treated that way. So if you can answer that, and then a second component is, what participation will you have if the President goes ahead with, again, a thoughtless proposal of deporting 1 million people next week? What role will you have, Chief?

Chief PROVOST. If I may address the—first and foremost, the role of interior enforcement is Immigration and Customs Enforcement.

Ms. JACKSON LEE. I know it is, but they have to cross the border, so you all are at the border.

Chief PROVOST. So——

Ms. JACKSON LEE. If they are not flying, they are crossing the border. I understand that.

Chief PROVOST. I do not have a role in relation to——

Ms. JACKSON LEE. So you have not heard from them on the policy as to what you all would be doing?

Chief PROVOST. That is not something that—within CBP policy—that CBP——

Ms. JACKSON LEE. That you have heard that you would be participating in. You have not heard anything?

Chief PROVOST. I have not heard that.

Ms. JACKSON LEE. All right. Then could you go on——

Chief PROVOST. To address the issues—and you point out very relevant concerns that we all have. My facilities were never built to house this demographic. They were built in the 1980's and 1990's, mainly focused on housing single adults.

Once again, CBP does not do detention. It is my goal to get everybody out of my custody and care as quickly as possible. This is why Health and Human Services, when it comes to unaccompanied children, needs the beds to be able to take them into their care. When it comes to single adults, I need ICE to have funding. The

family units we are processing and removing and releasing as quickly as we possibly can.

That being said, we have added some soft-sided structures to expand. We have added shower trailers, things like that, all of the consumables for humanitarian care. This is part of the reason that I need funding to help deal with this humanitarian crisis.

On the medical, we have expanded the contract. We have a medical contract. We have expanded that. We are continuing to try to expand that further. My facilities are restricted somewhat in relation to what I have available for them to work in, but we are trying to do the best that we can with what we have.

Ms. JACKSON LEE. Well, the disaster supplemental is being worked on. You are absolutely right, we should in a bipartisan manner, nonpartisan manner get you the dollars that you need to deal with the population that you have. You are not establishing the policy. So I hope that we can work together to get that done.

Thank you, Madam Chair, very much.

Miss RICE. Thank you.

The Chair now recognizes for 5 minutes, the gentleman from Texas, Mr. Green.

Mr. GREEN of Texas. Thank you, Madam Chair. I thank the witnesses for appearing as well.

I too would like to echo the premise that this is not about conservatives or liberals, Democrats or Republicans. It is really about people and about our border. I believe that we have a responsibility to secure our border, and I believe we also have a responsibility to deal with refugees, persons who are fleeing harm's way.

My suspicion is that each of you would concur with the necessity to secure the border as well as follow the law and deal with persons who are fleeing harm's way. Now, if someone differs with me on what I have said, I would kindly ask you to respond. Thank you. I take it you agree with me.

A lot of what we are doing in responding is based upon perceived facts, perceived facts. You all are honorable people and you deal with facts. We do have some porous borders south of Mexico. Is it fair to say that El Salvador has a porous border? I was there just recently. Chief, would you kindly respond?

Chief PROVOST. Yes, I would say so.

Mr. GREEN of Texas. Is it fair to say that they don't have the level of border security that we have?

Chief PROVOST. I am not an expert on their security, but I would say that is correct.

Mr. GREEN of Texas. Same thing would probably apply to Honduras and Guatemala. That would be my speculation. Like you, I am not an expert, but I have been reading about these things and it seems like they have some porous borders, and that contributes, to some extent, to what is happening at our border. Fair statement?

Chief PROVOST. Yes, I would certainly say—as I stated in my opening statement, there are many individuals, not just the Northern Triangle folks, that are traversing through those countries to come up to our border.

Mr. GREEN of Texas. Major, would you concur that we have these problems with these countries and their borders?

General MCGUIRE. Congressman, I have only visited Guatemala. I can't discuss at all El Salvador and Honduras, but, yes, I have been briefed that they have similar problems with an inability to secure crossborder transnational activity.

Mr. GREEN of Texas. It seems to me that our military was deployed based upon facts that were submitted. Is that a fair statement in terms of the deployment of the military conditions at our border? Is that a fair statement?

Mr. SALESSES. Yes, Congressman, it is.

