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Resolved: The United States federal government should substantially expand its surveillance infrastructure along its southern border.

Public Forum 2024 September/October Brief*

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1 Topic Analysis by Lawrence Zhou

Lawrence Zhou is the former Director of Lincoln-Douglas Debate and Director of Publishing at Victory Briefs. He debated at Bartlesville HS where he was the 2014 NSDA Lincoln-Douglas national champion. He is formerly a Fulbright Taiwan Debate Trainer, the Debate League Director at the National High School Debate League of China, a graduate assistant at the University of Wyoming, head coach of Team Wyoming, a CEDA octofinalist and Ethics Bowl finalist while debating at the University of Oklahoma, and an assistant coach at Apple Valley High School and The Harker School. His students have advanced to late outrounds at numerous regional and national invitational tournaments, including finals appearances at the NSDA National Tournament and semifinals appearances at the Tournament of Champions.

1.1 Introduction

I think this topic is... not great. I don't even think that this is a bad topic to research and be familiar with—I just think it is a bad topic to debate. Of course debate should teach debaters how to approach politically and socially important topics like immigration. I just struggle to see how this topic facilitates the types of debates that get at the real underlying questions of policies and practices relating to immigration and border security.

One of the issues is that it is going to be hard to divorce arguments in favor of expanding border surveillance from patently anti-migrant views. As the Last Week Tonight piece on the RNC & Migrant Crime from a few weeks ago shows, it is hard to take many concerns about migration, e.g., crime, as anything other than a bad faith effort to ostracize migrants.¹ Even less obviously anti-migrant positions, like arguing that we should deter migration as part of a strategy of disease surveillance, will inevitably appeal to arguments that have been historically used to scapegoat immigrants.²

¹RNC & "Migrant Crime": Last Week Tonight with John Oliver (HBO) ([youtube.com](https://www.youtube.com/watch?v=...))

²The Long History of Blaming Immigrants in Times of Sickness | Smithsonian ([smithsonianmag.com](https://www.smithsonianmag.com/...))

That being said, I think there are ways to approach the topic in a way that doesn't forefront the writings of vehement racists or nationalists, especially because migration (when it isn't being a political football tossed around for cheap points³) is a real concern for real communities. For better or worse, there has been a shift in the American political consciousness regarding immigration, with people across both political parties becoming less open to immigration and migration.⁴ There is something real animating people to become less open towards migration, and there is a way to broach this topic without inadvertently handing the megaphone to those who speak on this topic is bad faith.

So let's do our best to tackle this topic in a way that I think is more constructive than destructive. And in order to do so, I'm actually going to start by talking about some of the con arguments first, because I think that side is the easier side, before moving onto the pro arguments section, which I think will be a little more challenging to effectively debate.

1.2 Background

A little background though. The Electronic Frontier Foundation outlines what surveillance at the southern border could look like by dividing surveillance into four different forms: surveillance at border crossings, surveillance along the border (the so-called "virtual wall" consisting of surveillance towers, drones, etc.), surveillance by local law enforcement, and surveillance in the cloud.⁵ For a more detailed breakdown for what each of those technologies could look like, I would take a look at the EFF's published PDF that looks at what each of those forms of surveillance looks like in practice.⁶ It's probably not entirely necessary to truly know the difference between, say, integrated fixed towers, remote video surveillance systems, and autonomous surveillance towers,⁷ but it's probably useful to know at least a little about the different forms "surveillance infrastructure" could take at the border.

Confusingly for inherency, the Department of Homeland Security has requested \$101 million dollars for the 2025 fiscal year to upgrade and maintain the network of surveillance towers that already exists along the US-Mexico border.⁸ It is against this backdrop

³[Migrants are not 'just another story'—or just another political football | America Magazine](#)

⁴[The American public is souring on immigration. Why? | Vox](#)

⁵[Border Surveillance Technology | Electronic Frontier Foundation \(eff.org\)](#)

⁶[borderzine-2024-5-6-en.pdf \(eff.org\)](#)

⁷[The US is pouring money into surveillance tech at the southern border | MIT Technology Review](#)

⁸[DHS wants \\$101 million to upgrade its border surveillance towers - The Verge](#)

of an already expanding “virtual wall” that we debate this topic.

1.3 Con Arguments

I’ll put my cards on the table and say that I think I’m biased for the con. That’s not to say that the pro cannot construct a compelling argument, but I generally think that most of the reasons in favor of stricter border control of the southern border in particular tend to be arguments made in bad faith. I think Jon Stewart has done a good job over the years pointing out how the issue of a so-called “border crisis” strangely seems to manifest once every four years, somehow always during an election year.⁹ If the border crisis were truly an existential threat to the health and security of this nation, one would think it would crop up in serious policy discussions more often than it does. But, as these two great videos lay out,¹⁰ it is hard to see the history of increasingly harsh border restrictions as anything other than discriminatory.

Partially because of my exposure to previous LD topics (such as Jan/Feb 2023 “Resolved: Justice requires open borders for human migration” and NSDA Nationals 2016 “Immigration ought to be recognized as a human right”), I’ve become much more in favor of far fewer border restrictions, at least far fewer than we have now.¹² Replies to famous works on the issue, such as the works of Joseph H. Carens,¹³ have perhaps put some doubt in my mind as to precisely how lax those border controls ought to be,¹⁴ but they have not dented my general predisposition in favor of far fewer restrictions on immigration. Research on potential LD topics, like non-citizen voting, has also persuaded me in favor of far fewer onerous restrictions on the rights of noncitizens.¹⁵

It is from this perspective that I approach this topic and which ultimately biases me towards the con. Let’s start with the main set of possible pro arguments—deterrence—and why such a rationale for border policy will likely fail.

First, and perhaps most obviously, deterrence rarely works in the context of harsher immigration enforcement because it doesn’t change the underlying incentive of people

⁹[Jon Stewart On Immigration Over the Years | The Daily Show \(youtube.com\)](#)

¹⁰[The Real “Border Crisis” - SOME MORE NEWS \(youtube.com\)](#)

¹¹[Whose Fault Is The “Crisis” At The Border? - SOME MORE NEWS \(youtube.com\)](#)

¹²[Why are Immigrants’ Incarceration Rates So Low \(gmu.edu\)](#)

¹³[Aliens and Citizens: The Case for Open Borders on JSTOR](#)

¹⁴[A Liberal Argument for Border Controls: Reply to Carens - John Isbister, 2000 \(sagepub.com\)](#)

¹⁵[Democracy for All: Restoring Immigrant Voting Rights in the United States - Ronald Hayduk - Google Books](#)

to migrate in the first place. The idea of deterrence at the border has been in place since the introduction of the 1994 “Prevention Through Deterrence” strategy that has failed to significantly curb immigration since then and imposed massive costs on those who will inevitably still attempt to enter the US.¹⁶

The logic for why deterrence fails is obvious—no matter how harsh the punishment is, it is unlikely to outweigh the potential gain of migrating to the US. As Adam Serwer notes in a great piece in *The Atlantic* (I would recommend reading the whole article):

What we can say is that the previous administration’s approach—inflicting as much pain as possible on migrants to deter others from coming—did not work. No torture that American policy makers could devise and implement would crush the hope of desperate people seeking to make a better life for their children.¹⁷

Second, nearly every rationale offered for why we should be cautious of accepting more undocumented migrants rests on empirical claims that are more likely false than true. Immigrants don’t drain public resources, they pay for them;¹⁸ they don’t cause crime, they’re actually less likely to commit crime than native-born Americans;¹⁹ they don’t depress the wages of native-born Americans or harm the economic vitality of the US, they boost demand²⁰ and job growth,²¹ driving US economic growth.²² And so on. Almost every argument made against immigration is either empirically suspect or, perhaps worse, appeals to philosophical traditions more commonly associated with strong nationalist or ethnocentric views (although there are strong arguments for more closed immigration policies, e.g., Wellman’s account of the freedom to associate²³).

I would strongly recommend skimming through this short 40 page book by CATO Institute scholar Alex Nowrasteh.²⁴ In it, he goes through 15 common arguments against immigration, such as brain drain, national sovereignty, and assimilation concerns, and systematically refutes them all.

¹⁶[Prevention Through Deterrence: Picturing a U.S. Policy – SAPIENS](#)

¹⁷[The Real Border Crisis - The Atlantic](#)

¹⁸[Cato_Immigration Impact_immigrants.pdf](#)

¹⁹[The Potent Political Effect of Border Chaos and Immigrant Crime: Separating Rhetoric from Reality | Cato at Liberty Blog](#)

²⁰[Immigration Surge Forecasted to Boost U.S. Economy | TIME](#)

²¹[How Immigrants Are Boosting U.S. Economic And Job Growth \(forbes.com\)](#)

²²[Immigration Is Powering the U.S. Economy | TIME](#)

²³[Immigration and Freedom of Association | Liberal Rights and Responsibilities: Essays on Citizenship and Sovereignty | Oxford Academic \(oup.com\)](#)

²⁴[The Most Common Arguments Against Immigration and Why They’re Wrong.pdf \(libertarianism.org\)](#)

Third, most scholars, even ones less sympathetic to increased immigration, tend to agree that waving just the stick (deterrence) without offering a carrot (an easier pathway to legal immigration) is destined to fail. It makes little sense to try to deter people from coming if they are likely going to attempt anyways without increasing the viability and accessibility of legal channels to enter the US. As noted in a 2021 article, “Without reforming our system of humanitarian protection, increasing opportunities for legal immigration, and addressing the root causes of migration, we will go through this cycle over and over again until we learn that deterrence does not work.”²⁵ Another article from *The Hill* points out that the profit motive of smuggling organizations will persist, ensuring that people will still attempt to cross the border, just in less safe conditions.²⁶ It then suggests four possible fixes to help remedy the situation at the border, such as expanding work visas and increasing resources for U.S. Citizenship and Immigration Services. None of the suggested fixes rely on increasing surveillance at the border. Article²⁷ after article²⁸ after article²⁹ offers solutions to the so-called border crisis and, while there is still lots of disagreement over precisely what should be done, none of them call for increasing deterrence at the border.

Fourth, even if deterrence is successful, it is likely to produce even worse consequences. Instead of deterring them from coming to the US, it likely just deters them from using safer routes to enter and instead encourages them to take alternative, more dangerous routes.³⁰ Human Rights Watch writes that deterrence policies—like the liberal use of surveillance technology at the border—have resulted in at least 10,000 deaths since 1994, with some estimates going as high as 80,000.³¹ An article from Gaby Del Valle ominously titled “Surveillance has a body count” argues that the vast surveillance apparatus at the border has resulted in a 57 percent increase in recorded deaths in recent years.³²

It also deters the least able from attempting to cross, subjecting them to unsafe waiting conditions for long durations of time in Mexico while they wait for an opportunity to seek legal asylum, which likely results in further violence.³³

²⁵[Immigration Policies Based on Deterrence Don't Work \(immigrationimpact.com\)](https://www.immigrationimpact.com)

²⁶[Deterrence alone won't secure the border: Here are four immediate actions \(thehill.com\)](https://thehill.com)

²⁷[Taking Migration Seriously: Real Solutions to Complex Challenges at the Border - Center for American Progress](https://www.americanprogressaction.org)

²⁸[7 Things That Would Fix Immigration in the U.S. | TIME](https://www.time.com)

²⁹[Three Alternatives to a Wall That Will Strengthen the Southern U.S. Border | Wilson Center](https://www.wilsoncenter.org)

³⁰[How Deterrence Policies Create Border Chaos - The Atlantic](https://www.theatlantic.com)

³¹[US: Border Deterrence Leads to Deaths, Disappearances | Human Rights Watch \(hrw.org\)](https://www.hrw.org)

³²[Surveillance has a body count: CBP reports 895 migrant deaths in 2022 - The Verge](https://www.theverge.com)

³³[“When you leave your country, this is what you're in for”: experiences of structural, legal, and gender-based violence among asylum-seeking women at the Mexico-U.S. border - PubMed \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov)

Finally, there are other dangerous applications of this technology that almost inevitably creep beyond their initial use, as a recent article from *Mother Jones* notes:

At the Expo, Border Patrol officials insisted that their work is saving lives—and that the latest technological acquisitions support this mission. But some border tech is inherited from war zones or inspired by them; notably, many of the vendors also contract with the Department of Defense. As Harvard researcher Petra Molnar, author of *The Walls Have Eyes*, argues, border zones are perfect test sites for technologies with questionable human rights applications, since they're often obscured from public view. Once refined and normalized at the border, they can more easily slip into the mainstream—iris scans at airports, for instance, or automated traffic tickets issued to anyone who runs red lights (which the Texas legislature outlawed in 2019). Maass argues that surveillance reliant upon algorithmic technology can make mistakes—with consequences that can be dangerous for the person on the other end.

Those of us who live far from the border might imagine surveillance towers situated in remote swaths of the desert. Some of them are. But often they are positioned in border towns near schools and downtown shopping centers, on Native American reservations, and alongside the highways where we all drive. “We are actually talking about a surveillance network that monitors communities...that have nothing to do with transport or crime,” Maass told me. “They are just living their lives, doing their thing, but they’ve got the CBP tower looking in their window.”³⁴

This can lead to further erosions of privacy both domestically and abroad,³⁵ and set the stage for further expansion of government powers in a way that is likely incompatible with a liberal democracy subjected to checks and balances.

All of this adds up to a persuasive case for the con. Surveillance likely won't stem migration, but it will likely result in guaranteed harms to potential migrants.

There are other criticisms of surveillance, such as its cost or inefficacy,³⁶ but I shall leave you to find those arguments as I feel like the con side already benefits from a wealth of literature criticizing surveillance at the border.

³⁴[The Future of the Border Is Even More Dystopian Than You Thought – Mother Jones](#)

³⁵[Government Agencies Are Using Border Surveillance on Americans \(reason.com\)](#)

³⁶[The Most Surveilled Place in America \(theverge.com\)](#)

Instead, we now turn towards how one might potentially approach the pro side of the topic.

1.4 Pro Arguments

My first intuition is that the pro should be cautious about some of the language they employ, especially with the rise in non-resolutional critiques of language in PF. For example, I would strongly recommend that debaters avoid using the term “illegal” to describe undocumented migrants.³⁷

My next intuition is that debaters should try to decide which route they want to take in terms of deciding how they want to thematically organize their arguments. Broadly speaking, the pro can take one of three routes when approaching the topic.

The first approach, but perhaps the one most vulnerable to attack, is simply to argue that preventing or stopping undocumented migrants from entering the US is good. There are many ways to argue this point. For example, you could argue that migrants depress wages and drain valuable public resources,³⁸ thus necessitating some federal response in stemming the flow of migrants across the border. There are some defensible arguments about how undocumented migrants are net fiscal drains on local, state, and federal governments.³⁹ (Granted, the source linked is from the Center for Immigration Studies, which—despite its name—is an anti-immigration group that is generally a bit biased,⁴⁰ and was once even labeled a hate group.⁴¹ By the way, I’d consider reading the Wikipedia page on them, it’s quite extensive.⁴²) And one could also find many other harmful consequences of migration, such as its effect on public schools.⁴³ (Although, after the Heritage Foundation released Project 2025, it’s become a lot harder to think of their research in good faith.)

I think it is possible to have a productive debate from this perspective, so long as the pro team is careful not to employ sources that are clearly operating in bad faith or use problematic language. While many of the empirical facts that underlie these points are

³⁷[Not ‘Illegal Alien,’ But ‘Undocumented Noncitizen’ Under New Immigration Policy : NPR](#)

³⁸[Here’s how an immigration surge hurts — and helps — the US economy | CNN Business](#)

³⁹[The Cost of Illegal Immigration to Taxpayers \(house.gov\)](#)

⁴⁰[Center for Immigration Studies \(CIS\) - Bias and Credibility - Media Bias/Fact Check \(mediabias-factcheck.com\)](#)

⁴¹[PolitiFact | Is the Center for Immigration Studies a hate group, as the Southern Poverty Law Center says?](#)

⁴²[Center for Immigration Studies - Wikipedia](#)

⁴³[The Consequences of Unchecked Illegal Immigration on America’s Public Schools | The Heritage Foundation](#)

likely wrong, there are enough sources out there that support these points and they are likely defensible in the context of a debate round.

The second approach, I think, is to center your arguments around preventing people (other than undocumented migrants) or goods from entering the US. You might hear some people arguing that undocumented migrants are bringing fentanyl across the border, justifying the need for further surveillance.⁴⁴ While this is mostly false,⁴⁵ there is a way to argue for this point, by suggesting that there should be an increased focus at border crossings (where most fentanyl is brought into the US) and to install fentanyl scanners.⁴⁶

Another common argument you might hear is the need to combat cartels, which are a growing national security threat.⁴⁷ While it's unlikely that beefing up border surveillance is going to really stop cartels, it could be an important piece of the puzzle to keeping the cartels out of America. For example, drones could be used to surveil cartel operatives in an attempt to intercept them. There are some articles that suggest that the porousness of the southern border is making it easier for cartels to operate with impunity and that surveillance is necessary to bring the border back under control.⁴⁸

The third approach, I think, is to admit that none of that is particularly effective but instead to argue that there is some perceptual benefit to doing something about the border. We know that immigration is a politically sensitive issue in the US, with many viewing it as a top election priority⁴⁹ and more Americans generally more afraid of immigrants now.⁵⁰ This, in turn, drives populist sentiments,⁵¹ which poses great risks to the health of democracy.⁵²

This approach would simply argue that surveillance represents the least bad way to assuage voters that something is being done about the border while arguing that the surveillance is simply all for show. It could be seen as a way to “win back control” of the border, even if it does not, in actuality, make the border more secure.

⁴⁴[No, fentanyl isn't being smuggled over the border by migrants - Los Angeles Times \(latimes.com\)](#)

⁴⁵[PolitiFact | Are Biden's border policies to blame for fentanyl deaths? Experts say no](#)

⁴⁶[Fentanyl scanners that were sitting idle for lack of federal funds can now be installed at the border to catch smugglers \(nbcnews.com\)](#)

⁴⁷['The Most Important National Security Issue Facing America, With the Least Amount of Attention' - POLITICO](#)

⁴⁸[Biden Border Policies Are Working Fine — For the Cartels \(cis.org\)](#)

⁴⁹[Why Immigration Is Now the No. 1 Issue for Voters in America - WSJ](#)

⁵⁰[Half of Americans call illegal immigration a 'critical threat,' new poll says - The Washington Post](#)

⁵¹[Populist Anti-immigrant Sentiments Taken Seriously: A Realistic Approach | Res Publica \(springer.com\)](#)

⁵²[Populism is a major threat to democracy, political scientist Steven Levitsky warns - Poynter](#)

Now, there are some obvious downsides to this approach. One, the way that we generally understand “fiat”⁵³ in debate suggests that the pro is not entitled to defend much beyond substantially surveillance infrastructure. Now, the pro could defend a specific use for such technologies, such as “fiat-ing” that they are not used to track individuals, but that not only runs afoul of PF’s prohibition of plans, but it also would be a fairly easy claim to contest substantively given all of the con’s evidence about surveillance becoming a slippery slope.

Second, this approach might dodge some specific criticisms of surveillance as being xenophobic, but it hardly dents any of the major con criticisms that they were likely to levy anyways. Surely, surveillance would still have some deterrent against undocumented migrants, thus encouraging them to take more dangerous paths into the US. After all, how would they be confident that surveillance towers wouldn’t eventually be used to collect data against them?

I’m sure there are some pro approaches I haven’t considered here that are worth exploring, but after a review of the available evidence in favor of substantially increasing surveillance, it’s a bit unclear what other approaches exist that are grounded in the relevant literature on the topic.

Personally, I gravitate towards the second approach. If I were the pro, I would want to make a reasonable case that surveillance for the purpose of combating the cartels is good while doing my best to distance myself from policies and practices that sound more like they’re targeted at asylum seekers or just undocumented migrants in search of a better life. I would also want to suggest that nothing about beefing up border surveillance is incompatible with, for example, reforming our immigration system to make it easier to enter the US legally.

1.5 Conclusion

After I finished writing this essay, I didn’t feel any better about the topic than before I began researching it. Usually, I come into a topic with some preconceived notion about how I think the literature will play out and then usually, I walk away pleasantly surprised, having learned something about the topic that I didn’t know before, thus changing my mind on the issue. But with this topic, I felt like the more I learned about it, the less I liked it. I’m hoping that some debates on this topic can convince me that

⁵³[The Scope of Fiat: A Response to O’Krent by Jacob Nails \(substack.com\)](#)

1 Topic Analysis by Lawrence Zhou

there are good pro arguments that are both grounded in the literature and not patently xenophobic, but I have yet to be convinced such approaches exist. Maybe I'll change my mind on that.

2 Topic Analysis by Spencer Burris-Brown

Spencer Burris-Brown is currently a student at the University of Minnesota. He competed in Public Forum for four years in high school, and is coming up on his third year coaching at Bergen Debate Club as well as his second at VBI. As a competitor, he placed in the top 20 at NSDA Nationals, got multiple bids to the Tournament of Champions, and made it as far as semifinals at the Minnesota State Tournament. Spencer has expertise in both technical and traditional/narrative-style debate. He is also a VBI alumni, having attended twice as a student.

2.1 Introduction

Hey y'all! I'm looking forward to hearing debates on this year's September/October topic, which reads: The United States federal government should substantially expand its surveillance infrastructure along its southern border. At its core, the topic aims to tackle the subject of immigration reform, one of the most politically controversial issues chosen for a PF resolution since I joined debate back in 2018.

On the more conservative side of the aisle, politicians argue that unchecked immigration poses a threat to national security and that the U.S. isn't doing enough to monitor and prevent it. This rhetoric is largely consistent with the affirmative side of this topic, which advocates for expanding border surveillance. On the more liberal side of the aisle, politicians argue that efforts to stop unauthorized entry of the country have harmful ramifications and that the U.S. government should be doing more to protect immigrants. Negative arguments on this topic largely parallel these liberal talking points, although affirmative teams will frequently contend that border surveillance reform is necessary to rectify some of the current harms of U.S. immigration policy (more on this later).

Judges and competitors alike may have strong preconceived opinions about immigration policy that will not necessarily be malleable; in contrast to the cognitive dissonance that more abstract debate topics tend to produce, U.S. immigration policy more directly im-

pacts the lives of many individuals (and individuals' families) in the debate community. That being said, debating such a politically salient topic also creates opportunities to acknowledge, understand, and engage with perspectives different from your own: an important step in overcoming polarization. Regardless, it will be critical that students and coaches alike approach this topic with even more sensitivity than usual.

