

POLICY ON THE EDGE

FAILURES OF BORDER SECURITY AND NEW DIRECTIONS FOR BORDER CONTROL

By Tom Barry

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EXECUTIVE SUMMARY

Ten years after America's rush to secure our borders, we must review, evaluate and change course. The terrorist attacks of September 11, 2001 set off a multibillion-dollar border security bandwagon and distinctly altered the way the Border Patrol operates. Yet, despite massive expenditures and the new commitment to "border security," our border policy remains unfocused and buffeted by political forces. In the absence of a sharp strategic focus, the management of the U.S.-Mexico border continues to be the victim of the problems and pressures created by our failed immigration and drug policies. Over the past decade, the old politics of immigration enforcement and drug control—not counterterrorism or homeland security—are still the main drivers of border policy.

"Policy on the Edge" is an International Policy Report published by the Center for International Policy. The report examines the failures, waste and misdirection of the border security operations of the Department of Homeland Security. "Policy on the Edge" concludes that there has been more continuity than change in U.S. border policy. The final section of the report describes a policy path that charts the way forward to regulatory solutions—for immigration, drugs, gun sales, border management—that are more pragmatic, effective and cost-efficient than current policies. Specific recommendations to improve border policy are included.



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A border fence, costing \$2.4 billion to build and \$6.5 to maintain over 20 years, stretches along the Rio Grande in West Texas.

INTRODUCTION

Prior to the September 11 terrorist attacks, the term border security was rarely used. Today, however, it is both a fundamental goal of U.S. homeland security and the defining paradigm for border operations.¹ Despite the federal government's routine declarations of its commitment to securing the border, neither Congress nor the executive branch has ever clearly defined the term "border security."

Border security constitutes the single largest line item in the Department of Homeland Security (DHS) budget. Nonetheless, DHS has failed to develop a border security strategy that complements U.S. homeland and national security objectives. DHS has not even attempted to delineate benchmarks that would measure the security of the border or specify exactly how the massive border security buildup has increased homeland security.

In its strategic plan, DHS does promise: "We will reduce the likelihood that terrorists can

POLICY RECOMMENDATIONS

- **TEN-YEAR EVALUATION OF BORDER SECURITY**
The integration of our border and immigration agencies into the sprawling homeland security bureaucracy should be reconsidered.
- **CALIBRATE THE SECURITY/TRADE BALANCE OF BORDER POLICY**
Rather than primarily being driven by political and pork-barrel imperatives, border policy should better reflect the identity of the border as both a barrier and a nexus.
- **STEP BACK, DON'T RUSH HIGH-TECH SOLUTIONS**
DHS should put the brakes on its high-tech programs for border security, which have proved highly expensive and deeply flawed.
- **MORATORIUM ON NEW BORDER FUNDING**
Congress should impose a moratorium on all new border funding, whether for security or for trade.
- **END DRUG PROHIBITION AND DRUG WARS**
The United States should overhaul its drug policies.
- **TERMINATE COLLABORATION IN BORDER AND IMMIGRATION ENFORCEMENT**
The Obama administration should terminate programs that promote nonfederal collaboration in border control and immigration enforcement operations.
- **STOP ASSOCIATING BORDER SECURITY FUNDING WITH IMMIGRATION REFORM**
The Obama administration must end the practice of promising border security as a condition of immigration reform.
- **SETTING FORTH A NEW VISION OF IMMIGRATION REFORM**
President Obama and congressional leaders should set forth a new vision of immigration reform.

enter the United States. We will strengthen our border security and gain effective control of our borders.”² And DHS Secretary Janet Napolitano assured us last year that, as a result of new border security spending by the Obama administration, “the Southwest border is more secure than ever before.”³

Since 2003, Homeland Security and the Justice Department have opened spigots of funding for an array of border security operations. These include commitments for 18-foot steel fencing, high-tech surveillance, unmanned aerial vehicles (UAVs), increased prosecutions of illegal border crossers and new deployments of the Border Patrol and National Guard.

Yet the federal government’s continued expressions of its commitment to border security only serve to highlight the shortcomings of this commitment and to spark opposition to long overdue immigration reform. “Secure the border”—a political demand echoed by immigration restrictionists, grassroots anti-immigrant activists and a chorus of politicians—now resounds as a battle cry against the federal government and liberal immigration reformers. These border security hawks charge that the federal government is failing to meet its responsibility

to secure the border, pointing to continued illegal crossings by immigrants and drug traffickers. Border sheriffs, militant activists and state legislatures have even started taking border security into their own hands.⁴

The post-9/11 imperative of securing the homeland set off a widely played game of one-upmanship that has had Washington, border politicians and sheriffs, political activists and vigilantes competing to be regarded as the most serious and hawkish on border security. The emotions and concerns unleashed by the 9/11 attacks exacerbated the long-running practice of using the border security issue to further an array of political agendas—immigration crackdowns, border pork-barrel projects, drug wars, states’ rights and even liberal immigration reform. Yet these new commitments to control the border have been largely expressions of public diplomacy rather than manifestations of new thinking about the border.

In his ground-breaking 2001 study of border enforcement, *Border Games: Policing the U.S.-Mexico Divide*, border scholar Peter Andreas rightly observed that border policing has “some of the features of a ritualized spectator sport,” noting that the game metaphor reflects

the “performance and audience-driven nature” of the politics of border control.⁵ As the politics of border security in Texas and Arizona so well illustrate, “secure the border” is a rallying cry that energizes constituencies, catapults politicians to office and produces a steady stream of Fox News appearances for prominent border security hawks. It also diverts the debate over border policies far away from any reflective discussion of the structural causative factors producing the border crisis.

Despite the border security buildups and a hundred billion dollars spent along the southwestern border, no terrorists or terrorist weapons have been seized. DHS does point out, however, that every year it regularly apprehends illegal border crossers from countries designated as state sponsors of terrorism. Those apprehended are mostly from Cuba, with single digit numbers from Iran, Syria, Sudan, Somalia, Pakistan, Afghanistan and Yemen. Border security hawks point to these arrests of citizens from “special interest countries” as evidence that the “broken border” keeps Americans vulnerable and that the border should be completely sealed.⁶

Ten years after the federal government undertook a new commitment to homeland security and border security, the nation deserves to know what the tens of millions of dollars spent on securing the southwestern border have accomplished. Before more tax dollars are dedicated to border security, we need new policy frameworks for immigration and illegal drugs that disaggregate these issues from homeland and national security.

This report looks at the evolution of border security policy and the persisting failures. Starting with a brief review of border and immigration policies prior to the terrorist attacks of September 11, the report then moves to the 21st century and the launch of the border security bandwagon of budget increases and alarmism spurred by the new security framework for border control operations.

The new security rhetoric has not been accompanied by more narrowly and strategically focused border operations. Instead, illegal immigrants and illegal drugs are the continuing target of the border security buildup. “Policy on the Edge” concludes with eight recommendations for a more effective, more sharply focused and less expensive U.S. border policy.