Mr. GREEN of Texas. One of the facts that seem to be in dispute is the fact that our border is the weakest in the world. Our border is not weaker than Honduras or El Salvador, Guatemala. We have a border that we want to secure, but I think we should acknowledge that it is not the weakest in the world. If you think our borders are the weakest in the world, please speak up. I take it you agree that it is not the weakest in the world.

I mention this not because of your honor and your integrity, but the Chief Executive Officer of the United States of America, known to all of us as the President, that is his statement. He made some of his decisions based on his belief that our border is the weakest in the world. We ought not deploy our assets based upon fallacious information. Assets should be deployed based upon certainty and facts.

I lived around military people for a good deal of my life, all honorable people. This was not a fair statement to be utilized to deploy our assets, the weakest in the world. We don't have the weakest border in the world. I do believe that there are some things we can do, but we ought not fabricate stories to deploy assets.

I yield back the balance of my time.

Miss RICE. Thank you.

We are going to go into a second round of questioning. I recognize myself for 5 minutes.

Mr. Salesses, on May 8, 2019, Acting Secretary Shanahan issued a memo conveying a new policy for sharing information with Congress and the GAO, the Government Accountability Office. This policy states that access to plans, operational orders, and Executive Orders will be limited based on a number of factors and could be used to limit access to important information needed to support Congressional oversight. Can you tell me what those limitations are?

Mr. SALESSES. Congresswoman, I don't know what those limitations are. I do know that we are working very closely with the GAO right now to share information on what the Defense Department is doing. I know there is a GAO audit under way. I have met with GAO personally. We do have a process in place to share a lot of information that has been published by the Defense Department, and we are continuing to do that. I don't know the specifics of the memo in regards to what will be shared and not shared.

Miss RICE. Were you part of putting that together? Were you consulted at all?

Mr. SALESSES. The memo, no, ma'am, I wasn't.

Miss RICE. So you can't tell us right now what the limitations were that then-Acting Secretary Shanahan was talking about?

Mr. SALESSES. No. But I am sure I can find out and provide that information.

Miss RICE. Well, if you could please let the committee know——

Mr. SALESSES. Absolutely, ma'am.

Miss RICE [continuing]. Because it seems to me that there are far-reaching implications if there are going to be limitations put on information sharing for this committee to do our appropriate oversight. So I would appreciate you sharing with us those limitations.

In response to DHS's April 2019 request for assistance, Acting Secretary Shanahan announced that DoD would make an exception to its practice of prohibiting DoD personnel from serving in roles that requires interaction with migrants in their daily activities. What limitations or restrictions remain in place for DoD personnel who are deployed to the U.S.-Mexico border, and what are the DoD's red lines for what active-duty personnel cannot do in terms of border operations?

Mr. SALESSES. Well, specifically, as it relates to that request, that was the request for the drivers. We are going to provide 160 drivers. We are also providing 100 military personnel to assist with handing out meals. We have worked very closely with DHS and CBP in the conduct of our military personnel that will be in and around migrants specifically on buses.

The Border Patrol will have a Border Patrol agent. There will be no custodial requirements for any DoD personnel in that process of either handing out the meals of those or driving the buses, and that is what that is focused on, ma'am.

Miss RICE. Ms. Provost, or Chief Provost, do you have anything to add to that?

Chief PROVOST. I would just say that is correct. There are certain duties that, of course, are inherently law enforcement-related, and we retain those duties. Mr. Salesses was exactly correct on how that is being carried out when it comes to transport and the meal prep and assistance.

Miss RICE. OK. Thank you.

Mr. Salesses, if you could follow up and provide the committee with those limitations that we spoke of before, I would appreciate that.

Mr. SALESSES. Yes.

Miss RICE. Thank you. I now—the Chair now recognizes the Ranking Member, Mr. Higgins.

Mr. HIGGINS. Thank you, Madam Chair.

On April 4, 2018, President Trump launched Operation Guardian Support, which directed the Secretary of Defense to deploy National Guard personnel under title 32 authority to support Customs and Border Protection in securing in the Southwest Border. Operation Guardian Support released Border Patrol agents from non-law enforcement duties, allowing them to focus on border security.

Chief Provost, would you agree with that assessment?

Chief PROVOST. Yes.

