



## **The Border Security Buildup: True Border Security Requires Reforming Our Broken Immigration Laws**

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There has been a lot of attention recently to incidents of crime along the Arizona/Mexico border. The bigger picture, however, has been lost as the media has been mesmerized by the idea that our borders are "out of control." On the contrary: since the last time Congress attempted immigration reform in 2007, there has been a flood of new personnel, high-tech equipment, and resources to the border. On the Arizona border alone, as Homeland Security Secretary Janet Napolitano recently noted, "more assets have been put into Arizona in the last 15 months than ever in history, and ... the numbers actually are down in terms of apprehensions, which indicates fewer illegal crossings...."<sup>1</sup>

### **The Border is Not Out of Control**

The buildup of barriers, remote sensing technology, and immigration agents has made it more difficult to cross the border illegally. It is generally believed that the number of people arrested trying to cross the border illegally is an indication of the number of people trying to cross. Ten years ago, apprehensions of border crossers peaked at 1.8 million. By the government's fiscal year 2009, the number of apprehensions had been cut by more than two-thirds.<sup>2</sup> Whether it is the intensification of border enforcement or the lagging economy that is responsible for the decline, the fact is that fewer people are attempting to enter illegally.

The dramatic decrease in the number of persons crossing illegally has enabled Secretary Napolitano to state that we now have effective control of our border.<sup>3</sup> We agree. We have achieved about as much control of our border as possible without solving the core problem—our immigration system must be modernized to accommodate our immigration needs; we must provide adequate legal channels for people to go through, so they do not try to go around a broken system. We must have comprehensive immigration reform in order to see continued improvement in the control of our borders.

The truth is that massive security efforts have been implemented along our southern border in the last few years. Broadly speaking, border security has been built on personnel, infrastructure, and technology. Realistically, as cartels and smuggling have increased their operations in northern Mexico, the fourth ingredient of border security has become intelligence.

### **Personnel**

In the last nine years, the number of Border Patrol agents has more than doubled; the 8,600 agents on duty in 2000 have ballooned to over 21,000 agents this year.<sup>4</sup> The Border Patrol is not the only federal agency at the border. The legions of Border Patrol agents are supported by thousands of federal agents from a wide spectrum of agencies: 21,058 Customs and Border Protection (CBP) Officers, several thousand Immigration and Customs Enforcement (ICE) Agents, 1,180 DEA agents,<sup>5</sup> 1,212 Air and Marine officers,<sup>6</sup> 235 ATF agents,<sup>7</sup> 1,419 canine enforcement teams,<sup>8</sup> 280 horse patrols,<sup>9</sup> 208 Narcotics detection teams, 32 currency detection teams, 212 Narcotics/Human Smuggling detection teams,<sup>10</sup> 4 DEA mobile enforcement teams,<sup>11</sup> and 3 mobile response teams of 25 CBP agents each.<sup>12</sup>

Providing additional support are the US Marshalls, Coast Guard, FBI, and National Guard. In Arizona alone there are more than 6,000 federal law-enforcement agents, the majority employed by the Border Patrol. The southwest also hosts 564 federal prosecutors, as well as several special assistant prosecutors from DHS.<sup>13</sup> Beyond the U.S. federal law enforcement agents are thousands of state and local police, as well as national and local counterparts on the Mexican side.

## **Infrastructure**

Since passage of the Secure Fence Act in 2006, DHS has constructed 646 miles of fencing along the southwest border, stretching most of the way from the Pacific past Ciudad Juarez/El Paso, with the Rio Grande winding a natural barrier along the remaining 1,300 miles to the Caribbean. The fence has 347 miles of pedestrian fencing and 298 of vehicle fencing;<sup>14</sup> only 5.7 miles of pedestrian fencing remain to be constructed.<sup>15</sup> In addition, there are 37 Border Patrol checkpoints, 93 tactical checkpoints, 139 Border Patrol stations, 26 miles of special access roads, 39 Ports of Entry, and seven Forward Operating Bases.<sup>16</sup>

## **Technology**

The personnel stationed on the border are assisted in their mission by a vast array of technological surveillance and law enforcement equipment, including but not limited to the much criticized, and now suspended, *SBinet* projects. Border technology designed for “situational awareness” to support CBP monitoring includes:

