

Testimony of Chris Cabrera
On behalf of the
National Border Patrol Council
In front of United States Senate Homeland Security and Governmental Affairs Committee
October 21, 2015

Chairman Johnson and Ranking Member Carper, thank you for providing me the opportunity to testify on behalf of the National Border Patrol Council (NBPC).

The NBPC represents the interests of 16,500 line Agents at the Border Patrol and my name is Chris Cabrera. I joined the Border Patrol in 2003, after serving 4 years in the U.S. Army as a paratrooper, and have spent my entire Border Patrol career in the Rio Grande Valley of Texas.

Last year the American people were shocked by the massive surge in unaccompanied children (UAC). In FY 2014 Border Patrol apprehended 66,000 UACs primarily in the Rio Grande Valley where I am stationed. Although apprehensions of UACs are down about 50 percent FY 2015, this is no cause for celebration. We will still apprehend 35,000 UACs this year and an additional 34,000 family groups.

Why they come

I would like to spend a few moments discussing why they keep coming and what we can do to solve this problem. There are a number of factors that are driving the UAC crisis. Many point to the endemic violence in Central America. Without a doubt violence and instability in Central America, where the vast majority of the UACs and family groups are coming, is a factor. It is not however the primary factor driving this mass migration at this point in time. Unfortunately, many of these countries have been suffering violence, corruption, and poverty for decades yet they did not leave in large numbers with the exception of Salvadorans during their civil war 30 years ago.

When Border Patrol Agents detain a UAC or family group we interview them and they are typically very forthcoming with us about their motivations for coming. Most believe that they will either not be caught, or even if they are caught, they will not be deported back to their home country. The UACs and family groups we detain are acutely aware of the fact we will not hold them until they are adjudicated. They know that they will be released and issued a Notice to Appear (NTA). What we have right now is essentially a catch and release policy. This coupled with violence and instability in their home country is driving the continued flow of UACs and family groups. Until we hold them until we adjudicate their cases they will continue to come.

The second driver is the idea that they need to get here before some ambiguous deadline. Some of them do not even know when the deadline is, only that they need to beat it if they want to stay permanently in the United States. We call this the myth of the “permisso” and it is most likely being advanced by the drug cartels that control all the illegal alien and drug smuggling along the border.

For the cartels, human smuggling is big business worth hundreds of millions of dollars each year. Most aliens are paying close to \$10,000 per person. Higher value aliens, such of those from the Middle East or Asia, pay almost double this figure. The UACs and family units serve another more lucrative purpose. They are human screens that tie up Border Patrol Agents while the cartels smuggle narcotics and higher value aliens behind them, who, if caught, will be deported back to their home country.

When the crisis hit last summer we soon realized why they were doing this. The cartels were driving these kids and families into the middle of nowhere to cross the Rio Grande River. Most of these people cannot swim and crossing the Rio Grande on a little rubber raft is incredibly dangerous. Why didn't they simply march them up to the Port of Entry and have them ask for asylum because Customs could have just as easily detained them. The cartels knew that a group of 30 UACs can literally tie up an entire shift of Agents in my area. All we were doing was tending to the children and the entire border in our area was completely unguarded.

What can we do to solve this problem

If there is one thing that could be done to correct this problem it would be to end the catch and release policy we currently have. The individuals that we apprehend are not foolish. Before investing nearly a lifetime in savings they weigh the costs and benefits of attempting to cross the border. Beyond the money it will cost, they are acutely aware of the potential violence they will encounter along the way.

If they knew that if they were caught they would be detained, adjudicated, and repatriated to their home country, the calculus changes dramatically. I guarantee that if this was the case the numbers would fall dramatically.

The second action deals with resources. I know that the budget is tight, but I would estimate that in Rio Grande Valley at best we are apprehending 40% of the illegal immigrants crossing. This low capture rate again leaves the perception that crossing the border illegally is a viable option. I am happy to discuss this in greater detail during the question and answer period, but I believe we are at least 5,000 Agents below where we need to be to effectively secure the southern border.