BORDER CONTROL BEFORE “BORDER SECURITY”

The transfer of immigration enforcement and border control from the Justice Department to the newly cre-



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Remote border crossing at Sasabe, Arizona.

ated Department of Homeland Security in 2003 gave these operations a new national security gravitas. The new security profile has propelled a border security bandwagon of major budget increases, a series of supplemental appropriations and a bipartisan crew of border security hawks.

But there has been more continuity than change in U.S. border policy, as a brief review of border operations in final decades of the 20th century reminds us. Budgets are much larger and the mission of border control is now deeply enmeshed in a homeland security framework. Yet, today as before, illegal immigrants and illegal drugs are the central preoccupation of border control agents. Elements that have come to define border policy—including its security framing, the criminalization of immigrants, uncritical adoption of high-tech fixes and the strategy of deterrence—are not new but extensions and exaggerations of what previously existed.

Security and the border in the 20th century

The post-9/11 conflation of border control and national security that became “border security” opened new spigots of funding and substantially bolstered the political standing of the anti-immigration forces. But this merger of border and security issues is not entirely new. In the last three decades of the 20th century, ideological currents and drug warriors succeeded in injecting security into border control.

During the late 1970s and the 1980s, the right-wing demanded that our border with Mexico be secured, fortified

or militarized. They raised alarm about a rising threat of leftist insurgencies in Central America spreading north through an “illegal invasion.” President Ronald Reagan gave credence to anti-communist conservatives who linked left-wing insurgency in Central America with the security of the U.S. border. In a 1986 TV address aimed to build public support for increasing U.S. support of the counterinsurgency forces in Central America, Reagan noted with alarm that “terrorists and subversives are just two days’ driving time from Harlingen, Texas.”

That same year a national security directive issued by President Reagan, which classified illegal drugs as a national security threat, contributed to the sense that the border was the frontline of national security. New collaboration between the military and the Border Patrol in the 1980s was given a green light by the addition of a section on “Military Cooperation with Civilian Law Enforcement Officials” in the Defense Authorization Act of 1982, which sent the military down the slippery slope toward increased involvement in domestic law enforcement, especially along the border.

U.S. interdiction operations in the Caribbean and federal counternarcotics initiatives in Florida in the 1980s were succeeding in shifting cocaine flows from Colombia into Mexico. In 1990 the director of Operation Alliance, an interagency taskforce established in 1986 to coordinate civilian and military drug war initiatives, tapped a military metaphor to describe the drug war crisis along the southwestern border: “We are engaged in something akin to a guerrilla war along the border against well-entrenched and well-organized trafficking groups.”⁷

As border expert Timothy Dunn, author of the *Militarization of the U.S.-Mexico Border, 1978-1992*, observed:

The effective integration of military and civilian forces took many forms and included the extensive sharing of equipment, the joint deployment of personnel and collaborative strategizing—made possible by changes to the long-standing prohibition against the use of active duty military in domestic law enforcement.⁸

Immigration: From Amnesty to Backlash

In the 1980s and 1990s, U.S. immigration enforcement began to harden as the local and national backlash against immigration gathered new strength and immigration law became explicitly linked to national anxiety about illegal drugs and crime.

The failure of the Immigration Reform and Control Act of 1986 kicked off the hardening of U.S. immigration policy. The legislation created a path to legalization and citizenship for 2.7 million unauthorized immigrants living in the United States,⁹ and authorized major increases in the Border Patrol staffing and the enforcement of sanctions against employers who hired immigrants without proper papers.

However, once the amnesty became law, liberal immigration reformers backed away from their commitment to the stipulated employer sanctions. Furthermore, the amnesty precipitated new illegal and legal immigration flows, as millions of relatives and neighbors sought to join the newly legalized residents. An exodus from Cen-

BORDER SECURITY “WAR” ZONE

Though not formally militarized, the southwest border has been fortified with what the Border Patrol calls “tactical infrastructure”—a formidable array of barriers, lighting and fencing, complemented by arrays of remote surveillance technology including some 10,000 ground sensors. (See accompanying sidebar: *Cost of Border Security*).

Unmanned aerial vehicles now patrol overhead, along with 290 other Border Patrol aircraft, and since 2003, the number of Border Patrol agents has doubled. Paid through DHS grants, sheriff deputies have joined the official guardians of the border. In addition, newly deployed legions of federal agents have been assigned to border security duties, including special southwest border units from the FBI, Immigration and Customs Enforcement (ICE), Drug Enforcement Administration (DEA), and Alcohol, Tobacco, and Firearms (ATF) as well as hundreds of newly assigned federal prosecutors and U.S. Marshalls.

Outside the border cities, the southwest borderland often feels like an occupied war zone. In addition to the diversity of federal and nonfederal law enforcement, National Guard troops are also deployed and many military bases scattered along the border cooperate closely with border security operations.

Military style, the Border Patrol is establishing “forward deployment locations,” in addition to the 139 Border Patrol stations. Border Patrol checkpoints—37 permanent checkpoints and 93 tactical checkpoints—now inspect most long-distance vehicular traffic along with 1,419 new K-9 teams that sniff out illegal drugs, drug paraphernalia and even pharmaceuticals (Beware: bring your prescriptions along with your pills).

Source:

National Immigration Forum, “The Border Security Buildup: True Border Security Requires Reforming Our Broken Immigration Laws,” 2010

tral America—roiled by escalating repression, counter-insurgency wars and U.S. intervention—created a new northbound stream of immigrants. The failure of this reform angered immigration restrictionists and hardened their resolve to oppose any future immigration reform.

In the 1990s, support for immigration policies continued to decline as conservative Republicans linked immigration law to national anxiety about illegal drugs and crime. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the Anti-Terrorism and Effective Death Penalty Act (AEDPA) and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) embodied these trends. With its newly restrictive grounds for political asylum and wider grounds for the indefinite detention of immigrants, AEDPA broke ground for the USA Patriot Act of 2001.¹⁰

This hardening of immigration law set the stage for the coming immigrant crackdown, including the emergence of campaigns against “criminal aliens,” the linking of immigrants and terrorist threats, the rising deportation of immigrants (both legal and illegal) for drug-law violations, and the more limited access of immigrants to social services.

Heightened Border Patrol operations on the southwestern border in the mid-1990s paralleled the anti-immigration measures being instituted in Washington. In 1994 the Border Patrol formulated its first national strategy, “Prevention through Deterrence,” in response to rising concern, particularly in the border region, about seemingly unconstrained illegal border crossings. The Border Patrol’s “Operation Hold the Line” in El Paso and “Operation Gatekeeper” in the San Diego sector, as well as the erection of border fences and installation of remote surveillance systems, presaged the hardening of the border as well as the next decade’s national embrace of the border security framework.¹¹

THE 21ST CENTURY BORDER

Homeland security conceives border security

Following the September 11 terrorist attacks, the Border Patrol adapted its rhetoric to reflect its recently acquired homeland security mission. While the Border Patrol had occasionally referred to “securing the border” in the past, the use of the term “border security” only gained prevalence over the past decade. References to border security and border insecurity not only shape discourse about the border, but also about immigration, drug policy, U.S.-Mexico relations and homeland security.

