## Testimony of Asa Hutchinson Before the U.S. Senate Committee on Homeland Security and Governmental Affairs

"Securing the Border: Building on the Progress Made"

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Mr. Chairman, Ranking Member and Members of the Committee, thank you for the opportunity to testify on the border security challenges that have been of great concern in the United States over the last decade.

First, let me make it clear that we have made progress as a nation in strengthening our border security. Since I had the honor of serving as the nation's first and only Undersecretary for Border and Transportation Security, progress has been accomplished in terms of human resources, technology, intelligence fusion, and state and local cooperation.

In terms of progress, let me be more specific. Since the Department's challenging early days, the number of border patrol agents has doubled to 20,700 agents. The number of border liaison officers who work with Mexican counterparts has increased 500%. Most significantly, the number of border patrol apprehensions has decreased by 36% in the last two years, which is an indication of the growing effectiveness of our border efforts. This committee has played a significant role in this progress. Without a doubt, more needs to be accomplished, but the progress should be noted.

The U.S. Visit program, which requires a biometric check for our international visitors from visa countries, is a success story. It was implemented under strict deadlines given by Congress, and it has dramatically improved the security and integrity of our immigration system. But there remains a gaping hole

in border security so long as we do not have the capacity to know when a visa visitor leaves the country. WE MUST ADOPT AN EXIT SYSTEM WITH GREATER URGENCY. I urge Congress to enact firm deadlines for the Department of Homeland Security to implement an exit system.

Now, let me emphasize 3 essential priorities necessary to control our borders:

- 1. Accelerate the resources necessary to control our Southern border;
- 2. Monitor and enforce the law on visa overstays; and
- 3. Reduce the power and pull of the market place for illegal employment.

Despite the success that has been achieved in border security, the fact is that our government has operational control of less than half of the 2,000-mile southwest border. While our control of the border has increased at the rate of 126 miles per year, it is still woefully inadequate, and our efforts at border enforcement need to be accelerated. The deployment of resources should be done intelligently. We need not build a fence across every inch of the SW border, but rather, we should use a combination of physical fences and barriers, human resources, and technology.

Next, we must remember that visa overstays account for approximately 45% of the illegal immigrants in our country. The threat to our rule of law and the integrity of our immigration system is not just the hundreds of thousands of illegal

border crossings each year; it is also about the hundreds of thousands who enter our country lawfully but remain illegally through visa overstays. This is just as much a part of border security as agents on the Southwest border. Our border can be breached even more easily by getting a lawful visa and remaining in the United States after the visa expires, as evidenced by the 9-11 terrorists. At present, we have no effective way to tackle this challenge. On paper, the solution is simple: have every visa visitor who departs the country check out using biometrics. But we know this is no easy task. While Undersecretary I worked to develop pilot programs at airports and land borders on the exit system. It was difficult then and I know Secretary Napolitano has found it equally challenging. In fact, the Department has announced it is no longer pursuing the biometric exit system. It is very clear to me that this solution will never happen without the leadership, mandate and oversight of Congress.

In 2003, Congress was clear in its direction to build the aforementioned entry system. It was first to be built in our airports and seaports and then at our land borders. The timelines were clear and the oversight was ubiquitous. As a result, the system was completed on time and within budget. The same type of commitment and strict deadlines need to be assigned to the deployment of an exit system.

The third element of border security is interior enforcement. While we always need to give ICE the necessary resources to enforce our immigration laws within our country, it is just as important to give employers the tools needed to make sure the person they are hiring has a legal status in this country. While we have made significant strides in this area, it is still short of a fully verifiable real-time electronic system. This should be our goal. When a non-U.S. citizen considers all the risks and expense of illegal entry, and also realizes that once in the country they will not be able to work, that person will be less inclined to attempt illegal entry.

When this type of capability is deployed, the magnet will lose its drawing power. In other words, attempts to illegally enter and exploit the United States will not be worth the risks. Our border resources can then be deployed more efficiently and we can focus on the greatest threats to our nation.

I want to thank the leadership of this Committee in the U.S.'s efforts to secure the border. Without the continued commitment of individual members on this panel, the progress made to date would not have been realized. And without your future leadership, we will not achieve the control of our borders that a nation founded on the rule of law deserves.

Finally, it is important to recognize the dedication and sacrifice of those brave and patriotic border patrol agents who risk their lives to secure our country

each day. Border Patrol Agent Brian Terry recently gave his life in the line of duty at the border, and for this his family deserves our gratitude and support.

Thank you.