

Testimony of Congressman Chip Roy
21st Congressional District of Texas

The State of Texas
House Committee on General Investigating
April 20th, 2021

The U.S. government has failed to secure the southern border for decades and the Biden Administration has not only exploited the issue, but they have seemingly purposefully made the issue even more detrimental to both Americans and the migrants seeking to come here. Worse, the federal government fails to let Texas secure our border, while forcing upon us the burden of managing the outcome of their failed border policies – including, but not limited to, human trafficking, ranch break-ins, high speed chases, dangerous fentanyl and other narcotics, increased cartel activity in our state, burdened healthcare, burdened schools, civic centers for processing and housing children and families, and overall burden on our law enforcement community while Border Patrol is overwhelmed. The Biden Administration must be challenged or ignored from continuing to carry out its destructive policies and interfering / limiting Texas's efforts to combat this crisis.

In March, 172,331 illegal migrants were encountered by Customs and Border Patrol (CBP). This monthly total far surpasses any monthly total during the Trump Administration. In fact, during the border crisis of 2019, the peak monthly total was 144,116. With over 170,000 illegal migrants crossing our border in one month, it should be no surprise to anyone that law enforcement, both federal and local, are strapped to be able to respond to this crisis.

Not only is law enforcement strapped by the influx in numbers, but they are working with fewer boots on the ground because of the number of children that need care in facilities. The Biden Administration has opened a dozen emergency influx shelters and have moved thousands of migrants in and out of tent cities along the border – restationing CBP agents to run facilities instead of patrolling the border. The conditions the Biden Administration has encouraged for these children are unfathomable, and the working conditions law enforcement have been left with are pernicious to the health, safety, and security of all Texans.

With monthly numbers slowly approaching 200,000, and CBP agents unable to patrol the border, nefarious actors have an ideal chance to cause harm to Texans. I recently learned from insiders at the Department of Homeland Security (DHS), that the lack of law enforcement resources and personnel have led to some 26,000 “got-aways” in the Del Rio Sector alone. This means 26,000 individuals have surpassed all points of security and enforcement, made their way into the interior United States, into our communities, and we have no idea who or where they are.

I represent the 21st Congressional District which encompasses part of San Antonio - a leading hub in the United States for human trafficking – this is primarily due to the proximity and interstate access to Mexico, as well as the number of interstates crossing through the city to various U.S. locations. The problems facing San Antonio and the victims of sex and labor human trafficking are slated to get much worse due to this current border crisis. It isn't just border enforcement that

have to spend increased resources due to the border crisis. For example, in February, after receiving a 911 call alleged to be from someone trapped inside a tanker, the Bexar County Sheriff's office, Homeland Security Investigations, the Texas Department of Public Safety and San Antonio Police Department all worked to search for a large tanker truck that passed through San Antonio possibly carrying 80 trafficking victims inside.¹ The tanker was not found. There was another case just a few weeks later at the start of the winter freeze, when the Bexar County Sheriff's Office received a call about a tractor-trailer carrying migrants. The BCSO did find this trailer, and upon opening the trailer, the migrants went running, only to have half of the roughly 150 apprehended.²

San Antonio has historically faced major issues stemming from the unsecured border, but alarmingly, the ill effects of this crisis is increasingly spreading throughout Texas. I also represent the heart of Texas – the Hill Country. The Hill Country is best known for Texas country music, good food, kind people, and a quiet way of life, but the Biden Administration's border policies are threatening these communities.

Just a few weeks ago, 180 miles from the border, in Boerne, Texas, a vehicle carrying nine people – two stuffed in the trunk - was stopped for a traffic violation. All of the occupants told the exact same story – a common reality of cartel-driven smuggling and trafficking. The driver was smuggling these illegal immigrants from Mexico and Honduras after crossing through the Del Rio sector - territory of the Cartel del Noreste, a faction of Los Zetas. Among the passengers was a young teenage boy who had paid \$4,000 to be transported to California to pick grapes for \$13 an hour. However, the cartel had different plans – and he learned they were actually headed to a stash house in Houston.