Border regulation and control have effectively been upgraded to a national security mission. Customs and Border Protection (CBP), the DHS agency that oversees the Border Patrol, states that its “top priority is to keep terrorists and their weapons from entering the United States.” In keeping with its new status as a quasi-national security agency, the CBP contends that it is securing

COST OF BORDER SECURITY

- Yearly cost of National Guard deployment (1,200 troops) is \$300 million, yet there are no cost/benefit assessments as to the Guard’s contribution to homeland security, illegal immigrant apprehension, drug seizures, or increased public safety.
- Cost of individual immigrant apprehensions has increased 500% since 2005—from \$1,400 to \$7,500 per apprehension.
- Average cost to remove immigrants from the United States is about \$23,000, and in 2010 ICE deported a record 197,000 immigrants—costing an estimated \$4.5 billion.
- CBP’s 2010 budget was \$11.5 billion, and ICE’s budget was \$5.7 billion—up, respectively, from \$5.9 billion and \$3.7 billion in 2004.
- Border Patrol budget alone is \$3.5 billion – a ten-fold increase since 1994. Average annual budget increase of \$300 million for Border Patrol since 2005.
- Average cost to apprehend, detain, process and deport a noncitizen is an estimated \$23,000.
- Cost of border fence—authorized by Secure Border Fence Act of 2006—was by 2010, \$2.6 billion, with \$75 million in annual maintenance costs expected in the near future.

Sources:

National Immigration Forum, “Immigration Enforcement Fiscal Overview,” February 2011

Eric Olson and David Shirk, “Is More Getting Us Less? Real Solutions for Securing Our Border,” (Immigration Policy Center: February 2011), <http://www.immigrationpolicy.org/perspectives/more-getting-us-less-real-solutions-security-our-border>

the nation against “dangerous people and goods.”

For its part, the Border Patrol asserts:

We are the guardians of our Nation’s borders. We are America’s frontline. We safeguard the American homeland at and beyond the borders. We protect the American public against terrorists and the instruments of terror.

Today, military participation in border security includes the deployment of the National Guard, military training of civilian border law enforcement forces, and the military’s cooperation in the management of drone flights along the border and into Mexico, as well as more institutional manifestations such as a presence in El Paso of the Joint Task Force North and the El Paso Intelligence Center.

National policy gone awry

Living in the Southwest has long been a point of pride, especially for those in communities along the border.

MEASURES OF BORDER CONTROL

- 873 miles of nearly 2,000 miles on southwest border are, according to Border Patrol, under “operational control.”*
- 15% of these 873 miles are classified as “controlled” (having a full complement of “tactical infrastructure” and BP agents positioned immediately next to border), while 85% of the operationally controlled miles are classified as “managed” (having BP agents positioned away from the often remote border but placed to monitor major ingress routes).
- Between 2005 and 2010, Border Patrol reports placing each year an average of 126 additional miles under operational control.
- Stretches of southwest border that are not under “operational control” are categorized as “monitored” or “low-level monitored.” The Border Patrol acknowledges that these levels of non-operational control are unacceptable for overall “border security,” which is a reality of border control used by border security hawks to call for more funding and other federal and local participation.
- Border Patrol sectors under operational control from highest to lowest were Yuma (100%), El Centro, San Diego, El Paso, Tucson (about 70%), Rio Grande Valley, Del Rio, Laredo and Marfa (10%).
- Border Patrol officers on southwest border doubled from 2000 to 2009, rising from 8580 officers to 17,500—with another 1,000 agents authorized.
- Border Patrol apprehended 445,000 illegal entrants in 2010.
- Border Patrol seized 2.4 million pounds of marijuana in 2010.
- Border Patrol has reported no arrests of terrorists or suspected terrorists crossing southwest border since 2001.
- ICE deported a record-breaking 392,000 noncitizens in 2010.
- ICE projected that a record-high 430,000 immigrants would be placed in detention in 2011.

*Recognizing that its new measure of order security—“operational control”—has subjected it to criticism that it’s leaving most of the border unsecured, the Border Patrol said in late 2010 it was overhauling its new “border security measures.”

Sources:

GAO, “Border Security: Preliminary Observations on Border Control Measures for the Southwest Border,” Feb. 15, 2011

National Immigration Forum, “The Border Security Buildup: True Border Security Requires Reforming Our Immigration Laws,” 2010, http://www.immigrationforum.org/images/uploads/2010/Border_Security_Fact_Sheet.pdf

National Immigration Forum, “Immigration Enforcement Fiscal Overview: Where Are We, and Where Are We Going?,” February 2011, <http://www.immigrationforum.org/images/uploads/2011/ImmigrationEnforcementOverview.pdf>

safety threats and immigration flows have produced a sense of vulnerability and stirred deep resentment.

It would, however, be a mistake to dismiss the extreme and often bizarre embrace of the politics of border security as merely a regional affair. The fevered politics about border security tap insecurities, fears, resentment, prejudices and uncertainties felt throughout the nation to varying degrees. The proliferation of immigrant prisons along the border, the defiant creation of a “Texas model of border security,” border vigilantism and Arizona’s anti-immigrant legislation, while often politically motivated and reeking of opportunism, underscore the inadequacies of the federal government’s border, drug and immigration policies.

In adopting the border security rhetoric following 9/11, the federal government raised unrealistic expectations that the border can indeed be sealed and secured. Yet, never in our nation’s history have we actually controlled our 1,963-mile border with Mexico. Contraband and nonauthorized crossings have been a constant of border life, not a recent development.

Instead, border policy has been propelled by ambiguous annual statistics on arrests and seizures offered by the Border Patrol to justify budget increases. Year after year, decade after decade, border progress has been measured by the number of illegal aliens apprehended,

Public officials and citizen leaders have boasted of their region’s binational culture, transborder communities and families, spicy food and easy mix of English and Spanish.

For many vocal borderlanders, especially in Texas and Arizona, their borderland status is no longer a common boast or esteemed asset but rather a liability—and another cause for griping about Washington and big government. Proximity to the border has been the source of a new politic of indignation, outrage and resentment as deepening concerns about spillover violence, public

the number deported and the millions of pounds of illegal drugs seized. (*See accompanying sidebar: Measures of Border Control*). When the numbers surge higher, this is cited as clear evidence of success. When numbers are lower, the Border Patrol also claims victory, pointing to the decline as evidence of the success of its strategy to prevent illegal entry through deterrence.