2.2 Background

The number of individuals attempting to cross the Southern border into the U.S. from Mexico and Central America has increased substantially over the past few years while the U.S. has been slow to respond. Motives for crossing the border vary widely and include seeking asylum from conflict and repression, searching for more lucrative work, and – something that negative teams will emphasize – international criminal operations. Parties on either side of the political aisle are dissatisfied with how the U.S. government has handled this influx of immigration; according to Pew Research, just 26% of democrats and 11% of Republicans believe that the U.S. government is “doing a good job dealing with the large number of migrants at the [US-Mexico] border.”¹

Even monitoring at authorized border crossings is increasingly strained; with just 52 points of entry across Texas, New Mexico, Arizona, and California, pedestrian and vehicle traffic are consistently far worse than they are at U.S.-Canada border crossings.² The result is longer wait times and poorer threat detection capacity. In other words, something needs to give.

Off the bat, it is important to emphasize that affirming the resolution is not a divergence from the status quo. Border surveillance has been a priority of the CBP's since its inception in 2003. According to the Department of Homeland Security:

U.S. Customs and Border Protection (CBP) deploys Border Surveillance Systems (BSS) to provide comprehensive situational awareness along the United States border for border security and national security purposes, and to assist in detecting, identifying, apprehending, and removing individuals illegally

¹“How Americans View the Situation at the U.S.-Mexico Border, Its Causes and Consequences,” Pew Research Center, February 15 2024. <https://www.pewresearch.org/politics/2024/02/15/how-americans-view-the-situation-at-the-u-s-mexico-border-its-causes-and-consequences/>

²Rose, Austin & David Lindsay Davidson. “Atlas of Land Entry Ports on the US-Mexico Border,” Border Policy Research Institute, 2010. https://cedar.wvu.edu/cgi/viewcontent.cgi?article=1029&context=bpri_publications

entering the United States at and between ports of entry or otherwise violating U.S. law.³

In fact, CBP is already expanding remote video surveillance towers, armed robots, drones, and other infrastructure across San Diego, El Paso, Big Bend, and more.⁴ As of this year, the Electronic Frontier Foundation had mapped out over 465 surveillance towers along the United States' southern border.⁵ As a joint result of heightened immigration and heightened surveillance, the number of encounters with unauthorized migrants – who are subsequently apprehended and expelled from the U.S. – reached a record high in 2023 (2.5 million)⁶, well over double the number of immigrants who are naturalized (granted citizenship) in a given year. However, there is some indication that 2024 may be seeing a decline in unauthorized crossings, in part due to proactive efforts on the part of the Mexican government.⁷

In the past, the U.S. government has pursued a number of strategies to curb both authorized and unauthorized migration, from restricting the number of visas given out, to increasing boots on the ground in regions where individuals most commonly attempt to cross the border. Proposals have even gone so far as to support constructing a wall across the majority of the Southern border to try and limit entry of the country to occur at monitored checkpoints. Many of the efforts to curb unauthorized immigration have either been ineffective and/or been the source of harm, both mental and physical, against migrants.

2.3 Defining the Resolution

After considering the social and political context of the topic, we need to ask ourselves what affirming and substantially expanding surveillance infrastructure along the United

³"DHS-CBP-PIA-022 Border Surveillance Systems (BSS)," Department of Homeland Security, September 7 2022. <https://www.dhs.gov/publication/border-surveillance-systems-bss#:~:text=The%20Department%20of%20Homeland%20Security,detecting%2C%20identifying%2C%20apprehending%2C%20and>

⁴Smalley, Suzanne. "Report shows CBP expanding mass surveillance system along Mexican border," The Record, May 6 2024. <https://therecord.media/customs-border-protection-expanding-surveillance-technology>

⁵"Surveillance Technology at the U.S.-Mexico Border," Electronic Frontier Foundation, May 2024. <https://www.eff.org/files/2024/05/06/borderzine-2024-5-6-en.pdf>

⁶Batalova, Jeanne. "Frequently Requested Statistics on Immigrants and Immigration in the United States," Migration Policy Institute, March 13 2024, <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states-2024>

⁷Montoya-Galvez, Camilo. "Illegal crossings at U.S.-Mexico border fall to 3-year low, the lowest level under Biden," CBS News, July 1 2024, <https://www.cbsnews.com/news/border-crossings-us-mexico-border-june-2024/>

States' Southern border would actually entail. While this question does provide some room for student interpretation, answers will fall, for the most part, into two categories.

The first category concerns surveillance at designated border crossings. This type of surveillance is geared toward getting a profile on individuals trying to cross the border and scanning for potential threats to health, security, or rule of law. Technology such as license plate readers, biometric recognition, and item/vehicle scanners are utilized to this end. CBP is also attempting to integrate artificial intelligence technology into existing efforts to analyze border crossing scan data in order to improve efficiency and accuracy.⁸

The second category of border surveillance involves monitoring unauthorized, often remote access points in order to detect attempted crossings and other activity. This category of surveillance is far broader, and can include ground sensors, radar-equipped surveillance towers, planes, helicopters, and drones.⁹ Whether the last three count as "infrastructure" is a query best resolved in-round.

Now that we have some idea of *how* the U.S. government would expand border surveillance in an affirmative world, the question then becomes: *how much* would they expand it? There is no consensus as to what a "substantial increase" means in the context of the resolution. However, based on legal definitions in other contexts – such as pension coverage under the SECURE Act – we can get a better idea of what affirming would entail:

A substantial increase in coverage is generally more than a 50% increase in the number of participants. A substantial increase in benefits is generally a 50% increase in the average benefit provided, exclusive of changes due to additional accruals.¹⁰

It goes without saying that this is not the be-all-end-all definition of a "substantial increase," not the least because it's non-specific to the topic at hand. We also don't have a clear stasis point isolating the exact amount of surveillance that goes on today *from which* a substantial increase will occur. Many teams will not attempt to define the resolution,

⁸Madan, Monique. "The future of Border Patrol: AI is always watching," Government Executive, March 22 2024. <https://www.govexec.com/technology/2024/03/future-border-patrol-ai-always-watching/395167/>

⁹"High-Tech Border Security: Current and Emerging Trends," IEEE Public Safety Technology Initiative, N.D. (website updated as of 2024), <https://publicsafety.ieee.org/topics/high-tech-border-security-current-and-emerging-trends>

¹⁰Markely, John. "The Impact of the SECURE Act on Frozen Pension Plans," The Retirement Advantage, June 16 2020. <https://tra401k.com/news/the-impact-of-the-secure-act-on-frozen-pension-plans/>

and in most rounds both teams will implicitly accept a subjective interpretation that doesn't account for the word "substantial." However, it will be important to identify what interpretation of the resolution your own arguments depend on and be prepared to defend that interpretation if need be. If and when in doubt, best to look to the actual plans and proposals put forth by DHS/CBP itself.

2.4 Affirmative Ground

2.4.1 Organized Crime / Terrorism

One of the most commonly-run affirmative positions on this topic will be the broad category of organized crime or terrorism-related arguments. More likely than not, teams will focus on one or two more specific issues. Generally speaking, affirmative teams will contend that unhindered transportation from Mexico to the United States or vice versa is the lynchpin of large-scale cartel and terrorist operations. Given that surveillance infrastructure in the status quo is insufficient to monitor and detect criminal activity – both at legitimate and unauthorized border crossings – affirming will improve the capacity of the DHS to interrupt cartel and terrorist operations.

There are many routes that teams can go when discussing organized crime. One of the most apparent arguments concerns drug trafficking, which can lead to overdoses or increased drug cartel violence if left unchecked. Another common argument along these lines is human trafficking, which is itself traumatic and life-threatening in addition to propping up cartels. A third facet of organized crime across the border concerns the trafficking of endangered or invasive species, which can risk disease spread as well as threaten biodiversity. There is a similar breadth of terrorism-related arguments on the affirmative: teams may argue that increasing border surveillance is necessary to combat nuclear terrorism, bioterrorism, cyberterrorism, and so on. Each of these subcategories has its own strengths and weaknesses with regards to the magnitude of the threat, the believability of the impact, and how effective surveillance infrastructure will be at stopping it.

If affirmative teams can find compelling evidence indicating that operations at or across the border are crucial to wider criminal or terrorist operations, these sorts of arguments will make for real and persuasive narratives in front of many judges. If not run carefully, however, teams run the risk of perpetuating damaging and false narratives rooted in xenophobia surrounding the threat that immigration poses to the United States.

2.4.2 Migrant Violence

A second category of affirmative positions that will be extremely common are arguments centered around protecting migrants through surveillance infrastructure. While not the primary purpose of border protection, there are certainly arguments to be made that additional surveillance along the border could reduce the violence experienced by migrants, by both criminals and authorities.

There are a few reasons based on which affirmative teams will contend that surveillance is a net good for migrants. One of these is through a federal/state enforcement tradeoff. In red border states such as Texas, state officials have pushed for greater involvement of local law enforcement in preventing unauthorized entry on the grounds that the federal government is not doing enough. It would not be a stretch to argue that state law enforcement has less oversight and a poorer track record with human rights violations, meriting an increase in federal involvement. Similarly, it would also be feasible to argue that increased reliance on surveillance *infrastructure* rather than boots-on-the-ground border patrol would reduce the number of potentially unsafe encounters between migrants and law enforcement personnel.

A slightly different route that teams can take when it comes to this argument is police accountability. Much of the neg evidence on this topic is highlighting issues that already exist, especially when it comes to human rights violations against migrants by police. Both the perception and the reality of surveillance, at least with certain implementations of surveillance, could deter or hold accountable these corrupt / violent law enforcement officers. Deterrence and accountability is also relevant in preventing violence against migrants by criminal actors on or near the border, an all-too-frequent occurrence.

These narratives clash almost diametrically with many of the negative's arguments surrounding the harms of surveillance to migrants, and thus winning it on the affirmative can single handedly decide the round. While the precedent for this argument is somewhat lacking, many of the studies that the neg cites are specific to the harms of surveillance towers and personnel, not necessarily other types of infrastructure which could be prioritized in an affirmative world, making this strategic argument relatively defensible.

2.4.3 Elections

A final affirmative argument I want to highlight is the politics / elections argument that was common at camps and will continue to be a topic mainstay, especially considering

the sheer volume of evidence about the election that will be (and is being) released leading up to November. First, an important preface: this argument makes more sense to run in front of more technical judges as personal beliefs surrounding the unpredictability of elections (and opinions about specific candidates) may interfere with objective evaluation of this argument by laypeople.

The elections argument goes like this: currently, for a number of reasons outlined by various news sources, Harris is (ostensibly) unlikely to beat Trump in November 2024. In order to garner enough support from swing/independent voters – for whom immigration is a major concern – for Harris to win the election, the Biden/Harris administration needs to take more substantial action at the border to prevent unauthorized entries. Such action will eliminate or at least mitigate the perception of democrats as poor enforcers of existing immigration policy, boosting approval and the chances of Harris beating Trump.

While it will be difficult to prove that one policy action will flip the outcome of the election, the meat of this argument surrounds what would happen if Harris were *not* to win in November; teams could contend that even though there's not a guarantee that Harris will lose now or that affirming would change that, the potential consequences of the argument being true are so catastrophic that we must prioritize improving the chances of a Harris victory at all costs. From xenophobic, anti-immigration policies (which would probably exacerbate the harm done to migrants at the border far more than an increase in surveillance), to an unwillingness to recognize and tackle climate change, to unstable security guarantees prompting allies to take matters into their own hands and develop nuclear weapons, there are a litany of ways that teams can impact out this argument.

2.5 Negative Ground

2.5.1 Migrant Safety

Many of the negative arguments center around the danger that surveillance poses to migrants attempting to cross the border. These types of arguments will be extremely intuitive and quite persuasive, especially considering the precedent of how poorly the U.S. border patrol has treated (and continues to treat) migrants. If surveillance infrastructure increases the number of encounters between law enforcement and migrants due to heightened monitoring for unauthorized crossings, that will subsequently increase the

risk of police violence that migrants are exposed to. It will also increase the number of migrants sent to detention centers, separated from their families, and subject to horrible, potentially life-threatening detention conditions.

Another variation of migrant safety on the neg which feels fairly intuitive and also has distinct strategic advantages is the funneling argument. The idea of funneling is that the more surveillance there is along more common unauthorized border crossing paths, the more migrants will go out of their way in an effort to enter the United States. By funneling migrants toward longer and more perilous routes, surveillance only puts them in more danger without actually preventing unauthorized crossings. Beyond the fact that the funneling effect is a very large driver of migrant deaths and injuries, the distinct benefit of the argument is that it implicitly responds to many of the aff arguments surrounding organized crime and terrorism; while small groups of individuals fleeing conflict, persecution, or trying to enter the U.S. for other reasons often lack the means to safely circumvent surveillance, larger criminal and terrorist organizations with tons of resources are much more likely to be able to effectively smuggle across the border along more dangerous routes. Those very same resources also enable smugglers to bribe corrupt law enforcement officials while other migrants don't have the same luxury. The thesis of this argument, ultimately, is that the same surveillance that puts migrants' lives at risk fails to stop actual threats.

2.5.2 Deterring Migration

Another, related downside to border surveillance is that many who would benefit immensely from immigration to the U.S. would be stopped while trying to cross through more common routes or deterred from crossing in the first place because of how perilous the alternate routes can be. This argument is also fairly intuitive and believable. In short: the more difficult the U.S. makes immigration, the less of it there will be. There are also a few routes that teams can take to implicate this argument.

The first is the economic route. Immigration carries with it substantial benefits to the U.S. economy in the form of boosting consumption and human capital. Immigration improves the U.S. labor force, supplying more workers with potentially unique perspectives and skills and thus promoting innovation. Immigration also means more people buying more goods, with consumption of goods being one of the primary drivers of economic growth. Teams should take care when emphasizing these economic benefits that they're not defining the value of immigrants purely in terms of how they benefit the U.S. economy,

which can come off as dehumanizing.

The second is the asylum route. The reality is that the process to get authorization to enter the U.S. can be difficult and lengthy, and families whose lives are in peril due to violence, instability, humanitarian crisis, or a combination of those cannot always afford to wait. By deterring people from seeking asylum, the U.S. is potentially condemning them to oppression, poverty, and even death.

The third is the remittances route. Immigration also carries with it substantial benefits to the economies of the home countries they emigrated from. Oftentimes, when an individual or family migrates in search of higher paying work, they will send money (remittances) back to relatives at home. These remittances play a key role in supporting the economies of lower income countries and immigrants' families' lives. By deterring migration across the U.S. border, the U.S. would be slashing a key lifeline to many developing economies, worsening poverty and risking an economic downturn.

2.5.3 Securitization

The last negative position is an argument often referred to as securitization, which takes issue with affirmative teams' portrayal of the border as in need of "securing." Dr. Clara Eroukhmanoff, international relations research associate at the University of Cambridge, puts it extremely well:

According to securitisation theory, political issues are constituted as extreme security issues to be dealt with urgently when they have been labelled as 'dangerous', 'menacing', 'threatening', 'alarming' and so on by a 'securitising actor' who has the social and institutional power to move the issue 'beyond politics' ... Calling immigration a 'threat to national security', for instance, shifts immigration from a low priority political concern to a high priority issue that requires action, such as securing borders.¹¹

Securitization is said to draw attention and resources away from more important, systemic issues while simultaneously justifying human rights violations in order to combat these constructed security threats. So long as you find solid evidence that the U.S.-Mexico border is no more of a threat than, say, a state border which is not subject to securitization, this argument is relatively compelling, especially in front of more technically

¹¹Eroukhmanoff, Clara. "Securitisation Theory: An Introduction," E-International Relations, January 14 2018. <https://www.e-ir.info/2018/01/14/securitisation-theory-an-introduction/>

2 Topic Analysis by Spencer Burris-Brown

experienced judges familiar with the concept. Given the often complex and jargony language employed by international relations authors, it will be important that you can explain these ideas in your own words in simple terms to effectively communicate the concepts to judges.

3 Topic Preview by Satvik Mahendra

Satvik Mahendra debated at Jasper and Plano West for four years. Over the course of his career, he was ranked as high as #1 in the nation, earned 16 bids to the TOC, and qualified to the TOC and NSDA Nationals three times. Notably, he finished 4th at the 2022 NSDA National Tournament, won the Bellaire, Arizona State, and Holy Cross tournaments, reached semifinals at the Harvard Round Robin, Blue Key, and Peach State, reached quarterfinals at Harvard, Grapevine, and Bronx, and was 3rd speaker at Glenbrooks. He's also served as his team's PF Captain and since graduating has coached over a dozen students to competitive success, such as winning the TFA State tournament and finaling the NSDA National Tournament.

3.1 Introduction

Hey y'all! I hope y'all have had a restful and productive summer and are ready to hit the ground running for this upcoming tournament season. For the first two months of this season, one potential topic that could be the subject of debates is whether or not the US federal government should expand surveillance of the southern border. For more clarity, the specific resolution is as follows: Resolved: The United States federal government should substantially expand its surveillance infrastructure along its southern border.

Since this topic has already been used as the subject of debates in a few summer camps, we have a unique early perspective on the potential arguments on this topic that otherwise wouldn't exist prior to other topics throughout the year. While this won't be comprehensive, I'll try to cover some of the common arguments that have been floating around so that y'all will have a high-level understanding of how this topic has been shaping up thus far.

In the following portions of this topic analysis, I'll cover important information needed to succeed in case this topic is chosen while also sharing some thoughts as to why I think this topic is not as good of a choice as the other potential topic about Mexican energy privatization.

3.2 Topic Thoughts

In this section, I'll share some of my thoughts on the topic for those of you unsure about which topic to vote for once topic voting opens on July 25th. Personally, I'm a fan of the topic about Mexican energy privatization. I think that this topic will encourage debaters to learn more about a topic they might not already be familiar with while also being conducive to nuanced debates analyzing the incentives and capabilities of the private and public sector in Mexico. On the other hand, and what I've seen from a few of the arguments floating around at camps so far, debates on the surveillance topic will likely result in teams reading multiple different scenarios with extinction as the impact, trying to spread their opponents thin. While these debates can definitely be fun, I think it'll be refreshing to have debates with lower magnitude impacts that force debaters to engage more directly with their opponents' arguments specifically since much of the arguments being read by either side will be mutually exclusive with each other and thus debaters will have to work harder trying to break the clash. Additionally, since border surveillance is a highly politicized issue, I am concerned about the potential for judge bias to affect the decisions of lay parent judges, which could be frustrating for many debaters.

However, the surveillance topic does have its merits too, but I do also have some concerns with some of the reasoning to prefer the border surveillance topic. Since this is a hot-button issue, it'll be easier to find evidence about the topic. However, much of this evidence will likely be highly polarizing news sites making bold claims to drive traffic so debaters will have to be more cognizant about potential bias in their evidence. Additionally, this topic will give debaters a chance to broaden their horizons about an issue that influences domestic politics. However, debaters once again must be careful since there are risks that rounds on this topic will risk making certain debaters uncomfortable due to the nature of many affirmative arguments on the topic. Debaters should be more aware about the potential impact of their language in rounds and how seemingly harmless arguments they make could potentially risk making others uncomfortable. While these concerns aren't reasons to outright reject the border surveillance, make sure you keep the potential costs and benefits in mind when topic voting does begin so you can choose the topic you think is right for you.

Overall, I believe the other potential September/October topic about whether or not Mexico should increase private sector participation in their energy sector is the better topic, and here's a [link to another article](#) that outlines some additional reasons why the

Mexican energy topic is preferable to the border surveillance topic. However, make sure to also do your own due diligence for either topic before choosing what to vote for since this will be the topic for the first two months of the season.

3.3 Background

3.3.1 What is Surveillance Infrastructure?

The following excerpt explains what Border Surveillance Systems currently look like to give you a brief introduction to the types of systems you'll be tasked with arguing for and against.

The Department of Homeland Security (DHS) U.S. Customs and Border Protection (CBP) deploys Border Surveillance Systems (BSS) to provide comprehensive situational awareness along the United States border for border security and national security purposes, and to assist in detecting, identifying, apprehending, and removing individuals illegally entering the United States at and between ports of entry or otherwise violating U.S. law. BSS includes commercially available technologies such as fixed and mobile video surveillance systems, range finders, thermal imaging devices, radar, ground sensors, and radio frequency sensors. CBP is updating this PIA to assess the privacy risks associated with new border surveillance technologies not addressed in the original PIA, including maritime and ground radar, enhanced video capabilities, seismic and imaging sensors, and the use of commercially available location data to identify activity in designated areas within near the United States border.¹

Over the past couple of years, the US Customs and Border Protection (CBP) has already undertaken an expansion of surveillance infrastructure at the southern border through technologies like new AI enabled surveillance towers, four-legged surveillance robots, and expanded drone capabilities.² Thus, teams will face a challenge trying to delineate between an expansion of surveillance technology and simply maintaining status quo levels of surveillance in their arguments. For teams to win their arguments, they need strong analysis that demonstrates that the status quo level of surveillance infrastructure is not enough to cause the harms or benefits they are arguing about. On the flip side,

¹<https://www.dhs.gov/publication/border-surveillance-systems-bss>

²<https://therecord.media/customs-border-protection-expanding-surveillance-technology>

however, debaters need to defend what the most probable implementation of an expansion in border surveillance will look like. This means debaters can't just advocate for *any* border surveillance infrastructure – they instead need to prove why their advocacy is probable. This will force debaters into a tricky balancing act, where they need to prove why an expansion of border surveillance will differ from the status quo enough but also isn't too different to the point where it is unlikely to be implemented.

Additionally, this topic will require debaters to make claims about the potential future of surveillance technology along our southern border. It is insufficient to just have prep about current methods of surveillance and their benefits and harms since teams on either side will be able to make arguments about how an expansion of surveillance infrastructure will include new types of surveillance technology.

It's possible to imagine that borders in 2060 will feature a silent circulating layer of thousands of tiny autonomous drones equipped with an array of immensely powerful sensors. Combining the power of AI-enabled facial recognition and big data analytics, this aerial surveillance swarm would track the location and identity of every person under its gaze.³

Overall, surveillance infrastructure includes a lot of things, and it'll be your job as a debater to be prepared to make arguments on either side of each of these potential surveillance tools.

