

Opening Statement of Hon. Kenneth Cuccinelli
for Senate Committee on Homeland Security for January 16, 2025

Mr. Chairman and Members of the Committee, thank you for inviting me to discuss challenges and opportunities in dealing with illegal immigration as we look forward to the second swearing in of Donald Trump as President of the United States next Monday.

The President of the United States has vast authority to secure America's borders, to determine who may enter our country, and under what conditions they may enter.

As one example, a President could re-establish the so-called Remain in Mexico program that did so much in the latter part of 2019 to drive down illegal alien efforts to even enter the United States. And I want to emphasize how important it is that the world knows a President is serious about keeping illegal aliens out. When someone somewhere in the world is contemplating spending large portions of their life savings to try and illegally enter the United States, they want to know they have a good chance for success before giving away their money and taking that risky trip.

The real success of programs like the Remain in Mexico program is not just that they screen out fake asylum seekers, but that they help deter illegal aliens from coming in the first place. The goal of true border security is to be so effective at keeping attempted illegal entrants out, that they never try to come in the first place.

In that vein, the fastest improvement that the new administration could make is at the border itself. The swearing in of Donald Trump to the Presidency will instantly convert the 20,000 men and women of the Border Patrol from the world's largest group of greeters, back into law enforcement officers whose goal is to actually defend the border, instead of facilitating an ongoing invasion. If they are supplemented immediately by military personnel and assets moved to the border, who actually block illegal entrants instead of uselessly "backing up" the Border Patrol – then America's Southern border could be effectively sealed to illegal alien traffic and most of the accompanying drug traffic between the legal ports of entry in a matter of weeks.

It would be a historic accomplishment and it is absolutely attainable. Literally the only thing required is a President with the political will to do it, and I expect that such a President will be sworn in next week.

Let me say that a different way. The assets and authorities needed to completely secure our Southern border between the legal ports of entry already exist, with no additional legislation or funding needed.

But securing the Southern border is only step one. Every "pull factor" should be eliminated at both the federal and state level. And I might add, that given the fact that this government is so hopelessly bankrupt, a good place to start is to end every dollar of spending for immigrants of

any kind, first the illegals, but also even legal immigrants. This Congress might as well begin to adjust to the day when severe cuts are necessary across the board – best to start by cutting spending on non-Americans as soon as possible (given that such cuts are already overdue).

Perhaps the single biggest pull factor is work permits. The administration can ensure that only properly vetted and qualified recipients ever receive work permits by regulation, which is the primary source of implementable authority in this area. Work permits need to be as severely restricted as the law allows – specifically, to only those aliens who have already established their legal authority to be present in the United States – coupled with turning a majority of all HSI agents to workplace enforcement with charges brought against American businesses using illegal aliens in lieu of American workers, in addition of course to identifying and deporting those here illegally.

Reinstating third-country asylum is critical to keeping the inflow of new cases down, while the Trump administration works with Congress to build the capacity needed to finally catch up on the caseload of illegal aliens already present in the United States – a situation that is both dangerous and expensive. This involves expanded deportation capacity (e.g., more immigration judges, prosecutors and logistical support) as President Trump has laid out the largest domestic logistical undertaking of our lifetimes, that being the deportation of the vast majority of illegal aliens present in the United States.

If the incoming administration makes significant progress on its deportation goals – likely only with the cooperation and assistance of Congress – then America will reap the benefits in greater security, lower crime, more job opportunities for poor Americans, higher wages for poor Americans (as we saw in 2019) and more predictable and manageable budgets for state and local governments that are so severely affected by the invasion of illegal aliens that America has suffered for so many years.

I am happy to answer any questions that you may have.