This heads-you-win, tails-you-win trick of tracking border progress continues today, albeit with variations. Regular reports of the numbers of criminal aliens imprisoned and deported compose part of the litany of Border Patrol

and ICE's great achievements. The rising number of immigrants labeled as criminal aliens and the number of imprisoned immigrants slated for removal are offered as data to support the DHS' contention of its progress toward protecting the border from potential terrorists and criminals.

But these boastful reports are never accompanied with explanations of how many of these criminal aliens and immigrant inmates have achieved their new status as a result of DHS policies and operations that criminalize immigrants for illegal entry and other immigration violations. Nor do the DHS border and immigration agencies bother to explain that many of the newly categorized criminal aliens are being deported for personal drug violations—yet another way the government has found to criminalize immigration and enforce immigration consequences (removal) for even misdemeanor offenses.

As Peter Andreas observes in *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*, the ambiguity of ICE and Border Patrol's body count and drug seizure numbers "provides a mechanism to manipulate and distort the evaluation process, obscure and gloss over failure, and rationalize more funding and a continued escalation of drug enforcement."¹²

Instead of controlling the border, U.S. drug and immigration policies are the major contributing factors to the persistent patterns of illegal border crossings. An effective border control strategy must, at the very least, recognize these causal policy factors and address possible fixes—not simply address the repercussions of these failed policies with the traditional fixes of stricter immigration enforcement, increased border militarization, strengthened barriers and increased Border Patrol deployment.

The big tent of border security

The elevated rhetoric—from control to security—has succeeded in focusing national attention on the border and vastly increasing funding flows. But the new national commitment to border security has not resulted in a more focused, strategic border policy.

On the contrary, the most remarkable feature of border security is how elastic the meaning and use of the term has been over the past 10 years. Border security has become a big tent accommodating not only the post-9/11 border-related national security and homeland security initiatives, but also the traditional operations that target illegal immigrants and illegal goods, mostly drugs.



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The border fence, which critics refer to as "The Wall," spans almost the entire Arizona—Mexico border.

Immediately after 9/11, border security was associated primarily with counterterrorism and homeland security, but the association was short-lived. The new security framing of immigration and border control empowered restrictionists and the grassroots anti-immigrant backlash movement with a powerful new argument to seal the border and deport illegal immigrants. At the same time that the anti-immigration forces began gathering new forces, the pro-immigration movement and immigrant-rights advocates began to mobilize to pass a comprehensive immigration reform that included legalization.

In the midst of the ensuing national debate, the border security bandwagon gained traction. While the two sides were sharply divided on legalization, common ground emerged around proposals to increase immigration enforcement and border security. Soon border security became synonymous with upholding public safety in the U.S. borderlands, halting the flow of U.S. weapons into Mexico, supporting the drug war in Mexico and breaking up transborder criminal organizations.

Border security & immigrant crackdown merge

The immigration crackdown, which began in earnest in 2005, was foreshadowed by the anti-immigrant measures of the Patriot Act and the widespread imprisonment of immigrants from Muslim nations. Signs of the escalating crackdown were also found in ICE's "Endgame" plan of 2003, in which its Office of Detention and Removal stated that it intended to "remove all removable aliens" over the next ten years.¹³

By mid-decade, the rash of new border security and

MUDDLING OF IMMIGRANTS AND TERRORISTS

In his book *The Closing of the American Border*, Edward Alden noted, “The muddling of counterterrorism and immigration enforcement is the single biggest mistake we’ve made since 9/11.”

By mixing border control, immigration regulation and counterterrorism, DHS preempted the possibility of maintaining a sharp focus on foreign and domestic terrorism threats. While spending most of its resources on immigrant- and drug-related enforcement, DHS failed to mount the intelligence operations needed to track the rise of domestic terrorists and has not functioned as a much-needed clearinghouse for domestic and foreign counterterrorism intelligence.

Not only has its counterterrorism mission suffered from this muddling, but by lumping together immigrants and prospective terrorists, DHS has played a central role in demonizing both legal and illegal immigrants. By doing so it must accept major responsibility for the nation’s failure to address immigration and border issues fairly and reasonably.

This muddling also accounts for the waste of federal homeland security resources and empowers border politicians like Texas Governor Rick Perry and Arizona Governor Jan Brewer, together with allied border sheriffs, to mount their own border security operations and immigration crackdowns.

There’s no denying that a prospective terrorist might attempt sneaking across the southwestern border. But it is unlikely, and has not yet happened. Terrorists, like those involved in the September 11 attacks, are much more likely to enter with visas as tourists, students or workers. Any illegal border crossing by terrorists would be much more likely to occur on the vast largely unpatrolled northern border, where a large sum of cash could all but guarantee a safe crossing. A northern entry would also avoid the harsh conditions and the pervasive crime of the southwestern border.

To regard the southwestern border as the “frontline against terrorism,” as the Border Patrol does, is folly. Rather than a frontline, the border should be considered as the down-field defense, catching suspects and weapons that have penetrated the overseas frontlines of defense by U.S. and foreign intelligence agencies. As counterterrorism experts agree, good intelligence is the key to a successful anti-terrorism strategy.

The corollary to this principle is that even good intelligence is of little use unless it is communicated. Once provided with intelligence from other agencies, such as the State Department, FBI, Pentagon, CIA and the DHS’ own domestic and foreign intelligence operations, border agents can use that information as they monitor border crossings.

related immigration enforcement initiatives had little or nothing to do with securing the homeland against terrorists. The Border Patrol’s “Prevention through Deterrence” strategy took on new import as a national security strategy to deter homeland security threats.

A new array of CBP and ICE programs—including the 670-mile “secure fence,” the planned \$8-billion SBInet or “virtual fence,” Operation Streamline and the expanded Criminal Alien Program—constituted the “Secure Border Initiative” (SBI), which was launched in late 2005 by DHS Secretary Michael Chertoff. In 2005, DHS described SBI as “a comprehensive multiyear plan to secure America’s borders and reduce illegal migration.”¹⁴

DHS insisted that the new initiative would be based on a “risk-based decision-making process.” Yet, in practice, DHS’s new border control and immigration enforcement

programs were not focused on demonstrable homeland security threats. Both the increased border fortifications and the intensified enforcement under the SBI umbrella continued the Border Patrol practice of targeting illegal immigration and marijuana smuggling, which were shoehorned into the new homeland security rubric of “dangerous people and goods.”

Chertoff was a veteran federal prosecutor who had been Attorney General John Ashcroft’s chief deputy in charge of Patriot Act prosecutions.¹⁵ In Chertoff’s view, the deterrence logic of the criminal justice system—namely criminalization and imprisonment—could also be applied to immigration enforcement at the border.