- Sensors and Cameras: There are thousands of cameras, including infra-red night vision cameras,<sup>17</sup> and some 10,000 ground sensors that can detect intrusions and transmit the information.<sup>18</sup> There are approximately 30 sensor/communications towers that house cameras, radar, and infrared sensors.<sup>19</sup>
- Airborne, Mobile, and Remote Patrol Surveillance: There are 41 mobile surveillance systems providing radar and camera coverage<sup>20</sup> and 16 remote video surveillance systems.<sup>21</sup> In the air, there are a total of 290 aircraft deployed daily,<sup>22</sup> including 5 Predator B Unmanned Aircraft Systems<sup>23</sup> providing streaming video and carrying up to 3000 lbs of sensors for land and water surveillance and tracking. There are also 11 P-3 aircraft used for border patrol and anti-drug surveillance, detection, and tracking,<sup>24</sup> and 4 Blackhawk helicopters.
- Smuggling Detection: Backscatter mobile X-ray vans and Vehicle Imaging Systems scan vehicles and their cargo for stowaways, explosives, drugs, and alcohol.<sup>25</sup> More than 1,300 radiation portal monitors, allow CBP to scan nearly 100% of all truck cargo and personal vehicles arriving at land ports.<sup>26</sup> Large-scale Gamma-ray/X-ray Imaging Systems produce and transmit and reflected images of the contents of cargo containers, vehicles, and trailer-trucks.<sup>27</sup> There are also Non-Intrusive Imaging systems—approximately 6,000 of them—that have been used to conduct more than 32 million examinations and have resulted in more than 7,500 narcotics seizures.<sup>28</sup>

## Intelligence

As enforcement has magnified on the border, cartels and smugglers have become more sophisticated. U.S. forces have responded with much greater attention to intelligence and organized crime investigations. Multiagency border security initiatives include 17 Border Enforcement Security Teams, Organized Crime Drug Enforcement Task Forces and Co-located Strike Forces, the Interagency Working Group on Intelligence Coordination, a Drug Flow Attack Strategy with four new mobile enforcement teams,<sup>29</sup> Project Gunrunner Impacts Teams, and ICE-led forces including a Border Violence Intelligence Cell, Field Intelligence Groups, and a Weapons Virtual Task Force.

DHS and other federal agencies operate a host of Intelligence Centers for coordinating information and operations, including the National Drug Intelligence Center, the El Paso Intelligence Center, CBP Air and Marine Operations Center, Law Enforcement Tactical Centers, a Bulk Cash Smuggling Center, and the new Intelligence Operations Coordination Center in Tucson. Further, there is unprecedented cooperation with Mexican law enforcement, from high-level agreements to the Grupo de Coordinacion-Armas, to real-time information sharing via the Border Liaison Programs.<sup>30</sup> Finally, there are the ongoing law enforcement operations, such as Armas Cruzadas, Operation Firewall, Project Gunrunner, the Merida Initiative, Operation Community Shield, and IIMPACT Arizona.<sup>31</sup>

## Missing: Immigration Laws That Are Enforceable

In sum, the federal resources deployed to the southwestern border are greater than they have ever been. They cannot, however, solve the problem of illegal immigration, which is the product of today's demand for worker and family visas clashing with an immigration system that has not been updated in 20 years. Immigrants who come here to work and to be with their family members want to come legally. Giving them legal channels to do so will allow us to focus our border security strategy on real threats to national security and public safety.

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<sup>1</sup> Kevin Bogardus and Michael O'Brien, "Napolitano calls Arizona immigration law 'a shame'," *The Hill*, May 2, 2010: <http://thehill.com/blogs/blog-briefing-room/news/95477-napolitano-calls-arizona-immigration-law-a-shame>

<sup>2</sup> Linda Valdez, "Secure the Border First' People are Wrong," *The Arizona Republic*, May 2, 2010, <http://www.azcentral.com/arizonarepublic/viewpoints/articles/2010/05/02/20100502immigration-border-arizona-valdez.html>

<sup>3</sup> DHS Secretary Janet Napolitano, Prepared Remarks on Immigration Reform, Nov. 13, 2009, [http://www.dhs.gov/ynews/speeches/sp\\_1258123461050.shtm](http://www.dhs.gov/ynews/speeches/sp_1258123461050.shtm)

<sup>4</sup> Transactional Records Access Clearinghouse, <http://trac.syr.edu/immigration/reports/141/include/sectorsouthern.html>; Testimony of CBP Commissioner Alan Bersin, Hearing on the Southwest Border before the U.S. House of Representatives Appropriations Subcommittee on Homeland Security, Apr. 14, 2010.

<sup>5</sup> FBI, "Department of Justice Announces Resources for Fight Against Mexican Drug Cartels" Mar. 24, 2009.