3.4 Affirmative Arguments

3.4.1 Politics

This argument argues that the resolution passing would affect domestic politics in some way such as changing the outcome of the upcoming presidential elections. Based on the arguments being read at debate camps currently, the most common way people read this argument is by arguing that expanding border surveillance infrastructure would result in Biden winning the election instead of Trump, and that a Biden victory is important to prevent harms to the climate or prevent some type of global war scenario. However, with Biden now no longer running, teams will have to find new evidence about whoever the Democratic nominee ends up being (likely Kamala Harris) and how expanded border surveillance would impact their level of support. Personally, I'm not a huge fan of these

³<https://publicsafety.ieee.org/topics/high-tech-border-security-current-and-emerging-trends>

types of arguments because of how often political situations end up changing, which will force teams to constantly be updating their evidence to ensure they have the most up to date political analysis, but they can allow teams to link to existential impacts like climate change or global nuclear war.

3.4.2 Cartels

Harmful cartel activities continue to be a problem throughout the US and especially near the southern border. This argument claims that expanding surveillance of the southern border would help limit cartel operations such as drug smuggling or human trafficking that takes place across the southern border.

More specifically, teams can argue that currently, cartels are taking advantage of drones at the border in order to get around existing attempts at surveillance since cartels simply identify weak areas of the border with limited surveillance resources using their drones and then exploit these weaknesses. Teams can argue that an expansion of border surveillance would include some way to surveil cartel drones at the border, thus putting border security agents in a better position to either directly counter cartel drones or shift their resources to prevent cartels from taking advantage of weak spots in the border.

Additionally, another argument teams can make is that an expansion of surveillance would result in an expansion of satellites being used to locate dangers at the border. Teams can argue that this would also give the US better insight into cartel activity at the border by helping locate smugglers with much greater efficiency, allowing agents to interdict shipments of drugs or human trafficking.

Teams can also argue that more surveillance of the border would be associated with the expansion of drug detecting scanners at US ports of entry, which would once again be able to better combat efforts at drug smuggling by cartels. Also sometimes referred to as Non-Intrusive Inspection (NII) technology, these scanners can quickly allow agents to scan a much larger share of vehicles than they currently do, helping keep harmful drugs out of the country.

Lastly, teams can make arguments that expanding surveillance at the border would allow agents to identify underground cartel tunnels. These tunnels are increasingly being used by cartels in order to evade existing forms of surveillance. The following excerpt details how fiber optic cables can be a part of a more expansive surveillance infrastructure that puts the US in a better position to stop illicit cartel smuggling:

3 Topic Preview by Satvik Mahendra

Another new kind of sensing tool that's been proposed at the border is fiber optic sensing technology. CBP has only recently begun testing this technology, in some limited cases. Fiber optic sensing works by measuring the backscattering of light in an optical fiber when it encounters vibration, strain, or temperature change. Fiber optics is most associated with telecommunications technology that can transmit internet, television cable, or cellphone signals; you've probably heard of it in relation to Verizon's FiOS or undersea cables. In the case of the border, however, this technology can be used to measure slight changes in the atmosphere that might detect human activity. Thin glass-fiber optic cables, buried 1 to 2 feet underground, can pick up faint vibrations to register nuanced sounds as the highly sensitive glass cables bend based on the pressure waves at specific frequencies. These cables can also pick up on sounds underground, which makes fiber optic sensing technology an attractive tool for detecting illegal tunnels used to transport drugs across the border — a major problem for Border Patrol since El Chapo first popularized the method in the 1980s. Since these systems don't carry electrical signals, they're also less detectable by smugglers than many other types of sensors.⁴

The technologies I've mentioned so far are just a few of the different ways teams can argue that further expanding surveillance can limit cartel smuggling, and I'm sure there are more that debaters will find.

After proving that surveillance can limit cartel smuggling, teams can argue that this helps reduce the revenue cartels have, which is beneficial as it stops them from growing more powerful and carrying out harmful activities around the world.

3.4.3 Wildlife Trafficking

This argument approaches surveillance infrastructure from a more unique angle, and is about how more surveillance technology is needed to stop the smuggling of wildlife across the southern border. Teams can argue that part of the US Customs and Border Protection's mission is to stop the illicit trafficking of wildlife across the border, and as a result, the expansion of surveillance infrastructure would also include resources to stop wildlife smuggling. For example, using new AI technologies in conjunction with more comprehensive scanning tools could alert officers when wildlife is detected. Teams can argue that stopping such trafficking would have a few benefits. First, deterring the trafficking of wildlife can help preserve biodiversity in regions where wildlife is being

⁴<https://www.vox.com/recode/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>

taken from. Second, teams can argue that limiting trafficking of wildlife can help stop the spread of zoonotic diseases that have the potential to turn into a pandemic.

While the link of this argument seems reasonable enough, I think that winning a strong impact on this argument will be difficult. Many of the harms of wildlife trafficking will continue to remain even if the US' southern border surveillance is fully effective at stopping wildlife from crossing. For example, zoonotic disease can start and spread in many other regions of the world, and wildlife can be trafficked to numerous other regions of the world and not just the US.

3.5 Negative Arguments

3.5.1 Migrant Safety

The US has explicitly stated that they follow a strategic policy of “prevention through deterrence” at the southern border. The goal of this strategy is to inflict as much pain as possible on migrants attempting to cross the border to make them unwilling to make the journey in the first place. However, this policy has historically been ineffective at stopping migrant crossings. Some of the reasons why this deterrence has been unsuccessful are summarized in the excerpt below:

These research advances should help to inform a more rational public debate over the incremental benefits of additional border enforcement expenditures. With Congress gearing up to consider budget proposals from the Trump administration that seek an additional \$2.6 billion for border security, including construction of new physical barriers, the debate is long overdue. In particular, Congress should be taking a careful look at the incremental gains that might come from additional spending on border enforcement. The evidence suggests that deterrence through enforcement, despite its successes to date in reducing illegal entry across the border, is producing diminishing returns. There are three primary reasons. First, arrivals at the border are increasingly made up of asylum seekers from Central America rather than traditional economic migrants from Mexico; this is a population that is both harder to deter because of the dangers they face at home, and in many cases not appropriate to deter because the United States has legal obligations to consider serious requests for asylum. Second, the majority of additions to the US unauthorized population is now arriving on legal visas and then overstaying; enforcement at the southern border does nothing to respond to this challenge. And finally, among Mexican migrants, a

*growing percentage of the repeat border crossers are parents with children left behind in the United States, a population that is far harder to deter than young economic migrants.*⁵

Teams can argue that expanding border surveillance would simply force migrants to travel across regions with less surveillance, which tend to be more unsafe regions with harsher environments that increase the chance of migrants facing exhaustion or injury, and ultimately passing away.

Additionally, teams can argue that migrants seeking to evade surveillance would be forced into the hands of organized crime groups that offer to help smuggle them across the border, ultimately resulting in more dangerous situations for migrants and their families.

3.5.2 Overreach

Another interesting NEG argument that teams can make is that expanding our surveillance of the southern border will not end there. Instead, the technology that'll be used at the southern border will proliferate throughout the rest of the country and even spread around the world as well. For example, technology that originated at the southern border has historically been implemented in different regions of the country as well:

President Biden largely halted construction on his predecessor's border wall, which Democrats decried as inhumane. But he never stopped the Department of Homeland Security from using the border as a testing ground for dystopian military and surveillance technologies — including, most recently, headless robot dogs. This month, DHS pitched the robot dogs as fun, futuristic versions of “man's best friend,” meant to help Border Patrol agents navigate rough terrain and other threats. Critics argue that they look like the human-hunting ones in the Netflix series “Black Mirror,” and that they'd frighten families seeking refuge in this country. The company that makes them, Ghost Robotics, has showcased similar robot dogs equipped with firearms. Whether you think these canines are creepy or cute, the fact is that the deployment of surveillance technologies at the border — including sensors, drones and camera-equipped towers — has historically pushed people seeking work or asylum in the U.S. into more dangerous remote crossing routes, where thousands have died. “It's very much the same type of enforcement that criminalizes migration and makes it

⁵<https://cmsny.org/publications/jmhs-is-border-enforcement-effective/>

3 Topic Preview by Satvik Mahendra

more deadly,” Jacinta González, senior campaign director for the racial justice group Mijente, told me. These so-called smart technologies — which Biden touted from his first day in office — have also tended to spill from the border into the country’s interior. For example, in 2020, border drones and other aerial surveillance tools were used by DHS to monitor anti-racist protesters in more than 15 cities. Similarly, license-plate-scanning technology that started at the border in the 1990s is now common across police departments.⁶

Teams can argue that surveillance technology ends up being used to exacerbate racialized violence towards marginalized groups and that allowing the border to be used as a testing ground for new surveillance technology will only further exacerbate this violence.

3.6 Conclusion

Overall, I hope this preview has given you a glimpse into this potential September/October topic and how the topic meta appears to be shaping up so far. While this topic isn’t my favorite, if it ultimately does get chosen, keep in mind that the arguments in this analysis are simply a starting point. Be sure to keep doing your own research in order to write nuanced, winning arguments.

With this upcoming season right around the corner, I wish all of you the best of luck and hope you all have a great year of debate!

⁶<https://www.latimes.com/opinion/story/2022-02-10/border-surveillance-homeland-security-biden>

4 General Evidence

Reducing border wait times by just 10 minutes could generate significant economic benefits for both the US and Mexico, boosting trade, lowering prices, and creating thousands of jobs

Ratiu 22 [Andrea Ratiu, 9-27-2022, "The economic impact of a more efficient US-Mexico border: How reducing wait times at land ports of entry would promote commerce, resilience, and job creation", Atlantic Council, <https://www.atlanticcouncil.org/in-depth-research-reports/report/the-economic-impact-of-a-more-efficient-us-mexico-border/>]

Improvements in border management and the adoption of new technologies at the US-Mexico border have the potential to enhance security and generate economic benefits for the United States and Mexico through expedited flows of goods and people. Reduced border wait times would lead to more traffic entering the United States from Mexico, both in terms of commercial trucks loaded with goods for US consumers and shoppers ready to buy US goods. This report quantifies the economic impact of this additional commerce and cross-border spending, which would lead to further economic prosperity in the two countries. We know that long wait times at the border can hurt our businesses and economy, especially in my district. Ensuring our ports of entry have sufficient funding to reduce wait times is necessary to keep our economy on track and ensure businesses on both sides of the border succeed." Research shows that a 10-minute reduction in wait times could lead to an additional \$26 million worth of cargo entering the United States each month via commercial vehicles. This translates to more than \$312 million in further commerce from Mexico into the United States annually. The extra inventory of finished and intermediate goods would drive down US domestic prices, creating increased economic well-being for US citizens. This report also finds that reducing border wait times by 10 minutes has a positive annual impact of \$5.4 million on the US economy due to purchases by additional families and individuals entering the United States from Mexico. While the immediate effect of these purchases is most evident in border communities, economic benefits would spread to the continental United States due to the economic linkages between local economies, with approximately

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25 percent of the total impact reaching non-border states. Strengthened US-Mexico collaboration at our border will unlock significant economic growth, promote supply chain resilience, and boost competitiveness, benefiting Mexican workers and families. These benefits will reverberate far beyond the border, reaching states throughout Mexico. Now is the time to invest in initiatives to create an even more efficient and secure shared border.” Beyond the \$312 million in added commerce from Mexico into the United States, a 10-minute reduction in border wait times would promote the creation of nearly 18,700 direct and indirect jobs in Mexico, increase labor income per sector by an average of \$17,474, and boost growth for various Mexican economic sectors, particularly manufacturing, wholesale trade, and mining. More specifically, a one-minute reduction in border wait times would increase the average production (or output) per sector—for Mexico’s top ten sectors exporting to the United States—by 2 percent, adding an average of \$41.5 million per sector to the Mexican economy. This reduction in border wait times would also lead to an average sectoral growth in intermediate sales and final demand of 2.4 percent and 1.7 percent, respectively. Our border communities rely on efficient and effective infrastructure for work, trade, tourism and other economic exchanges across the US-Mexico border. As the North American region seeks to retain its competitive global advantage, it is more important than ever for these communities to have access to top-notch ports of entry, staffing and technology. With the proper tools for border management, our border cities will be enabled to prosper now and well into the future.” These findings illustrate the economic benefits of prioritizing investments at the US-Mexico border to reduce commercial and noncommercial wait times. They are understood as the lower range of the potential national-level economic benefits of deepened US-Mexico collaboration to create a more efficient and secure border. A forthcoming second study will build on these findings, disaggregating the economic impact of reduced wait times for US and Mexican states and counties at the border and beyond.

Undocumented immigrants face difficulties sending remittances

Handlin, Krontoft, and Testa 01 [Liz Handlin Margrethe Krontoft William Testa, 11-9-2001, "Remittances and the Unbanked (Special Issue)", No Publication, <https://www.chicagofed.org/publications/chicago-fed-letter/2002/march-175a>]

Oscar Chacon from the Heartland Alliance outlined the channels by which immigrants send remittances. He pointed out that illegal immigrants may have difficulty sending remittances through any institution that asks for a Social Security number or tax identification number. Meanwhile, recipients of remittances, especially in Latin America, are often reluctant to deal with banks. Many Latin American banks deal mostly with corporate clients and do not have a reputation for accessible banking for individuals. Furthermore, the banking system in Latin America is often regarded as corrupt, creating a disincentive for individuals to form relationships with banks. Chacon speculated that remittances may ultimately reduce emigration to the U.S. and asked whether we should legalize some currently illegal forms of immigration.

CBP has made significant investments in high-tech surveillance and X-ray systems, combined with specialized fentanyl-detecting canine teams, to enhance drug detection at the U.S. border

Glaser 24 [Jerry Glaser, 05-24-2024, "CBP: America's Front Line Against Fentanyl", U.S. Customs and Border Protection, <https://www.cbp.gov/frontline/cbp-america-s-front-line-against-fentanyl>]

CBP's position as America's front line puts it in a position to catch illicit fentanyl coming across the border, particularly in the Southwest. The agency has made unprecedented investments in technology, putting in surveillance systems at the borders and deployed new X-ray technology at the ports of entry: 123 large-scale drive-through X-ray systems, as well as revising the inspection process to significantly increase vehicle and truck scanning rates across the Southwest border. 88 low-energy portals to scan passenger occupied vehicles. 35 multi-energy portals to scan commercially occupied vehicles. The addition of all these tools allows CBP to scan more vehicles and conveyances in a shorter amount of time, increasing the efficiency and accuracy of the agency's operations and catching more of the deadly drugs, precursors and equipment used to make the illicit products. CBP anticipates all systems will be installed in 2026. After these installations, the scanning rates are estimated to increase from 1-2% of personally-owned vehicles to approximately 40%, and from 15-17% for commercial vehicles to more than 70%. While the high-tech solutions are expected to yield even more illicit drug busts, CBP is also using a definitely low-tech but highly skilled detection method: drug-sniffing dog teams. "We started training our canine teams on fentanyl in 2017," adding to the drugs the dogs and their handlers have been trained to detect, said Donna Sifford, the director of CBP's Field Operations Canine Academy in Front Royal, Virginia. "Currently, we are the only federal agency training [canines] on fentanyl." Because of the dangerous nature of fentanyl, extra safety precautions are taken in the training and when the dogs are deployed to the field. For training, CBP's Laboratories and Scientific Services has provided pharmaceutical grade fentanyl, which comes wrapped in triple-sealed, industrial-strength polyethylene bags that allow the dogs to smell the drug while keeping them safe from actually being exposed. Training on the safe handling of these aids is part of the curriculum. While in training, canine instructors carry a fentanyl response kit, consisting of six doses of naloxone nasal spray, such as Narcan – a powerful, short-term antidote to opioid exposures for the people and the dogs – in addition to safety glasses and gloves, among other personal protective equipment. Also, years ago – even before fentanyl came into the picture – they started training the dogs to do a passive response.

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That means the dogs sit when a drug is indicated, as opposed to a positive response – scratching and biting at the package, which could cause a deadly accidental exposure. “Any time the dog alerts, we automatically presume it is the most dangerous drug, whether fentanyl, meth or other dangerous narcotics,” Sifford said. “We automatically use all the safety protocols.” CBP is also helping train law enforcement partners here in the U.S., as well as international partners, learn how to train their dogs on the safe detection of fentanyl. “That way, we can increase the detection of fentanyl,” Sifford added.

CBP utilizes costly Predator drones and smaller, more efficient sUAS drones for targeted surveillance along the US-Mexico border, though concerns remain over their effectiveness, cost, and potential privacy infringements

Ghaffary 20 [Shirin Ghaffary, 2-7-2020, “The”smarter” wall: How drones, sensors, and AI are patrolling the border”, Vox, <https://www.vox.com/re-code/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>]

For border patrol agents trying to surveil the long, rural, mountainous stretches of the border, unmanned surveillance aircraft — more commonly known as drones — are a favored tool. They’re used to detect suspicious activity along treacherous terrain and to get a closer look at areas that may be inefficient or unsafe for personnel to patrol in person. The oldest type of unmanned aircraft in use at the border is the hefty 36-foot-long, nearly 5,000-pound Predator B drones. These aircraft were built for military use, but CBP has been flying them at the US-Mexico border since 2006. On the battlefield, the Predators can carry and deploy bombs, missiles, and other weapons, all while being remotely controlled by pilots at ground bases, sometimes thousands of miles away. At the border, they’re used to detect and assist in surveillance along broad stretches of land, helping to identify illegal crossings and guide enforcement agents. These aircraft can stay aloft for nearly 30 hours at a time and can read something as small a license plate number from 2 miles high. They capture high-quality images using multiple sensors, including sophisticated detection tools like an electro-optical infrared scanner and a thermographic heat sensor, sending data back to a ground control station via satellite link. For CBP, a major flaw of these military-grade drones is their high cost. They run around \$17 million each and cost around \$12,255 per flight hour to operate. Every time CBP uses a drone to apprehend an individual suspected of crossing the border illegally, it costs the federal government \$32,000, compared to an average cost of less than \$9,000 for other types of surveillance that could lead to an apprehension, according to analysis of publicly available data from the libertarian think tank Cato Institute from the years 2013 to 2016. They also aren’t exactly easy to use. At least two of CBP’s Predator drones have crashed — one due to human error and the other due to a generator failure. A DHS Office of Inspector General report in 2014 found that, overall, the program had failed to meet expectations and could not prove its effectiveness; the report concluded that the program had “not achieved the expected result,” and therefore recommended that the government reconsider expanding it. Still, despite the questions about their efficiency and cost, CBP continues to use Predator drones. But now, due to rapid advances in technology in the past two decades, a newer generation of smaller, cheaper drones is

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popping up. In the past two years, CBP has increased its testing and ordering of these new types of drone technologies. These devices, called sUAS (small unmanned aerial systems), weigh less than 55 pounds. They can't stay in the air as long as the larger Predators and they're more vulnerable to bad weather conditions, but they fly at a much more efficient cost and require far less training to use. These sUAS systems are a way to fill a void in border patrol's operations; the agency is limited in how many hours it can spend piloting larger aircraft, according to Michael Harrison, associate chief of special operations with border patrol headquarters. Border Patrol has had "great success" with the sUAS systems they've used so far, he said. These smaller drones look much less intimidating than their hulking Predator cousins. They were also initially developed for military use in Iraq and Afghanistan, but seeing as they can carry a much smaller payload than the Predators, they're used for surveillance rather than deploying weapons. The drones can collect images and video, and in some cases, using AI, they can automatically sense if there is a suspected person where there shouldn't be. They then send real-time video of the target to the person controlling the aircraft, who can be miles away, for further inspection. Let's say, for example, that a border agent at a control center suspects possible unauthorized human activity at a mountainous part of the Texas-Mexico border that's difficult to reach by car. Instead of sending out an agent on a three-hour journey through rugged terrain to investigate what could be a false alarm — like an animal moving around — they can fly a drone to investigate instead. CBP says the drones are used not for prolonged surveillance but instead for targeted investigations. For example, sUAS drones can help identify if someone is carrying a shovel or a gun — or, say, a small backpack or larger potential package of narcotics. CBP characterizes this as "situational awareness" to help ensure the safety of human agents on the ground. There are limitations: sUAS drones can generally only fly for up to a couple of hours at a time, and only in fair weather. With regard to where these devices are allowed to fly, CBP says it largely uses these drones within the "immediate border area" within 25 miles of the border. Legally, the agency is restricted by the Federal Aviation Administration to fly drones between 25 and 60 miles of the US-Mexico border, excluding urban areas. But many civil liberties advocates worry about scope creep (that these drones could be used to surveil beyond these areas), and that even within the legal ranges, many US citizens are vulnerable to being monitored. "This idea of drones or sUASes that have the capacity to capture images and videos being used at the border is pretty concerning," said Neema Singh Guliani, a senior legislative counsel with the ACLU. "There's lots of people who live near the border, and there have been some concerns with privacy control. In some cases, the law is not as clear as it should be in

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terms of how DHS should share data.” Between October 2018 and April 2019, US Border Patrol flew these sUAS devices for a total of around 176 flight hours, resulting in 474 apprehensions of individuals at the border, according to a CBP spokesperson. Border Patrol said it will continue to increase the number of sUAS units deployed and expects the apprehensions to increase significantly over the next six months. Overall, CBP said it recently placed an order for around 100 more sUAS systems, including about 40 Aeryon SkyRaiders and 60 Lockheed Martin Indago 3 systems, as well as AeroVironment Ravens and InstantEyes on loan from DHS. This batch of drones will be placed all across the US southwest border, as well as a few at the northern border, as the agency continues to run pilot programs assessing their use. There hasn’t yet been an efficiency study like those for the older Predator drones, so aside from anecdotal evidence from trials that CBP says are promising, it’s hard to say exactly how useful these tools are proving. “We don’t want to buy tech that we think is a great idea, buy mass amounts of it and then not realize any value of it in the end,” said Harrison, who said the agency is continuing to use these technologies in relatively “small numbers” until they better understand how well they’re working and what scenarios they’re best suited for.