Through Operation Streamline, launched in 2005, the Border Patrol began turning over illegal border crossers to the federal courts for prosecution and criminal

incarceration. After serving their criminal consequences for immigration violations, the DOJ's U.S. Marshals Service (USMS) and Bureau of Prisons then transfer the immigrants back to DHS. In turn, ICE directs the immigration consequences of illegal entry, including lengthy incarceration in ICE's own network of mostly privately run detention centers and eventual deportation.

This new practice of criminalizing immigration violations has vastly expanded the number of immigrants that DHS calls "criminal aliens." As conceived by DHS Secretary Chertoff, the new determination to charge and imprison illegal border crossers was part of a revamped, stepped-up deterrent strategy, which the Obama administration has continued.¹⁶

Border security serves new drug wars

When the immigrant crackdown took hold in 2005 and cries for border security mounted, there was little mention of the fears and factors that have propelled the border security bandwagon since 2009. In late March 2009, in response to rising alarm about drug-related violence in Mexico, DHS Secretary Napolitano announced the launch of DOJ's Southwest Border Initiative. This continuing initiative, described as a U.S.-centered adjunct to the State Department's counternarcotics aid to Mexico through the Mérida Initiative, is loaded with border security language.¹⁷

Rather than deciding that the surge of drug-related violence in Mexico was another reason to reevaluate the forty years of failed drug control policies, the Obama administration has reaffirmed U.S. support for the military-led drug war in Mexico. The administration has also made a major public display of its determination to increase and to redeploy DHS and DOJ resources to bolster border security.

The administration argues that border security and national security, as well as Mexico's security and stability, demand that we stay the course initiated by the Bush administration. Rather than seize the opportunity to end drug prohibition and the drug wars, Obama and Napolitano have reverted to the traditional practice of desperately trying to hold the line at the border against immigrant, drugs and gun flows. For the Obama administration, border security encompasses a wide range of policy initiatives, including rigorously enforcing drug laws in the Southwest, involving U.S. agencies and aid in foreign drug wars, and flooding the criminal-justice system and prisons with drug users and so-called criminal aliens.

In June 2009, the Obama administration released its National Southwest Border Counternarcotics Strategy. ONDCP director Gil Kerlikowske contended that the "new plan, combined with the dedicated efforts of the Government of Mexico, creates a unique opportunity to make real headway on the drug threat."¹⁸

Similar pronouncements have echoed throughout the past four decades of the "war on drugs." Real headway, however, has forever eluded the U.S. drug warriors, and is belied by U.S. government's own intelligence. In its *National Drug Threat Assessment 2010* report, DOJ's National Drug Intelligence Center concluded, "the availability of illicit drugs in the United States is increasing." That's despite increasing drug seizures along the Southwest border, as the same DOJ drug intelligence report documents.

The report states that "significantly more marijuana"—the most widely used illegal drug and the source of most of the income of Mexico's drug trafficking organizations—is "being smuggled into the United States from Mexico, as evidenced by the sharp rise in border seizures."

The main measure of success for counternarcotics operations—namely drug seizures—is not closely connected with drug consumption patterns. In 2009, border agents seized nearly a half-million more kilos of marijuana than they did in 2005. The Border Patrol and ICE routinely emphasize that their operations are "risk-based." However, the public safety and personal health risks of marijuana consumption are minimal. More than 10 percent of the U.S. population that is 12 years or older uses marijuana.¹⁹ Marijuana is deemed beneficial by the medical profession and is legal for medicinal use



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Evidence room full of marijuana confiscated at the Sierra Blanca Checkpoint, Hudspeth County Sheriff's Department in West Texas.

in many states. Yet the Border Patrol persists in citing massive annual marijuana seizures as a chief indicator of its border security achievements.

Drug trafficking, dominated by illegal marijuana smuggling and distribution, is hardly benign. Drug prohibition policies combined with U.S. promotion and support for drug wars have greatly contributed to the rise of organized crime in producing and transit countries. This criminalization of prohibited drugs and the militarization of counternarcotics campaigns breed horrific violence not only among the major crime organizations, but also among gangs at the community and neighborhood levels.

Concern about the drug war to our south has provided a new boost for those calling for total border security. Further contributing to the demands for heightened border security is alarm expressed by many border security hawks about the purported threat of narcoterrorism, a term normally used by scholars and analysts to describe forces that conflate drug trafficking and political ambitions.

The steady decline of illegal immigrant flows across the southwest border since 2006—with Border Patrol apprehensions declining from 1.2 million in 2005 to 450,000 in 2010—has undercut the immigration arguments of border security hawks.²⁰ But as the resonance of immigration-focused arguments for border security has diminished, border security demands couched in threat assessments about spillover violence, narcoterrorism and the drug war have come to dominate border security advocacy.

Even more loosely tied to the 9/11 impetus for border security has been the “failed state” argument for fortify-

ing the border. Organized crime groups, which while established to traffic drugs have branched into an expanding array of other criminal and noncriminal operations, increasingly threaten the viability of governance in areas of Mexico and Central America, especially in Guatemala and Honduras. Citing U.S. government threat assessments, many border security hawks contend that the United States is facing the prospect of having failed states as close neighbors and argue, therefore, that increased border security is needed to protect the country against the resulting crime and socioeconomic turmoil.

The exact correlation and configuration of forces responsible for the drug-related and organized crime violence in Mexico is difficult to discern. However, on the border it is clear that the border security buildup contributes to the violent competition among crime groups for control over the plazas for drug smuggling and other related crime. Increased border security on the U.S. side means increased public insecurity on the Mexican side and makes border crossing increasingly fraught with risk and violence.

Stephen Flynn, author of *America the Vulnerable: How Our Government is Failing to Protect Us from Terrorism*, calls the resulting increased border violence the “hardened border paradox.”²¹ Flynn concluded that “stepped-up enforcement along the Mexican border suggests that U.S. efforts aimed at hardening its borders can have the unintended consequence of creating the kind of environment that is conducive to terrorists and criminals,” noting how the increasingly fortified border in the 1990s raised the costs of getting into the United States while also creating “a demand for those who are in the business of arranging illegal crossings.”²²



Tom Barry

Border Patrol checkpoints, 37 permanent and 93 tactical, now pervade the borderlands. Their main function is drug control enforcement.

The illegality at the border in this new border security era usually refers to illegal border crossers themselves together with the coyotes (human smugglers/guides) and the organized crime bands that charge for illegal crossings. This border illegality has escalated to include bandits that prey on the border crossers and on Border Patrol agents who cross their path.

Tightened control has made illegal crossings more difficult and more expensive. It has also turned what were previously routine, nonviolent crossings into dangerous undertakings that regularly involve dealings with criminal organizations. An indirect and certainly unintended consequence of the U.S. border security buildup has been the increasingly violent competition between criminal organizations and gangs as they both struggle to maintain markets and trafficking corridors.

