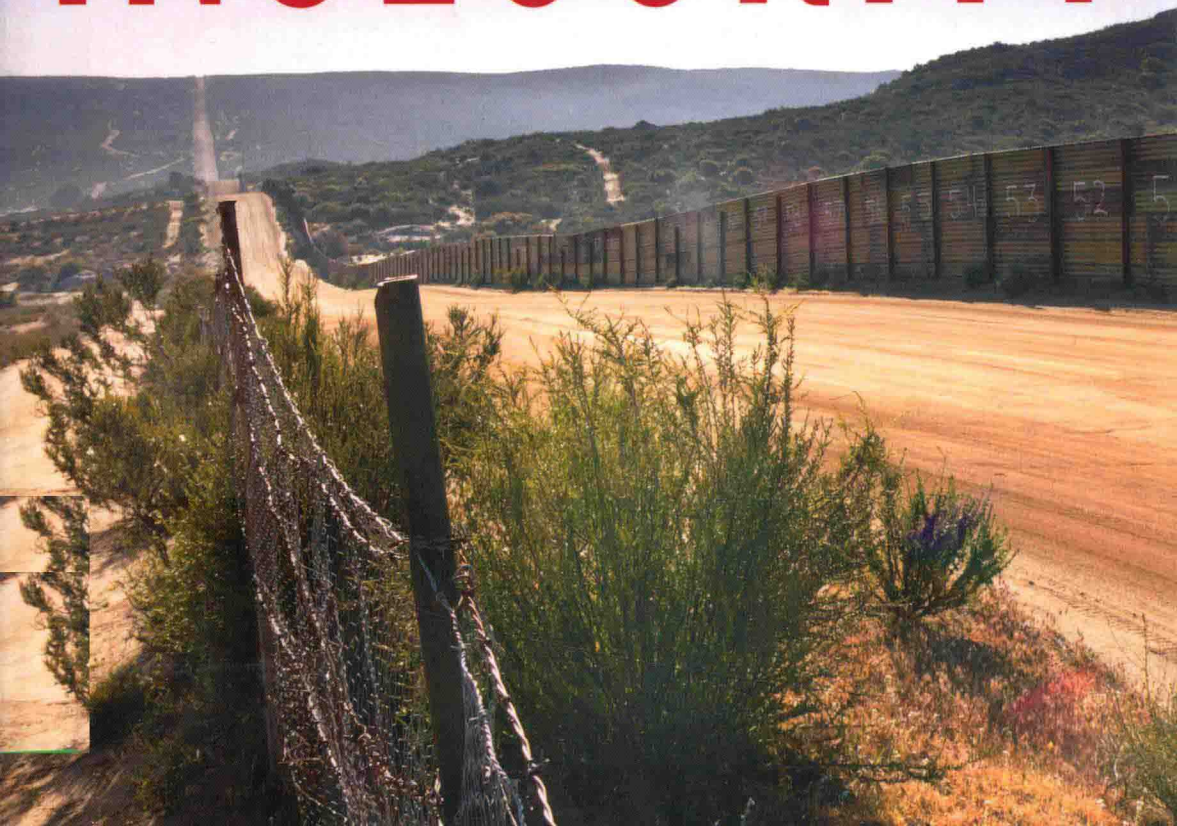
SYLVIA LONGMIRE

BORDER INSECURITY

WHY BIG MONEY, FENCES, AND DRONES AREN'T MAKING US SAFER



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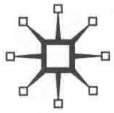

First published in 2014 by PALGRAVE MACMILLAN® in the United States—a division of St. Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

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ISBN 978-1-137-27890-6

Library of Congress Cataloging-in-Publication Data
Longmire, Sylvia.
Border insecurity : why big money, fences, and drones aren't making us safer / Sylvia Longmire.
pages cm
ISBN 978-1-137-27890-6 (hardback)
1. Border security—United States. 2. Border security—Government policy—United States. 3. United States—Emigration and immigration—Government policy. 4. Immigration enforcement—United States. 5. Illegal aliens—United States. 6. Drug control—United States. 7. Terrorism—Prevention—United States. 8. National security—United States. I. Title.
JV6483.L66 2014
363.28'50973—dc23

2013035870

A catalogue record of the book is available from the British Library.