Mr. HIGGINS. Does that clarify what we are talking about today regarding DoD support?

Chief PROVOST. Certainly, as well as other support.

Mr. HIGGINS. My colleague mentioned the need to return to—I believe the quote was military role rather than border staffing.

Let's clarify for the American people watching please. Mr. Salesses, you are the Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities for DoD. Is that correct?

Mr. SALESSES. That is correct, sir.

Mr. HIGGINS. The DoD forces that are deployed to assist in Operation Guardian Support, are they not serving in MOS-specific, Military Operational Special-specific roles?

Mr. SALESSES. They are providing support to DHS.

Mr. HIGGINS. According to their MOS?

Mr. SALESSES. In the vast majority of them, yes, sir.

Mr. HIGGINS. In other words, you have pilots and air crews flying planes. You don't have them doing vehicle maintenance, do you?

Mr. SALESSES. There are individuals doing vehicle maintenance.

Mr. HIGGINS. You have vehicle maintenance MOS guys doing vehicle maintenance, right?

Mr. SALESSES. We do, yes, sir. Correct, sir.

Mr. HIGGINS. You have truck driver MOS driving trucks. You don't have them monitoring cameras. So, just to clarify for America, the DoD personnel deployed in Operation Guardian Support are performing their military role according to their training. They are not just randomly performing border staffing. Is that correct?

General, please answer.

General MCGUIRE. Yes, to the max extent possible, we align them with their MOS. So an 88 Mike truck driver will be driving heavy trucks. An engineering soldier will be operating heavy equipment to support movement of our formations. Our aviation maintenance guys will be repairing the helicopters that we sustain. The pilots are flying them.

Mr. HIGGINS. Thank you, General, for clarifying that.

I would like to also clarify, my colleague, whom I greatly admire, Mr. Green—I wish he was here—he quoted the President as saying that we have the weakest border in the world. I would just like to clarify that the quote was actually that we have the weakest immigration laws anywhere in the world and that Congress must change our weak immigration laws. I don't believe that the President has stated we have the weakest border or border security forces in the world, and I would just like to clarify that.

Chief, again, please, share with us your thoughts on what would happen within your forces should Congress act and approve the supplemental funding and provide the resources that you have asked for. What would happen with your staffing, your morale? What would be the response within your ranks, ma'am?

Chief PROVOST. Well, certainly part of what we have been asking for is more manpower as well as retention incentives to support the amazing work that my men and women are doing, but on top of that all of the support that is needed.

Currently, I am using operational funds to deal with the humanitarian crisis, and that is taking away from equipment and resources that my men and women need to do their jobs, as well as, as I stated before, the funding that is needed for ICE. I need Immigration and Customs Enforcement to have beds to take these single adults out of my care and custody.

I have approximately 8,000 in custody right now that I—I cannot release single adults. If I release single adults, we will lose the border. I have said that before. If we do not have some kind of consequence for violating the law and illegally crossing our borders, then I don't know what I am here for, in all honesty, or my men and women.

Our border——

Mr. HIGGINS. So would you——

Chief PROVOST. Go ahead, sir.

Mr. HIGGINS. So would you concur, Chief, that the sovereignty of our Nation is at stake here?

Chief PROVOST. It is. I will tell you that the borders that I am concerned with and the ones that I am responsible for are our borders.

Mr. HIGGINS. Thank you, Madam Chair.

I appreciate the second round of questioning. I yield back.

Miss RICE. Thank you, Mr. Higgins.

The Chair now recognizes for 5 minutes the gentleman from Mississippi, Mr. Guest.

Mr. GUEST. Thank you, Madam Chairman.

Chief, I just want to follow up a little bit on what Ranking Member Higgins was just talking about. In your written testimony on page 4, the conclusion, you state border security is National security. There is no difference. The crisis on our Southwest Border puts our National security at risk.

I have repeatedly asked Congress to act to address the outdated legal framework and broken immigration system that has caused dangerous mass migration with no end in sight. Without legislative solutions, CBP expects the need for continued DoD support to help address the diversion of resources away from the border mission to the current humanitarian crisis.

Just giving you a platform, Chief, what do you believe that we can do as Congress to help stem the crisis that we are seeing along our border?

