

**The Honorable Robert Aderholt
Committee on Appropriations
Subcommittee on Homeland Security**

Opening Statement:

U.S. Immigration and Customs Enforcement FY 2012 Budget

**Witness:
Director Morton**

10:00 AM | Friday | March 11, 2011 | 2359 RHOB

This morning we welcome John Morton, Director of U.S. Immigration and Customs Enforcement (or ICE), as we consider the President's FY12 Budget Request for our nation's second largest federal investigative agency. Director, we thank you for being here and look forward to hearing your testimony.

First, let me take a moment to express my condolences for the loss of Special Agent Zapata to his family, friends, and colleagues. His death is a stark reminder of the risks law enforcement officers face in the line of duty every day. I want to thank the men and women of ICE for their service, in recognition that it comes with great personal sacrifice.

Now, turning to today's hearing, we want the answers to three main questions:

- How does the FY12 request stabilize ICE's budget in terms of eliminating waste and improving efficiencies?
- How does the budget match resources to operational needs? and
- How does ICE demonstrate real results in terms of the best possible security at the lowest possible cost?

ICE has come a long way in its relatively short history. Eight years ago, field offices were rationing vehicle use due to shortfalls in equipment and other accounts. ICE's mission expanded and contracted multiple times, as the Office of Air & Marine, the Federal Air Marshal Service, and the Federal Protective Service were transferred in, then out of ICE. As a new agency, ICE had to distinguish itself among law enforcement agencies and carve out its mission space.

To see the progress ICE has made, one has only to look in the news over the past few weeks. March 1st: ICE led 173 federal, state, and local law enforcement partners in 168 U.S. cities in Project Southern Tempest, resulting in 678 gang-related arrests. 447 were charged with criminal offenses; 231 were administrative arrests; 322 had violent criminal histories; and 421 were foreign nationals.

February 24th: An ICE-led investigation in Virginia resulted in indictments against 22 individuals involved in one of the largest document fraud rings in the U.S. In two years, the

criminal organization sold 15,000 fraudulent driver's licenses, social security cards, and other IDs, the proceeds of which were wired to Mexican drug cartels – more than one million dollars.

Also February 24th: A joint ICE-FBI investigation led to the arrest of a 20-year old Saudi student in Texas who was amassing chemicals for a WMD attack.

These cases demonstrate the breadth of ICE's authority and why the agency must use *all* the tools available, including administrative arrests on immigration violations, to disrupt illegal and dangerous activity.

Congress has consistently provided robust resources to meet ICE's mission needs and support its personnel. Today we are challenged not only to meet our national security needs, but to do so in a way that is responsible and disciplined with respect to our nation's mounting debt.

Director, in a time of fiscal crisis, the American people are demanding responsible budgets that demonstrate accountability for every dollar spent. And, that means this Subcommittee will do its part to prevent waste or the misuse of funds.

In light of these priorities – national security and fiscal responsibility – the House passed H.R. 1, providing an increase to ICE operations above current levels of \$57.8 million dollars. H.R. 1 fully funds ICE Agents *and* the minimum 33,400 detention beds that Congress expects ICE to maintain this fiscal year. This Subcommittee has always prioritized operations and the needs of our frontline personnel, and H.R. 1 continues to uphold that commitment.

Turning to the FY12 request, I am pleased that your budget pledges to fully fund agents and the authorized minimum detention beds. However, as ICE continues to mature, we need to see that resources are responsibly applied to meet operational needs and deliver real results for security.

FY12 priorities raise longer term issues about bed space utilization. The focus on criminal alien removals means longer average stays, and expansion of Secure Communities will put pressure on detention space. We need to understand the right resource level, within this fiscally constrained environment, to adequately support custody operations.

The FY12 request also includes reductions that cause concern. I must ask about the nearly -\$100 million dollars in undefined professional services and administrative "savings" across operational accounts, as well as the -\$114.6 million dollars cut from Information Technology that reduces modernization efforts by 85%. These so-called "savings" and reductions will likely reverse some of the progress ICE has made as an organization as well as impact operations.

Director, the American public demands straightforward answers on our immigration and customs enforcement efforts – truth in budgeting, discipline, and transparency with respect to operational needs are essential in this fiscal climate, and this Subcommittee will demand no less.

I appreciate you appearing before us today and thank you in advance for your candor in helping us understand ICE's budget request for FY12.