Kendall County, Texas has experienced at least five cases of cartel smuggling in recent months. Another case from this month involved a 17-year-old trafficking two young females and a teenage boy. 17-year-olds are recruited because they are treated as minors under federal law – making prosecutions harder against the cartels. Cases such as this take further resources and time from local law enforcement who shouldn't have to focus on investigating and prosecuting crimes that are mostly avoidable with a secure border. The District Attorney's office, the Department of Public Safety, and Kendall County law enforcement have all been coordinating on an effort to raise awareness about this issue and to start joint interdiction operations in Kendall County – doing what they can to make it difficult for cartels and smugglers to operate in the country unchecked.

Cartels are bringing in mass amounts of illegal narcotics. Just this fiscal year, CBP and the Office of Field Operations (OFO) have seized roughly 350,000 pounds of illegal narcotics. Importantly, nearly 6,000 pounds of fentanyl has been seized to date this fiscal year. For context, the amount of fentanyl seized in the last 6 months surpasses the amount of fentanyl seized during each fiscal year in recent years. These numbers do not account for the illegal narcotics that make their way across the border undetected – ultimately leading to interior law enforcement spending further resources on mitigating the spread of drugs into our communities.

Drug Cartels are threatening our state. In Texas, and along our southern border, two specific cartels wreak havoc on law enforcement and the migrants seeking to come here, especially during border crises such as we are seeing today. The Reynosa/Los Metros faction of the Gulf Cartel

¹ <https://www.mysanantonio.com/news/local/article/SAPD-BCSO-searching-for-tanker-truck-possibly-15940330.php>

² <https://www.mysanantonio.com/news/local/article/Local-smuggling-incidents-part-of-larger-increase-15983271.php>

which has operational control of Reynosa, Mexico and surrounding areas, just across the border from McAllen, Texas is known for their profit model that relies on smuggling and trafficking migrants. The Cartel Del Noreste faction of Los Zetas, based just over the border from Laredo, Texas is also known for preying on the unsecured border of the United States - beheading, torturing, and killing those that cross them.

To be clear, the crowded facilities, cartel traffic, and narcotics are not the only problem. In fact, the real problem is the move and desire of the administration to pursue catch and release policies. The Biden Administration has been working to find places for illegal migrants to resort to as CBP and Health and Human Services (HHS) facilities continue to surpass capacity. CBP has increasingly been forced to release migrants into the interior, sometimes without a notice to appear.³

Under the U.S. Constitution and subsequent case law, it is generally not Texas's job to secure the southern border of the United States – and worse, Texas is heavily limited in its ability to do our part to secure our own state border. Given the massive federal tax burden, it is difficult for Texas to stand in the breach. Our communities are in danger, our way of life is being threatened, and the Biden Administration is placing a significant burden on our state to manage their mess, taking state resources, time, and personnel.

For my part, and that of many of my delegation colleagues in Congress, we are offering common sense and urgent proposals to try to force the federal government to do its job. This week, I am moving to discharge H.R. 471, the “Protecting Americans from Unnecessary Spread upon Entry from COVID-19 Act of 2021” or the “PAUSE Act of 2021” so that we can ensure Texans can be protected against COVID by forcing federal authorities – as is the desire of line Border Patrol personnel – to use Title 42 to secure the border. Moreover, last week I introduced H.R. 2600, the “Drug Cartel Terrorist Designation Act” to designate certain cartels as Foreign Terrorist Organizations. I’ve also cosponsored numerous common-sense measures such as my colleague Andy Biggs’ legislation that would close loopholes for asylum, end catch-and-release, and allow us to return children safely to their home countries.

We will continue to fight in Congress, but as long as Democrats are in charge, there are very few things we can do to stop the direct assault on Texas. If the Democrats and bureaucrats in Washington refuse to do their job to secure our border as any sovereign nation should do, then Texas must consider action.

The conditions at our border are so unbelievably bad, our resources stretched so thin, our lives in such increasing danger, and the treatment of immigrants so disgraceful, that Texas must consider taking active steps to secure our border and tell the federal government to get out of the way. I am afraid we are getting to the place where we have no choice but to take matters into our own hands. But for the existence of the federal government, there is zero doubt Texas would stand up a proper enforcement of our border. It defies common sense for Texas to continue to allow ourselves to be harmed by our own federal government.

It must end, and you have my support to take aggressive action to do what is necessary to secure the border of Texas.

³ <https://www.nbcnews.com/politics/immigration/amid-surge-border-agents-rio-grande-valley-now-releasing-migrants-n1261720>