Design by Letra Libre, Inc.

First edition: April 2014

10 9 8 7 6 5 4 3 2 1

Printed in the United States of America.

For J/J/P

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INTRODUCTION

There is a perception that the border is worse now than it ever has been. That is wrong. The border is better now than it ever has been.[1]

—Janet Napolitano, former DHS Secretary, March 2011

Living and conducting business in a Texas border county is tantamount to living in a war zone in which civil authorities, law enforcement agencies as well as citizens are under attack around the clock.[2]

—*Texas Border Security: A Strategic Military Assessment,* September 2011

One billion dollars is a lot of money. It can buy forty private islands or twenty-five private jets; it's more than the annual gross domestic product of several small island countries. It's also the amount of tax dollars the US Department of Homeland Security (DHS) spent over the course of five years on an invisible electronic border fence that never worked.

For over a decade, US government officials, politicians, and law enforcement officers have been arguing about how best to secure our borders and how good (or bad) of a job has been done so far, spending—and wasting—more and more money along the way. During that time, the US government spent over $90 billion on border security efforts without having a truly objective way to measure success—or acknowledge failure. Border security is in the eye of the beholder; ask ten different people on Capitol Hill what a secure border looks like and you'll get ten different answers. Nowhere in the Library of Congress or in the history of American legislation will you find the exact parameters for a secure border, much less a clear path for how to achieve one.

There have been some half-hearted attempts by DHS officials and members of Congress to define what border security means, but none has gained any traction. In February 2011, US Border Patrol Chief Michael Fisher told Congress, "Border security means public safety and the sense in the community that the border is being reasonably and effectively managed."[3] A

Homeland Security News Wire report from April 2011 stated, "Government officials have repeatedly used the phrase establishing 'operational control' when describing their goal or vision for the border, yet this term has no clearly agreed upon definition." And Fisher has even said, "Operation control is not, in and of itself, a measure of border security."[4]

There is absolutely no excuse whatsoever to spend billions of dollars on border security every year without having a concrete definition of success or failure. This is what I believe border security should mean for our nation:

> Border security is the act of denying our enemies the means to enter the United States to do us harm. This is achieved by identifying and prioritizing border crossers based on the level of threat they pose to our national security, and focusing our resources on either preventing their initial entry or apprehending them before they can commit criminal or violent acts on US soil.

This definition I suggest is not to say illegal immigrants should be completely ignored or allowed free access to the United States. It merely follows a line of thinking that emphasizes the word "security" by prioritizing threats over migration policy. In that vein, this is what a secure border should look like:

> Our borders will be considered secure when US citizens can reasonably expect that our enemies cannot penetrate them without resorting to extraordinary means for which there are no existing countermeasures.

This definition takes into account the fact that we, or any other country in the world, will never be able to keep 100 percent of everyone and everything from crossing a border without detection. It also allows some leeway without making Americans think we need our own version of the Berlin Wall. But before we can appreciate the enormity of the task that is securing not just one, but two large land borders, we need to take a step back—or up—to understand how we arrived here.

Any human being with an Internet connection or access to a library can see what an incredible sight the Earth is from space. The oceans are a glittering sapphire blue, land masses all blend together, and the clouds are like veils, hiding and revealing mountain ranges, deserts, ice caps, and grasslands. Zooming in, we can start to see some natural features, like the Himalayan mountain range, the Sahara desert, and the Amazon River basin. Some of these natural features form part of national borders, like the Rhine River in

Europe, the Rio Grande between Mexico and the United States, and the Pyrenees mountain range between France and Spain. But only from this distance of tens of thousands of vertical miles can we really understand how artificial our manmade borders are.

The concept of geographical boundaries and borders goes back to at least biblical times and ancient Greece. In the King James Bible's Book of Exodus, Moses says to the Egyptian Pharaoh, "Let my people go, so that they may worship me. And if thou refuse to let them go, behold, I will smite all thy borders with frogs." The Roman Empire, which dated back to the time of the Republic in 510 BC, spanned an enormous amount of territory over the course of centuries, defined by a combination of natural frontiers and manmade boundaries. Hadrian's Wall, probably the most well known of the Roman fortifications, was an impressive example of border security. Built in AD 122 and stretching seventy-three miles from the Irish Sea to the North Sea, it was the most heavily fortified defensive structure in the entire Roman Empire and cut the isle of Great Britain in two. Borders have tended to be fluid but still defined by a civilization's armies, people, and cultures.