Proposed bipartisan immigration bill includes greater funding for autonomous surveillance towers, DNA analysis tools, and additional resources for maritime border surveillance

Bhuiyan 24 [Johana Bhuiyan, 2-6-2024, "'A privacy nightmare': the \$400m surveillance package inside the US immigration bill", <https://www.theguardian.com/us-news/2024/feb/06/us-immigration-bill-mexico-border-surveillance-privacy>]

The \$118bn bipartisan immigration bill that the US Senate introduced on Sunday is already facing steep opposition, despite a strong statement of support from Joe Biden. The 370-page measure, which also would provide additional aid to Israel and Ukraine, has drawn the ire of both Democrats and Republicans over its proposed asylum and border laws. But privacy, immigration and digital liberties experts are also concerned over another aspect of the bill: more than \$400m in funding for additional border surveillance and data-gathering tools. The lion's share of that funding will go to two main tools: \$170m for additional autonomous surveillance towers and \$204m for "expenses related to the analysis of DNA samples", which includes those collected from migrants detained by border patrol, according to the text of the bill. "This combination of money for surveillance and surveillance technology, along with the included gutting of asylum, would transform our system and hyper-amplify what's already happening on the ground," said Paromita Shah, the executive director of the immigrant rights group Just Futures Law. The bill describes autonomous surveillance towers as ones that "utilize sensors, onboard computing, and artificial intelligence to identify items of interest that would otherwise be manually identified by personnel". The rest of the funding for border surveillance that the Guardian identified includes \$47.5m for mobile video surveillance systems and drones and \$25m for "familial DNA testing". The bill also includes \$25m in funding for "subterranean detection capabilities" and \$10m to acquire data from unmanned surface vehicles or autonomous boats "in support of maritime border security". In his statement of support, Biden said the agreement contained the "toughest and fairest" border reforms that the country has had in decades. "It will make our country safer, make our border more secure, and treat people fairly and humanely while preserving legal immigration, consistent with our values as a nation," the statement reads. Shah said: "The Biden administration has negotiated itself into a place not even Trump was able to reach when it comes to militarizing the border and setting itself up to be an efficient deportation machine." The US has already spent hundreds of millions of dollars on these automated surveillance towers, which are primarily made by Anduril Industries – the brainchild of Palmer Luckey, founder of Oculus VR. In 2020, US Customs and Border Protection (CBP)

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announced it would acquire 200 of these towers from Anduril by 2022 for a reported cost of \$250m. As of early January, CBP had deployed 396 surveillance towers along the US-Mexico border, according to the Electronic Frontier Foundation (EFF). CBP is also planning on testing Anduril autonomous towers along the US-Canada border, according to tech news publication 404 Media. “Rather than solving immigration and border issues, this allocation is a windfall for surveillance tech vendors,” said Saira Hussain, senior staff attorney at EFF. Shah of Just Futures Law said it was “troublesome” to see the government leaning on untested technology. “It’s evident that they are presenting a sense of inevitability that technology will dictate the course of your life in the United States, whether it’s by serving as the ‘soft’ enforcer at the border or through the surveillance that will follow you into the country,” said Shah. “We’re talking billions of dollars being poured into technology that, ironically, remains unclear of how exactly it will be deployed.” The “increase in untested technologies” would also create “a privacy nightmare” for border communities, said Hussain of EFF.

CBP's tech-driven border security innovations, including mobile surveillance and counter-drone systems, may enhance enforcement but also raise concerns over privacy and unintended migration consequences

Taylor and Laje 23 [Nuray Taylor and Diego Laje, 3-1-2023, "New Tools Protect Increasingly Complicated Border", AFCEA International, <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border>]

The U.S.-Mexico border poses a growing security challenge, including an evolution toward cartel-waged electronic warfare, that demands new technological capabilities, experts say. U.S. Customs and Border Protection (CBP) is quickly adopting various innovations to enhance its enforcement. "CBP is surging resources and increasing efficiency, prioritizing smart border security solutions, making historic investments in technology, taking the fight to cartels and smugglers and doing more with our regional partners than ever before through a combination of technology, infrastructure, personnel and other enforcement solutions to ensure our border remains secure," a CBP spokesperson told SIGNAL Media. The large investment in border technologies saved over 70,000 hours of agent time, the CBP claimed. Among the new initiatives, one seeks to make the presence of CBP officers less predictable to potential offenders. "We have a program that we were awarded called ARST, which is Autonomous Relocatable Surveillance Tower," said Mike Powell, director of business development innovation solutions at Elbit Systems of America, a company that supplies a variety of border surveillance technologies. Powell described the CBP's latest program as an attempt to address evolving challenges. Currently, human smugglers and drug traffickers move away from towers and toward areas with little or no surveillance. Therefore, mobile platforms are the next step in the cat-and-mouse encounters. "The concrete reality is that there are thousands of people who cross the border, the U.S. and Mexico border," said Karine Côté-Boucher, associate professor of criminology at the University of Montreal. In 2022, the CBP encountered 2,378,944 migrants at the southwest land border. This number includes single adults, individuals in a family unit, accompanied minors and unaccompanied children. The CBP figure represents 0.85% of the world's total of 281 million migrants, according to the United Nation's International Organization for Migration. "On a global scale, what's happening in the U.S. is not that big," said Côté-Boucher, speaking about worldwide immigration. Nevertheless, the problem at the border is larger than immigration. In 2022, 288,000 pounds of drugs were seized at the southwest land border, giving traffickers an opportunity to hide in lawful traffic and migration, according to the same agency. The 2023 government budget is allocating \$15.3 billion for the CBP and \$8.1

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billion to immigration law enforcement. These figures include \$309 million for border security technology. Barriers and facilities populate the area between both countries, and technologies are an increasingly important piece of the enforcement puzzle. There are two main sources of experience when deploying new tools in this area. One comes from adapted U.S. armed services technology and the other comes from the Gaza-Israeli border. Terrorists' attack methods are comparable to those employed by criminals trying to smuggle substances into the United States. Meanwhile, innovations once reserved for warfighters find a space along the line that separates the two countries. "Where we become a lot more valuable is when you do [surveillance] and [transport], we can do a gimbal and have surveillance, but we can also have a drop mechanism to where we can supply, either troops or people in the field, with any type of supplies that they might need," said Jason Wright, senior program manager, Small Unmanned Aerial Division at AeroVironment. Wright explained how his unmanned aerial vehicle (UAV) is used by authorities on the border to keep an eye on activities and potentially deliver supplies to enforcers. Wright's company presented a Vapor UAV that can carry up to 20 pounds, enough to equip the drone with a surveillance camera and other payloads. The version the CBP employs was designed for the U.S. Army, and its updated version is better adapted for missions at the border, according to Wright. The helicopter can transport a variety of payloads, including ammunition or crowd control measures. If the right add-ons are attached, the UAV can potentially deploy gas or smoke canisters. "If the customer wanted to have, say, gas or something of that nature, or a smoke grenade or something like that, it could actually drop from the helicopter to help with those types of situations," Wright said. The company has a wide range of products, many of them even supporting Ukrainians in their war, according to AeroVironment's webpage. And as the company's products face increasing technological challenges in conflict areas around the world, the industry also sees nonstate actors upping the electronic warfare game in the border area. "When you have a video feed going back and forth and you lose your radio, you're losing that downlink and you're not able to receive that video anymore, so to be able to have that strength in your video is really a big deal when you're out there trying to control the border," Wright told SIGNAL Media in an interview. While the company was clear that at no point had border actors successfully jammed an AeroVironment product, the jamming of some drones does happen, and the company considered these potential jamming hazards in the product updates. Features like autonomous control in case radio signals are jammed are included in the new versions, according to Wright. "Flying with the loss of [GPS] and the loss of radios, so being able to have both of those systems go out and still be able to complete a mission is something that the entire in-

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dustry is struggling to be able to do, and we plan on having that in our road map in the next year,” Wright said. The company has received orders from six customers, including the Department of Defense and the Department of Homeland Security, and expects to have dozens of units in the skies above law enforcers and troops. The company’s revenues in 2022 were \$446 million, and its small drones business unit accounted for 40% of those, according to its annual report; 58% of sales went to U.S. federal government agencies. Elbit Systems, which has so far deployed 55 integrated fixed towers, covering over 200 miles of the U.S. southern border, prides itself on handling data to ease operations for border agents. One growing danger is in small drones presumably operated by nonstate actors to guide traffickers of people and narcotics. “Back in 2018, we didn’t nearly have the rise in awareness of just how big this problem of counter-drone solutions would be, or drones that represent a threat, but we knew it was coming. We made a strategic decision to invest in AI (artificial intelligence) R&D (research and development) in the development of the new radar,” Elbit’s Powell told SIGNAL Media in an interview. During a recent demonstration in El Paso, Texas, Powell relayed a discussion he’d had with border officials, and the company was faced with a real-world situation. “The [drug] cartel is using 250-gram drones to ISR (Intelligence Surveillance Reconnaissance) to death. The cartel knows everything that’s happening on the U.S. southern border, in key areas, by using these small drones with 4K cameras. The drones are the size of a typical cellphone,” Powell quoted, reminiscing about a conversation with officials. “We’ve got all these radars that we’ve tested ... we’re not detecting these [small drones], and we can’t mitigate this threat, and it’s a serious threat because they can see everything,” Powell added. New radars can detect high-velocity small threats like those described, giving law enforcement an advantage when potential criminals are conducting ISR to find the best roads into the United States. Towers, conceived by the company along the Gaza-Israel border, include an array of sensors. Another tool is video, coupled with AI and machine learning (ML) algorithms. “Video is the most popular, and the capabilities that exist within AI/ML,” Powell said. “We have advanced AI-ML organization ... it is crazy powerful for taking all this data and finding a signal out of the noise.” Powell explained that Elbit’s ground and tower sensors can detect movement at precise locations to later acknowledge individuals or groups migrating near the border. Those areas may have lawful traffic, which amounts to most of what the algorithms must separate from potential law offenders. These sensors can be included in a mobile unit, and the CBP is looking toward procuring these systems from many suppliers and deploying 500 of these units along the border. Similar to Israel, underground tunnels continue to pose a serious threat to the U.S. border. Elbit Systems, an Israeli-originated

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company, refers to underground tunnel detection as being paramount to Israel's security. "That technology has to work, and it does work," Powell said. "And we've delivered technology that was developed for that purpose to address human and drug trafficking across the U.S. southern border. ... Team awareness kits, also known as TAK devices, much like Android phones, give agents a common operating picture for them to be able to assess and dispatch to given coordinates," Powell explained. "We're working very closely with the organizations that are setting the requirements for meeting the future threats of counter drone, both air, ground and surface. We're being encouraged to work with industry." Powell explained that the CBP tries to incentivize cooperation among competitors to produce the most robust system with multiple capabilities. Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world. "Strategically placed, advanced technology provides CBP staff with enhanced situational awareness and improves the ability of officers and agents to not only surveil, deter and detect individuals and contraband entering the United States illegally, but also to better identify those in need of rescue," a CBP spokesperson said. Still, as border law enforcement agencies improve their performance, there are unwanted consequences. Social problems arise and these encourage more illegal migration, according to an expert. "Too much border security increases irregular migrants in your country, and that has been in part proven for the past 15 years as the U.S. increased involvement and investments at the border, especially in terms of technologies, and made that border, therefore, more difficult to cross," Côté-Boucher said. Making the border less porous increases the presence of migratory workers—as especially those working in agriculture fear not being able to repeat the trip the next season and therefore choose to remain in the country, according to Côté-Boucher. Another controversial intervention can be found around dozens of government departments, including law enforcement agencies in border areas that use simulators mimicking cellphone towers to trick phones in the area into transmitting their locations and identifying information. These could also gather information beyond the targeted suspect, including bystanders, according to a report by the American Civil Liberties Union, a nongovernmental organization (NGO). Several organizations have been mentioned in reports as potential privacy violators. Although SIGNAL Media reached out to all organizations mentioned, they declined to comment or denied gathering this information. Still, NGOs raise privacy concerns as immigrants' cellphone data is presumably collected, geotracing and tracking immigrant movement. This data has appeared in a memorandum by The Heritage Foundation. Repeated attempts by SIGNAL Media to reach the think tank were unsuccessful. As technologies adapt and

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improve their power to stop drug trafficking, the human side of the equation becomes more complicated, adding to technology's impact upon lives on both sides of the border.

A strengthened Mexican insurgency could shift U.S. focus inward, potentially disrupting global alliances and leading to arms races if America's foreign policy becomes preoccupied with border security

Haddick 10 [Robert Haddick, 9-10-2010, "This Week at War: If Mexico Is at War, Does America Have to Win It?", Foreign Policy, <https://foreignpolicy.com/2010/09/10/this-week-at-war-if-mexico-is-at-war-does-america-have-to-win-it/>]

Most significantly, a strengthening Mexican insurgency would very likely affect America's role in the rest of the world. An increasingly chaotic American side of the border, marked by bloody cartel wars, corrupted government and media, and a breakdown in security, would likely cause many in the United States to question the importance of military and foreign policy ventures elsewhere in the world. Should the southern border become a U.S. president's primary national security concern, nervous allies and opportunistic adversaries elsewhere in the world would no doubt adjust to a distracted and inward-looking America, with potentially disruptive arms races the result. Secretary Clinton has looked south and now sees an insurgency. Let's hope that the United States can apply what it has recently learned about insurgencies to stop this one from getting out of control.

Surveillance technologies in use currently include license plate scanners, drones, body cameras, and more

Ramirez 22 [Josue Ramirez, 5-31-2022, ""Smart" but Harmful: The Risks and Implications of Surveillance Technologies in the U.S.-Mexico Border", Trucha RGV, <https://truchargv.com/surveillance-technologies/>]

In 2019, as part of their Atlas of Surveillance project the Electronic Frontier Foundation (EFF) partnered with the University of Nevada to identify technologies deployed by the federal government in the U.S. – Mexico border. They found “36 local government agencies using automated license plate readers (ALPR), 45 outfitting officers with body-worn cameras, and 20 flying drones”. Students also found that in 6 border-facing counties law enforcement agencies often have access to some sort of facial recognition technology through regional partnerships or departments of public safety. These numbers alone illustrate the type of equipment used by border agencies, as well as the level of surveillance and control they hold over the borderland. For example, Automated License Plate Recognition (ALPR) equipment, provided by Motorola Solutions, captures data about vehicles and their passengers in real time that can be used to identify travel patterns. Local law enforcement agencies along the border have acquired ALPRs through Operation Stonegarden, a federal program that funds local police that participate in border security operations. Another major technology used in the borderland are surveillance towers: Integrated Fixed Towers (IFTs) developed by Elbit Systems, an Israeli military contractor, are 80-140 ft tall structures equipped with cameras and radars for tracking and apprehending people; the Remote Video Surveillance System (RVSS) refers to relocatable surveillance towers equipped with color and infrared cameras; and the Mobile Video Surveillance System (MVSS) developed by Tactical Micro (subsidiary of Benchmark Electronics) consists of a truck equipped with thermal and video cameras that incorporate PureTech Systems’ geospatial analytics software.

5 Affirmative Evidence

5.0.1 AC – Rescues

Investment in autonomous surveillance towers with AI-driven detection systems and rescue beacons can enhance migrant rescues

Gonzalez 22 [Jessica Gonzalez, 05-09-2022, “Towers in El Paso sector become key tool in illegal migrant rescue, apprehensions”, KFOX, [//SM](https://kfoxtv.com/news/special-assignments/towers-in-el-paso-sector-become-key-tool-in-rescuing-apprehending-illegal-migrants)]

U.S. Customs and Border Protection is working to keep up with the technology that is needed to manage the influx of migrants at the US- Mexico border. In 2021, KFOX14 reported on some of the challenges Border Patrol agents were facing when trying to locate migrants. Agents often used their own GPS equipment, which sometimes resulted in wrong locations. A year later, Border Patrol officials said they are now better equipped to make migrant detections and rescues which involve a growing number of migrants. “In 2021, we had over 600 rescues recorded for the sector and obviously we want to keep those number down,” said Carlos Rivera, the public affairs agent for the El Paso sector. 1.00 Jessica Gonzalez reports on the how new towers in the El Paso sector have become a key tool in illegal migrant rescues, apprehensions (KFOX14/CBS4) RECOMMENDED:Border Patrol BORSTAR agents face outdated technology to make rescue attempts Rescue beacons have been placed along the border wall. They’re equipped with messages and a button that allows migrants to call for help when they’re stranded or injured. Rescue Beacons placed in the El Paso sector prompt migrants to call for help. Rescue Beacons placed in the El Paso sector prompt migrants to call for help. (KFOX14) Autonomous surveillance towers or ASTs have also been put up in areas like Sunland Park and Santa Teresa in New Mexico. The towers can be moved to areas seeing a higher number of migrant crossings and are 100 percent solar-powered Autonomous Rescue Tower in the Sunland Park, New Mexico area by the U.S. - Mexico border. (KFOX14) Autonomous Rescue Tower in the Sunland Park, New Mexico area by the U.S. - Mexico border.

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(KFOX14) CBP first piloted the towers in early 2018 with four towers in the San Diego Border Patrol Sector and has since procured 56 additional towers. CBP is on a path to procure and deploy 140 additional towers in Fiscal Years 2021 and 2022, to reach a total of 200 towers. “Right now, we have 10 operational autonomous surveillance towers or ASTs with the expectation of 5 more to be operational by the end of the fiscal year 22,” Rivera said. The technology also requires fewer boots on the ground. “The AST’s, being autonomous with the use of algorithms, programming that type of stuff it allows to put more agents back in the field. These towers patrol on their own, they are always looking out and they advise agents once they spot something,” Rivera said. It’s a step up from the current integrated fixed towers which are still used in the El Paso sector but aren’t as efficient. “The IFTs require an agent behind the camera, they are a little bit older technology that require an agent behind to make that determination if it’s a migrant or if it’s, you know, some other type of traffic,” Rivera said. The new ASTs capture clearer images that are sent back to a central office from which agents are deployed. Agents say that while the towers are meant to detect and help stranded migrants, seeing them along the border also deters migrants from crossing illegally. It all comes at a time when Border Patrol is expected to be busy. The Trump-era policy Title 42 is expected to lift soon. The exact date is still unclear, but Rivera said all of the technology will be a crucial tool. He also said they are better prepared for the influx. “Compared to prior years now we have the centralized processing center, about 95 border patrol processing coordinators these are civilian positions that assist agents in processing, putting agents back in the field,” Rivera said. El Paso Sector Chief Gloria Chavez agreed. In a statement she wrote: We continue to invest in innovative technology to assist our Border Patrol Agents with persistent surveillance. These autonomous towers utilize artificial intelligence to detect, track and identify Who and What is entering the country illegally. These “force multipliers”, improve operational efficiency and effectiveness, between the ports of entry, and they are vital to our Border Security Mission. Funding for the towers comes from a Department of Homeland Security appropriations bill. When it comes to how many apprehensions or rescues have been made since the new towers went up in the El Paso sector, Rivera said they do not have a record of the number of camera detections made before they were put up. However, just this fiscal year, 4,000 detections were made with the ASTs in Santa Teresa, New Mexico.

Autonomous Surveillance Towers (ASTs) can fill the gaps in existing technologies, enabling agents to locate and rescue migrants more effectively

Corchado 22 [Alfredo Corchado, The Dallas Morning News, 6-15-2022, "Border Agencies: New Tech Tools Are Saving Migrants' Lives", GovTech, <https://www.govtech.com/public-safety/border-agencies-new-tech-tools-are-saving-migrants-lives>]

Culberson County Sheriff Oscar Carrillo is haunted by the sight last year of a father clinging to life next to his son who succumbed to the brutal heat in an unforgiving desert. The father shared an all-too-familiar story with Carrillo — of migrants risking it all to reach the United States, battling triple-digit heat waves only to be abandoned by unscrupulous smugglers. But this year, as a rising number of migrants cross the sweltering desert of West Texas, where temperatures for almost 10 consecutive days have neared 110 degrees, Carrillo said he remains worried, though hopeful. So far, he and his office have found the remains of four people, down from around 20 last year. "New technology, so far, has been very effective," said Carrillo, a six-term sheriff in Culberson County, about 120-miles east of El Paso, which last year saw a record number of people dying in the rugged expanse of mountainous terrain of West Texas. Carrillo encountered so many bodies that he began carrying body bags in his truck, along with his standard bulletproof vest. "It's miserable out there, but so far we have rescued quite a few people in distress because of new tools and that's encouraging," he said. The sheriff is referring to what the U.S. Border Patrol calls a "force multiplier." They include the addition of dozens of so-called 30-foot-tall solar powered rescue beacons, which provide a lifeline to the migrants who find themselves lost and in need of help. Additional rescue beacons with added technology went up this year in the El Paso and Big Bend sectors and that includes Culberson County, one of the most treacherous areas for migrants because of its isolation. Hundreds of 911 metal placards with a number code at the bottom for migrants to call from their own cell phones and alert agents of their location. The calls are triangulated with other authorities, including Carrillo's sheriff's office. Then there are the solar-powered "autonomous surveillance towers," or ASTs. These moveable towers come complete with an artificial intelligence system that relies on thermal imaging, cameras and radar to help determine whether a moving object is an animal, vehicle or person. Each one beams its location coordinates to U.S. Border Patrol agents. Beyond providing a way to spot people crossing the border, the surveillance towers also "provide agents with situational awareness on migrants in distress that are in need of rescue," said Landon Hutchens, a spokesman for U.S. Customs Border Protection, or CPB, for the El Paso sector. The deadliest year In fiscal

year 2021, agents performed 688 rescues. So far in fiscal year 2022, which began in October, agents have performed more than 350 rescues, though the difficult days of summer have yet to start, said Carlos Rivera, spokesman for the U.S. Border Patrol El Paso Sector. "We encourage migrants to come up to a beacon, or a 911 metal placard and either press the button to seek help, rather than expose themselves to potential death in the desert," Rivera explained, adding it's too early to determine with statistics how effective the new tools have been. But anecdotally, at least two rescues were due to 911 placards and at least five because migrants pressed buttons of rescue beacons. This year the sector has recorded 23 deaths due to falls from the border wall, hypothermia, drownings and heat strokes. "That's 23 deaths too many," Rivera said, adding that the sector recorded 39 deaths a year ago. The International Organization for Migration, a United Nations agency based in Switzerland, found 2021 was a record deadly year for migrants crossing the U.S.- Mexico border. Last December, the agency said at least 650 people died along the U.S.- Mexico border in 2021, marking the deadliest year since the agency began recording in 2014. Fernando Garcia, executive director of the Border Network for Human Rights, estimates the death toll is actually higher. Garcia blames Title 42, a Trump-era pandemic health order, which remains in place during the Biden administration, for so many dead. The policy calls for migrants to be immediately sent back to Mexico without an opportunity to request humanitarian protection in the United States because of what officials say is an effort to thwart the coronavirus pandemic. Many found in the exceptionally remote counties of Culberson, Presidio, Hudspeth or El Paso simply return to the vast Chihuahuan desert and start walking again. "The more deterrence migrants face, the greater the profits are for smugglers because it's easy money and they face little to no consequences," said Garcia. "The U.S. government has blood on its hands too," he said, calling for comprehensive immigration reform. Other threats But extreme heat is just one of the life-threatening obstacles migrants face in their perilous journey north, Hutchens added. Migrants are also drowning in irrigation canals which are full this time of year because water has been released from Elephant Butte Dam in New Mexico and into the Rio Grande, and then diverted into a network of canals along the border. One week in June, at least three bodies were recovered along the El Paso border region. Several more were rescued. (The Border Patrol plans a media demonstration later this month to warn migrants of the dangers of crossing the border during the summer.) The FBI and other law enforcement agencies are also doubling down on calls for residents to report any suspicious activity in their neighborhoods that could indicate a "stash house" as a growing number of migrants are being held for ransom in the El Paso region. The FBI, U.S. Border Patrol and Texas Department of Public

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Safety recently rescued 14 undocumented migrants held in stash houses against their will in the El Paso region. Overall, 65 victims have been rescued since February, said Special Agent in Charge Jeffrey R. Downey, who urged the community to come forward and help “eradicate this violent crime from existing in our city and help protect a vulnerable population.” Federal agents arrested a man identified as Emigdio Gonzalez-Gamboa, 33, at his Anthony, N.M., home and charged him with harboring undocumented migrants, including a Honduran woman held for six weeks. “So, if you don’t get killed in the rival cartel wars, or you don’t die in the desert or drown in the canal — let’s say you finally make it to a stash house, after you paid your good hard-earned money to be smuggled into the United States — your family still has to cough up money for kidnapping and ransom fees,” Hutchens said. “The smugglers are the scum of the earth.” Carrillo doesn’t see any imminent end to the migration, his focus, he said, is on solving local crime, from cattle thefts to break-ins. Still, he never strays away from the Chihuahuan desert where too many die annually from heatstroke, or dehydration, or a winter freeze, because all too often migrants are left behind by smugglers. Last year, there were 34, including a 15-year-old boy from Ecuador. He traveled north with his 35-year-old father who had returned from New York to reunite with his son and take him north. The two were abandoned by their smuggler. Carrillo and a deputy found the pair. The son died. The father was transported to a hospital and after recovering was sent to Mexico. Carrillo never heard back from him, but he won’t forget the story, which he said is a reminder of the need to help families looking to find closure. He often posts details of the remains he finds on his personal Facebook page and connects with families from throughout Latin America or the U.S. eager for information on their loved ones. That’s why the sight of rescue beacons — a total of 17, plus two more in the coming days — and the nearly 100 metal placards in the Border Patrol Big Bend Sector which includes Culberson County gives Carrillo hope that this year may be different. His office, with 10 deputies, is averaging about 15 “distress” calls per week, or he explained, “that’s 15 calls that could have been deadly,” he said. “June is supposed to be the hottest month and July won’t get much better,” he said. “We better find a way to save lives because nothing seems to stop these people from coming across.”

