



Committee on
HOMELAND SECURITY
Chairman Michael McCaul

Opening Statement

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**Statement of Chairman Michael McCaul (R-Texas)
Committee on Homeland Security**

Markup of H.R. 399, the *Secure our Border First Act of 2015*

Remarks as Delivered

We're here today to talk about an issue critical to the safety of our people and the well-being of our nation. That issue is the security of our borders, and it demands the attention of this Congress.

It is a fundamental responsibility of the federal government to ensure the territory of this nation is secure against any illicit entry and concealed threats, but on that account the government has failed consistently.

Despite billions of dollars and decades of policy debates, the border is not secure. That is a fact. Illegal entries into this country continue at an astounding pace, and criminal enterprises have continued to exploit our weaknesses to get drugs, weapons, and other illicit goods into our communities.

Our enemies have also taken note that there is a backdoor into America.

This is a national security issue of the highest order. I've been working on this problem of border security for over a decade in Congress and prior to that as a federal prosecutor, and I will tell you that the American people are losing faith that we can fulfill this core responsibility.

The number of individuals the Border Patrol apprehended last year rose for the third time in row—to half a million. That's just who we stopped. We have no way of telling how many people we didn't catch, or what they brought with them.

At last count, the Government Accountability Office determined the Department of Homeland Security (DHS) had less than half of the southwest border and only two percent of the northern border under operational control. This is not security by any measure, and there is plenty of blame to go around. Administrations of both parties have failed to tackle this challenge, and the American people deserve better.

Last Congress, this committee passed a bipartisan border security bill. But rather than use that bill as an opportunity to make sweeping changes to secure our territory, the department took no real action. Key officials instead doubled down on claims that our borders were more secure than ever. Ask Americans in border states whether that claim is true.

The time to rely on the department or this administration to measure border security progress has come and gone.

It is time for Congress to lead. And through this legislation, we tell the department and the administration how to get this job done once and for all.

H.R. 399, the Secure Our Borders First Act, is the result of intensive hearings, meetings and discussions with border security stakeholders and is based on the border security blueprint I released last October.

The bill takes into account a sector-by-sector analysis of threats on the southern border in order to prescribe that appropriate capabilities and resources needed to gain operational control.

It puts fencing where fencing is needed and technology where technology is needed for a smart, safe, and cost-effective approach to securing our territory.

This bill also requires the department to conduct a similar analysis of the threats and needs at the northern border, which along with our maritime borders, cannot be ignored any longer.

If operational control of the border is not gained in two years for high-traffic areas of both the southern and northern border—and five years for the entire southern border—political appointees at DHS will face automatic consequences trigger by this bill. This holds the officials responsible for securing our borders and enforcing the law accountable.

This bill also includes a modified version of the Biometric Exit Improvement Act, authored by the Vice Chair of this Committee, Candice Miller, to clamp down on visitors who overstay their visas. As many as 40 percent of all illegal aliens are visa overstays, including four of the 9/11 hijackers.

The committee worked closely with the House Judiciary Committee on this provision to address this glaring hole in our outer ring of border security. Developing a biometric exit solution was a key 9/11 Commission recommendation and will help us determine who is departing our country. This will help Immigration and Customs Enforcement agents quickly and efficiently remove those who violate the terms of their visas.

The Secure our Borders First Act also establishes an independent commission to verify that the border is secure. Members of the commission will be border security experts—people who know the border best and are not tied to any one administration’s political agenda.

By ensuring that the integrity of our territory and sovereignty is no longer subject to political games, we can guarantee our children, grandchildren, and future generations know the safety and peace of mind that comes with a secure border.

The Constitution charges the federal government with providing for the “common defense”—and makes this our government’s highest priority. As representatives of the American people, it is our duty to see that this is done.

We must pass this legislation, and in doing so, restore the confidence of those we represent and reinforce the sovereignty of this great nation.

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