Formal political borders are a relatively recent historical phenomenon, and even determining what was the world's first country or first nation-state can be difficult. Along with the creation of borders came an entire host of issues, both good and bad: the ability to trade with countries outside those borders, the ability to earn income through tariffs collected at the borders, the potential need for a border security mechanism, and the inevitable creation of black markets that would seek to exploit national border weaknesses.

Our northern border with Canada, formally known as the International Boundary, stretches over 5,500 miles and is the longest land border between two countries in the world. Like so many other borders, it was created through a series of treaties and conventions, using two lines of latitude and several bodies of water as guides.

Our southern border with Mexico was initially established in 1848 with the Treaty of Guadalupe Hidalgo, and was finalized five years later with the Gadsden Purchase. Over three hundred thousand Mexican nationals were left in such present-day states like California, Colorado, and New Mexico, which comprised the Purchase and cost Mexico 55 percent of its national territory. Much of this population returned to Mexico, but many stayed. Border towns sprang up, businesses thrived, and cross-border communities like El Paso-Ciudad Juárez and San Ysidro-Tijuana expanded. Residents came and went between the countries for decades with relative ease. It was less "border" and more "borderlands," and an entire Mexican-American subculture emerged from the proximity and interdependence of our two nations.

Then three things happened in the span of less than forty years that would forever change our national view of the US-Mexico border: the Bracero Program, which allowed over four million Mexicans to temporarily and legally work in the United States, came to an end in 1964, which spurred the growth of illegal immigration from Mexico to the United States; President Richard Nixon officially declared the "War on Drugs" in 1971, which cracked down on drug trafficking across the border and eventually led to the present-day criminal insurgency in Mexico; and on September 11, 2001, al-Qa'ida caused a worldwide security shift when it flew two airplanes into the World Trade Center's twin towers, a third into the Pentagon, and a fourth that was possibly destined for the White House into a Pennsylvania field.

Terrorism, transnational crime, and illegal immigration are now the three main issues—and controversies—surrounding US border security efforts, and they largely explain why securing our borders has become more important now than at any time in our history. But addressing these issues isn't as simple as building a Hadrian's Wall along our International Boundary with Canada or a Great Wall between Mexico and the United States. We're not being invaded by the barbarians of the second century or the conventional armies of World War I and II. As intangible as communism and capitalism are, the former Soviet Union and Eastern Bloc countries were able to keep the two more or less separated with the Berlin Wall, but we're no longer facing a threat that can be easily identified with satellites or sonar or radar, or defeated with tanks or soldiers or missiles. The survival of al-Qa'ida, the growth of Hezbollah, and the continual expansion of Mexican cartels within the United States are testaments to that.

The drug-toting and terrorist barbarians of the twenty-first century are attempting to enter—and often succeed in entering—our country across our land borders, and through our airports and seaports that also serve as national borders. They use subterfuge, coercion, intimidation, bribery, and disguise. They can hide among us in plain sight for months, or even years. They use our laws against us. In some cases, they want to avoid all contact with our government. In other cases, they want to obliterate government at all levels. Some of them rely almost completely on our society's need for pleasure, escape, and instant gratification through the use of mind-altering substances to fund their intense monetary greed. Others want to annihilate our society.

And most border crossers are not barbarians at all. They're ordinary people like us, with parents, grandparents, children, and siblings. Many of them are very poor. Many are also hard workers and dreamers, who believe that if they just make it a few hundred or thousand miles north to the Promised Land that is the United States, they can work hard and create a good life.

Far from being a threat to our national security, these "invaders" form an integral, if illicit, part of our workforce. Yet they live and work in an underground world, ever watchful for the government agents they hope will never discover their existence.

