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Opening Statement of Senator Chuck Grassley
Hearing of the Committee on Finance
"Border Insecurity, Take Three: Open and Unmonitored"
September 27, 2007

Good morning. I want to thank Chairman Baucus for holding this important hearing. Today's hearing is entitled "Border Insecurity, Take Three," because it is the third in a series of hearings this Committee has held on border security issues. Our purpose is to follow-up on the first two hearings and find out whether the situation has improved. At the first hearing, the Government Accountability Office (GAO) testified about how easy it was to use fake documents to enter the United States. We also heard about vast stretches of our border in rural areas and next to public lands that were under-patrolled and essentially unmonitored.

Last year, in the second hearing of this series, we saw that GAO was able to sneak into the United States at border checkpoints using phony documents. Authorities failed to catch them 93% of the time. Sadly, nothing had improved much since the first hearing. This year, we are going to hear from Government Accountability Office investigators about how easily they were able to take simulated nuclear material and other contraband across those unmonitored stretches of the U.S. borders in between the checkpoints.

Six years after 9/11 and more than four years after our first hearing, things should have gotten better by now. Last year, we learned that our checkpoints are still vulnerable to fake documents, and this year we are going to hear that the areas between the checkpoints are still vulnerable too. They are simply wide open—waiting to be crossed by anyone carrying anything, even a dirty bomb or suitcase-sized nuclear device.

In this latest study, investigators crossed our border with Canada at four locations and crossed our border with Mexico at three locations. While crossing, investigators attempted to look suspicious, carrying duffle bags filled with simulated nuclear material and other contraband. After crossing, they would remain in the area for at least 15 minutes to see whether the border patrol would catch them.

How did the border patrol respond? Well, according to the testimony we will hear today, on one occasion, an alert citizen reported the suspicious activity, but border patrol was unable to locate the investigators. On another occasion, when investigator drove around an unmanned gate, border patrol responded 20 minutes later but let the investigators go after they flashed a

badge, but without verifying their identity, asking their names, or searching their vehicle.

However, on all the other occasions, the investigators were able to cross the border unchallenged and without a response from the border patrol. Frankly, it's hard to believe that there has been so little progress in plugging these gaping security holes since 9/11. This is about more than just immigration. The Government Accountability Office says these vulnerabilities pose "a serious security risk" to the United States. I think that's an understatement.

Some people worry that increased border security means putting the breaks on trade and commerce, but only smugglers enter the country through the back door the way these investigators did. Legitimate businesses don't need back doors in the dead of night.

If we let some terrorist waltz into the country with a nuclear device, the costs in human life and economic damage would be far greater than doing what it takes to secure the border now.

So, where do we go from here?

We need to keep the fence construction on schedule. We need to increase our hiring and training of border patrol. According to the GAO, enforcement is especially limited in tribal areas near the border because of Native American sovereignty rights. So, we need to improve relationships with these tribal groups and increase the law enforcement presence in those areas.

However, until we have a new immigration bill, the Administration must enforce the laws on the books. We need a mandatory employment verification system and increased worksite enforcement. The more we do in the interior of the country, the more we can concentrate on drug dealers, terrorists, and criminals at the border. They will be easier to catch if we get rid of the magnet that draws millions of job-seekers to also cross the borders illegally.

I want to thank all the witnesses for their testimony. I would especially like to thank GAO for its excellent work on these projects over the years. And, I would like to suggest to Chairman Baucus that we ask GAO to put together its work on these three hearings into one comprehensive report for easier reference by the members of this Committee and the entire Congress.