BORSTAR agents lack sufficient surveillance tools needed to locate migrants when making rescues

Castillo 21 [Vania Castillo, 07-23-2021, "Border Patrol BORSTAR agents face outdated technology to make rescue attempts", KFOX, <https://kfoxtv.com/news/local/border-patrol-borstar-agents-face-outdated-technology-to-make-rescue-attempts>]

Migrants continue to make the journey to the U.S. amid the summer heat. KFOX14 reporter Vania Castillo rode along with the group of Border Patrol BORSTAR agents trained specifically to rescue migrants. Authorities said there has been a rise in the number of deaths among migrants crossing the border. Border Patrol agents said they have outdated technology to make rescues attempts. During the ride-along, a migrant called for help because he was lost and suffering in the heat but ended up walking to a rail yard. During the search for him, Border Patrol agents came upon some challenges. Agents use government-issued handheld GPS devices and apps on their cell phones, but depending on when they were issued they can be outdated and if there is no cell service, it also causes challenges. Agents are left to make the most with what they have, in this case, their personal GPS watches. The coordinates they were given had come from the cell tower that was used to make the call but in a race against time every second matter. While the search continued, the agents encountered another group of migrants seeking help. At least a slight consolation, the person they were looking for originally was found by other agents nearby. There are currently 22 Borstar agents in the El Paso sector having to cover anywhere from Lordsburg all the way to Fort Hancock.

BORSTAR agents conduct operations to rescue migrants.

Rosenblum 12 [Marc Rosenblum, 01-06-2012, "Border Security: Immigration Enforcement Between Ports of Entry," Congressional Research Service, <https://www.hsdl.org/c/view?docid=697966>]

The USBP's Border Patrol Search, Trauma, and Rescue Unit (BORSTAR) is comprised of agents with specialized skills and training for tactical medical search and rescue operations. BORSTAR agents provide rapid response to search and rescue and medical operations, including rescuing migrants in distress. According to CBP Office of Legislative Affairs (December 9, 2011), BORSTAR agents rescued 1,070 migrants in FY2011.

5.0.2 AC – Tech

The U.S.-Mexico border helps attract investment into AI development through government surveillance contracts

Maass 24 [Dave Maass, 7-8-2024, “Hundreds of Tech Companies Want to Cash In on Homeland Security Funding. Here’s Who They Are and What They’re Selling.”, Electronic Frontier Foundation, <https://www.eff.org/deeplinks/2024/06/hundreds-tech-companies-want-cash-border-security-funding-heres-who-they-are-and>]

Whenever government officials generate fear about the U.S.-Mexico border and immigration, they also generate dollars—hundreds of millions of dollars—for tech conglomerates and start-ups. The Electronic Frontier Foundation (EFF) today has released the U.S. Border-Homeland Security Technology Dataset, a multilayered dataset of the vendors who supply or market the technology for the U.S. government’s increasingly AI-powered homeland security efforts, including the so-called “virtual wall” of surveillance along the southern border with Mexico. The four-part dataset includes a hand-curated directory that profiles more than 230 companies that manufacture, market or sell technology products and services, including DNA-testing, ground sensors, and counter-drone systems, to U.S. Department of Homeland Security (DHS) components engaged in border security and immigration enforcement. Vendors on this list are either verified federal contract holders, or have sought to do business with immigration/border authorities or local law enforcement along the border, through activities such as advertising homeland security products on their websites and exhibiting at border security conferences. It features companies often in the spotlight, including Elbit Systems and Anduril Industries, but also lesser-known contractors, such as surveillance vendors Will-Burt Company and Benchmark. Many companies also supply the U.S. Department of Defense as part of the pipeline from battlefields to the borderlands. The spreadsheet includes a separate list of 463 companies that have registered for Customs and Border Protection (CBP) and Immigration and Customs Enforcement “Industry Day” events and a roster of 134 members of the DHS-founded Homeland Security Technology Consortium. Researchers will also find a compilation of the annual Top 100 contractors to DHS and its components dating back to 2006. Border security and surveillance is a rapidly growing industry, fueled by the potential of massive congressional appropriations and accelerated by the promise of artificial intelligence. Of the 233 companies included in our initial survey, two-thirds promoted artificial intelligence, machine learning, or autonomous technology in their public-facing materials. Federal spending on homeland security has increased

year over year, creating a lucrative market which has attracted investment from big tech and venture capital. Just last month, U.S. Rep. Mark Amodei, Chair of the House Appropriations Homeland Security Subcommittee, defended a funding package that included a “record-level” \$300 million in funding for border security technology, including “autonomous surveillance towers; mobile surveillance platforms; counter-tunnel equipment, and a significant investment in counter-drone capability.” This research project was made possible with internship support from the Heinrich Böll Foundation, in collaboration with EFF and the Reynolds School of Journalism at the University of Nevada, Reno. Drew Mitnick of the Böll Foundation, who was also involved in building a similar data set of European vendors, says mapping the homeland security technology industry is essential to public debate. “We see the value of the project will be to better inform policymakers about the types of technology deployed, the privacy impact, the companies operating the technology, and the nature of their relationships with the agencies that operate the technology,” he said. Information for this project was aggregated from a number of sources including press releases, business profile databases, vendor websites, social media, flyers and marketing materials, agency websites, defense industry publications, and the work of journalists, advocates, and watchdogs, including the Electronic Frontier Foundation and the student researchers who contribute to EFF’s Atlas of Surveillance. For our vendor profiles, we verified agency spending with each vendor using financial records available online through both the Federal Procurement Data System (FPDS.gov), and USAspending.gov websites. While many of the companies included have multiple divisions and offer a range of goods and services, this project is focused specifically on vendors who provide and market technology, communications, and IT capabilities for DHS sub-agencies, including CBP, ICE and Citizenship and Immigration Services (CIS). We have also included companies that sell to other agencies operating at the border, such as the Drug Enforcement Administration and state and local law enforcement agencies engaged in border enforcement. The data is organized by vendor and includes information on the type of technology or services they offer, the vendor’s participation in specific federal border security initiatives, procurement records, the company’s website, parent companies and related subsidiaries, specific surveillance products offered, and which federal agencies they serve. Additional links and supporting documents have been included throughout. We have also provided links to scans of promotional materials distributed at border security conferences. This dataset serves as a snapshot of the homeland security industry. While we set out to be exhaustive, we discovered the corporate landscape is murky with acquisitions, mergers, holding companies, and sub-sub-contractors that often intentionally obscure the con-

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nections between the various enterprises attempting to rake in lucrative government contracts. We hope that by providing a multilayered view, this data will serve as a definitive resource for journalists, academics, advocates of privacy and human rights, and policymakers. This work should be the starting point for further investigation—such as Freedom of Information Act requests and political influence analysis—into the companies and agencies rapidly expanding and automating surveillance and immigration enforcement, whether the aim is to challenge a political narrative or to hold authorities and the industry accountable.

The border faces evolving security challenges, necessitating enhanced technological capabilities and strategic investments in surveillance and enforcement, including mobile platforms, AI-driven analytics, and counter-drone solutions, to combat sophisticated cartel operations and manage migration effectively

Taylor and Laje 23 [Nuray Taylor and Diego Laje, 3-1-2023, “New Tools Protect Increasingly Complicated Border”, AFCEA International, <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border> //SM]

The U.S.-Mexico border poses a growing security challenge, including an evolution toward cartel-waged electronic warfare, that demands new technological capabilities, experts say. U.S. Customs and Border Protection (CBP) is quickly adopting various innovations to enhance its enforcement. “CBP is surging resources and increasing efficiency, prioritizing smart border security solutions, making historic investments in technology, taking the fight to cartels and smugglers and doing more with our regional partners than ever before through a combination of technology, infrastructure, personnel and other enforcement solutions to ensure our border remains secure,” a CBP spokesperson told SIGNAL Media. The large investment in border technologies saved over 70,000 hours of agent time, the CBP claimed. Among the new initiatives, one seeks to make the presence of CBP officers less predictable to potential offenders. “We have a program that we were awarded called ARST, which is Autonomous Relocatable Surveillance Tower,” said Mike Powell, director of business development innovation solutions at Elbit Systems of America, a company that supplies a variety of border surveillance technologies. Powell described the CBP’s latest program as an attempt to address evolving challenges. Currently, human smugglers and drug traffickers move away from towers and toward areas with little or no surveillance. Therefore, mobile platforms are the next step in the cat-and-mouse encounters. “The concrete reality is that there are thousands of people who cross the border, the U.S. and Mexico border,” said Karine Côté-Boucher, associate professor of criminology at the University of Montreal. In 2022, the CBP encountered 2,378,944 migrants at the southwest land border. This number includes single adults, individuals in a family unit, accompanied minors and unaccompanied children. The CBP figure represents 0.85% of the world’s total of 281 million migrants, according to the United Nation’s International Organization for Migration. “On a global scale, what’s happening in the U.S. is not that big,” said Côté-Boucher, speaking about worldwide immigration. Nevertheless, the problem at the border is larger than immigration. In 2022, 288,000 pounds of drugs were seized at the southwest land border, giving traffickers an opportunity to hide in lawful traffic and migration, according to the same

agency. The 2023 government budget is allocating \$15.3 billion for the CBP and \$8.1 billion to immigration law enforcement. These figures include \$309 million for border security technology. Barriers and facilities populate the area between both countries, and technologies are an increasingly important piece of the enforcement puzzle. There are two main sources of experience when deploying new tools in this area. One comes from adapted U.S. armed services technology and the other comes from the Gaza-Israeli border. Terrorists' attack methods are comparable to those employed by criminals trying to smuggle substances into the United States. Meanwhile, innovations once reserved for warfighters find a space along the line that separates the two countries. "Where we become a lot more valuable is when you do [surveillance] and [transport], we can do a gimbal and have surveillance, but we can also have a drop mechanism to where we can supply, either troops or people in the field, with any type of supplies that they might need," said Jason Wright, senior program manager, Small Unmanned Aerial Division at AeroVironment. Wright explained how his unmanned aerial vehicle (UAV) is used by authorities on the border to keep an eye on activities and potentially deliver supplies to enforcers. Wright's company presented a Vapor UAV that can carry up to 20 pounds, enough to equip the drone with a surveillance camera and other payloads. The version the CBP employs was designed for the U.S. Army, and its updated version is better adapted for missions at the border, according to Wright. The helicopter can transport a variety of payloads, including ammunition or crowd control measures. If the right add-ons are attached, the UAV can potentially deploy gas or smoke canisters. "If the customer wanted to have, say, gas or something of that nature, or a smoke grenade or something like that, it could actually drop from the helicopter to help with those types of situations," Wright said. The company has a wide range of products, many of them even supporting Ukrainians in their war, according to AeroVironment's webpage. And as the company's products face increasing technological challenges in conflict areas around the world, the industry also sees nonstate actors upping the electronic warfare game in the border area. "When you have a video feed going back and forth and you lose your radio, you're losing that downlink and you're not able to receive that video anymore, so to be able to have that strength in your video is really a big deal when you're out there trying to control the border," Wright told SIGNAL Media in an interview. While the company was clear that at no point had border actors successfully jammed an AeroVironment product, the jamming of some drones does happen, and the company considered these potential jamming hazards in the product updates. Features like autonomous control in case radio signals are jammed are included in the new versions, according to Wright. "Flying with the loss of [GPS] and the loss of radios, so being able to have both of those

systems go out and still be able to complete a mission is something that the entire industry is struggling to be able to do, and we plan on having that in our road map in the next year,” Wright said. The company has received orders from six customers, including the Department of Defense and the Department of Homeland Security, and expects to have dozens of units in the skies above law enforcers and troops. The company’s revenues in 2022 were \$446 million, and its small drones business unit accounted for 40% of those, according to its annual report; 58% of sales went to U.S. federal government agencies. Elbit Systems, which has so far deployed 55 integrated fixed towers, covering over 200 miles of the U.S. southern border, prides itself on handling data to ease operations for border agents. One growing danger is in small drones presumably operated by nonstate actors to guide traffickers of people and narcotics. “Back in 2018, we didn’t nearly have the rise in awareness of just how big this problem of counter-drone solutions would be, or drones that represent a threat, but we knew it was coming. We made a strategic decision to invest in AI (artificial intelligence) R&D (research and development) in the development of the new radar,” Elbit’s Powell told SIGNAL Media in an interview. During a recent demonstration in El Paso, Texas, Powell relayed a discussion he’d had with border officials, and the company was faced with a real-world situation. “The [drug] cartel is using 250-gram drones to ISR (Intelligence Surveillance Reconnaissance) to death. The cartel knows everything that’s happening on the U.S. southern border, in key areas, by using these small drones with 4K cameras. The drones are the size of a typical cellphone,” Powell quoted, reminiscing about a conversation with officials. “We’ve got all these radars that we’ve tested ... we’re not detecting these [small drones], and we can’t mitigate this threat, and it’s a serious threat because they can see everything,” Powell added. New radars can detect high-velocity small threats like those described, giving law enforcement an advantage when potential criminals are conducting ISR to find the best roads into the United States. Towers, conceived by the company along the Gaza-Israel border, include an array of sensors. Another tool is video, coupled with AI and machine learning (ML) algorithms. “Video is the most popular, and the capabilities that exist within AI/ML,” Powell said. “We have advanced AI-ML organization ... it is crazy powerful for taking all this data and finding a signal out of the noise.” Powell explained that Elbit’s ground and tower sensors can detect movement at precise locations to later acknowledge individuals or groups migrating near the border. Those areas may have lawful traffic, which amounts to most of what the algorithms must separate from potential law offenders. These sensors can be included in a mobile unit, and the CBP is looking toward procuring these systems from many suppliers and deploying 500 of these units along the border. Similar to Israel, underground tunnels continue to pose a

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serious threat to the U.S. border. Elbit Systems, an Israeli-originated company, refers to underground tunnel detection as being paramount to Israel's security. "That technology has to work, and it does work," Powell said. "And we've delivered technology that was developed for that purpose to address human and drug trafficking across the U.S. southern border. ... Team awareness kits, also known as TAK devices, much like Android phones, give agents a common operating picture for them to be able to assess and dispatch to given coordinates," Powell explained. "We're working very closely with the organizations that are setting the requirements for meeting the future threats of counter drone, both air, ground and surface. We're being encouraged to work with industry." Powell explained that the CBP tries to incentivize cooperation among competitors to produce the most robust system with multiple capabilities. Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world. "Strategically placed, advanced technology provides CBP staff with enhanced situational awareness and improves the ability of officers and agents to not only surveil, deter and detect individuals and contraband entering the United States illegally, but also to better identify those in need of rescue," a CBP spokesperson said. Making the border less porous increases the presence of migratory workers—as especially those working in agriculture fear not being able to repeat the trip the next season and therefore choose to remain in the country, according to Côté-Boucher.

The helicopter can transport a variety of payloads, including ammunition or crowd control measures. If the right add-ons are attached, the UAV can potentially deploy gas or smoke canisters. "If the customer wanted to have, say, gas or something of that nature, or a smoke grenade or something like that, it could actually drop from the helicopter to help with those types of situations," Wright said. The company has a wide range of products, many of them even supporting Ukrainians in their war, according to AeroVironment's webpage. And as the company's products face increasing technological challenges in conflict areas around the world, the industry also sees nonstate actors upping the electronic warfare game in the border area. "When you have a video feed going back and forth and you lose your radio, you're losing that downlink and you're not able to receive that video anymore, so to be able to have that strength in your video is really a big deal when you're out there trying to control the border," Wright told SIGNAL Media in an interview. While the company was clear that at no point had border actors successfully jammed an AeroVironment product, the jamming of some drones does happen, and the company considered these potential jamming hazards in the product updates. Features like autonomous control in case radio signals are jammed

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these systems from many suppliers and deploying 500 of these units along the border. Similar to Israel, underground tunnels continue to pose a serious threat to the U.S. border. Elbit Systems, an Israeli-originated company, refers to underground tunnel detection as being paramount to Israel's security. "That technology has to work, and it does work," Powell said. "And we've delivered technology that was developed for that purpose to address human and drug trafficking across the U.S. southern border. ... Team awareness kits, also known as TAK devices, much like Android phones, give agents a common operating picture for them to be able to assess and dispatch to given coordinates," Powell explained. "We're working very closely with the organizations that are setting the requirements for meeting the future threats of counter drone, both air, ground and surface. We're being encouraged to work with industry." Powell explained that the CBP tries to incentivize cooperation among competitors to produce the most robust system with multiple capabilities. Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world. "Strategically placed, advanced technology provides CBP staff with enhanced situational awareness and improves the ability of officers and agents to not only surveil, deter and detect individuals and contraband entering the United States illegally, but also to better identify those in need of rescue," a CBP spokesperson said.

Government surveillance contracts generate lucrative opportunities for companies to develop AI technology

Maass 24 [Dave Maass, 7-8-2024, “Hundreds of Tech Companies Want to Cash In on Homeland Security Funding. Here’s Who They Are and What They’re Selling.”, Electronic Frontier Foundation, <https://www.eff.org/deeplinks/2024/06/hundreds-tech-companies-want-cash-border-security-funding-heres-who-they-are-and> //SM]

Whenever government officials generate fear about the U.S.-Mexico border and immigration, they also generate dollars—hundreds of millions of dollars—for tech conglomerates and start-ups. The Electronic Frontier Foundation (EFF) today has released the U.S. Border-Homeland Security Technology Dataset, a multilayered dataset of the vendors who supply or market the technology for the U.S. government’s increasingly AI-powered homeland security efforts, including the so-called “virtual wall” of surveillance along the southern border with Mexico. The four-part dataset includes a hand-curated directory that profiles more than 230 companies that manufacture, market or sell technology products and services, including DNA-testing, ground sensors, and counter-drone systems, to U.S. Department of Homeland Security (DHS) components engaged in border security and immigration enforcement. Vendors on this list are either verified federal contract holders, or have sought to do business with immigration/border authorities or local law enforcement along the border, through activities such as advertising homeland security products on their websites and exhibiting at border security conferences. It features companies often in the spotlight, including Elbit Systems and Anduril Industries, but also lesser-known contractors, such as surveillance vendors Will-Burt Company and Benchmark. Many companies also supply the U.S. Department of Defense as part of the pipeline from battlefields to the borderlands. The spreadsheet includes a separate list of 463 companies that have registered for Customs and Border Protection (CBP) and Immigration and Customs Enforcement “Industry Day” events and a roster of 134 members of the DHS-founded Homeland Security Technology Consortium. Researchers will also find a compilation of the annual Top 100 contractors to DHS and its components dating back to 2006. Border security and surveillance is a rapidly growing industry, fueled by the potential of massive congressional appropriations and accelerated by the promise of artificial intelligence. Of the 233 companies included in our initial survey, two-thirds promoted artificial intelligence, machine learning, or autonomous technology in their public-facing materials. Federal spending on homeland security has increased year over year, creating a lucrative market which has attracted investment from big tech and venture capital. Just last month, U.S. Rep. Mark Amodei, Chair of the House

Appropriations Homeland Security Subcommittee, defended a funding package that included a “record-level” \$300 million in funding for border security technology, including “autonomous surveillance towers; mobile surveillance platforms; counter-tunnel equipment, and a significant investment in counter-drone capability.” This research project was made possible with internship support from the Heinrich Böll Foundation, in collaboration with EFF and the Reynolds School of Journalism at the University of Nevada, Reno. Drew Mitnick of the Böll Foundation, who was also involved in building a similar data set of European vendors, says mapping the homeland security technology industry is essential to public debate. “We see the value of the project will be to better inform policymakers about the types of technology deployed, the privacy impact, the companies operating the technology, and the nature of their relationships with the agencies that operate the technology,” he said. Information for this project was aggregated from a number of sources including press releases, business profile databases, vendor websites, social media, flyers and marketing materials, agency websites, defense industry publications, and the work of journalists, advocates, and watchdogs, including the Electronic Frontier Foundation and the student researchers who contribute to EFF’s Atlas of Surveillance. For our vendor profiles, we verified agency spending with each vendor using financial records available online through both the Federal Procurement Data System (FPDS.gov), and USAspending.gov websites. While many of the companies included have multiple divisions and offer a range of goods and services, this project is focused specifically on vendors who provide and market technology, communications, and IT capabilities for DHS sub-agencies, including CBP, ICE and Citizenship and Immigration Services (CIS). We have also included companies that sell to other agencies operating at the border, such as the Drug Enforcement Administration and state and local law enforcement agencies engaged in border enforcement. The data is organized by vendor and includes information on the type of technology or services they offer, the vendor’s participation in specific federal border security initiatives, procurement records, the company’s website, parent companies and related subsidiaries, specific surveillance products offered, and which federal agencies they serve. Additional links and supporting documents have been included throughout. We have also provided links to scans of promotional materials distributed at border security conferences. This dataset serves as a snapshot of the homeland security industry. While we set out to be exhaustive, we discovered the corporate landscape is murky with acquisitions, mergers, holding companies, and sub-sub-contractors that often intentionally obscure the connections between the various enterprises attempting to rake in lucrative government contracts. We hope that by providing a multilayered view, this data will serve as a

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definitive resource for journalists, academics, advocates of privacy and human rights, and policymakers. This work should be the starting point for further investigation—such as Freedom of Information Act requests and political influence analysis—into the companies and agencies rapidly expanding and automating surveillance and immigration enforcement, whether the aim is to challenge a political narrative or to hold authorities and the industry accountable.