Chief PROVOST. Well, first and foremost, we need to address the legal framework issues, as I stated. Specifically, we have to have the ability to hold families together in an appropriate setting throughout an expedited immigration process. We have to do that. That is why families are flooding into this country because the word has gotten out, smugglers, you know, tell them, bring a child, you will be released into the country. We have to have that ability.

We need to eliminate the double standard for noncontiguous unaccompanied children, and that is where we have no ability to return children to their homeland if they are not Mexico or Canada. We also need to tighten up the asylum process to address the low bar for credible fear, as many of those who meet the bar for credible fear do not meet the bar for asylum, as well as the supplemental funding that we so desperately need.

Mr. GUEST. Let me talk about that, Chief. Because Congress has failed to bring to the floor a bill that would provide the supplemental funding to deal with the on-going humanitarian crisis, has that made the situation along our Southwest Border better or worse?

Chief PROVOST. It has definitely made it worse.

Mr. GUEST. Has our lack of ability to, again, pass a supplemental funding request, has that affected the morale of the men and women who serve in your agency?

Chief PROVOST. Yes, I would most certainly say so. As I stated before, that supplemental is more than just the funding that I need because my partners don't have the funding they need. That has a negative impact on my work force. We have to maintain custody, for instance, longer of single adults, and that is not the responsibility of my men and women. They should be out securing the border.

Mr. GUEST. I want to talk a little bit about the detention centers there along the Southwest Border. Are you familiar with those detention centers, Chief?

Chief PROVOST. Yes, sir.

Mr. GUEST. All right. Recently a Member of Congress has referred to those detention centers as concentration camps, remarks which myself and other Members of Congress find highly offensive. Would you care to comment on that matter, particularly in light of the fact that you and the administration has repeatedly requested supplemental funding so that we can better, in a more humanitarian fashion house individuals, Congress refuses to act upon that, and yet, we continue, as certain Members of Congress continue to criticize what you were doing with the limited resources that you have? So, in the last minute or so of my time, would you care to comment on those remarks?

Chief PROVOST. I personally find them offensive. My men and women as well as the men and women in ICE are doing the best that they can with the limited resources that they have. I am calling agents who are bringing toys in for children and buying them with their personal money. Agents are bringing in clothes. They are feeding babies. They are doing—going above and beyond day in and day out to try to care for these individuals to the best of their ability, and this is not what they were trained or what they signed up for to do. So I am extremely offended by that—those comments.

Mr. GUEST. Well, Chief, again, I want to personally thank you and the men and women that serve under your leadership for the way that you all are handling this very difficult crisis. I want you to know that there are Members of Congress who will work to try to see that you have the resources that you so vitally deserve.

Thank you, Madam Chairman. I yield back.

Miss RICE. Thank you. I want to—I too want to thank all the witnesses for their valuable testimony and the Members for their questions. The Members of the committee may have additional questions for the witnesses, and we ask that you respond expeditiously in writing to those questions.

Without objection, the committee record shall be kept open for 10 days. Hearing no further business, the committee stands adjourned.

[Whereupon, at 11:55 a.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRWOMAN KATHLEEN M. RICE FOR CARLA PROVOST

Question 1. Please provide a copy of each of CBP's Border Security Improvement Plans and any updates or changes to each plan.

Answer. Response was not received at the time of publication.

Question 2. Please provide the committee with a copy of each Request for Assistance and any related attachments submitted by the Department of Homeland Security to the Department of Defense from April 2018 to date.

Answer. Response was not received at the time of publication.

Question 3. Did DHS submit any request to DoD for support under section 284, which governs the DoD counterdrug activities, for border wall construction in 2017 or 2018? If so, please provide the committee with copies of each of these requests.

Answer. Response was not received at the time of publication.

Question 4. If Congress had appropriated $5.7 billion to DHS for construction of a border wall, would DHS have requested DoD's assistance for border wall construction under its section 284 authority for counterdrug activities?

Answer. Response was not received at the time of publication.

Question 5. What are DHS's future plans for DoD involvement on the U.S.-Mexico border?

Answer. Response was not received at the time of publication.

