

Testimony of United States Senator John Cornyn (R-TX)

“A Study in Contrasts: House and Senate Approaches to Border Security”

Before the

Subcommittee on Border and Maritime Security
Committee on Homeland Security
United States House of Representatives

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I appreciate the opportunity to testify today about one of the most pressing national security and human rights challenges of our time—security at our porous borders. As a United States Senator and former Attorney General of Texas, which shares a 1,200 mile border with Mexico, I understand the dangerous realities on the ground at the Southern border and the long-term importance of gaining control of our borders.

Over the past 30 years, the federal government has repeatedly promised the American people that they would secure our borders. And every time, they have failed. While security at our nation’s borders has improved since the September 11th attacks, multiple studies have shown that our borders remain porous and that we are failing to interdict more than half of illicit cross-border traffic. Meanwhile, international criminal organizations and drug cartels repeatedly exploit our borders to deliver drugs, contraband, weapons, laundered money, and human trafficking victims. And, as Chairman McCaul demonstrated in a report last December, these criminal organizations are increasingly aligned with international terrorist organizations like Hezbollah. The threat is at our door, and we must neutralize it. In other words, it is time for the empty border security promises to stop, and for the federal government to get serious about delivering border security results.

Last month, much of the Senate debate on immigration reform centered around this issue, and for good reason: the American people will simply not accept immigration reform unless it guarantees border security results. Unfortunately, the Senate-passed immigration bill, S.744, fails this test completely. While S. 744 throws more than \$46 billion of resources at the border, it

contains absolutely no mechanism to ensure that these resources will be effective or properly implemented. No accountability, no guaranteed results—just more Washington, D.C. promises.

The vast majority of this \$46 billion dollars would be spent hiring approximately 18,000 new Border Patrol agents—nearly doubling the force at a cost of about \$40 billion to American taxpayers. But without a coherent strategy or metrics to ensure results, adding this many new Border Patrol agents could go down as one of the most massive wastes of funds in the history of the federal government. But S. 744 unfortunately does not stop there. The legislation would also require DHS to purchase billions of dollars of specific equipment—with no approved plan or strategy for deployment. And S.744 has no accountability mechanism to ensure that the required equipment is actually integrated to achieve results. This is a backwards approach that would virtually ensure that billions of taxpayer dollars and border security resources are wasted. It locks Border Patrol and DHS into more of the same technologies and tactics of today—which simply have not worked. Fortunately, the members of this panel get it: We need smart and sustainable border security—not more of the same wasteful and unaccountable border security in S. 744.

So what would a smart and sustainable border look like? A smart border must start with a comprehensive, flexible border security strategy. A smart border must ensure accountability for this strategy through objective metrics that tell us exactly how many illegal border crossers and how much contraband is successfully entering our country. No more guessing, no more estimating, no more cooking the books.

A smart border must achieve full situational awareness— requiring the Department of Homeland Security to deploy cutting-edge surveillance technology capable of monitoring traffic at every segment of our borders. This layered and integrated technology would serve as a force multiplier for the Border Patrol, ensuring that they have capability to observe all illicit cross-border traffic and are able to efficiently target their enforcement resources.

But a smart border must also be holistic. It therefore must feature fast and dynamic ports of entry that increase legitimate trade and travel, while interdicting criminals and contraband. According to a 2009 study by the University of California at San Diego, approximately 28 percent of illegal immigrant traffic enters the United States through our front door—at ports of entry. But the reasons to focus on our ports do not end there. Legitimate cross-border

commercial traffic and international travelers face significant delays due to inadequate infrastructure and personnel at the land ports on the Southern border. According to a Bloomberg Government study, U.S.-Mexico truck trade is constrained by border crossing delays that cost the U.S. economy \$7.8 billion in 2011. U.S.-Mexico truck trade could reach \$463 billion by 2020, a 44 percent rise from \$322 billion in 2012. Reaching that level would put the annual delay cost to the U.S. economy at \$14.7 billion. Robust investment to increase physical infrastructure, tactical resources, personnel, and partnerships at our ports of entry is therefore imperative. These port of entry investments would grow our economy, strengthen our security, and vastly improve public safety. In other words, port of entry improvements are the linchpin to completing a smart border that is holistic and sustainable. Regrettably, the Senate bill ignored the acute need for land port infrastructure investment. I hope the House will not make a similar mistake.

With targeted investments across all sectors, a smart border will deter illegal border traffic and allow our nation to finally gain complete operational control of our borders, which should include an apprehension rate of at least 90% for illegal border crossers. Operational control of each and every sector of our borders is the only acceptable outcome, and we can only achieve and maintain operational control if our borders are smart, sustainable, and accountable.

Fortunately, there is a solution. Over the past six months, I have been proud to work with Chairman McCaul and Chairwoman Miller to craft border security legislation that would finally put our nation on the path to smart and secure borders. The “Border Security Results Act of 2013” would require DHS to implement a comprehensive border security strategy that achieves situational awareness and operational control of our borders. And it would guarantee that DHS actually achieves these results and does not fudge the numbers by, for the first time ever, deploying a set of statistically validated and independently verified border security metrics. These metrics will objectively measure progress and tell us exactly how much illegal traffic is successfully crossing our borders. No more games, no more empty promises, real results.

For that reason, I am proud to serve as the sponsor of the Senate version of the Border Security Results Act, and was proud to push for adding this approach to S. 744, the Senate-passed immigration reform bill. Unfortunately, the Senate rejected this approach. As the debate over border security and immigration reform continues, I hope that members of this panel will continue fighting for the Border Security Results Act and the “smart border” approach. The

American people demand real border security first, and the Border Security Results Act delivers.
I stand ready to help you and offer my full support.

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