Fiber optic sensing technology is being tested at the border for detecting human activity and illegal tunnels and this technology can enhance detection and provide high-speed internet

Ghaffary 20 [Shirin Ghaffary, 2-7-2020, “The”smarter” wall: How drones, sensors, and AI are patrolling the border”, Vox, <https://www.vox.com/re-code/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>]

Another new kind of sensing tool that’s been proposed at the border is fiber optic sensing technology. CBP has only recently begun testing this technology, in some limited cases. Fiber optic sensing works by measuring the backscattering of light in an optical fiber when it encounters vibration, strain, or temperature change. Fiber optics is most associated with telecommunications technology that can transmit internet, television cable, or cellphone signals; you’ve probably heard of it in relation to Verizon’s FiOS or undersea cables. In the case of the border, however, this technology can be used to measure slight changes in the atmosphere that might detect human activity. Thin glass-fiber optic cables, buried 1 to 2 feet underground, can pick up faint vibrations to register nuanced sounds as the highly sensitive glass cables bend based on the pressure waves at specific frequencies. These cables can also pick up on sounds underground, which makes fiber optic sensing technology an attractive tool for detecting illegal tunnels used to transport drugs across the border — a major problem for Border Patrol since El Chapo first popularized the method in the 1980s. Since these systems don’t carry electrical signals, they’re also less detectable by smugglers than many other types of sensors. Rep. Hurd, in particular, has been a vocal proponent of fiber optic technology. He’s said it should be outfitted across the entire 2,000-mile stretch of the US-Mexico border and has proposed combining the underground sensors with fiber optic communications technology to provide high-speed internet access to remote stretches at the border, including remote rural areas in his district that currently lack internet. Adelos is a Montana-based company that makes fiber optic sensing systems and has several contracts with the Defense Department to secure areas outside the US-Mexico border, such as military bases. The firm’s founder and CTO, Alex Philp, says some of the sensors currently being used at the border run on “Vietnam-era” tech, and that fiber optics has the power to drastically improve the precision of signal detection at the border. Philp says that Adelos’s systems can distinguish the sound of a drone from the wind, or a motorcycle from an ATV. That’s partly because the company uses machine learning to create profiles of these unique frequencies and separate them from one another. The bottleneck with operationalizing new technologies like fiber optic cables isn’t just funding but also the slow, methodological, and often painstaking process

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of federal contracting. “DHS, which is massive, has a lot of responsibility for a lot of different threat types,” said Philp. “It can take a long time for contracts to be understood and for them to field new technology.”

Border patrol agencies are deploying AI-driven surveillance towers, drones, and advanced sensors to enhance detection accuracy and reduce the need for human operators in monitoring remote and high-traffic areas

Ramirez 22 [Josue Ramirez, 5-31-2022, ""Smart" but Harmful: The Risks and Implications of Surveillance Technologies in the U.S.-Mexico Border", Trucha RGV, <https://truchargv.com/surveillance-technologies/>]

Training personnel to operate emerging technologies can be expensive and time-consuming, so border patrol agencies are deploying Artificial Intelligence (AI) driven devices to more rapidly process information from radars and cameras. A leading company in the creation of such systems is Anduril, whose Autonomous Surveillance Towers (AST) are AI-enabled, relocatable devices that identify and classify people without the direct control of a human operator. Additionally, AST can be used in remote environments and are able to identify and capture human faces. Customs and Border Protection (CBP) is currently using Anduril's surveillance towers for monitoring wide areas of land not regularly covered by agents. In addition to surveillance towers, drones are also used to monitor the Southwest. While Predator B drones were used in the past, CBP started contracting autonomous, smaller drones known as small unmanned aerial systems (sUAS) for targeted investigations. These collect images and video, and some can automatically sense human activity where prohibited. Other drones like Anduril's helicopter-style drones, are smaller, relatively silent, and significantly less expensive than sUAS, and they only require one person to operate them. Sensors are also in use between ports of entry at the US border to detect audio, radar, seismic, acoustic, and magnetic signals. However, because sensors are prone to false alarms (an animal could trigger a sensor) tech companies are developing more sensitive devices for improved accuracy like lidar sensors, a surveying method that can measure and model targets in 3D. Quanergy, a company that offers an AI-powered LiDAR platform, tested lidar technology with local law enforcement agencies in Texas. The company was also awarded \$200,000 by the DHS' Science and Technology division to further develop its lidar capabilities. Another device that's been proposed is fiber optic sensing technology, thin glass-fiber optic cables buried underground that register nuanced sounds and that can help detect human activity. According to Adelos' founder and CTO Alex Philp, fiber optics can improve the signal detection precision thanks to the use of machine learning.

The US government is incorporating AI technologies for more efficient surveillance at the border

Tyler 22 [Hannah Tyler, 02-02-2022, “The Increasing Use of Artificial Intelligence in Border Zones Prompts Privacy Questions”, migrationpolicy.org, <https://www.migrationpolicy.org/article/artificial-intelligence-border-zones-privacy//SM>]

The U.S. government has invested significant amounts of money into technical surveillance upgrades, some including the use of AI, along both its northern and southern borders. In fiscal year (FY) 2021, the Department of Homeland Security (DHS) received more than \$780 million for technology and surveillance at the border, according to analysis by advocacy groups Just Futures Law and Mijente. Homeland security interests have long pitched a vision of a “virtual wall”: an ocean-to-ocean network of drones, sensors, and other technologies that could detect illegal border crossers. Proponents contend such a system would be particularly helpful in stretches of remote and un surveilled land between ports of entry. The idea has had bipartisan support and gained steam under presidents of both parties, largely because of the notion it would be more effective, less expensive, and less disruptive than physical barriers. The George W. Bush administration launched an early and mostly unsuccessful automated surveillance program along the U.S.-Mexico border, with its vision for a Secure Border Initiative Network (SBI net) that would integrate personnel, technology, and infrastructure to secure the border. About \$1 billion had been spent on SBI net by the time the troubled project was canceled in 2011. But efforts have ramped up anew in recent years as technology has evolved. U.S. Customs and Border Protection (CBP) has deployed a system of autonomous surveillance towers that are expected to number 200 by the end of FY 2022, and which use a combination of radar, cameras, and algorithms to scan remote border areas and identify the source of movement. The solar-powered, 33-foot towers can communicate with each other to track objects that move out of range and can be easily packed up and moved to new locations as needed. Data from these towers as well as other sources such as cameras, drones, Light Detection and Ranging (LIDAR) laser systems, and infrared sensors are fed into a system called Lattice, which provides instantaneous interpretation. The AI system has been trained to analyze an object’s movement to detect the difference between a tumbleweed, a car, and a person, and ignore animals and other false positives. When the system detects movement by people or vehicles, it alerts Border Patrol agents to follow up. CBP has also used AI technology at the U.S.-Canada border. For instance, the agency has touted the Northern Border Remote Video Surveillance System (NBRVSS), a system of 22 sites with high-resolution cameras and radar systems outfitted with AI

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capabilities. CBP describes the system as being able to detect and monitor vessels leaving the Canadian shoreline from miles away and send a warning when a vessel enters certain areas by being able to distinguish “unusual vessel movements from ordinary traffic.” If a suspicious vessel is identified, a camera can reveal what it looks like and how many people are onboard, as well as obtain its registration number for background checks. Supporters claim the NBRVSS system enables agents to perform at a significantly higher capacity, overcoming possible manpower deficits while also increasing agents’ safety. This would be significant, especially since border security guards quit at twice the rate of other law enforcement positions, often citing low morale and unpleasant work conditions. Allowing fewer agents to do more work would seem to better prepare the agency for a fluctuating workforce.

New AI-driven technologies are being developed to enhance border surveillance, including fiber optics, autonomous drones, and advanced image processing software

Ghaffary 20 [Shirin Ghaffary, 2-7-2020, “The “smarter” wall: How drones, sensors, and AI are patrolling the border”, Vox, <https://www.vox.com/re-code/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>]

Even smaller autonomous drones aren’t really fully autonomous. Human beings have to launch and operate them, and that requires training. So far, for example, AeroEnvironment said it has trained 25 Border Patrol agents on how to fly its sUAS drones. Aside from those operators, these vehicles also require a small team of several staff who are manually looking over the live images they transmit, sometimes for hours on end. And, of course, staffing people to review footage around the clock proves to be a big cost for CBP. That leaves room for a new batch of Silicon Valley-backed companies to market AI-enabled devices that they claim can process surveillance images from the border more efficiently and with greater accuracy than human beings. What differentiates these tools, say their makers, is their ability to detect patterns to identify human activity in a noisy stream of images and signals coming from a patchwork of sensors. New machine-learning algorithms, taking advantage of advancements in the field, can process signals and images at rapid speed, their creators say, and can detect anomalies with greater accuracy than human beings. “I don’t think there’s an organization on the planet that doesn’t want to do something more efficiently using AI,” said Ari Schuler, director of CBP’s Innovation Team, a recent Silicon Valley-style unit within the agency that’s tasked with finding and deploying innovative technologies into Border Patrol agents’ daily operations. “The art of letting a computer see like a person is tremendously valuable,” he said. Of course, letting a computer see like a person can introduce its own problems. Facial recognition technologies in particular raise a host of ethical questions, as they’ve been criticized for having baked-in racial and gender bias. Schuler says CBP is not currently using facial recognition tools for surveillance at the border, although the agency has expressed interest in acquiring drones with facial recognition technology for future use. And biometric technologies that use facial recognition to match travelers’ pictures to databases are already being used at established points of entry such as driver checkpoints and airports. In the meantime, though — while it’s not facial recognition — CBP has increasingly started using new drones and surveillance towers that can employ AI-powered software to more rapidly process information from radars and cameras at the border. One of the leading companies making that technology is Anduril, a 2-year-old startup that’s been heralded in national defense circles. The

company's high-profile young founder, Palmer Luckey, is something of a Silicon Valley wunderkind who developed the virtual reality company Oculus. He sold that company to Facebook for \$2 billion in 2014, only to be ousted from the company in 2017 amid political controversy. The 26-year-old, Hawaiian shirt-wearing exec stands out among many of his tech peers for being a vocal supporter of the Trump administration and the defense industry. There's a futuristic, gamer feel to Anduril's products, which, going back to Luckey's background with Oculus, bring a kind of virtual reality simulation experience to border surveillance. While Anduril isn't licensing this technology to CBP yet, it's easy to envision a future where agents could be wearing headsets that immerse them in a 3D rendering of real-time activity at border areas. Anduril's helicopter-style drones are small enough that they can fit in a backpack and are barely audible at 400 feet away. From a hardware perspective, what differentiates them from sUAS drones is that only one person is needed to launch and operate them and can do so remotely from a mobile phone. Anduril says its tools are a fraction of the cost of sUAS drones, which can run around six figures for a system. The company has made an impression on politicians. "Clearly, they're smart people," said Sen. Tester about executives at the company. About a year ago, Tester took a meeting with Anduril to hear the company's pitch to outfit the border with surveillance technology. He was impressed by their claim to be able to provide a significant level of security for \$100 million — what he found to be a minuscule cost compared to the tens of billions proposed to build a physical wall. "They've dealt with technology, and they take the best of AI and put it with cameras and surveillance systems the right way," he said. But while drones work well for targeted surveillance, they aren't as well-suited to monitoring wide stretches of land for a long period of time. For that, Customs and Border Protection uses integrated fixed towers (IFTs). These are 80- to 140-foot-tall metal structures, similar to radio towers, laced with day and night sensors and radars. The most common type of IFT used can surveil up to a radius of around 6 miles from where they're stationed. They've been deployed along remote sections of the southern border to fill in gaps of areas not regularly covered by agents. They work in concert with ground sensors and some other types of mobile and surveillance equipment. Surveillance cameras overlook a section of the US-Mexico border outside of Nogales, Arizona, on October 12, 2016. Surveillance cameras overlook a section of the US-Mexico border outside of Nogales, Arizona, on October 12, 2016. Frederic J. Brown/ AFP/Getty Images Historically, one contractor — the Israeli-based Elbit Systems — has grabbed the lion's share of contracts for this equipment. It's deployed 55 towers so far along the Arizona-Mexico border as part of a \$145 million federal contract with CBP. And it plans to install at least 10 more. The company has experience outfitting contentious border

zones in Israel, where it supplies surveillance technology along the West Bank barrier between Israel and Palestine. It's currently Israel's largest nongovernmental defense and surveillance company. But companies like Anduril, which also makes its own version of the tower, are positioning their tools as better, and homegrown, alternatives to Elbit's technology. While the drones are the flashiest of Anduril's offerings, their leaner, cheaper, AI-backed version of surveillance towers are where it's found the most success so far at the US-Mexico border. Last summer, Anduril ran a test on its tower equipment on private land in Texas that helped border agents apprehend 55 people crossing the border and seize 982 pounds of marijuana in a 10-week period, according to *Wired*. The company recently expanded the scope of its technology to the California border under a contract with CBP. The main advantage companies like Anduril say they have over older equipment is their ability to process on the back end the images their devices capture, without human input. While the cameras on the towers aren't as expensive as some of their competitors, the company says the AI it uses on the back end can help identify patterns more precisely. Matthew Steckman, who is the head of corporate and government affairs for Anduril, said AI is more efficient than having "scores of people sitting in front of screens. Let technology do what it does well and let humans do what they do well." For Border Patrol officials, finding enough of those humans to staff their agency has been a challenge. Historically, CBP has struggled to hire and retain Border Patrol agents, especially for posts at remote stretches of the border. Last year, the agency had around 2,000 vacant job positions. There's only more pressure now that President Trump's administration has been pushing a proposal to hire 2,750 more agents. Companies like Anduril are still proving their case that they can be as effective as a human at doing part of the job of a Border Patrol agent; if they're able to pull that off, they're tapping into an opportunity to fill a gap in staffing. Similar to Anduril, another tech startup, the Silicon Valley-based Cogniac, is developing AI image processing software that it's marketing for use at the border, along with other commercial applications such as for monitoring quality control at factories. Unlike Anduril, though, Cogniac doesn't build hardware. Its pitch is that by focusing only on the software, it can make its AI best in class. Gradient Ventures, an investment arm of Google's parent company Alphabet, is one of a handful of investors in the company. This could raise questions with many of Google's politically active employees, who in the past have protested Trump's restrictive immigration policies and successfully pushed the company to drop its defense contracts with the Pentagon. Cogniac uses what's called a convolutional neural network to process images. Neural networks, modeled after the human brain, have revolutionized AI's capacity to train itself to recognize images. A convolutional network is a specific kind of

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neural network well suited to identifying images and sensing patterns in them. “AI in its current form really only started to exist in 2012; before then, this type of technology was a toy,” said founder and CEO Bill Kish, who added that previous attempts at outfitting the US-Mexico border with technology like SBINet weren’t successful simply because the kind of technology to rapidly process images just wasn’t available then. Cogniac says it has participated in trials with CBP and that it’s exploring ways for a bigger deployment. Still, a majority of the surveillance towers currently in place at the border are sending the images they pick up to human beings, not AI. Elbit isn’t taking this new technological revolution lying down, though. It says it’s building AI capabilities into its technology systems used at the border as well. “There are lots of great companies coming up in Silicon Valley,” said Elbit’s vice president of Americas, Gordon Kesting, “We keep our eyes on those developments and look to adopt any capabilities that are coming out there and look to adopt them into our solutions.”

Radar surveillance can detect crawlers and drones at the border with full range of sight and in very little time

Radford 21 [Mark Radford, xx-xx-2021, "", No Publication, <https://www.blighter.com/wp-content/uploads/national-border-security-white-paper.pdf>]

Prevention of Narco-terrorism A key characteristic of narco-terrorism is the increasing capability and resources of the smugglers and terrorists. With organised and frequent illegal border-crossings, the narco-terrorists learn about the quality and effectiveness of surveillance systems and discover how to avoid or defeat them. The Blighter radar's ability to detect crawler sized targets moving slowly allows it to detect intruders who are knowingly trying to defeat the sensor systems. The Blighter radar has a proven capability to detect a man belly-crawling or even rolling across an intensively monitored national border security zone. High value payloads make flying an attractive option for narco-terrorists. The Blighter radar's ability to detect small targets coupled with its wide elevation beam width means that Blighter can surveil both the land and low air zones simultaneously. Using its Doppler processing technology, it can filter out and remove the ground clutter signal from the land and still see targets as small as parachutists, microlights, ultralights and UAVs flying over borders, unlike traditional air surveillance radars. Monitoring of Border Incursions for National Border Security The Blighter radar uses technology to electronically scan the border considerably faster than traditional ground surveillance radars. A suitably configured Blighter radar can scan 360° in one second with full Doppler processing. This provides rapid position updates to the operators. Also, the Blighter radar uses its Doppler signal processing and an integrated plot extractor to detect movement the instant it occurs, unlike traditional radars which need multiple scans before outputting a target. Moving target plots are output within a fraction of a scan to minimise the latency between detecting and responding to the intruder. This ensures that electro-optic systems point at the intruders and update frequently to follow the movements of the intruder.

Integrating surveillance radars with machine learning can improve identification of objects at the border

Radford 21 [Mark Radford, xx-xx-2021, "", No Publication, <https://www.blighter.com/wp-content/uploads/national-border-security-white-paper.pdf>]

Machine learning technology is being introduced into future radar products to provide target classification capability. By mapping radar targets against reference signatures, and looking at the micro-Doppler characteristics and movements of objects, targets can be classified using existing templates for drones and other targets, enabling discrimination between people, vehicles and other objects. Importantly this will enable the classification of priority targets such as a people, animals, vehicles, and in so doing allow the categorisation of the remaining objects as background clutter for removal. Previously this has taken significant skills to fine tune the radar settings for a particular installation and even for day to day operations, depending on the weather conditions

The “smart wall” includes advanced biometric systems, digital tracking, and data collection methods by DHS and ICE, using technologies like facial recognition, DNA databases, and mobile apps

Ramirez 22 [Josue Ramirez, 5-31-2022, ““Smart” but Harmful: The Risks and Implications of Surveillance Technologies in the U.S.-Mexico Border”, Trucha RGV, <https://truchargv.com/surveillance-technologies/>]

Surveillance technologies are not limited to hardware systems located along the borderland area. Biometrics (physical characteristics used to identify people), databases, and other digital platforms, as well as software for tracking and retrieving data, comprise a large part of the “smart wall”. To gather biometric information, the DHS uses Biometric Facial Comparison, a tool used in land, sea, and points of entry to match travelers’ pictures to databases. The system includes biometric collection upon both entry and exit of travelers, and data is stored in the Automated Biometric Identification System (IDENT) database. Similarly, since 2020 Immigration and Customs Enforcement (ICE) and CBP have begun collecting DNA samples from all non U.S. citizens apprehended, storing their DNA profiles in the FBI’s Combined DNA Index System (CODIS). In addition to biometrics, the DHS retrieves information via hacking and tracking technologies. CBP and ICE have access to a commercial database that allows them to collect information about people around the U.S. – Mexico border by tracking them. Through data providers like Venntel (DHS spent \$250,000 in contracts from this company) authorities can track people’s movements by drawing location data from cell phone apps for which the user has granted permission to log the phone’s location. Civil liberties organizations report ICE uses the location data to help identify immigrants for arrest, and CBP uses it to track cell phone activity in remote areas of the Southwest border region. Further, authorities use proprietary hacking technologies to obtain personal information, and vehicle forensics kits by Berla Corporation to hack personal information directly from vehicles’ infotainment and navigation systems. CBP’s One mobile application is yet another system that is used for monitoring purposes, as it has a feature for processing asylum seekers before they arrive at land ports of entry in the Southwest border. Through facial recognition and geolocation, the app collects extensive personal information. Regarding databases, when U.S. Border Patrol agents detain a person at the border, they use the e3 portal to store and transmit biographic and biometric information to the Enforced Integrated Database (EID) as well as IDENT. The latter is set to be replaced by the Homeland Advanced Recognition Technology System (HART), a centralized database of biometric data hosted by Amazon Web Services.