Question 6. What milestones, if any, are under consideration to draw down DoD presence in these areas?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR CARLA PROVOST

Question 1. In a December 2018 request for assistance to the Department of Defense, the following statement is included: "The successful deterrence at the [ports of entry] has resulted in attempted entry between the [ports of entry]." This is given as a reason why DHS needs DoD support on the U.S.-Mexico border. Is CBP's "successful deterrence" at ports of entry helpful to Border Patrol's overall mission? Is the policy decision to meter people at ports of entry being reconsidered due to high volumes of people attempting to enter between ports of entry?

Answer. Response was not received at the time of publication.

Question 2. Please provide the committee with any documents DHS sent to DoD that requests the painting of the border wall for operational purposes.

Answer. Response was not received at the time of publication.

QUESTIONS FROM RANKING MEMBER CLAY HIGGINS FOR CARLA PROVOST

Question 1. Over 500 volunteers DHS-wide have been place along the border to help your agents with processing to return them to the line. Border Patrol agents from the Northern Border have been redirected as well. Unbelievably, in the past 2 DHS appropriations bills drafted by the Democrat majority, they have zeroed out funding for the hiring of additional Border Patrol agents.

Are you feeling this on the front lines? How does this negatively impact our ability to secure the homeland?

Answer. Response was not received at the time of publication.

Question 2a. Apprehension numbers are on track to surpass 13-year highs. The demographic, high volume, and means by which individuals are arriving at and crossing the border illegally is forcing nearly half of your law enforcement officers to spend time processing migrants that your facilities are not equipped to hold. At least 6 of Border Patrol checkpoints used as a second layer of defense to interdict narcotics and other contraband have been closed due to resource constraints.

Are you concerned that terrorists, gang members, criminals, and other National security or public safety concerns have an easier time of getting through our Southwest Border due to the current crisis?

Answer. Response was not received at the time of publication.

Question 2b. Have Known or Suspected Terrorist hits increased since last fall?

Answer. Response was not received at the time of publication.

Question 3. Is it safe to say on top of the more than 3,000 identified fraudulent family units, more have slipped through the cracks? And, how does rapid DNA technology ensure the safety of migrant children?

Answer. Response was not received at the time of publication.

Question 4. Ten years ago, we mandated polygraph exams during CBP hiring to combat corruption. Are they still an effective tool or is it time to explore other options? And, would you support the formation of an expert working group to look at alternatives that preserve officer integrity but don't trip-up honest candidates?

Answer. Response was not received at the time of publication.

Question 5. Can you explain the operational requirement that led to painting the border wall as a result of RFA No. 7?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRWOMAN KATHLEEN M. RICE FOR ROBERT G. SALESSES

Question 1. Please provide the committee with a copy of each response from the Department of Defense to each Request for Assistance from the Department of Homeland Security from April 2018 to date.

Answer. Department of Defense responses are included in Enclosure 1.*

Question 2. The chairman of the joint chiefs of staff and the DoD comptroller submitted assessments to the Acting Secretary of Defense about using section 2808 to construct a border wall on May 10, 2019. Please provide the committee with a copy of each of these assessments.

Answer. DoD is unable to provide the requested assessments because they are deliberative materials intended to inform a Secretary of Defense decision that he has not yet made. Such assessments have not been produced in related civil litigation, which remains on-going.

Question 3. Please provide a copy of the Campaign Plan between DHS and DoD regarding the multi-year deployment of DoD to the Southwest Border to the committee.

Answer. At this time, there is no multi-year Campaign Plan; DoD support to DHS is driven by evolving DHS requirements to address the crises at the Southwest Border.

Question 4. What standards are used by the DoD to determine it can support a request for assistance from DHS? In addition to analysis on the impact these requests may have on readiness and resources, what policy deliberations are part of the process? How often does DoD reassess its support to DHS for Southern Border activities? Has DoD ever been unable to fulfill a request for assistance by DHS in the past 2 years?

