

**Statement by
The Honorable Chad Foster
Mayor of Eagle Pass, Texas and
Chairman of the Texas Border Coalition
Senate Committee on the Judiciary
Subcommittee on Immigration, Refugees and Border Security
May 20, 2009**

Chairman Schumer, Ranking Member Cornyn and subcommittee members, I am Chad Foster, mayor of Eagle Pass, Texas and Chairman of the Texas Border Coalition. I am speaking today on behalf of 2.1 million Americans in 17 border counties of the 1,250-mile Texas-Mexico border. Ours is a region of contrasts, exhibiting differences and similarities of language, culture, tradition, and economy. The multi-national, multi-cultural nature of our communities on both sides of the international boundary gives our region a distinct sense of place.

Our blending of cultures is unique. The Texas-Mexico border played a central role in shaping the history of our continent. Two civil wars occurred simultaneously where we live, and created such cross-cultural alliances and enmities that we could spend days rediscovering them. You can breathe easy, Mr. Chairman, because I won't go that far back in time.

I only want to travel back two years to June 2007, when the Senate last debated immigration reform. I recall the opponents of the bill saying that the borders had to be secured before any visas could be reformed or any effort made to legalize the status of the undocumented among us or to institute a guest worker program. Those conditions included, now completed, just two years later:

- 20,000 person border patrol force.
- DOD and DHS coordination plans.
- 600-plus miles of border fence, roads and vehicle barriers to achieve operational control.
- Deployment of unmanned aerial vehicles and related surveillance technologies.
- Cooperation among U.S., Canada, Mexico and Central American governments to improve security south of our border, specifically relating to gang and drug activity, and other law enforcement assistance.
- Law enforcement relief for states and localities that provide border related assistance.
- More ICE agents and detention space.
- Tightened voluntary departure requirements and expanded expedited removal procedures.
- Improvements and additions to our ports of entry. In my opinion, the land ports are now our nation's weakest link. We need your help and we would appreciate it now.

We are within sight of operational control of the border between the ports of entry, and that puts our ports under greater stress. According to the Government Accountability

Office, we needed 4,000 new officers to secure the ports of entry before we placed the new emphasis on southbound checks to stop the trafficking of guns and cash. We needed \$4 billion in infrastructure and technology -- and I want to thank you for putting \$700 million into the stimulus bill toward this goal -- but you put most of the money in the wrong account. We need the money for GSA administered ports -- the big ones with the most traffic -- and you put it in the CBP ports. We have three of those Texas: two are on top of dams and one is a three-car hand ferry. Los Ebanos thanks you for the new rope, but we need another \$700 million, this time in the right account, please.

Mr. Chairman, our shared goal is security, and we need your help to fund these priorities that are ignored by the president's budget. We need 1,600 more CBP officers, along with 400 canine units. We need the southbound operation to be controlled by the CBP, which has training in dealing with the travelling public, and not the Border Patrol, whose training with travelers is more confrontational. We need \$130 million for 350 new ICE investigators to work on firearm trafficking and money laundering investigations and \$20 million for improved tactical field communications for CBP and ICE. We cannot afford to delay the \$20 million CBP needs to modernize its database used to identify potential criminals at the ports of entry or the \$50 million for Operation Stonegarden to reimburse state and local law enforcement for their participation in border actions.

The 9-11 terrorists entered the United States through ports of entry. Most undocumented aliens enter the United States through ports of entry. Most of the illegal drugs entering the United States come through ports of entry. No border wall will solve those problems.

Illegal border crossing arrests at the Texas-Mexico border have been falling for more than three years, without a wall, a great tribute to the deterrence of our Border Patrol and CBP officers. Arrests this year along the southern border are likely to be way below half the nearly 1.6 million during the peak in 2000.

In their headlong rush to achieve an arbitrary deadline to erect an ineffective wall, the Bush Administration chose to abandon our nation's laws that commit us to preserving our environment, our culture, our history and our religious liberties. We can't afford to go down that path -- a path that waives all laws -- again.

The Chertoff waivers will affect the natural movement of animal species, including the larger mammals that are on the threatened or endangered species lists, and cause irreparable harm to the unique eco- and bio-systems located along the Rio Grande River. They provided carte blanche for the destruction of cultural and religious artifacts that are irreplaceable to our heritage. The avoidance and mitigation of these damages is not an inconvenience to the government. They are essential elements of our national fabric, guaranteed to the people of the United States under Articles I and II of the Constitution. We demand that Congress require the enforcement of our commitment to being a nation of laws. We support repeal of the unconstitutional waiver authority and urge the repeal of the Secure Fence Act in favor of measures that will provide our region with real security.

The Texas Border Coalition believes we can do better. Mr. Chairman: if you want to finish the job of securing the border, you also have to enact immigration reform. Beyond smarter and better border and interior enforcement, we need a program that informs us who is here, where they are and when they will return to their home country. We need an earned legalization program for the undocumented people who are here because Congress failed to implement a guest worker program or the enforcement provisions promised by the 1986 Simpson-Mazzoli Bill. We need an effective guest worker program to prevent 2009 from becoming another round in a cycle of broken promises to make our immigration system work. We don't just need a bill that balances the political in Congress and the nation. We must have a bill that balances supply and demand, demographic and economic change in our hemisphere and that will guarantee our economic and national security for years to come.