Radar surveillance is portable, effective, and can be set up in remote locations with extreme environments

Radford 21 [Mark Radford, xx-xx-2021, "", No Publication, <https://www.blighter.com/wp-content/uploads/national-border-security-white-paper.pdf>]

The Blighter radar uses patented, state-of-the-art electronic-scanning (e-scan), FMCW and Doppler signal processing technology to provide a robust, ultra-reliable, zero moving parts remote sensor that will detect intruders and cross-border activities in all weather conditions and in most environments. The Blighter radar is ideally suited to remote detection over large open-areas of land including rocky mountainous terrain. Detection of Illegal Immigrants and Smugglers of Contraband Goods The Blighter radar is used as the primary detection sensor for long-range remote surveillance platforms. Where persistent surveillance of borders is required then integrated fixed tower structures can be used to mount the Blighter radar and other sensors to provide optimal long-range surveillance. In remote areas, it is common for intruders to follow natural routes across the land; valleys, mountain paths, desert animal tracks. In these instances, mobile or portable surveillance systems can provide a cost-effective way of monitoring key areas with limited resources. As the flow of intruders and cross-border activities is reduced through successful interception by the surveillance system then it can be moved to the next hot-spot. The Blighter radar is sufficiently compact and robust to be fitted to fixed integrated surveillance towers, or vehicle-based surveillance vehicles. Typically, these use extendable masts to elevate the Blighter radar and electro-optic system for optimal visibility and detection range. In extreme environments, where it is not possible to drive vehicles, then the Blighter radar system can be backpacked and carried to the surveillance area. The Blighter radar is man-portable, and battery-powered which can be operated for extended periods from battery and solar-power sources if required.

Fiber optic cable surveillance is a lower cost, accurate, and instant way to identify border crossings

Burkhalter 10 [Max Burkhalter, 12-22-2010, "Fiber optic line increases security at U.S.-Mexico border", Perle Systems, <https://www.perle.com/articles/fiber-optic-line-increases-security-at-u.s.-mexico-border-800308268.shtml>]

Fiber optic cable is a versatile tool. The Zonge Engineering and Research Organization have discovered a use for fiber optics that goes beyond providing high-speed broadband internet connectivity. The firm has developed a fiber optic cable system that aims to help the U.S. Border Patrol secure the border. According to the Arizona Daily Star, the fiber optic cable is potentially a cheaper alternative to border fences, a concept that has been widely criticized. Researchers at the University of Arizona recently conducted a test of the fiber optic cable. They found that, when buried with a remote sensor, the cables could instantly detect when someone or something crossed it. The system, called the Helios Distributed Acoustic Sensor, could also differentiate between humans and animals and tell the difference between horse riders and vehicles. The system would cover the entire southern border. It would be broken into 64 sections with 50-kilometer lines between sensors. However, before it can be implemented, the system must undergo more rigorous testing at distances of longer than 100-meters. "I observed a 100-meter sample," said Kevin Moffitt, a research scientist at UA's Center for Border Security and Immigration, to the Daily Star. "But they say it works up to 50 kilometers. It's not like a ground sensor, localized in one small area." Gary Jones, a security consultant working with Zonge on the project, praised the technology's versatility. "You could run it around checkpoints where people are concerned that people are avoiding them by going through their neighborhoods" he said to the Daily Star. He also said the technology is inexpensive and easy to maintain. According to UA professor Moe Momayez, the technology has also been proven to work elsewhere. Fiber optic cable has been used by British firms to monitor pipeline flow and leaks. According to the university's report, the next step for the system should be a series of 2-to-5-kilometer tests over a long period of time in order to build a database of sonic footprints. However, according to Momayez, the system will not be proven to work until a full section is installed and running. Fiber optic cable has also found more traditional uses in border states. Recently, Time Warner expanded its fiber optic network in southern California, installing 361,000 miles of cable.

FiDAR systems can serve as a force multiplier for persistent, effective border surveillance

Walker 23 [Neil Walker, 04-16-2023, “Fiber Detection and Ranging (FiDAR) – A force multiplier for permanent persistent border surveillance”, Border Security Report, <<https://www.border-security-report.com/fiber-detection-and-ranging-fidar-a-force-multiplier-for-permanent-persistent-border-surveillance/>>]

Whether a border is open or has a physical barrier, effective monitoring of border activity requires gapless and persistent surveillance along its entire length. To do this with cameras and radar is impractical due to the high cost of deployment over long distances and the associated long term maintenance requirements. Land or airborne patrols, only provide intermittent coverage and can be spotted and evaded by people attempting a border crossing. Using techniques in optical fiber analogous to those used in sonar and radar, Fiber Detection and Ranging (FiDAR) provides a low-cost method of achieving covert, long range, gapless and persistent border surveillance, with a high probability of detection and low nuisance alarm rate. FiDAR systems use standard telecom grade optical fiber from within a buried fiber-optic cable to detect activity close to the cable. This is achieved by injecting pulses of light into the fiber which are partially backscattered as they travel the length of the fiber. The backscattered optical signals are sampled, and time sliced into individual channels corresponding to distance along the cable and then converted into acoustic signals. This results in the fiber cable acting as a very long array of independent, simultaneously sampled ‘microphones’ able to detect and locate minute vibrations generated by the activity of Items-of-Interest (IoI) such as vehicles, people, fence climbing, fence cutting, digging etc. within the vicinity of the buried cable. The ONYX™ Sensing Unit from Sintela is the industry leading FiDAR system, selected by the US Department of Homeland Security Customs and Border Protection (CBP) for their Linear Ground Detection Program (LGDS) and is deployed along the Southwest border between the US and Mexico. For other customers ONYX™ is also used to provide perimeter surveillance around critical national infrastructure. In a typically configuration, ONYX™ can simultaneously interrogate two 50 km optical fibers, providing 100 km coverage with a channel spacing of 10 m or less. This provided a gapless array of 10,000 independent sensing channels with each having an acoustic bandwidth of few milli-Hertz to 1,000 Hz and with enough sensitivity at the end of both fibers to detect and classify the activity of common IoI. ONYX™ Sensing Units are typically rack mounted inside instrument cabins setback from the border or at Points of Entry. These units are connected to the front ends of the sensing fibers in cables which

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can be attached to fences, or as recommended best practice, buried using vibrating cable plough to a depth of 0.25-0.75 m next to the fence. Along borders, ONYX™ Sensing Units are typically deployed in pairs to provide redundancy and improve performance with primary and secondary fibers running in parallel to the border. The primary fiber is buried within a meter or so of the border fence line whilst the secondary fiber is deployed in parallel, several meters away. If an all-dielectric cable is installed, once weathered in, it becomes undetectable and cannot be defeated using electronic countermeasures. With the appropriate choice of fiber-optic cable and burial, as well as detecting surface activity the fiber cable can detect subterranean tunnelling activity. Furthermore, if deployed alongside nearby access roads and trails ONYX™ provides a further level of surveillance, able to detect the movement of illegal immigrants and the trajectory of vehicles dispatched to pick them up. In quiet conditions the detection of activity along a sensing fiber-optic cable is relatively straightforward as the energy produced against the background noise is easy to threshold. However, in noisy background situations, where lots of activity can easily create an alarm, a more sophisticated approach is required. At Sintela we use a combination of heuristic algorithms and machine learning to identify IoI from the background noise. The machine learning algorithms we have developed are continually trained using labelled data acquired from our fleet of ONYX™ Sensing Units deployed across the world. This approach provides accurate detection, localisation, and classification of IoI, ensuring very high probabilities of detection, but crucially maintains a very low nuisance alarm rate. Using the powerful built-in AI computer, ONYX™ can also control and process video from ONVIF compatible cameras. Once ONYX™ has detected the activity of an IoI from along a border it can send a message to the closest camera to slew-to-cue onto the precise location. Using video analytics, the video feed from this camera can then be processed within ONYX™ to classify the IoI. Combining the video feed with video classification markers whilst synchronising the video with the acoustic sound detected and the acoustic classification provided by ONYX™ provides a unique capability producing real-time detections with a high level of confidence. ONYX™ is a low-cost, low maintenance technology providing a unique surveillance capability along borders. With its high probability of detection, accurate classification, and low nuisance alarm rate, ONYX™ is used to quickly initiate and direct the deployment of border force resources, to intercept and stop illegal border crossings.

Fiber optic systems can be used to create surveillance “fences”

AP Sensing 19 [AP Sensing, 8-27-2019, “Fiber-Optic Sensing for Enhanced Border Security”, No Publication, <https://www.apsensing.com/news/detail/fiber-optic-sensing-for-enhanced-border-security>]

AP Sensing’s Director of Research, Dr. Gareth Lees, collaborated on a Laser Focus World article titled “Smart fiber-optic sensing systems enhance physical border walls and fences”. The article discusses distributed sensing technologies and the applications and benefits of distributed sensing for security and safety. Distributed Temperature Sensing (DTS) is esteemed for its reliability, cost-effectiveness and precise alarming on fires and overheating, while Distributed Acoustic Sensing (DAS) is known for demonstrating sensitivity in combination with the appropriate algorithms and machine learning techniques for reliable detection of perimeter intrusions. DAS is a cost-effective, long-range solution that provides early warning of perimeter activities; it can often be integrated with other security measures such as cameras or unmanned aerial vehicles (UAVs). DAS can be installed on a perimeter fence to detect climbing or cutting, or buried to detect approaching footsteps or vehicle activity. It is common that the cable is installed both on the fence and within the ground to improve probability of detection and minimize false alarms. For borders, DAS is used in two main security contexts. The first is ‘urban-to-urban’ environments requiring rapid detection and intervention. Examples include along several Eastern European borders and at San Diego and Tijuana on the US/Mexico border. These areas can also utilize DAS for subterranean activity detection, where there are risks of tunneling for contraband activities. The second use of DAS for border security is for remote regions where response and intervention times can be measured in hours or days. While DAS still provides real-time detection, not every detection in this scenario triggers a border management response. Instead, DAS is used to provide data and gain insights on border patterns over extended periods of time.

The development of a Biosurveillance Intelligence, Surveillance, and Reconnaissance (BISR) system using advanced sensors and AI could enable rapid detection and predictive analysis of biological pathogens, enhancing proactive responses to public health threats

Norton 24 [Robert Norton, 04-23-2024, “Bringing New Technologies to Bear for Biosurveillance”, No Publication, <https://www.rand.org/pubs/commentary/2024/04/bringing-new-technologies-to-bear-for-biosurveillance.html>]

Public health, agriculture, the environment, and the food supply could be severely affected by the presence of infectious agents that occur naturally, are the result of accidents, or are intentionally introduced. Yet today, the capability to detect these biological pathogens effectively and rapidly is lacking. This shortfall continues, despite recent key technological advances that could alter the biosurveillance landscape. The foundations of biosurveillance lie in the One Health concept, which the World Health Organization defines as “an integrated, unifying approach that aims to sustainably balance and optimize the health of people, animals, and ecosystems.” This approach acknowledges the direct relationship between the health outcomes of people, animals, and ecosystems. What affects one, affects all. The recent COVID-19 pandemic and the current outbreak of avian influenza in U.S. dairy herds provide ample evidence of the problems faced in rapidly detecting and responding to these outbreaks. They also indicate the importance of identifying these outbreaks prior to the development of clinical disease, which would allow for proactive early intervention, rather than reactively scrambling to address an outbreak after widespread effects have been seen. The recent COVID-19 pandemic and the current outbreak of avian influenza in U.S. dairy herds provide ample evidence of the problems faced in rapidly detecting and responding to outbreaks. To address the gaps, a Biosurveillance Intelligence, Surveillance, and Reconnaissance (BISR) system should be developed. The BISR would be designed to address two mission-critical requirements for biosurveillance: rapid detection and predictive analysis. BISR would utilize existing, repurposed, and newly developed systems for remote sensing, including multispectral and hyperspectral sensors. The existing technology for differentiating organisms by genomic analysis is proven technology, and hyperspectral sensors are already being used by food processors in their operations. The sensors could be placed on the ground (e.g., within confinement housing or in food processing plants) or on the surfaces of aquatic systems. Detecting at altitude utilizing balloons, aircraft, and drones, and in space with constellations of satellites equipped with imagery and hyperspectral systems, have also been demonstrated for concentrations of gases for national security purposes.

Proven technology such as CubeSats—a class of nanosatellites—could be particularly well adapted to address BISR requirements because of their relatively low cost, ease of deployment, and low latency times (based on the time it takes to circle the earth). Such sensors could be used to great effect during times of emergency. What needs to be accomplished now is prioritized research and development to rapidly validate the findings of both the imagery and hyperspectral data for different volatile organic compounds (or volatilome) and associate those changes with specific pathogens. Vetting of the data would be based on the development of standard reference cultures—which, through the combination of genomic analysis and hyperspectral microscopic analysis, would provide a definitive signature, or “fingerprint.” The validated culture would, in turn, be used to test sensor detection sensitivity in varying environments, matrices (e.g., freshwater vs. brackish water), and environmental conditions, and help optimize sensor placement. In this way, the hyperspectral changes associated with a particular disease could be linked to a validated pathogen type. Beyond looking for the actual pathogen in a particular matrix, which is possible with hyperspectral microscopy, BISR could also be used to identify larger-scale events, such as the detection of exhaled gases and volatile organic compounds or volatilome that occur with metabolic changes as disease states progress. During emergencies such as the recent avian influenza outbreak in livestock, BISR would not have been used to detect viral particles, but instead to detect the volatilome associated with the disease. Using this methodology, it is plausible that diseases could be detected before the development of clinical signs, thereby enabling proactive—rather than just reactive—responses. BISR could also be used to monitor the volatilome of mass gatherings, such as travelers at airports and ports of entry or crowds at stadiums, thereby alerting public health officials about potential outbreaks and pandemics. In this way, BISR would support predictive analysis and anticipatory forecasting. It is plausible that diseases could be detected before the development of clinical signs, thereby enabling proactive—rather than just reactive—responses. Many of the anticipated changes both in the pathogen itself, such as genetic drift, and the subtle environmental changes that are associated with the pathogen or the disease it causes are impossible for human analysts to detect without the assistance of sensitive instruments to monitor environments, an understanding of the baseline biome, and machine learning. Ultimately, a properly trained artificial intelligence (AI)–based model will also be required. The sheer volume of data generated by the BISR system would be massive, overwhelming human capacities, given that every pixel generated would include geospatial coordinates. However, BISR’s analytical backbone would include AI systems, as well as subject matter experts working directly with the algorithm developers

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and AI engineers. Advances in sensor capabilities, coupled with the use of AI platforms, provide new capabilities that could be applied to the detection of biological events in the early stages of an outbreak. In this way, the BISR concept (Figure 1) would provide new tools for early detection, response, mitigations, and ultimately, recovery from an outbreak.

5.0.3 AC – Econ

AI, drones, and satellite tech are being used to improve border wait time estimates and distribution efficiency, potentially reducing delays and costs for trade and consumers

Alzaga and Martinez 22 [Alejandro Berlanga Alzaga, Valeria Martinez, 3-14-2022, “Applying AI, Drones and Satellites to Improve Border Transportation — Center for International Intelligent Transportation Research”, No Publication, <https://ciitr.tti.tamu.edu/2022/03/14/applying-ai-drones-and-satellites-to-improve-border-transportation/>]

When you think of drones, you may think of a package getting delivered to your doorstep. Many companies conduct flight missions of drones for delivering goods, but other applications for drones can benefit the public (and commercial vehicle drivers) in another way — travel across the border. We and our colleagues at the Texas A&M Transportation Institute’s (TTI’s) Center for International Intelligent Transportation Research (CIITR) get to work with the latest technologies in three areas — AI, drones and satellites — and apply them to improving transportation at the border. Recent research allows us to become AI specialists. We explore new AI algorithms, closely monitor trends and note improvement areas and figure out ways to apply them to facilitate trade, improve border security and encourage economic growth in border communities. You’ve probably seen AI or drone technology depicted in the movies, and that’s built up hype (and often negative hype). But AI technology can help resolve real-world problems today, like achieving more accurate and reliable border wait time estimates at land ports of entry. Longer wait times can mean delays in goods getting to market, and if that delay is long enough, it can even mean spoilage of goods like milk or produce. Combining AI algorithms with satellite and aerial imagery can help facilitate distribution via the border by getting trucks to their destinations more effectively. Visualizing results (shown here) after taking satellite images facilitates a better understanding of vehicles at the border and can identify exactly where delays occur. Drones (like the one pictured here) capture aerial images that can provide information about border traffic conditions. Recent enhancements in satellite imagery, for example, allow for better control of the frequency and number of images collected at border crossings, as well as advanced imaging capabilities. Drones, for example, offer flexibility and dexterity, advantages over cameras and radar sensors installed in fixed locations at the border. Better data help agencies charged with monitoring the border to work more efficiently, and that efficiency

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is passed downstream, benefiting the entire distribution process. It can even mean lower prices for consumers on store shelves. To assess these technologies for effectiveness, we collected aerial and satellite images to use in building 3-D models to better visualize the data associated with stalled traffic at heavy wait times at border crossings. Stalled traffic in extreme border queuing conditions can ratchet up costs and travel time. Our research suggests a lower cost and an improved ease of use, which could fit well with agency staff new to (and eager for) these technologies. Challenges will inevitably arise in implementing these new methods for monitoring the border. That's why we do our research, to ultimately troubleshoot potential problems in applying new tech solutions to achieve the most bang for the taxpayer's buck in applying them. Better tech, better methods, better policy benefit manufacturers, distributors and ultimately consumers — everyone wins.

Increasing staff at ports of entry helps the economy by speeding up trade flows

National Immigration Forum 21 [National Immigration Forum, 5-4-2021, "Border Security Along the Southwest Border: Fact Sheet", <https://immigrationforum.org/article/border-security-along-the-southwest-border-fact-sheet-2/>]

Are there obvious investments in border security resources that would be effective? Yes, investments in ports of entry are needed and would be an effective use of funds. Congress should invest in the CBP Office of Field Operations (OFO), which oversees the flow of commerce and immigrants at all 328 ports of entry in the nation. CBP OFO currently has a staffing shortage of at least 2,700 port of entry officers, representing a border security vulnerability. CBP also found in 2014 that adding a single CBP OFO officer to a port of entry would result in annual benefits of a \$2 million increase in our country's Gross Domestic Product (GDP), \$640,000 saved in opportunity costs, and 33 jobs added to the economy, because it would help speed the flow of commerce.

Lackluster border security allows the spread of costly wildfires

Chilton 24 [Jim Chilton, 05-10-2024, "", No Publication, <https://docs.house.gov/meetings/JU/JU00/20240510/117288/HHRG-118-JU00-Wstate-ChiltonJ-20240510.pdf>]

Arizona borderland residents, ranchers and farmers have suffered hundreds of millions of dollars in property damage due to major forest fires set intentionally as decoy operations or accidentally by illegal crossers. On average, border crossers start two forest fires each year on our ranch. These fires cost the Forest Service tax-payer dollars to battle and put fire-fighters and ranch property in danger. The human and property costs of these fires, like the Monument Fire, the Murphy Complex Fire, Chiricahua Fire and the Horseshoe Fires and many other fires, must also be figured into the cost of NOT securing the border at the border. We have estimated that U. S. Forest Service costs in one year to fight fires caused by border crossers just in Arizona borderlands, including on our ranch, were about \$600 million. We understand that border area Forest Service fires, even when it is known they are started by illegal crossers who are apprehended, are accounted for on the Forest Service books rather than more honestly charged to Homeland Security. As a consequence, the basic failure to enforce homeland security, the real reason for these recurring costs to the American taxpayer, is obscured from Congress and from the American people

Lackluster border security allows Mexican cattle crossings which harms pastureland

Chilton 24 [Jim Chilton, 05-10-2024, "", No Publication, <https://docs.house.gov/meetings/JU/JU00/20240510/117288/HHRG-118-JU00-Wstate-ChiltonJ-20240510.pdf>]

The failure to secure the border is expensive. During the last six months, in cooperation with our Mexican rancher neighbor, I have removed 110 Mexican cattle from our ranch back to Mexico. This work required approximately 129 cowboy-days to get the four-legged "undocumented entrants" out of our southern pastures. 8 Meanwhile, the Center for Biological Diversity is suing the Forest Service to remove cattle grazing on approximately 150 Forest Service grazing allotments in southern Arizona, including our grazing allotments, on behalf of the Yellow-billed cuckoo. The bird is listed as threatened and if the Center is successful, it would likely cause most of the ranches in southern Arizona to go out of business. This situation—the failure to secure the border which also results in the uncontrollable entry of Mexican cattle when the Cartel or migrants cuts the fences—has currently assisted environmental organizations to undertake lawsuits. The open border has interfered with our long-term successful commitment to sustainable resource management of our rangeland. This management system is the product of research at the Santa Rita Research Ranch of the University of Arizona. It is designed for our elevation and for the continued vigor of our plant community. We are strong proponents of this system, called rest-rotation, which means those border pastures that are being directly impacted by the failure to complete the Wall are only grazed by our cattle one quarter of every other year which is 1/8 th of each two-year grazing cycle. Our cattle are currently in a pasture about four miles north of the border. The Mexican cattle issue began when wall-road building personnel had removed the old international border four-strand barbed wire fence, during border road construction in advance of wall construction. Several months after the abrupt termination of wall construction, Homeland Security caused what we call Normandy barricades, together with about three-eighths mile of new barbed wire fence, to be placed in the huge gap left open when wall construction was abruptly halted. However, the railroad rails, connecting the end of the border wall to the Normandy barricades, were placed too high off the ground resulting in an easy entry into my ranch by Mexican cattle. I personally placed barbed wire along the lower portions of the Normandy barriers to deter Mexican cattle from trespassing onto my grazing allotment. Unfortunately, the barbed wire was promptly cut allowing Mexican cattle to freely pass through. Hoping I could solve the problem, I then spent another entire day getting metal rebar welded onto each Normandy barrier at great expense in time and materials. Once again, the Cartel crossers broke the welds

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near the end of the wall and bent the rebar to the south resulting in Mexican cattle having easy entry into my ranch. My third try to prevent the entry of Mexican cattle was to weld heavy-duty steel pipe to the Normandy barricades hoping, once again, I had solved the cattle-crossing problem. However, I soon discovered the pipe had been totally removed, again allowing Mexican cattle easy entry onto the ranch. 9 We have recently spent two more days traveling to and from the border to weld more metal to close the gap.....until one evil group or another decides to get rid of my efforts to keep Mexican cattle from moving into my border pastures which are supposedly being rested in our carefully managed rotation grazing system. Managing for long-term sustainability has been our objective; until the Border wall is completed and the flood of Cartel traffic is actually stopped, we, the border ranchers and our commitment to rangeland conservation, are the only protection provided to the habitat.