Answer. As part of its standard request for assistance process, DoD evaluates all requests for assistance based on the following considerations: Legality; the potential for use of lethal force by or against DoD personnel; the risk to DoD personnel; cost to DoD; appropriateness; and potential effect on DoD's ability to perform its other primary defense missions. Recommendations to the Secretary of Defense concerning requests for assistance are coordinated within DoD with the Office of the Under Secretary of Defense (comptroller)/chief financial officer, the general counsel of the Department of Defense, the chairman of the joint chiefs of staff, and other officials, as appropriate, based on the specific request. DoD continually assesses the DoD capabilities and resources necessary to meet DHS support requirements, while mitigating the impacts on military readiness and considering on-going and future operational commitments. DoD has always been capable of fulfilling DHS requests for assistance; however, there have been occasions when DoD could not approve a DHS request. For example, DoD could not approve an October 25, 2018, DHS request for DoD to protect U.S. Customs and Border Protection (CBP) personnel performing their Federal functions within property controlled by CBP at or adjacent to designated U.S. ports of entry because such support first required the President's approval.

Question 5. What tasks is the military performing at the Southern Border that DHS does not have the capability to do?

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*Response has been identified as For Offical Use Only and has been retained in committee files.

Answer. Generally, DHS requests for DoD assistance seek additional capacity to augment DHS capabilities rather than military-unique capabilities.

Question 6. Did DoD request an appropriation from Congress for border wall construction for fiscal year 2019? If not, why not?

Answer. DoD's budget request for fiscal year 2019 did not include a request for border wall construction funding. At the time DoD submitted its fiscal year 2019 budget request, DHS had not requested assistance from DoD to construct border barriers.

Question 7. When did DoD first consider supporting DHS's border wall construction efforts under section 284, which governs counterdrug activities for DoD?

Answer. Section 284(b)(7) of Title 10, U.S. Code, authorizes the Secretary of Defense to, at the request of a Federal, State, local, or Tribal law enforcement agency, construct roads and fences and install lighting to block drug smuggling corridors across international boundaries of the United States. On February 25, 2019, DHS requested that DoD use this authority to construct fences to block DHS-designated drug smuggling corridors across the international boundary of the United States with Mexico. On March 25, 2019, after careful consideration, the Acting Secretary of Defense approved this request.

Question 8. Do the current conditions on the border present a military threat to the United States?

Answer. DoD support to CBP is being provided pursuant to the President's lawful direction, including his April 4, 2018, Presidential memorandum, "Securing the Southern Border of the United States." In this memorandum, the President directed DoD to support DHS "in securing the Southern Border and taking other necessary actions to stop the flow of deadly drugs and other contraband, gang members and other criminals, and illegal aliens into this country." This memorandum stated that "[t]he security of the United States is imperiled by a drastic surge of illegal activity on the Southern Border" and "[t]he combination of illegal drugs, dangerous gang activity, and extensive illegal immigration not only threatens our safety but also undermines the rule of law." In addition, the President's February 15, 2019, National emergency declaration (Proclamation 9844) stated that "[t]he current situation at the Southern Border presents a border security and humanitarian crisis that threatens core National security interests and constitutes a National emergency" [emphasis added].

Question 9. Does the military need a border wall to assist in supporting DHS at the border? Why or why not?

Answer. On February 15, 2019, the President declared that a National emergency exists at the Southern Border of the United States that requires the use of the armed forces, making available certain emergency authorities, including Section 2808 of Title 10, U.S. Code (Proclamation 9844). At this time, the Secretary of Defense has not yet decided to undertake or authorize any barrier construction projects under Section 2808.

Question 10a. On May 8, 2019, Acting Secretary Shanahan issued a memo conveying a new policy for sharing information with Congress and the Government Accountability Office. This policy states that access to plans, operational orders, and execute orders will be limited based on a number of factors and could be used to limit access to important information needed to support Congressional oversight.

What limitations does Acting Secretary Shanahan's May 8 memo have on providing Congress, including the Government Accountability Office, documentation related to DoD's support of Southern Border operations?

Answer. The May 8, 2019, memo sets out the factors considered when determining whether to disclose operational plans and execute orders, which are some of the most sensitive documents at DoD. Specifically, when a DoD component receives a Congressional request for access to an operational plan or execute order, the DoD component is required to forward the request to the under secretary of defense for policy (USD(P)) for appropriate action regarding that specific request. The USD(P) is required to coordinate responses to such requests with the chairman of the joint chiefs of staff, the assistant secretary of defense for legislative affairs, and the general counsel of the Department of Defense. In evaluating requests under this policy, the reviewing officials are required to consider a number of criteria, including: (i) Whether the request implicates Presidential decision making or the President's prerogatives as the Commander-in-Chief, such that coordination with White House staff is warranted; (ii) whether the possibility of disclosure presents an unreasonable risk to the conduct of operations, such as the exercise of the command function, force protection, operational security, or any other risk to the operation or personnel; and (iii) whether the request has been or may be reasonably accommodated by means other than providing the actual plan or order, such as providing a briefing.

