

**Statement for the Record by Ranking Member Dianne Feinstein**  
**Judiciary Subcommittee Hearing on the Humanitarian and Security Crisis at our Southern**  
**Border**  
**May 8, 2019**

Mr. Chairman, thank you for scheduling today's hearing. I want to welcome all the witnesses here today.

We face a challenge at the border today. Fewer people are crossing illegally than in the late 1990s, when well over 1 million people crossed each year. But the number of families seeking asylum is high and continuing to climb. We need humanitarian and common-sense solutions to address these asylum claims fairly and promptly, but the administration is threatening to make the problem worse, not better, by threatening to build a wall and shut down lawful border commerce. I would like to ask you about each of these issues today.

Our first challenge is that vulnerable families and children are arriving in the United States, seeking protection from violence and poverty. The administration wants to address this challenge by repealing essential legal protections for children and by re-instituting the cruel practice of family separation.

This is the wrong approach. Instead, we must increase the capacity of our backlogged immigration court system. We also must ensure that our ports of entry can accommodate families and children safely, so these vulnerable people are not forced to cross between the ports or languish in Mexico for months.

We must do this without separating families, and without sacrificing key protections for children. We have seen what family separation accomplishes: babies and toddlers crying out for their parents, children alone and afraid in cages. This is contrary to basic American values, and that is why I introduced a bill to prohibit family separation without good cause. This bill now has over 40 co-sponsors, and I invite all Democrats and Republicans to join.

We have seen that CBP separated thousands of children from their families, and many of these families remain apart today, over two years later. I am glad we have witnesses from both CBP and HHS, to explain the identification techniques and reunification plans for separated families.

Meanwhile, prolonged detention of children has resulted in tragedy. Two children died in CBP custody last winter, and just last week, an unaccompanied child died while in the care of HHS.

Congress has provided Border Patrol with over \$400 million to care for children, but the Homeland Security Advisory Council still says it is "unrealistic" to place a pediatrician at each border station. I hope you will explain today why \$400 million is insufficient to provide adequate pediatric medical care.

These humanitarian issues are important and serious.

We also face security challenges on the border. Specifically, I am concerned that the Trump administration is focusing on harsh immigration policies instead of enforcing our drug laws at the ports of entry.

Nearly 70,000 Americans – including over 5,000 Californians – died of drug overdoses in 2017. Heroin, fentanyl, cocaine, and methamphetamine account for the vast majority of these deaths. CBP’s own statistics show that at our ports, field operations officers have seized over 61,000 pounds of these illicit substances, just this fiscal year so far.

This is a true national security issue, and I want to congratulate the men and women in each of your agencies for doing this important work. To support this mission, I would like to help Border Patrol modernize the ports of entry to deal with controlled substances and provide humane spaces for asylum seekers to await their interviews.

I am concerned that the administration wants to pull Border Patrol agents away from these crucial duties so they can conduct credible fear screenings. Putting law enforcement officers in these humanitarian roles will likely ensure that children and families are deported as rapidly as possible, but without sufficient humanitarian protections from trained asylum officers, who have the expertise to make these life-or-death decisions.

This is not where we should be focusing our law enforcement resources. I hope you will explain who will replace the Border Patrol agents’ key expertise on the front lines of law enforcement.

Finally, I hope you will address the consequences of the Trump administration’s recent threat to close the border altogether. Mexico is the United States’ third biggest trading partner, accounting for more than \$1.6 billion in two-way trade each year. Nearly 1 million people cross the border legally each day. As you can imagine, closing the border has drastic consequences. When President Trump closed the border in San Ysidro for just five hours in November, San Diego shop owners lost \$5.3 million in sales.

I hope you will commit to ending such irresponsible threats. Instead, I believe we can protect children and families, reduce drug smuggling, and encourage international trade at the border – all at the same time.

Thanks once again to all of you for coming to testify today. I hope our discussion will help us agree on ways to protect our nation’s values, humanity, and security.