



STATEMENT OF

The Honorable Cresencio Arcos

Assistant Secretary, International Affairs

U.S. Department of Homeland Security

BEFORE

U.S. House of Representatives

Committee on International Relations

Subcommittee on the Western Hemisphere

REGARDING

“Immigration: Responding to a Regional Crisis”

2172 RAYBURN HOUSE OFFICE BUILDING

2:00 p.m. WEDNESDAY, JULY 26, 2006

Chairman Burton, Ranking Member Engel, Members of the Subcommittee, it is a privilege and an honor to appear before you today to discuss the efforts of the Department of Homeland Security to deal with immigration issues on a regional basis within the Western Hemisphere.

I want to begin by expressing my gratitude to the Committee for the interest and support you have provided for important initiatives with our Mexican counterparts, and other efforts to increase the security of our homeland by cooperating with our neighbors in the Western Hemisphere.

In the current debate in the United States over immigration, much of the public discussion has been over how we can better secure our borders against illegal immigration. But as you on this committee are well aware, the root causes of illegal immigration often begin in the originating countries, as poverty and lack of opportunity spur many to attempt the dangerous trek to the United States. This is why the Administration supports a *comprehensive* approach to immigration reform that accomplishes three objectives: strengthening border security, ensuring a comprehensive interior enforcement strategy that includes worksite enforcement, and establishing a temporary worker program.

As the causes of illegal immigration are not solely our own, the solutions are not likely to be either. DHS is now, and must continue to reach out to immigrant-sending nations, beyond just our immediate neighbor of Mexico, to those in Central and South America as well. Human trafficking and smuggling networks are embedded throughout these sending nations, and uprooting them will require international cooperation. Transnational criminal organizations operate where they can establish a foothold and fraudulent documents and alien smuggling provide necessary means of funding: combating these operations requires regional and global partners.

As our closest neighbor to the South, and the source of the majority of illegal immigrants to the United States, Mexico is a critical partner for DHS in controlling illegal immigration. And Mexico has proven to be a good partner in the last several years – through ongoing work at the local level, regional border liaison mechanisms and national bilateral forums. DHS works extensively with representatives of the immigration, law enforcement, security, and customs agencies of Mexico, as well as with many of the leading Mexican businesses. I would like to take this opportunity to describe some of the initiatives and programs that are currently underway with our Mexican colleagues.

Security and Prosperity Partnership (SPP)

On March 23, 2005 in Waco, TX, President Bush, along with Canadian Prime Minister Martin and Mexican President Fox, unveiled the Security and Prosperity Partnership for North America (SPP), a blueprint for a safer and more prosperous

continent. The Leaders agreed on an ambitious security and prosperity agenda which will keep our borders closed to terrorists and open to trade. The three leaders instructed each nation to establish ministerial-level Security and Prosperity working groups. Secretary Chertoff chairs the security agenda while Secretary of Commerce, Carlos Gutierrez, chairs the prosperity agenda.

The Leaders met again this year on March 31 in Cancun to review progress and renew commitment to enhance the security, prosperity, and quality of life of the citizens within North America. The leaders announced five priority areas: North American Smart, Secure Borders, North American Emergency Management, Avian and Human Pandemic Influenza, North American Energy Security, and the creation of a North American Competitiveness Council (NACC). The Council will comprise members of the private sector from each country who will meet annually with security and prosperity Ministers and will engage with senior government officials on an ongoing basis to enhance competitiveness in the region and ensure a secure home for our citizens.

The Security agenda consists of ten security-related goals including Traveler Security, Cargo Security, Border Facilitation, Law Enforcement, Critical Infrastructure Protection, and Technology. Last June, Secretary Chertoff together with his counterparts in Canada and Mexico, delivered a detailed work plan for the security agenda. A second annual report will be delivered within the coming month.

We continue to strengthen our ties to our Mexican and Canadian colleagues through a number of working groups that were expanded or established to implement the SPP. These working groups are critical to implementing important bi-lateral programs such as NEXUS and the Secure Electronic Network for Travelers Rapid Inspection (SENTRI), the Customs-Trade Partnership Against Terrorism (C-TPAT), Fast and Secure Trade (FAST), the Operation Against Smugglers (and Traffickers) initiative on Safety and Security (OASISS), the Interior Repatriation program (IR) and other repatriation efforts, and Interagency Border Enforcement Teams (IBETS) on our northern border and Border Enforcement and Security Taskforces (BEST) our southern border which I will describe shortly.

In addition to these initiatives, through the SPP DHS and the State Department are working on visa policy coordination with Canada and Mexico as an effort to implement policies and procedures that will lead to comparable decisions about travelers destined to North America. The end result of this coordinated work is designed to be that a traveler destined to a Canadian or Mexican port of entry experiences substantially the same screening as a traveler bound for a U.S. port of entry.

