

News from Congressman David Price (NC-04)

Chairman, House Appropriations Subcommittee on Homeland Security

Tuesday, February 26, 2008

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EMBARGOED UNTIL DELIVERY

OPENING STATEMENT OF CHAIRMAN DAVID PRICE ***Immigration Enforcement Hearing, 10 am***

Today we will be discussing the wide variety of activities carried out by Immigration and Customs Enforcement, or ICE, and will first focus on the Agency's Student and Exchange Visitor Program. We will hear testimony about this program from Ms. Catheryn Cotten, Director of the International Office at Duke University, and will then have time for a round of questions. Next, we will hear testimony about the overall range of ICE's programs from Assistant Secretary Julie Myers. We will have time after that to ask Ms. Myers questions about the Agency's 2009 budget and her goals for ICE over the next year.

In our post-9/11 world, ICE has an extremely important mission. It has broad responsibility for enforcing customs and immigration laws, including the prosecution and removal of those found in violation of immigration statute. While other areas of the department are focused on preventing unlawful entry into the United States, ICE has what is perhaps the even more difficult job of finding and removing illegal aliens once they have blended into the population. Given the important role ICE plays, we will want to hear why the Agency's 2009 budget request is only \$4.7 billion, or one-quarter-of-one-percent more than provided for 2008, and far below the rate of inflation.

I want to start out, however, by highlighting an area in which ICE has clearly made good progress. Two years ago, ICE's financial audits showed material weaknesses in all eight areas reviewed. Ms. Myers, I congratulate you and your financial management staff for eliminating all of those material weaknesses in the 2007 audit, and I trust that you will continue to work hard to correct the reported financial system security deficiencies.

ICE continues to face numerous challenges in other areas, and this Subcommittee has high expectations for what can be achieved before the transition to the next Administration. Chief among our interests is ICE's ability to identify and remove every criminal held in penal custody and judged deportable. As you know, we made this goal the centerpiece of the FY 2008 appropriations law and we continue to believe it should be ICE's top priority.

In 2006, the DHS Inspector General reported there were over 600,000 criminal aliens held in US custody but largely unknown to ICE. Yet today, ICE is not able to guarantee that all incarcerated criminals without the right to remain in the US will be removed from the country upon their release or parole. For 2008, this Subcommittee provided ICE \$200 million for the comprehensive identification and removal of criminal aliens, and ICE is required to report to the

Committee by March 25th, less than one month from now, on how this funding will be used. Ms. Myers, we want to hear what progress you have made in planning for this initiative.

In 2008, the Subcommittee also provided significant support for ICE to expand its detention capacity – more than quadrupling last year’s request for additional beds, and increasing ICE detention capacity by 4,500 spaces to 32,000 beds. This continues the example set in the previous Congress. Since 2006, in fact, the Subcommittee has increased ICE detention capacity by a dramatic 56%. We need to ensure this expansion is accompanied by equally robust oversight of detention standards. In particular, this Subcommittee is concerned about the treatment of children and other vulnerable individuals in ICE custody.

The largest increase proposed for the 2009 ICE budget is for 1,000 additional detention beds. Last year the Committee discovered that ICE had been forced to request a budget for detention beds that did not meet its operational detention needs. Ms. Myers, I will ask for your assurance that the budget requested for detention in 2009 reflects the best operational estimate you have for the coming fiscal year.

An important security responsibility at ICE is the protection of Federal offices by the Federal Protective Service, or FPS. GAO reported that the capabilities of FPS have deteriorated so significantly that Federal buildings “face a greater risk of crime or terrorist attack.” This must be corrected. The Committee mandated additional FPS hiring in the 2008 Omnibus, which we will certainly discuss today.

The Student and Exchange Visitor Program is another important component of ICE’s domestic activities. This program’s mission is to ensure that foreign students and the educational institutions they attend are legitimate and do not offer opportunity for terrorist or other exploitation. ICE has proposed doubling the revenues collected from foreign students and educational institutions to increase associated enforcement, improve institutional support and outreach, and develop a replacement data system critical to the program.

Coincident with protecting our country, however, we must be careful not to send a signal to students, researchers, and academics throughout the rest of the world that the United States no longer welcomes them. The 9/11 Commission report recommended “rebuilding the scholarship, exchange and library programs that reach out to young people and offer them knowledge and hope” as part of a strategy to counter cultural causes of terrorism. On an overseas delegation I led to the Middle East in January, foreign ministers in Egypt and Oman emphasized how a reduction in student exchanges with the United States negatively impacts their countries. Perhaps more critically for us, however, it also harms the global image and perception of our country abroad.

After DHS and the State Department revised the student visa process in 2003, foreign enrollment fell by more than 20,000 students nation-wide for the 2005/2006 academic year. Fortunately, foreign enrollment is once again increasing and has almost reached the historic highs set in the 2002/2003 academic year. But higher fees and negative perceptions about a planned expansion of ICE enforcement risk sending the wrong message to those who wish to come to our country for educational purposes.

To discuss this issue, we welcome before us Ms. Catheryn Cotten, Director of the International Office for Duke University and the Duke Medical Center, who was recommended to the Subcommittee by the Association of American Universities. Ms. Cotten is an expert on international student visa issues, and has worked with DHS since it first established the programs to monitor international students and exchange visitors. We look forward to exploring the implications of ICE's new proposal with you, Ms. Cotten, and appreciate your traveling from North Carolina to be with us today.

Now, let me turn to my colleague, Ranking Member Rogers, for his remarks, after which we will have five minutes for your testimony, Ms. Cotten, and then time for questions.

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