On the U.S. side, the border security fallout is far less grave. Indeed, across the southwestern border, the buildup in border security infrastructure and personnel has injected new life into many border communities. Yet throughout the region, and throughout much of the country, the undue focus on the security of the border has skewed politics, fostered vitriol and split communities into ideological factions.

Responding to the charges by border hawks that the Border Patrol's apprehension and drug seizure statistics don't adequately measure the state of border security, Napolitano announced in early May 2011 that DHS was formulating a "new comprehensive index that will more holistically represent what is happening at the border and allow us to measure progress." The new border security "metrics" will for the first time include measures of border area crime as well "indicators of the impact of illegal cross-border activity on the quality of life in the border region," such as property values, environmental impacts and traffic accidents. "Ultimately the success of our efforts along the border," said Napolitano, "must be measured in terms of the overall security and quality of life of the border region."

The ever-changing and expanding concept of border security will likely foster yet more demands for border security pork in the way of increased funding for border law enforcement and border infrastructure, regardless of what the new metrics show. The new index of border security represents a new concession to border hawks, and is yet another example of how DHS is moving further and further away from its own central mission – securing the homeland and serving as an adjunct national security apparatus. The further away we are from the terrorist attacks of Sept. 11, 2001, the more DHS is prone to Orwellian redefinitions, such as translating security as safety. It has done this so effectively in immigration enforcement with its Secure Communities program. Translating border security as quality of life in the borderlands is another dangerous case of mission creep for a new federal bureaucracy that is itself in search of meaning.

CONCLUSION: TEN YEARS AFTER

Ten years after our rush to secure our borders, it is time to review, evaluate and change course.

A border security juggernaut swept across the Southwest borderland, leaving in its wake new fears, insecurities and alarm. As billions of dollars are spent to increase security at the border, fear and alarm about the insecurity of the border have deepened since 9/11, along with strident demands that the government do still more.

Continuing down the same course of border security buildups, drug wars and immigration crackdowns will do nothing

to increase security or safety. It will only keep border policy on the edge—teetering without direction or strategy. Without addressing border policy in conjunction with drug policy, the drugs we consume will continue to be the product of transborder organized crime and bloodletting south of the border. Without addressing immigration reform, we face a future of immigrant bashing, divided communities, stalled economies and more immigrant prisons rising up on the edges of our towns.

Alarm about the rising federal budget deficit threatens to end to the customary large annual increases for border security and immigration enforcement, even as the failures and waste accompanying those increases become more apparent. We should welcome the new constraints on border security funding as an opportunity to allow reason and pragmatism to direct border policy instead of fear, politics and money.

Like the ill-considered occupations of Iraq and Afghanistan and the "global war against terrorism," the post-9/11 border-security buildup has drained our treasury while doing little to increase our security. The standard of success for our border policy should not be how completely sealed and secured our border is, but rather, how well it is regulated. New regulatory frameworks for immigration and drug consumption are fundamental prerequisites for a more cost-effective border policy.

Just as the Bush administration launched the "global war against terrorism" and the wars in Iraq and Afghanistan in a burst of misguided patriotism, the administration also thrust us into a new era of homeland security and border security with little reflection about costs and consequences. Without a clear and steady focus on the actual security threats, homeland security and border security have devolved into wars against immigrants and drugs. Instead of prioritizing intelligence and inter-agency communication—whose failures made 9/11 possible—the Bush administration and now the Obama administration have mounted security-rationalized crackdowns on the border and in the interior of the "homeland."

As a result, the criminal justice system is overwhelmed, our prisons are crowded with immigrants and the flagging "war on drugs" has been given new life at home and abroad. Absent necessary strategic reflection and reform, the rush to achieve border security has bred dangerous insecurities about immigration and the integrity of our border.

It is time to rein in the border security bandwagon and to establish new regulatory frameworks for U.S. border policy.

The following pages detail policy recommendations to improve border control and security.

RECOMMENDATIONS FOR A NEW DIRECTION IN BORDER CONTROL

• TEN-YEAR EVALUATION OF BORDER SECURITY

The integration of our border and immigration agencies into the sprawling homeland security bureaucracy should be reconsidered.

DHS routinely asserts that its border security and immigration enforcement practices are “risk-based.” Yet all evidence points to the contrary.

If we as a nation are to retain the terms “border security” and “homeland security” as government missions, then these terms and concepts need to be more clearly defined and their functions more narrowly focused. With new public sensitivity about deficits, a comprehensive cost-benefit evaluation should accompany this ten-year-after evaluation.

Border security hawks are justifiably concerned about how our borders are routinely transgressed by illegal border crossers and about the way organized crime and violence are increasingly associated with illegal border crossings. The attempt to seal our borders between the ports of entry, however, is monumentally expensive, ridden with waste and destined to failure because it leaves core policy issues unaddressed. In spite of the resources expended, our border security strategy encourages more crime and violence as border crossings become more difficult.

The Obama administration and Congress are right to insist that routine illegal border crossings are not in the national interest, undermine the rule of law and may threaten our national security. But pronouncements about the need for border security are opportunistic and self-serving if our politicians don’t at the same time adopt measures to revamp the U.S. policies that contribute to illegal border traffic: drug prohibition, inadequate immigration laws and loose regulation of gun purchases.

The United States needs a border security strategy; one that focuses on actual security threats not on illegal drug and illegal immigrants. In formulating such a strategy, the Department of Homeland Security should not confuse public safety issues with national security concerns. Public safety is best left to law enforcement agencies and community organizations rather than being opportunistically included in an overgrown national security/homeland security apparatus.

• STEP BACK, DON’T RUSH

HIGH-TECH SOLUTIONS

DHS should put the brakes on its high-tech programs for border security, which proved highly expensive and deeply flawed.

Since the late 1990s, the federal government has rushed into an array of high-tech solutions to control the border. When the dysfunction of such projects as Integrated Surveillance Intelligence System (ISIS) and SBInet becomes too embarrassing to continue, the government then suspends funding. Yet DHS continues to express faith in new high-tech and immensely expensive technological surveillance projects, approving contracts without any demonstration of cost effectiveness.²⁴

DHS is once again moving to consider corporate proposals for a remote electronic surveillance system similar to the SBInet model, and has yielded to demands from border politicians and industry voices for the border-wide deployment of unmanned aerial vehicles (UAVs) or, as popularly known, drones. Though there is no evidence that these million-dollar drone systems are, as claimed, “force-multipliers” or cost effective.

Congress should insist that DHS apply due diligence before authorizing new funding for high-tech border security systems. The deployment of UAVs should be terminated until the Border Patrol can demonstrate that 1) that these unmanned aircraft reduce the need for manned aircraft and for border patrol agents, and 2) the UAVs, a couple of which have been deployed for several years, have proven to be a cost-effective instrument for securing the border against homeland security threats.

After the \$1 billion fiasco of SBInet, DHS should be obliged to provide the nation and Congress with a detailed analysis of the costs and benefits of high-tech border security options compared with less expensive options.