Further, DHS and State Department are working with Canada and Mexico to further coordinate the list of countries whose nationals are permitted to travel

“visa free” to or within North America. Since September 11th, some notable visa policy changes include Canada’s decision to impose a visa requirement on nationals of Saudi Arabia, Malaysia and Costa Rica while Mexico decided to require citizens of South Africa, Brazil and Ecuador to present a visa to lawfully enter Mexico. The reimposition last year by Mexico of a visa requirement for Brazilians has dramatically decreased the inflow of illegal Brazilians across the southwest border.

Secure Electronic Network for Travelers Rapid Inspection (SENTRI)

SENTRI is a “trusted traveler” program exclusive to the Southwest Border. The “trusted traveler” concept assists law enforcement officials at our nation’s borders in distinguishing low-risk passengers from those who present a higher risk to U.S. homeland security. Working with the Department of State, this concept supports DHS’s strategy of using risk management principles and advanced technology to facilitate the entry of low-risk travelers across the border at selected crossings.

SENTRI provides expedited CBP border processing for pre-approved, low-risk travelers who undergo a thorough biographical background check against criminal, law enforcement, customs, immigration, and terrorist indices; a 10-fingerprint law enforcement check; and a personal interview with a CBP Officer. Approved applicants are issued a Radio Frequency Identification (RFID) card that identifies their record and status in a CBP database upon arrival at Port of Entry. An RFID transponder is also issued for the applicant’s vehicle.

SENTRI participants wait for much shorter periods of time than non-participants to enter the United States, even at the busiest times of the day. Critical information required in the inspection process is provided by the RFID technology to the CBP Officer in advance of the passenger’s arrival, thus reducing the inspection time from an average of 30-40 seconds to an average of 10 seconds. Currently, approximately 75,000 individuals are enrolled in SENTRI, accounting for over 300,000 border crossings into the U.S. per month.

Operation Against Smugglers (and Traffickers) Initiative on Safety and Security (OASISS)

OASISS is a bilateral program between the U.S. and Mexico, which enhances our ability to prosecute alien smugglers and human traffickers on both sides of the border. Too often, smugglers responsible for life threatening behavior, and even deaths, on one side of the border were able to evade justice by escaping to the other side. OASISS is currently operational in all four states along the southwest border.

Working with the Mexican Attorney General's Office (PGR), we have been able to successfully process a total of 251 cases under the OASISS program. In 2005, the Border Patrol, in California and Arizona alone, assisted in the prosecution of 786 smuggling cases, and the Office of Field Operations assisted in the prosecution of 766 cases, a total of more 1,500 alien smuggling prosecutions.

Interior Repatriation Program (IR)

A 2004 Memorandum of Understanding between the Department of Homeland Security (DHS) and the government of Mexico established the framework for our two nations to work cooperatively for the safe and orderly repatriation of Mexican nationals. For the past two summers, the U.S. and Mexican officials developed and jointly administered the Interior Repatriation program to return nearly 35,000 Mexican nationals who voluntarily agreed to be repatriated from the Arizona-Sonora desert to their hometowns in the interior of Mexico. The goals of the program are to reduce the loss of migrant life in the dangerous desert corridor and to break the human smuggling cycle along the border. The program has served as a model of binational cooperation at all levels.

During summers 2004 and 2005, Customs and Border Protection funded and managed the operations of the Interior Repatriation program. Immigration and Customs Enforcement (ICE) is managing and funding the operations of this summer's program that began on July 7 and is scheduled to continue until no later than September 30. This three month period typically presents the most severe climate conditions for individuals crossing the Arizona-Sonora desert. Those who volunteer for the program are flown to Mexico City and provided bus transportation to their places of origin in the interior of Mexico.

By quickly and safely returning Mexican nationals to their hometowns rather than releasing them on the Mexican side of our shared border, both nations seek to save lives and discourage additional illegal border crossings through hostile, desert terrain.

Further, we are working with Mexican officials to update and implement local repatriation arrangements between DHS and the Mexican consulates throughout the United States. For DHS, CBP officers – including those at ports of entry and in the border patrol—as well as ICE officials are responsible for the safe, orderly, and effective repatriation of Mexican nationals. At the end of June, the first two local arrangements went into effect in El Paso and Chicago. These local arrangements ensure that DHS officials and their Mexican counterparts have clear agreement on the locations, daily schedule, and advance notification for the secure repatriation of Mexicans, including those who have committed crimes in the U.S. and unaccompanied minors. These local arrangements ensure adequate personnel on both sides to effect the repatriation. After completion of the pilot program period, and a successful evaluation, the templates will be used

to draft similar agreements between each Mexican Consulate within the United States and the local DHS Agencies within their jurisdiction.

Border Violence

On March 3, 2006, in Brownsville, Texas, Secretary of Homeland Security, Michael Chertoff, and his Mexican counterpart, Secretary of Governance and Public Safety, Carlos Abascal, signed a Plan of Action committing both governments to combat border violence and improve public safety. The commitment between our two nations will strengthen procedures between federal law enforcement agencies on both sides of the border to respond to a variety of incidents, including accidental crossings, incidents of violence, or other situations that present risks to those who live, work, or travel at our common border.