Securing a border doesn't mean keeping 100 percent of everyone and everything from coming across it. That is physically impossible, and trying to do so would bankrupt many countries, from both the attempt to create barriers and from the loss of cross-border trade and cultural exchange. First and foremost, we have to prevent our enemies from entering our country without our knowledge. Inherent to this process is not only determining who our enemies are, but being able to clearly differentiate them from people who merely wish to come to the United States for benevolent reasons. Terrorists, associates of terrorists groups, and those who actively support terrorism are our enemies. Drug traffickers, human traffickers and smugglers, and violent criminals are our enemies. We must focus the vast majority of our border security apparatus on preventing these individuals from even attempting to enter our country.

Immigrants, however, are *not* our enemies, regardless of whether they arrived in the United States legally or not. Yes, those who cross our borders without inspection are violating our laws and must be dealt with in a manner that preserves both the integrity of our legal system and their dignity. However, they do not compromise the fundamental security of our nation. This concept is completely separate from the highly controversial debates over illegal immigrants "stealing" American jobs, or being granted in-state tuition at universities, or having access to taxpayer-funded free health care in emergency rooms. That topic is for another book. Apprehending terrorists and violent criminals—the true threats to our national security emanating from our borders—must take precedence over detaining non-terrorist and non-criminal border crossers (that is, economic migrants) if we are effectively going to leverage our limited resources to this end. Only when we can efficiently differentiate true threats from benevolent border crossers and prevent them from entering the United States can we achieve a secure border.

Unfortunately, we aren't even close to making that happen. Thousands of Hezbollah members and supporters have legally immigrated to the United States and raise millions of dollars to send back to their homelands every year. The 9/11 hijackers and the Christmas Day "underwear bomber" all had valid US visas issued at US consulates and traveled legally to the United States on legitimately purchased plane tickets. Members and associates of Mexican drug cartels have a presence in over 1,000 US cities[5] and are responsible for providing 90 percent of the illegal drugs consumed by Americans on a daily

basis. Millions of immigrants from all over the world enter the United States illegally from Mexico every year, and while most of them are simply looking for work, hundreds, if not thousands, come every year from "specially designated countries" that sponsor, promote, or are somehow associated with terrorism. Each year, the number of media reports about armed confrontations between drug traffickers and law enforcement officers on US soil increases.

What are we doing wrong? Why do our borders appear less and less secure every year, despite reassurances from our government? The fundamental problem on which many border security failures rest is that border security is not a national priority. DHS and the White House may say otherwise, but in this case, silence is much louder than words. Cartel violence in Mexico and concerns about border violence "spillover" began in earnest in roughly 2007, the year after former Mexican President Felipe Calderón was inaugurated and deployed thousands of troops to various parts of Mexico. Not once in any State of the Union address since this turning point in the drug war has a US president mentioned Mexico or its growing criminal insurgency in any way, shape, or form. In the speeches between 2007 and 2013, the issue of border security—being mentioned only in direct reference to illegal immigration—warranted exactly nine sentences total.

Virtually everyone in America agrees that terrorism is a major threat to our national security, and as a result, counterterrorism policies and strategies are top priorities for the current administration. Politicians may vary in their opinions about how to achieve the best strategy—clearly displayed in debates over the Patriot Act and interrogation methods—but they all agree we need to prevent terrorists from killing Americans at home and abroad.

Unfortunately, the message Congress is sending of how big a role border security should play in our national security strategy is mixed. With a lack of strong leadership at the national level with regards to border security, congressmen and elected officials at all levels are left to decide for themselves—and loudly voice their opinions about—how (in)secure they think our borders really are. Our president, the DHS secretary, members of Congress, border city mayors, border sheriffs, and police chiefs can't agree on anything—if border violence spillover is happening, if the border fence is good or bad, if more or less border fence is needed, if there are enough Border Patrol agents assigned to the southwest border, if they have enough resources, if terrorists and cartels are working together . . . The list goes on and on. As a result, our country is at a political stalemate with regard to border security. Terrorism supporters, drug traffickers, violent criminals, and illegal immigrants keep crossing; meanwhile, our government plods along with no clear strategy for prioritizing threats or managing economic migration.