Question 10b. Has the Department given GAO access to critical execute and operational orders that establish the goals and parameters for personnel deployed to the Southern Border?

Answer. DoD has accommodated all GAO requests for information consistent with the law and DoD policies.

Question 10c. Please provide the committee with a copy of the May 8th memo from former Acting Secretary Shanahan.

Answer. Acting Secretary Shanahan's memorandum is included in Enclosure 2.

SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

5/8/19

MEMORANDUM FOR CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE
SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEF OF THE NATIONAL GUARD BUREAU
COMMANDERS OF THE COMBATANT COMMANDS
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
DIRECTOR OF NET ASSESSMENT
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Congressional Requests for Access to Operational Plans and Orders

This policy applies to requests from Congress, including individual Members of Congress, the congressional defense committees, and the Government Accountability Office, for access to plans and operational orders, including Executive Orders (EXORDs). The Under Secretary of Defense for Policy (USD(P)), delegable only to the Deputy USD(P), shall establish and supervise the implementation of policies and procedures for accommodating congressional requests for access to operational orders in accordance with this policy.

When a DoD component receives a congressional request for access to an operational plan or operational order, the DoD component will forward the request to the USD(P) for the appropriate action for that specific case. The USD(P) will coordinate responses with the Chairman of the Joint Chiefs of Staff, the Assistant Secretary of Defense for Legislative Affairs, and the General Counsel of the Department of Defense. In evaluating requests under this policy, the reviewing officials will consider the following:

1. Whether the request contains sufficient information to demonstrate a relationship to a legislative function;

2. Whether the request implicates presidential decision-making or the President's prerogatives as the Commander in Chief, such that coordination with White House staff is warranted;

OSD004508-19/CMD005828-19

3. Whether the plan or order relates to a past activity or is still in effect and applicable to current or future operations;

4. Whether the possibility of disclosure presents an unreasonable risk to the conduct of operations, such as the exercise of the command function, force protection, operational security, or any other risk to the operation or personnel;

5. Whether the request has been or may be reasonably accommodated by means other than providing the actual plan or order, such as providing a briefing;

6. Whether the degree of protection from unauthorized disclosure that Congress will afford to the plan or order is equivalent to that afforded within the Department of Defense; and

7. Any other factors that may be relevant to the specific circumstances of the request.

The USD(P) will report to the Secretary of Defense all decisions taken under this policy.

This policy is effective immediately and will remain in effect until explicitly updated or superseded.

Patrick M. Shanahan
Acting

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Question 11a. National Guardsmen called up under Title 32, under the command of their Governors, are technically allowed to carry out law enforcement duties. However, in both 2006 and 2010, the Department of Defense issued guidance that they would not conduct arrests on the border. This was intentional to avoid the impression of militarizing the border.

Are National Guard personnel carrying weapons while they are operating in support of Border Patrol agents? And if so, what are their rules for the use of force?

Answer. Decisions regarding the arming of National Guard personnel operating under the command and control of their Governor and the rules for the use of force will be informed by the mission circumstances and made by the respective Governor, in consultation with CBP.

Question 11b. Are there other parameters or restrictions for the military personnel on this mission?

Answer. Yes, there are other parameters and restrictions for military personnel supporting CBP. For example, although case-by-case exceptions can be made, Na-

tional Guard personnel performing DoD missions supporting CBP at the Southwest Border under the command and control of their Governor do not conduct civilian law enforcement activities.

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR ROBERT G. SALESSES

Question 1. In regards to section 2808, has DoD lined up potential contractors so that contracts may be quickly awarded once a decision is made by the Secretary of Defense? If so, please provide this list of potential contractors to the committee.

Answer. At this time, the Secretary of Defense has not yet decided whether to undertake or authorize any construction projects under Section 2808.

Question 2. Is it possible that, despite the National emergency declaration issued in February, that the Acting Secretary will decide not to use any funds under section 2808 for border wall construction? Is that a realistic scenario?