<sup>6</sup> CBP, "Snapshot: A Summary of CBP Facts and Figures," Apr. 2010.

<sup>7</sup> Testimony of U.S. Attorney Burke before the U.S. Senate Homeland Security and Government Affairs Committee, Apr. 20, 2010.

<sup>8</sup> CBP, "Snapshot: A Summary of CBP Facts and Figures," Apr. 2010.

<sup>9</sup> CBP, "Snapshot: A Summary of CBP Facts and Figures," Apr. 2010.

<sup>10</sup> DHS Congressional Budget justification FY 2011 p. 524.

<sup>11</sup> FBI press release, see footnote 5.

<sup>12</sup> DHS Congressional Budget justification FY 2011 p. 524.

<sup>13</sup> DHS Congressional Budget justification FY 2011 p. 506.

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- <sup>14</sup> Southwest Border Fence Construction Progress, [http://www.cbp.gov/xp/cgov/border\\_security/ti/ti\\_news/sbi\\_fence/](http://www.cbp.gov/xp/cgov/border_security/ti/ti_news/sbi_fence/). Border Patrol tactical experts have indicated that the final plan is to complete 655 miles of fencing. The agency determined that more vehicle fencing and less than 370 miles of pedestrian fencing was the most effective use of resources.
- <sup>15</sup> Testimony of DHS Secretary Napolitano, Oversight Hearing of the U.S. Senate Judiciary Committee, Apr. 27, 2010 p. 7.
- <sup>16</sup> CBP, "Snapshot: A Summary of CBP Facts and Figures," Apr. 2010.
- <sup>17</sup> "Border Security and Immigration Reform Agreement Overcomes 1986 Mistakes," *White House Office of Communications*, May 22, 2007, <http://www2.nationalreview.com/dest/2007/05/22/5.22.07not1986.pdf>.
- <sup>18</sup> Sean Snyder, "Boeing, Department of Homeland Security Implement Project 28 Virtual Fence: SBINet's Project 28 is underway and scheduled for completion in mid-June", *Design News*, May 4, 2007.
- <sup>19</sup> Mike Hanlon, "The First SBINet Mobile Sensor Tower," *Gizmag*, Mar. 4, 2007, <http://www.gizmag.com/go/7080/>.
- <sup>20</sup> Testimony of Commissioner Alan Bersin before the Senate Homeland Security and Government Affairs Committee, Apr. 20, 2010.
- <sup>21</sup> Customs and Border Protection, "SBI Northern Border Project Fact Sheet" Dec. 2009, [http://www.cbp.gov/linkhandler/cgov/newsroom/fact\\_sheets/border/secure\\_border/northern\\_border\\_fs.ctt/northern\\_border\\_fs.pdf](http://www.cbp.gov/linkhandler/cgov/newsroom/fact_sheets/border/secure_border/northern_border_fs.ctt/northern_border_fs.pdf)
- <sup>22</sup> CBP, "Snapshot: A Summary of CBP Facts and Figures," Apr. 2010.
- <sup>23</sup> CBP, "Unmanned Aircraft System MQ-9 Predator B" Dec. 2009, [http://www.cbp.gov/linkhandler/cgov/newsroom/fact\\_sheets/marine/uas.ctt/uas.pdf](http://www.cbp.gov/linkhandler/cgov/newsroom/fact_sheets/marine/uas.ctt/uas.pdf) -
- <sup>24</sup> CBP, "Securing America's Border: CBP Fiscal Year 2009 in Review Fact Sheet" Nov. 24, 2009, [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/archives/2009\\_news\\_releases/nov\\_09/11242009\\_5.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/archives/2009_news_releases/nov_09/11242009_5.xml)
- <sup>25</sup> American Science and Engineering, "Z Portal" [http://www.as-e.com/products\\_solutions/portal.asp](http://www.as-e.com/products_solutions/portal.asp)
- <sup>26</sup> CBP News Release, see footnote 19.
- <sup>27</sup> CBP, "Inspections and Surveillance Technologies – Extended" May 5, 2005,
- <sup>28</sup> Testimony of Commissioner Alan Bersin, see footnote 16.
- <sup>29</sup> Woodrow Wilson Center Mexico Institute, "U.S. Southwest Border Security Initiatives," Aug. 2009, p.6.
- <sup>30</sup> Testimony of DHS Secretary Napolitano, Oversight Hearing of the U.S. Senate Judiciary Committee, Apr. 27, 2010.
- <sup>31</sup> National Immigration Forum, "Southwest Border Security Operations," Jul. 14, 2009.