As dire as the situation sounds, there are some things we're getting right, and advancing technology has helped our border agencies in significant ways. Portable X-ray and gamma ray scanners allow US Customs and Border Protection (CBP) agents to peer inside vehicles and trains with hidden compartments. New seismic detectors are helping US Immigration and Customs Enforcement (ICE) find underground cross-border tunnels being used by smugglers to move drugs north and bulk cash south. Unmanned aerial vehicles (UAVs), sometimes referred to as drones, can fly silently over the border with tools like infrared scanners, identifying drug traffickers and illegal immigrants for responding Border Patrol agents.

But will technology determine the future of border security? It's tempting to imagine a world where border crossers don't have to wait for hours in line every day just to be inspected at a US land border port of entry. Maybe one day, all international travelers will use biometric cards, retina scans, or implanted nanotechnology to verify their identification at border crossings or airports to pass inspection within minutes. Maybe sensors or automatic cameras will be developed that can immediately and accurately distinguish differences between armed individuals or people hauling drug loads and unarmed immigrants. Most important is visualizing the possibility that these kinds of border technologies can one day be created and deployed at low cost, with minimal invasion of privacy and maximum respect for civil liberties.

As ideal as all that sounds, those kinds of systems still can't guarantee a 100 percent secure border, mainly because terrorists and smugglers always manage to stay just one step ahead of the good guys. Radio frequency identification chips have been hacked. GPS locator implants used by VIPs at high risk of kidnapping by cartels have been surgically (or otherwise) removed. Sensors can go bad or be tricked. And the officials who are supposed to be the "good guys" can sometimes be bought for the right price.

If we can't secure 100 percent of our border, what percentage is acceptable? The actual percentage of our southwest border under some level of operational control—meaning agents can respond to an incursion in some way within a reasonable amount of time—by the Border Patrol is 44 percent, and only 2 percent of our northern border fit that bill by 2010. In 2011, the US Border Patrol reported to the Government Accountability Office that nearly two-thirds of the 1,120 southwest border miles that had not yet achieved operational control (the other 56 percent) were reported at the "monitored" level. That meant that across these miles, the probability of detecting illegal cross-border activity was high, but responding was not. They did add the caveat that agents' ability to respond was defined by accessibility to the area or availability of resources. The remaining miles were reported at "low-level

monitored," meaning that resources or infrastructure inhibited detection or interdiction of cross-border illegal activity. Border Patrol reported that these two levels of control were "not acceptable for border security."[6]

In addition, a report by the Federal Research Division of Library of Congress has stated, "There seems to be general agreement among law enforcement officials that only a maximum of 10 percent of the marijuana being smuggled into the United States is intercepted."[7] Knowing that our border will always have gaps and many people and illegal drugs will continue to get through, what percentages of operational control and drug seizures can we live with and still say our borders are secure?

Throughout human history, all border crossings have had one thing in common—people. From Roman soldiers to Israeli Border Police to American CBP inspectors, these individuals' governments relied on them to use their judgment and instincts to identify border crossers with bad intentions. It was the people on the front lines who noticed if someone's carotid artery was pulsing too strongly, or they were wearing the wrong kind of clothes, spoke with the wrong accent, or had documentation that just looked "off." Regardless of how advanced technology becomes, the success of any attempt to secure any border boils down to the capabilities of human beings.

The American men and women involved in border security, from law enforcement officers to intelligence analysts, need to hear and believe that their efforts are not in vain. They need to know that what they do has an impact on all US citizens and residents. What they, and Americans in general, don't need is a blurry finish line that never gets any closer. Those individuals on our front lines should have our government's full and united support in their endeavors.

Americans should understand that, while making a border 100 percent secure is an impossible task, it *is* possible to identify who our enemies really are, and to develop a strategy that ensures we focus our limited resources on preventing those enemies from entering our country unnoticed. Our southwest border is not nearly as safe as it could be, but not every mile of its two thousand-mile span is a war zone, either. The better we understand the concept of border security and all the moving parts involved, the better we can hold our leaders accountable when they spend our tax dollars on resources that aren't needed, fail to spend them on resources that are critical, and engage in fear-mongering or hollow reassurances designed to placate voters.