Answer. To use funds under Section 2808 for border barrier construction, the Secretary must determine that the proposed border barriers are necessary to support the use of the armed forces. That determination, which has not yet been made, will depend on an assessment of specific proposed border barriers. At this time, the Secretary has not yet decided whether to undertake or authorize any construction projects under Section 2808.

Question 3. Please provide the committee with DoD's response to DHS requests that outlined the need for painting the border wall.

Answer. DoD's responses to DHS requests for assistance are included in Enclosure 1.*

Question 4. How is DoD preparing military personnel to operate in situations where they may encounter migrants?

Answer. Military personnel are highly trained and, for the most part, require no additional training to provide such support to DHS. However, as a prudential matter, U.S. Northern Command conducts mandatory 2-day training with all military personnel deployed to the Southern Border before those personnel begin support to CBP.

Question 5. How is DoD ensuring that military personnel are acting within their legal authorities once they are deployed?

Answer. It is the immediate responsibility of unit commanders at all levels to ensure that their military personnel act in accordance with the law and DoD policies. In addition, the Department exercises oversight over on-going military support of CBP.

Question 6. What is the protocol for if or when DoD personnel have direct contact with migrants? Are there tracking requirements or incident reports that military personnel need to file?

Answer. Although case-by-case exceptions have been made, most DoD or National Guard personnel supporting CBP at the Southwest Border do not conduct civilian law enforcement activities or have physical interaction with migrants. For missions in which National Guard personnel under the command of their Governor are conducting law enforcement activities or in which DoD or National Guard personnel may have physical interaction with migrants, additional reporting is not required for contact that is necessary for the performance of such missions. Units executing such missions are expected to submit standard military mission reports. The Standing Rules for the Use of Force (SRUF), (Enclosures L and N (unclassified) to Chairman of the Joint Chiefs of Staff Instruction 3121.01B, 13 June 2005 (SECRET)) include reporting requirements for circumstances in which the use of force proved necessary.

Question 7. What are the guidelines for use of force by military personnel at the Southern Border? Please provide a copy of these guidelines to the committee.

Answer. The Standing Rules for the Use of Force (SRUF), (Enclosures L and N (unclassified) to Chairman of the Joint Chiefs of Staff Instruction 3121.01B, 13 June 2005 (SECRET)) remain in effect for land- and air-based operations in the United States. No specific additional guidance was determined to be necessary for DoD support to CBP at the Southern Border of the United States. National Guard personnel operating under the command of their Governors would follow their State's rules for the use of force.

Question 8. Please explain what would happen in a case where Federal Government personnel, such as Border Patrol agents, may need protection provided by the National Guard or active-duty soldiers.

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*Response has been identified as For Offical Use Only and has been retained in committee files.

Answer. In cases where there is an emerging, imminent threat, the Standing Rules for the Use of Force (SRUF) (Enclosures L and N (unclassified) to Chairman of the Joint Chiefs of Staff Instruction 3121.01B, 13 June 2005 (SECRET)) include guidance and protocols regarding active-duty military personnel use of force to protect others. National Guard personnel operating under the command of their Governors would follow their States' guidance and protocols on the use of force to protect others. In cases where DHS foresees a high risk of harm to U.S. Border Patrol agents, the President may authorize the use of active-duty military personnel to protect these agents while performing their lawful Federal duties. If the President authorizes such protection, DHS may submit a request for assistance to DoD. If approved, active-duty military personnel may provide the requested force protection support.

Question 9. Previous National Guard deployments to the border have exceeded $1 billion. What estimates does DoD have for the current National Guard and active-duty solider operations on the border? Is it clear on which costs will be reimbursed? Why or why not?

Answer. The total estimated cost of DoD National Guard support to CBP Operation Guardian Support through fiscal year 2019 is $350 million (fiscal year 2018, $103 million, and fiscal year 2019, $247 million). The estimated total fiscal year 2019 cost of DoD active-duty military support to CBP Operation Secure Line is $184 million. The DoD border support mission continues to evolve as DHS and DoD refine the operation. As a result, DoD is in the process of capturing requirements and estimating the potential costs. The actual final costs will depend on the total size, duration, and scope of DoD support.