• CALIBRATE THE SECURITY / TRADE BALANCE OF BORDER POLICY

Rather than primarily being driven by political and pork-barrel imperatives, border policy should better reflect the identity of the border as both a barrier and a nexus.

Over the past decade the U.S. government has focused more on hindering crossborder traffic with Mexico than on facilitating the legal crossing of people and goods. On balance, border crossings have been

considered more as a threat than as a fundamental benefit to both nations. Most of this attention has been focused on northbound traffic. However, since 2009, the U.S. government has been increasingly monitoring, and thereby slowing, southbound traffic to detect flows of weapons and illegally generated cash.

U.S.-Mexico trade constitutes a palpable national interest—nearly \$400 billion annually (with U.S. exports of \$229 billion in 2010 much larger than \$163 billion imports from Mexico). About 80 percent of this trade is carried by railcars and truck across land ports of entry (POE).

However, the importance of binational trade and society doesn't imply that we should be spending billions of dollars more on further upgrading our ports of entry and increasing personnel, as many border politicians insist. Border politicians led by U.S. Rep. Silvestre Reyes (D-TX) and Sen. John Cornyn (R-TX), for example, introduced a bill in 2010 that would provide \$5 billion in emergency funding to hire 5,000 new CBP agents to staff the POEs and to upgrade the POE infrastructure, contending that border trade needs have been neglected.

Too much funding in the past ten years has been directed to the border—not only security funding but also funding for new and overhauled POEs as well as a steady expansion of CBP agents assigned to the POEs. There is no question that maddeningly slow border crossings adversely affect binational economic relations.

Yet the main problem at the POEs is not staffing or infrastructure inadequacies. It is the intense scrutiny of all border crossers in the name of border security. In the wake of 9/11, rigorous inspection practices stemmed from homeland security concerns about foreign terrorists. Over time the border security justification for stepped-up inspections at POEs and checkpoints has expanded from counterterrorism to supporting Mexico's drug war. In practice, though, the inspections are wildly disconnected from actual security threats and mostly net the products of flawed U.S. policies that foster illegal crossings, including gun rights policies that allow sales of military-grade weapons and drug policies that foster illegal cross-border flows.

The congestion at the border would greatly ease if the federal government first addressed drug reform, immigration reform and gun control.

• MORATORIUM ON NEW BORDER FUNDING

Congress should impose a moratorium on all new border funding, whether for security or trade.

Politics, rather than duly considered threat assessments, have spurred border security appropriations.

New recognition of fiscal realities may help tame politically driven border security programs along with related immigration-enforcement initiatives. Finally, politicians may be compelled to consider the revenue limits of the new border security framework for border policy.

Cutting border funding and imposing a moratorium on new border funding will not compromise homeland security in the name of fiscal austerity. DHS, as well as DOJ, have launched an array of border security initiatives without due diligence. The federal government has proved unable to demonstrate proportional increases in homeland security, while their border programs are littered with waste and pork-barrel projects. The overspending and lack of sharp focus over the past decade now create opportunities for substantial reductions in the multibillion-dollar budgets for border security.

Congress should obligate DHS, in conjunction with the Government Services Administration (which owns and maintains most POEs), to provide an evaluation of the cost and consequent homeland security benefits of the border infrastructure and staffing buildup over the past ten years. Marginal improvements in border security should be measured against budgetary costs and adverse impact on legal crossborder trade and travel.

If we are to ever dial down the border security rhetoric, we would do well to consider a more pragmatic approach. What is needed is more discussion of proportional and reasonable security, not risk-free security. Decisions about additional border control—whether it be thousands of more Border Patrol agents, electronic surveillance systems, or drone deployment—should assess whether the possible marginal gains are really worth the millions or billions of dollars new security measures will cost.

• END DRUG PROHIBITION AND DRUG WARS

The United States should overhaul its drug policies.

After more than forty years, it is time to bring the “war on drugs” to a close while also ending drug prohibition. Although the right mix of effective new drug policies, such as decriminalization, legalization, regulation, treatment and coerced abstinence, needs more study and experimentation, there is little doubt that the drug prohibition and drug wars propagate criminality and violence while doing little to slow consumption and trafficking. Ending drug prohibition in the United States would also strike a major, although not fatal, blow to the spread of organized crime in Mexico and Central America.

- **TERMINATE COLLABORATION IN BORDER AND IMMIGRATION ENFORCEMENT**

The Obama administration should terminate programs that promote nonfederal collaboration in border control and immigration enforcement operations.

Programs such as Operation Stonegarden, 287(g) program, Community Shield and Secure Communities initiated by DHS, the Southwest Border Initiative and related criminal-justice assistance initiatives at the Justice Department divert attention away from public safety mission of local law enforcement agencies.

These collaborative programs launched over the past ten years have contributed to a serious erosion of federal authority over border control and immigration enforcement, precipitating a surge of local and states' rights initiatives that endanger civil rights, contribute to human rights abuses, increase budget deficits and have little relation to public safety concerns.

Congress should move to end DHS's Operation Stonegarden. The program, which provides DHS funding through the Federal Emergency Management Agency (FEMA) to border law enforcement agencies, has never been subject to a performance evaluation. Stonegarden, which originated as a first-responder program in 2004, disburses \$60-90 million annually, mostly to border sheriffs' departments without any accountability in terms of improved border control or public safety. Neither FEMA, which dispenses the DHS funding, nor the Border Patrol, which approves the action plans of the border sheriffs, has monitored Operation Stonegarden to ensure that this border security funding has led to proportionate improvements in border control.

- **STOP ASSOCIATING BORDER SECURITY FUNDING WITH IMMIGRATION REFORM**

The Obama administration must end the practice of promising border security as a condition of immigration reform.

The "enforcement first" and "border security first" practices of our current immigration policy have been ineffective and inhumane. It is time to put these failed strategies behind us. The shameful practice of holding out the promise of legalization and immigration law reform while cracking down on the nation's large immigrant population in the name of enforcing the rule of law should stop.

As a strategy for advancing immigration reform, increasing border control operations and infrastructure has proved intrinsically flawed. That should not be

surprising given that the foundation for this strategy is the "enforcement-first" plan advanced since 2006 by conservatives and immigration restrictionists. The enforcement-first strategy quickly snowballed into bipartisan calls for other preconditions for immigration reform, including the prioritization of deporting "criminal aliens," the institutionalization of the "rule of law" framework for immigration policy and "border security first." This new insistence on securing the border prior to passing immigration reform came not only from Republicans like Sen. John McCain (R-AZ) but also from many Democrats, including leading players in immigration reform like Sen. Charles Schumer (D-NY).²⁶

The grand bargain strategy has shown itself to be politically manipulative as well as an utter failure. Worse still, the strategy has recklessly bestowed a mantle of moral legitimacy on border security build-ups and immigration crackdowns.