We cannot allow Hezbollah or drug cartels to make one more dollar within our own borders to support their cause or line their pockets. We also cannot continue to work within a broken immigration system that fails to adequately prioritize illegal border crossers who truly pose a danger to our

country over those who are simply looking for work. There is no one-size-fits-all answer for these problems. Our borderlands and the people who live there are not homogenous along the two thousand-mile length of Mexico or the 5,500-mile length of Canada. What works in southern California probably won't work in south Texas, and what works in the Great Lakes region probably won't work in northern Montana.

Taking all these challenges into account while devising a proper strategy to stop our enemies from crossing our borders takes time, a herculean effort, and money. *Border Insecurity* is a first step toward understanding that securing our borders must be a national priority.

CHAPTER 1

ENEMIES AT THE GATE

In Mexico you have death very close. That's true for all human beings because it's a part of life, but in Mexico, death can be found in many things.

—Gael García Bernal, Mexican actor and film director

Something happened here. It's as if Mexicans subconsciously decided that their drug-related violence is a condition to be lived with and combated but not something to define them any longer.

—Thomas L. Friedman, *New York Times* op-ed columnist, February 2013

It's not common for a man involved in the drug business to reach his forties, but somehow "Miguel" managed to do it. On this day in August 2013, he's speaking to me from an undisclosed location, possibly southern California, based on the context of our conversation, or possibly somewhere in Mexico, based on his phone number. Wherever he's living, it's a quiet existence and a happy situation for him, compared to his former life. Miguel "retired" from the drug trafficking business after serving a fifteen-year prison sentence for manslaughter and federal drug trafficking charges.

"A lot of times you grow into it, you know? A lot of guys that are getting into it that are older, they're going through rough times and they need money, and they have a *compadre* who says, *Hey man, I can help you out; let's just do this.* And they say, *Oh, okay,*" Miguel explained. "But I tell you what, once you get a taste of that money, there's no way they're going to want to stop."[1]

In Miguel's case, he got involved in the drug trade when he was just a kid growing up in the bad part of town. "I started in the neighborhood. In the United States, the majority of people who start [dealing] do it as kids,

doing little favors here and there, seeing the homeboys doing this and that, driving good cars. You want to get involved, you know? Some get involved for the money, and for some it's just the adrenaline rush. Mostly the money," he said with a chuckle.[2] And in Miguel's heyday of the 1980s and 1990s, there was plenty of money to be made in the illegal drug trade in the United States.

Methamphetamine was Miguel's product, and he was dealing in it before the drug's popularity exploded after the new millennium. "You could say I was a meth pioneer," he told me. "Back in the early 1990s, you didn't hear about meth being such a problem. We were one of the first crews that was manufacturing." While most of Miguel's business was in the United States, his crew would occasionally reach out to the Mexican side of the border to procure precursor chemicals required for making, or "cooking," the synthetic drug.

I asked Miguel what he liked the most about being a meth trafficker. He laughed. "The money! The power! I was, what, nineteen or twenty years old? I could go to certain car dealers and work with people that I knew and be like, *Hey, I'll have that, I'll take that.* And they'd say, *Oh, sure!* I was pretty mature for my age, and there were older people who would treat me like I was their equal."[3]

I asked Miguel if he was concerned about getting caught, and his response surprised me. Because he was so young and relatively well off at the time, I thought he would tell me he felt a bit invincible, but that wasn't the case. "I was realistic," he said. "I knew at a young age, when I started getting involved in crime, that eventually I was going to end up in prison or I was going to die. I never thought I would be here and be able to say, *I'm retired, I'm not going to do this anymore.* I didn't think I was going to make it to thirty-five years old. I just never looked that far ahead."

"Violence is not good for business at all," Miguel continued. "But you can't let other people get over on you because then they're going to see it as a weakness. Even in the legitimate world, if you have a business . . . and it's the same in the underworld . . . you have to have something called *palabra* (keeping your word). Because if not, you're going to get dealt with. In the 'real' world, people look down on drug traffickers. But when they make a deal and shake on something, they don't respect it. They don't fear consequences, and they don't think, *Man, this guy might come to me and do something if I don't go through with whatever contract we made.* You don't understand how frustrating that is to me."[4]

Miguel thinks generational differences are a part of why loyalty in the business is disappearing. The other part is, he says, "No one wants to do prison time. Prison used to be fun, you know? Now it's much harsher." But