

Arguments against Further Militarization of the Border

1) Extensive Financial Resources Have Already Been Devoted to Border Security Efforts to secure the border have come at a high cost to the American taxpayers and are not sustainable. Spending for the federal government's two main enforcement agencies US Customs and Border Protection (CBP) and US Immigration and Customs Enforcement (ICE) and its primary enforcement technology initiative, the US-VISIT program surpassed \$17.9 billion in fiscal year (FY) 2012.¹ This amount is nearly 15 times the spending level of the US Immigration and Naturalization Service (INS) when IRCA (the last major comprehensive immigration reform bill) was enacted in 1986.² At the end of fiscal year 2011, both the number of personnel and amount of resources dedicated to border security had significantly increased with approximately 21,400 agents assigned to patrol the U.S. land borders and more than 20,000 officers assigned to air, land and sea ports of entry (POE) amounting to about \$11.8 billion allocated to secure the entire U.S. border. Currently, the United States government spends more on its immigration enforcement agencies than on all of its other principal criminal federal law enforcement agencies and effort combined by a total of 24%.³ USCCB is concerned with the dramatic level of border security and immigration enforcement spending and asks that these resources be transitioned into other programs that address different areas of immigration reform, such as alternatives to detention, improving due process protections for the undocumented, working to restore the respect and integrity of the judiciary within the immigration process, and helping to keep mixed immigration status families together.

2) Existing Border Security Provisions from the Corker-Hoeven Amendment Further Augment Border Security and Costs to Taxpayers With the addition of the Corker-Hoeven amendment, S.744 now calls for a doubling of Border Patrol agents to a total of 40,000 agents along the Border and now requires 700 miles of fencing along the Southern border as a condition for undocumented immigrants receiving green cards. These increases in border security come at a very high cost as \$46.3 billion dollars have now been appropriated for expenses related to the security of the southern U.S. border and initial administrative costs at a cost that is \$38 billion dollars greater than funding included in the committee-approved version of S.744.⁴ In addition to the extra \$38 billion dollars appropriated for implementation of Corker- Hoeven, once the appropriated funds are depleted, the spending associated with the increased number of Border Patrol agents in the first decade would be an additional discretionary cost of about \$5.5 billion dollars per year to pay the salaries and expenses of the additional Border Patrol agents.⁵ Lastly, the Congressional Budget Office estimates that the cost to detain and incarcerate the

¹ Doris Meissner, Donald Kerwin, Muzaffar Chishti, Claire Bergeron, Immigration Enforcement in the US, Migration Policy Institute, 2013 at 3; *see also* US Department of Homeland Security(DHS), FY 2013 Budget in Brief (Washington DC: DHS 2012) 85, 99, 134.

² Doris Meissner, Donald Kerwin, Muzaffar Chishti, Claire Bergeron, Immigration Enforcement in the US, Migration Policy Institute, 2013 at 3.

³ *Id.* at 12.

⁴ CBO Cost Estimate of S.744: Border Security, Economic Opportunity and Immigration Modernization Act, CBO, July 3, 2013 at 4-5 available at <http://www.cbo.gov/sites/default/files/cbofiles/attachments/s744aspassed.pdf>

⁵ *Id.*

additional offenders that are to be brought in by the doubling of Border Patrol agents would total about \$600 dollars million over 2014-2023.⁶

3) A High Degree of Border Security Has Already Been Achieved Both the Bush and the Obama administrations have made improving border security a priority and progress has been duly noted. Across southwest border sectors, seizures of drugs and other contraband increased 83 percent from fiscal years 2006 through 2011.⁷ In 2012, the violent crime rate in three of the four southwest Border States was lower in border counties than non-border counties. Additionally, since 2003, the violent crime rate has declined in both border and non-border counties across all southwest border states.⁸ GAO reported in December 2012, that apprehensions decreased across the southwest border from fiscal years 2006 to 2011, which generally mirrored a decrease in estimated known illegal entries in each southwest border sector. Currently, the two safest cities in the nation with over 500,000 inhabitants are El Paso, Texas and San Diego, California, border cities that were previously riddled with border-related crime.⁹ According to a recent Pew Hispanic Center research study, net migration into the United States is zero. The USSCB notes the dramatic and bipartisan progress that lawmakers have made in securing the border, but asks that lawmakers recognize their own achievement and allow for the legalization and path to citizenship for eleven million undocumented to begin.

4) The humanitarian cost of additional border security must be taken into account, including whether such security would lead to additional border deaths and increased smuggling . Increased border security could drive desperate migrants into even more remote areas of the border, leading to their deaths. Smugglers will increase their prices and could lead them into dangerous areas. Border communities will also be impacted, as increased security presence would disrupt their daily lives as checkpoints increase and additional resources are deployed.

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⁶ Id.

⁷ Rebecca Gambler, Border Security DHS's Progress and Challenges in Securing U.S. Borders, Statement for the Record to the Committee on Homeland Security and Governmental Affairs, U.S. Senate, GAO March 14, 2013, at 2

⁸ Southwest Border Security: Data Are Limited and Concerns Vary about Spillover Crime along the Southwest Border, GAO February 2013, Report to Congressional Requesters at 14.

⁹ City Crime Rankings 2013 Rankings by Population Categories, CQ Press, 2013 Available at http://os.cqpress.com/citycrime/2012/CityCrime2013_CityCrimeRankingsFactSheet.pdf