Border Enforcement and Security Taskforce (BEST)

On January 6, 2006, Secretary Chertoff announced the formation of the Border Enforcement Security Task Force (BEST) in Laredo, Texas. BEST represents an integrated effort to combat border violence and cross-border crime and involves the DHS components, State and Local law enforcement agencies, and the Center for Investigation and National Security (CISEN) in Mexico. We are working to empower our local officials to assess issues and craft solutions appropriate to local circumstances. Our first two test sites for this concept are Laredo, Texas, and Tucson, Arizona. The principal focus of these groups is to work together to reduce border violence and disrupt those violent organizations. Since their inception, the BESTs have achieved 54 arrests, 22 indictments, and 10 convictions and have removed over 60 aliens.

Border Safety Initiative

This is a joint partnership between the U.S. Border Patrol and the Government of Mexico to reduce border risks and deaths. Immigration officials and the Border Patrol work together with Mexican consuls and Grupo Beta units along the border. This initiative includes training on safety and rescue techniques and information sharing.

In Fiscal Year 2005, southwest border deaths increased by 41% (464 in FY05 vs. 330 in FY04) and southwest border rescues increased by 91% (2570 in FY05 vs. 1347 in FY04). These statistics indicate that a secure border will not only have an important law enforcement component, but also yield the humanitarian benefit of saving lives. Border Patrol Search, Trauma and Rescue units (BORSTAR) are elite special response teams with law enforcement search and rescue, and medical aid rapid response capabilities. In addition to its core focus of supporting Border Patrol operations, BORSTAR has become a highlight of a bilateral training initiative in our relationship with Mexico. In December 2005, BORSTAR

conducted its first ever search, trauma, and rescue academy for 25 Mexican officials. The training was conducted in the southern Mexican state of Chiapas.

Other Nations in the Western Hemisphere

In addition to our extensive work with Mexico, we are also working with other countries in the Western Hemisphere to better manage illegal migration in the region. Through our work in several multilateral forums, and on a bilateral basis with specific countries, we continue to press for efficiency in the issuance of travel documents for the repatriation of apprehended migrants, and to better manage the transnational impacts of migration. I will mention only a few of these here.

- RCM (Regional Commission on Migration). DHS, together with our colleagues from the Department of State have participated in the Regional Commission on Migration. The RCM, launched in 1996, brings together migration and foreign policy officials from Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and the United States in a multilateral regional forum to discuss, share experiences about, and engage in collective undertakings in response to the dynamic impacts of transnational migration. Non-governmental organizations from throughout the region work with migrants and advocate for immigrant and refugee rights are also included. The RCM conducts annual Vice-Ministerial meetings, semi-annual working level meetings of the Regional Consultation Group on Migration, seminars, projects and other joint activities. The RCM also provides an important forum for the exchange of information on migration issues and allows members to voice concerns relating to their countries' migration agendas.
- ICAO (International Civil Aviation Organization). The United States, Canada, Mexico and the Central American countries are members of ICAO, an international body that promotes standards and best practices for travel documents and aviation security. Through the ICAO, the United States has successfully pushed for incorporation of machine-readable documents, electronic passports and biometric standards for international travel documents that are now being adopted by many countries in the Hemisphere.
- U.S.-Mexico Binational Commission (BNC). The U.S.-Mexico Binational Commission brings together principal officials of the U.S. and Mexican governments annually to confer on a broad spectrum of issues affecting both nations. Secretary Chertoff co-chairs the Working Group on Consular and Migration Affairs and Border Security.
- GTIP Program. The President's \$50 Million Trafficking in Persons (TIP) Initiative was established to assist foreign countries in combating

trafficking in persons. The Trafficking in Persons Conference held in Tapachula, Chiapas on June 14-15, 2006 resulted in an overwhelming response from government agencies (local/state/federal), NGO's, civil society, and academia. The participants identified next steps and made specific commitments. DHS has established an excellent working relationship with the Policia Federal Preventiva (PFP), the Procuraduria General de la Republica (PGR), the Instituto Nacional de Inmigracion (INM), other governmental agencies, and several Non-Governmental Agencies (NGO's) and now has two ICE Special Agents to provide technical assistance to the dedicated investigative unit. Additional training will be provided to Mexican Immigration authorities in Tapachula during the first 2 weeks in August 2006.

Mr. Chairman, Members of the Subcommittee, I have outlined a number of initiatives today that we have taken with the government of Mexico and other nations in the Hemisphere to allow us to protect America from the terrorist threat while performing our traditional enforcement and facilitation missions. While all of these initiatives are important and will continue, they are only one facet of the solution to the issue of illegal immigration. I urge Congress to pass comprehensive immigration reform that meets the President's stated objectives. Only through a combination of border enforcement (working with our international partners), expanded enforcement within the United States, including an expanded employment compliance and enforcement program to address illegal employment, and a temporary worker program which will provide a legal avenue for employers to fill their labor needs when U.S. workers are not available, will we begin to change the current paradigm of migration in the region.

Thank you again for this opportunity to testify. I will be happy to answer any questions you may have.