Instead of moving the nation closer to immigration reform, the "secure the border" commitment has resulted in untold human tragedy, while giving rise to ill-considered and hugely wasteful initiatives. This strategy of reform has enabled a surge in politically driven alarmism along the border.

It is time to take the grand bargain off the table and to offer a new vision of border control and immigration reform.

- **SETTING FORTH A NEW VISION OF IMMIGRATION REFORM**

President Obama and congressional leaders should set forth a new vision of immigration reform.

As an administrative reform, the Obama administration could, and should, end enforcement that targets immigrants who have integrated into U.S. society and workforce. The administration should make a commitment to regularize their immigration status and work with Congress to ensure immigration reform.

The new framework for immigration must also include a transparent process for issuing visas for new immigrants based primarily on the verified demand for their skilled and unskilled labor. This review process should be safeguarded from the lobbying pressure of business interests and should ensure that new immigration will not result in a pattern of job losses for current residents. ICE should focus its attention on enforcing visa expiration dates, apprehending human smugglers and traffickers and coordinating intelligence operations with other agencies and governments

Also essential is the enforcement of workplace

safety and wage regulations, thereby precluding the now-routine exploitation of an immigrant workforce and mitigating the downward pressure on national working conditions and wages.

To boost their credibility and effectiveness, liberal immigration reformers must come to the bargaining table once the crackdown has been halted and be ready to accept widespread employment verification (to dissuade new illegal immigrant flows), stricter limits on family reunification (especially for illegal immigrants who are granted a change of immigration status) and the feasibility of temporary worker programs. Political refugees facing grave human rights abuses should be granted priority status in any assessment of the number of immigrants the nation can successfully absorb. ◇

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ENDNOTES

1. Tom Barry, "Border Control Before 'Border Security,'" TransBorder Policy Report, April 2011, <http://sites.google.com/site/transborderproject/transborder-policy-report-border-control-before-border-security>
2. Department of Homeland Security, One Team, One Mission, Securing the Homeland: U.S. Department of Homeland Security Strategic Plan Fiscal Years 2008-2013, http://www.dhs.gov/xlibrary/assets/DHS_StratPlan_FINAL_spread.pdf
3. Remarks of DHS Secretary Janet Napolitano, DHS Press Release, Oct. 18, 2010, http://www.dhs.gov/ynews/releases/pr_1287439266630.shtm
4. Tom Barry, "At War in Texas," Boston Review, September 2010; Barry, "Securing Arizona," Boston Review, March 2011
5. Peter Andreas, *Border Games: Policing the U.S.-Mexico Divide* (Ithaca, NY: Cornell University Press, 2000), p. x, 8
6. See, for example, *A Line in the Sand: Confronting the Threat at the Southwest Border*, Prepared by the Majority Staff of the House Homeland Security Committee, Subcommittee on Investigations, Chairman Michael McCaul, http://www.house.gov/sites/members/tx10_mccaul/pdf/Investigaions-Border-Report.pdf
7. Timothy Dunn, *Militarization of U.S.-Mexico Border, 1978-1992: Low Intensity Conflict Comes Home* (Austin: Center for Mexican Studies, CMAS Books), 1996, p. 113-117
8. Dunn, *Militarization of Border*
9. Nancy Rytina, "IRCA Legalization Effects," U.S. Immigration and Naturalization Service, 2002, <http://www.dhs.gov/xlibrary/assets/statistics/publications/irca0114int.pdf>
10. Tom Barry, *Immigrant Crackdown Joins Failed Wars on Drug and Crime*, International Policy Report, Center for International Policy, April 2009, <http://www.globalexchange.org/countries/americas/mexico/immigrantcrackdowntombarry.pdf>
11. For more on the Prevention Through Deterrence strategy, see Barry, "Border Control before 'Border Security,'" TransBorder Policy Report, April 2011
12. National Immigration Forum, "The Border Security Buildup: True Border Security Requires Reforming Our Broken Immigration Laws," 2010
13. Peter Andreas and Kelly M. Greenhill, eds., *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict* (Ithaca: Cornell University Press, 2010), p. 35
14. Immigration and Customs Enforcement, Office of Detention and Removal, *Detention and Removal Strategy for a Secure Homeland*, *Strategic Plan 2003-2012*; See Tom Barry, "The Deterrence Strategy of Homeland Security," CIP Americas Program, June 2, 2008, <http://www.counterpunch.org/barry06072008.html>
15. Department of Homeland Security, "Fact Sheet: Secure Border Initiative," Nov. 2, 2005, http://www.dhs.gov/xnews/releases/press_release_0794.shtm
16. Tom Barry, "Chertoff No Friend of Immigrants," Americas Program, April 2005, <http://www.counterpunch.org/barry04012005.html>
17. Tom Barry, "The Deterrence Strategy of Homeland Security," CIP Americas Program, June 2, 2008, <http://www.counterpunch.org/barry06072008.html>
18. Tom Barry, "Failed Border Security Initiative," CIP Americas Program, April 21, 2009, <http://www.cipamericas.org/archives/1682>
19. ONDCP, *National Southwest Border Counternarcotics Strategy*, June 2009, http://www.whitehousedrugpolicy.gov/publications/swb_counternarcotics_strategy09/swb_counternarcotics_strategy09.pdf; DHS Press Release, June 5, 2009, http://www.dhs.gov/ynews/releases/pr_1244217118076.shtm
20. National Drug Intelligence Center, *National Drug Assessment 2010* (Department of Justice), <http://www.justice.gov/ndic/pubs38/38661/index.htm#Contents>
21. It remains unclear the proportionate causes of declining immigrant flows, although U.S. economic stagnation, increased immigration enforcement, and the tightening of the border all contribute to the decline
22. Stephen Flynn, *America the Vulnerable: How Our Government is Failing to Protect Us from Terrorism* (New York: HarperCollins, 2004)
23. Stephen Flynn, "The False Conundrum: Continental Integration versus Homeland Security," in Peter Andreas and Thomas J. Biersteker, eds. *The Rebordering of North America: Integration and Exclusion in a New Security Context* (New York: Routledge, 2003), p. 111-112
24. Tom Barry, *Fallacies of High-Tech Fixes for Border Security*, International Policy Report (Center for International Policy, April 2010)
25. Tom Barry, "Enforcement-First Politics," CIP Americas Program, May 29, 2009, <http://www.cipamericas.org/archives/1727>; Barry "The 'Criminal Alien' Crusader, Border Lines Blog, April 15, 2009, <http://borderlinesblog.blogspot.com/2009/04/criminal-alien-crusader.html>; Barry, "Napolitano's Hard Echo of Liberation Immigration Reform," CIP Americas Program, Feb. 19, 2009, <http://www.cipamericas.org/archives/1617>
26. <http://homelandsecuritynewswire.com/officials-struggle-define-border-security>

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