5.0.4 AC – Politics

Kamala Harris faces scrutiny over immigration as she prepares for a presidential run, with Republicans criticizing her record and swing voters questioning her effectiveness

NPR 24 [NPR, 7-21-2024, “Can Kamala Harris find her footing on immigration? : Consider This from NPR”, NPR, <https://www.npr.org/2024/07/22/1198912943/can-kamala-harris-find-her-footing-on-immigration>]

In just a matter of hours, a Kamala Harris for President campaign has gone from a far-flung possibility, to all but certain likelihood, and it puts the vice president in a tricky spot. During his presidency, Joe Biden entrusted Harris with some of the most challenging parts of his portfolio. That includes voting rights, the rollback of reproductive rights and immigration. Harris has struggled to find her footing on immigration. Early on, she faced criticism for having not visited the southern border. And as Republicans like Texas Governor Greg Abbott started bussing migrants to northern cities, the vice president’s mansion in Washington D.C. even became a drop-off point. Current criticisms Now that Biden has stepped aside from the 2024 election race, and endorsed Harris to be the Democratic nominee, this weakness is starting to show as a major sticking point on both sides of the political spectrum. Republicans have worked quickly to attack her on immigration. GOP Vice Presidential nominee JD Vance, speaking sarcastically about Harris over the weekend at a rally in Grand Rapids, Mich., said: “We have to give her credit, my friends, she did serve as border czar during the biggest disaster of open borders that we’ve had in this country. Let’s get President Trump back there, close down that border and bring some common sense and security to this country.” Independent and swing voters also link Harris to problems at the border, says Republican strategist Sarah Longwell, who describes herself as a Never Trumper: “That’s one of the things I hear voters sort of bring up about her. That she didn’t do anything about the border.” Challenges for candidacy So how could the Biden administration’s record on immigration affect Harris’ candidacy? NPR’s Sergio Martínez-Beltrán says it depends on how the narrative is manipulated. “[Harris] was tasked to lead a pretty broad effort of addressing and finding solutions to the root causes of migration from Central America, big issues like poverty, violence and corruption,” Martínez-Beltrán said. “But conservatives have tried to paint a picture that she’s in charge of border policy, hence the made up inaccurate term ‘borders czar’. But that’s the role of Homeland Security Secretary Alejandro Mayorkas. He’s the one who manages all of the immigration agencies.” Martínez-Beltrán explains

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that despite that narrative, Harris' shifting policy positions over time as a former D.A. in California and now as vice president have hurt her credibility. "She's called Trump's border wall a medieval vanity project. And as a senator, she grilled Trump's immigration officials." But Harris has also angered immigration advocates, like when she made her now infamous 2021 speech warning migrants who were thinking about crossing the border illegally. "Do not come. Do not come." Now, immigration activists like Judith Browne Dianis with the civil rights group Advancement Project say Harris will have to make some serious changes to her own policies in order to improve.

Democratic political strategy seeks to capitalize on border security legislation

Castillo 24 [Andrea Castillo, 3-21-2024, “Border security could sway some California Democrats — and control of Congress”, Los Angeles Times, <https://www.latimes.com/politics/story/2024-03-21/border-issues-could-affect-vulnerable-california-democrats-and-sway-control-of-congress> //SM]

The Republican effort to solidify immigration as a decisive issue in the November election promises to influence the rematch between President Biden and former President Trump, and has already intensified the pressure on swing-district Democrats as their party fights to win control of Congress. Seeking a political advantage, Trump continues to hammer Biden over his administration’s border policies and stoke anti-immigrant sentiment — vowing mass deportations of people residing in the country illegally, dehumanizing them as “animals” and accusing them of “poisoning” communities. Biden has adopted a stricter tone in recent months as he urges House Republicans to pass a bipartisan border security bill, saying he would shut down the border immediately if given the chance. The bill itself marks the first time most Democrats in Congress have supported immigration legislation without a provision for people to seek legal status. The same theme is playing out down the ballot, as some Democrats grow more outspoken about their support for stronger border security and harsher immigration policies. Thirty-seven Democrats voted this month for the Laken Riley Act, which would require the Homeland Security Department to detain immigrants who are arrested on suspicion of theft-related crimes. A week later, 14 Democrats voted for a resolution “denouncing the Biden administration’s open-borders policies.” The votes could reflect how Democrats in vulnerable congressional seats might stave off attacks from opponents who say they’re soft on the issues of immigration and the border. Chris Tausanovitch, a political science professor at UCLA who studies Congress, said Republicans had designed recent immigration-related bills to win over politically vulnerable Democrats — forcing some to condemn a president from their own party. “We know the situation at the border has changed massively,” he said. “Border security has always been popular among the American public. Politically, that is a smart swing-seat stance.” Senate Democrats, who hold a slim majority, immediately blocked the Laken Riley Act from moving forward. Tausanovitch said that some House Democrats who voted for it might have voted differently if the measure had stood a chance of becoming law. “The fact that these bills do not have a chance of passing makes it a political win-win for a moderate Democrat who wants to show that they really have a harsh stance on immigration,” he said. But House Republicans, who last month blocked a bipartisan Senate border

security bill at Trump's behest, have put forward bills that are tangentially related but not exactly about border security, and that are unpalatable to most of those to their left. Tausanovitch said that's because Republicans want to show voters they are trying while still remaining loyal to their presidential candidate's wishes. Reps. Mike Levin of San Juan Capistrano and Josh Harder of Tracy were among the California Democrats who voted for the Laken Riley Act. Though both incumbents are favored to win reelection in November, Levin's district in Orange and San Diego counties is almost evenly divided among Democratic and Republican voters, and Harder faces a challenge from Stockton's Republican mayor, Kevin Lincoln, in his Central Valley district. The Laken Riley Act was named for a Georgia college student who was slain last month. Police have arrested a suspect in her death who reportedly entered the U.S. unlawfully in 2022 and was released inside the country by Border Patrol. The bill would also allow states to sue the federal government over alleged failures related to immigration enforcement. House Speaker Mike Johnson (R-La.) immediately condemned the 170 Democrats who voted against the bill. "Sadly, if these Democrats have their way, there will be more victims like Laken Riley," he said on the social media platform X. Riley's father said this week that it angers him to see her death being exploited for political gain. After casting his vote in favor of the GOP measure, Levin released a statement saying he believes everyone should abide by the rule of law. "While I voted for this bill, I do not agree with its language that injects politics into legislative text and wrongfully singles out the Biden administration for Ms. Riley's murder," he wrote. Levin is among a group of 26 House Democrats who formed the Democrats for Border Security Task Force this month. Led by Reps. Henry Cuellar of Texas and Tom Suozzi of New York, the group aims to address a surge in illicit narcotics and irregular migration at the southern border. Suozzi, who replaced the expelled former Republican Rep. George Santos last month, campaigned on tightening border security and pushing for bipartisan immigration reform that will "treat people like human beings." Sen. Christopher S. Murphy of Connecticut urged his Democratic colleagues in a memo last month to emphasize the border and immigration, saying Suozzi's win could "serve as a roadmap for Democrats." Rep. Susie Lee of Nevada, who also voted for the resolution condemning Biden's policies and for the Laken Riley Act, said she had always been strong on border security, a top issue in her district. But local advocates slammed her vote for the resolution on border policies, calling it a disappointing misstep. "Do these resolutions have language that I don't 100% support? Absolutely," Lee said in response. "But the fact of the matter is it's not just our border security. We obviously need to have a border and respect that border, but more importantly we need to reform our immigration system. This is something that Congress

has failed to do for the last 30 years.” Lee said she disliked that the Riley act was written in such a partisan way. But she said bipartisanship means neither side gets exactly what it wants. “You should start and negotiate from where you can find common ground,” she said. “But too often, especially when it comes to immigration reform, so many times the conversation starts at the red line.” Whether or not a bill will pass, Lee said, she always votes based on what is in front of her. Democratic strategist Maria Cardona said Democrats have reached a turning point. Republicans “turning their back on the border bill” gave Democrats an opening to go on the offensive, she said. A bipartisan group of senators had worked for months to craft the \$118-billion border security and foreign aid bill. Members of the Congressional Hispanic Caucus, furious they were left out of the negotiations, opposed its wishlist of GOP immigration priorities, including raising the threshold for asylum seekers and curbing presidential authority to parole migrants who face persecution in their home countries. But the legislation fell apart after Trump told Republicans not to support it. Instead of playing on Republican turf, Cardona said, Democrats need to use this moment to define, in detail, their immigration solutions — broadly speaking, a balanced approach coupling increased security measures with expanded legal pathways for immigrants. Democrats previously left a vacuum open by not talking about the issue enough, she said. Now they’re speaking out. “When there’s a vacuum, it’s going to be filled with misinformation,” she said. “If you don’t define yourself, your opponent is going to define you. It’s the first rule of politics.” Kerri Talbot, executive director of the advocacy group Immigration Hub who works with Congress to develop policy, said it was disappointing to see Democrats vote with Republicans for the Laken Riley Act. “There’s a cost to Trump focusing all of his energy on this issue,” she said. “He’s got a big bully pulpit.”

Democrats are shifting their political strategy to focus on border security solutions

Groves 24 [Stephen Groves, 4-5-2024, "Democrats lean into border security as it shapes contest for control of Congress", AP News, <https://apnews.com/article/congress-border-security-democrats-ca10e37c4f961700cdd1645e09422ac0> //SM]

With immigration shaping the elections that will decide control of Congress, Democrats are trying to outflank Republicans and convince voters they can address problems at the U.S. border with Mexico, embracing an issue that has traditionally been used against them. The shift in strategy, especially from Democrats running in battleground states, comes as the Biden administration has struggled to manage an unprecedented influx of migrants at the Southwest border. Donald Trump, the presumptive Republican presidential nominee, has led his party in vilifying immigrants as "poisoning the blood" of the country and called for mass deportations of migrants. And as the GOP looks to flip control of the Senate, they are tying Democrats to President Joe Biden's handling of immigration. The tactic has already figured large in elections like Arizona's Senate race, a seat Democrats almost certainly need to win to save their majority. Republican Kari Lake has repeatedly linked Rep. Ruben Gallego, the likely Democratic nominee, to Biden, telling the crowd at a March event that "there's really not a difference between the two." Democrats are no longer shrugging off such attacks: They believe they can tout their own proposals for fixing the border, especially after Trump and Republican lawmakers rejected a bipartisan proposal on border security earlier this year.

5.0.5 AC – Cartels

Cartels are profiting off the billion dollar wildlife trafficking industry and better screening tools are needed to crack down on the illegal animal trade

Dorn 24 [Andrew Dorn, 5-1-2024, “Border officials seize exotic animals as wildlife smuggling grows”, NewsNation, <https://www.newsnationnow.com/crime/border-exotic-animals-wildlife-smuggling/> //SM]

Mexican drug cartels make billions smuggling humans across the southern border, but in recent years, another lucrative crime has taken off: wildlife trafficking. In March, authorities in Texas arrested a 29-year-old Mexican man after he tried to enter the U.S. with two live howler monkeys in the back of his pickup. Less than a week later, a woman was caught attempting to smuggle 21 parrots and a keel-billed toucan into California. It’s unclear if either person was directly tied to a cartel, but both incidents offer a glimpse into an illegal wildlife trade that is now the fourth largest funding source for criminal organizations, generating about \$23 billion each year, according to the Department of Homeland Security (DHS). In November, the International Criminal Police Organization, INTERPOL, warned that the growing issue has pushed many species “to the brink of extinction.” Online marketplaces and social media have made the problem worse. Nowadays, it’s significantly easier for consumers to get wild animals on the black market, many of which arrive from outside the country through U.S. ports of entry. From 2018 to 2021, wildlife trafficking surged more than 150%, according to a Moody’s Analytics report, which cited government data. The illegal trade has become a breeding ground for corruption and a major source of profit as more “structured cartels enter the space,” the report said. Wildlife trafficking from Mexico to China has helped fuel the drug trade, with cartels trading wildlife for chemicals used to make illicit fentanyl, according to the Brookings Institution. Latin America is especially vulnerable because of its biodiversity. Ecuador, for example, has about 1,600 species of birds, and Brazil hosts between 15% to 20% of the entire world’s wildlife diversity. Some animals, like spider monkeys, can fetch upwards of \$8,000 in the United States. Last summer, California border authorities confiscated three baby spider monkeys at the Calexico-Mexicali crossing. Just two months old, they were underfed and in poor condition but eventually nursed back to health by specialists at the San Diego Zoo Wildlife Alliance. To combat the growing problem, DHS established a new Wildlife and Environmental Crimes Unit in 2023. That team is focused on enforcing anti-wildlife trafficking and environmental crime laws. There’s also been a push to help trafficked animals after they’re confiscated. In October, the U.S. Fish and

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Wildlife Service (FWS) partnered with the Association of Zoos and Aquariums to launch the Wildlife Confiscations Network in Southern California. The network makes it easier for law enforcement to find housing for rescued animals. In 2022, FWS special agents and other law enforcement partners investigated over 10,000 wildlife trafficking cases and collected over \$11,000,000 in criminal penalties, the agency said. A study published in April found that better wildlife screening tools, which are “severely lacking,” could help authorities crack down further. “Currently, wildlife seizures predominately rely on prior intelligence as opposed to active surveillance methods, thus seizures reported likely represent a very small percentage of all smuggling attempts,” researchers at the University of Adelaide found. Specifically, wildlife detection dogs are becoming more common because they can sniff out distinct scents like reptiles and birds. In fact, it was a K-9 unit that detected the nearly two dozen exotic birds heading into California in March. For now, the U.S. remains one of the world’s largest markets for trafficked wildlife, in part because the “size and scope” of the country’s financial system makes it “ideal for bad actors to pass their illicit funds through,” Moody’s said in its report. In that sense, addressing the illegal animal trade could be crucial in the battle against Mexican drug cartels in addition to protecting endangered species and threats to human health stemming from the transmission of disease.

Funding for drones at the border is being slashed as cartels continue to leverage them for smuggling operations

Dinan 23 [Stephen Dinan, 5-3-2023, "DHS wants to cut funding to combat cartel drones at the border," The Washington Times, <https://www.washington-times.com/news/2023/may/3/dhs-wants-cut-funding-combat-cartel-drones-border//SM>]

Homeland Security Secretary Alejandro Mayorkas has told Congress that combatting drones is a priority, yet his new budget cancels funding to develop the Border Patrol's capabilities to detect and derail cartel-operated drones at the border. Cartels use drones to smuggle in drugs and to keep eyes on Customs and Border Protection's operations along the U.S.-Mexico boundary, probing to find unprotected areas where they can sneak people or other contraband across. Congress last year allocated \$5.3 million to CBP for its Counter Unmanned Aircraft Systems program, but President Biden's new budget zeroes out that money. In its budget justification, CBP said it never asked for the money in the first place and its proposed cut "rebalances the request" and uses the money for other Border Patrol priorities. That's not sitting well with members of Congress. "There's not a single dollar in the CBP request to counter the small drones that the cartels are flying across the border to conduct surveillance on our agents and deliver drug loads," Rep. John Rutherford told acting CBP Commissioner Troy A. Miller during a recent hearing. In a follow-up statement to The Washington Times, the Florida Republican ticked off numbers showing the growing threat drones pose. "Yet, President Biden eliminates funding for this important border security system in his FY 2024 budget," the congressman said. "It is one of the many budget gimmicks used by President Biden, where he says one thing but does another." CBP said in a statement that the cut in funding doesn't mean they don't take the drone threat seriously. "Procurement processes for additional Counter-UAS systems are ongoing, utilizing previously appropriated funds; and the agency will continue to leverage its authorities and available funds to do this important work," the agency said. Mr. Mayorkas has personally warned Congress about the danger drones pose to the U.S. domestically. "These drones can fly farther, faster, have greater visibility, carry heavier loads. And they are being used by individuals with nefarious intent as well as by adverse nation states. And we need to have the capability to counter the use of drones," he said. He said Congress has given Homeland Security significant authority to bring down drones that pose a threat to security, but he said those powers need to be renewed and expanded. The drone threat at the border is particularly sobering. In testimony earlier this year to Congress, the Border Patrol's chief agent in

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southern Texas said the agency saw more than 10,000 incursions over the boundary with Mexico in 2022. Drones help the cartels control the territory directly south of the border and track Border Patrol movements. That gives the cartels intelligence on when the best time is to smuggle high-value contraband across. In budget data provided to Congress, CBP said its counter-drone program “mitigated” 25 drones in fiscal year 2022, and had mitigated another 15 through the first four months of fiscal year 2023. That’s a tiny fraction of the cross-border activity. Mitigation usually means hijacking the radio frequency an operator is using to fly a drone and bringing it down. CBP did credit its counter-drone strategy with helping agents seize 553 pounds of narcotics and arrest 1,490 people in the early months of fiscal year 2023. When they spot drones, Border Patrol agents can use them to try to sniff out illegal activity. As one agent described to a judge in making an arrest: “Alien smuggling organizations regularly use drones to conduct aerial surveillance ahead of trafficked aliens and/or narcotics to circumvent law enforcement positions.” But that means when agents spot the drones, they also know where to position themselves to try to nab whatever the smugglers are bringing through.

Border agents must adapt as cartels leverage drones for surveillance, smuggling, and weaponized attacks, complicating border security

Zicarelli 23 [Kristen Zicarelli, 9-6-2023, “The America First Approach to Defeat the Cartels,” No Publication, <https://americafirstpolicy.com/issues/research-report-the-america-first-approach-to-defeat-the-cartels> //SM]

As modern technology has evolved, the cartels have embraced the digital age and weaponized the internet and other tools to increase their power. Both the Sinaloa and Jalisco cartels use advanced technical drones to optimize their smuggling efforts and improve their reconnaissance, surveillance, and payload transportation. Their capabilities have been weaponized against U.S. law enforcement, mostly for the purpose of illegally smuggling drugs across the southern border. Cartels use drones to monitor U.S. Border Patrol agents so that drug mules can successfully move both illegal aliens and illicit narcotics across the southern border undetected. In 2016, they were even able to successfully hack DHS UAVs (unmanned air vehicles) in an effort to cross the border illegally (WAQAS, 2016). The cartels have also equipped drones with drugs to transport them across the border via a “drag-and-drop” technique that evades U.S. law enforcement by relying on technology rather than people for drug transportation. In February 2023, Congressional testimony by Border Patrol Chief Agent Gloria Chavez confirmed that the cartels have “17 times the number of drones, twice the amount of flight hours, and unlimited funding to grow their operations.” In the Rio Grande Valley sector of Texas, Chief Chavez testified, Customs and Border Patrol (CBP) faced more than 10,000 drone incursions and 25,000 drone sightings in one year (News Nation, 2023). President of the National Border Patrol Council Brandon Judd stated that the cartels “use drones to scout our positions, where our border patrol agents are, [and] how can they facilitate the drug trade” (Handy, 2023). The Texas Department of Public Safety has repeatedly reported on their encounters with cartel “dark ship drones,” which are flown clandestinely amidst their own airmen (Texas.gov, 2022). Evidence indicates that the cartels have also equipped their drones with weapons to attack rival groups and other enemies. The CJNG has been linked to drone attacks against the police and other civilians in Mexico (BBC, 2021). In January 2022, the CJNG used drones to bomb a camp of people in Michoacan, Mexico – part of a greater attempt to take over the region. Local police reports indicated that some of their weaponized drones were shot down by rival armed groups, causing an uptick in violence in the region and a mass exodus of residents from nearby towns (Graziosi, 2022).

The US must invest in surveillance infrastructure to address the evolving security threats posed by drug cartels and human smugglers at the Southern border

Taylor 23 [Nuray Taylor and Diego Laje, 3-1-2023, "New Tools Protect Increasingly Complicated Border", AFCEA International, <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border> //SM]

The U.S.-Mexico border poses a growing security challenge, including an evolution toward cartel-waged electronic warfare, that demands new technological capabilities, experts say. U.S. Customs and Border Protection (CBP) is quickly adopting various innovations to enhance its enforcement. "CBP is surging resources and increasing efficiency, prioritizing smart border security solutions, making historic investments in technology, taking the fight to cartels and smugglers and doing more with our regional partners than ever before through a combination of technology, infrastructure, personnel and other enforcement solutions to ensure our border remains secure," a CBP spokesperson told SIGNAL Media. The large investment in border technologies saved over 70,000 hours of agent time, the CBP claimed. Among the new initiatives, one seeks to make the presence of CBP officers less predictable to potential offenders. "We have a program that we were awarded called ARST, which is Autonomous Relocatable Surveillance Tower," said Mike Powell, director of business development innovation solutions at Elbit Systems of America, a company that supplies a variety of border surveillance technologies. Powell described the CBP's latest program as an attempt to address evolving challenges. Currently, human smugglers and drug traffickers move away from towers and toward areas with little or no surveillance. Therefore, mobile platforms are the next step in the cat-and-mouse encounters. "The concrete reality is that there are thousands of people who cross the border, the U.S. and Mexico border," said Karine Côté-Boucher, associate professor of criminology at the University of Montreal. In 2022, the CBP encountered 2,378,944 migrants at the southwest land border. This number includes single adults, individuals in a family unit, accompanied minors and unaccompanied children. The CBP figure represents 0.85% of the world's total of 281 million migrants, according to the United Nation's International Organization for Migration. "On a global scale, what's happening in the U.S. is not that big," said Côté-Boucher, speaking about worldwide immigration. Nevertheless, the problem at the border is larger than immigration. In 2022, 288,000 pounds of drugs were seized at the southwest land border, giving traffickers an opportunity to hide in lawful traffic and migration, according to the same agency. The 2023 government budget is allocating \$15.3 billion for the CBP and \$8.1 billion to immigration law enforcement. These figures include \$309 million for border

security technology. Barriers and facilities populate the area between both countries, and technologies are an increasingly important piece of the enforcement puzzle. There are two main sources of experience when deploying new tools in this area. One comes from adapted U.S. armed services technology and the other comes from the Gaza-Israeli border. Terrorists' attack methods are comparable to those employed by criminals trying to smuggle substances into the United States. Meanwhile, innovations once reserved for warfighters find a space along the line that separates the two countries. "Where we become a lot more valuable is when you do [surveillance] and [transport], we can do a gimbal and have surveillance, but we can also have a drop mechanism to where we can supply, either troops or people in the field, with any type of supplies that they might need," said Jason Wright, senior program manager, Small Unmanned Aerial Division at AeroVironment. Wright explained how his unmanned aerial vehicle (UAV) is used by authorities on the border to keep an eye on activities and potentially deliver supplies to enforcers. Wright's company presented a Vapor UAV that can carry up to 20 pounds, enough to equip the drone with a surveillance camera and other payloads. The version the CBP employs was designed for the U.S. Army, and its updated version is better adapted for missions at the border, according to Wright. The helicopter can transport a variety of payloads, including ammunition or crowd control measures. If the right add-ons are attached, the UAV can potentially deploy gas or smoke canisters. "If the customer wanted to have, say, gas or something of that nature, or a smoke grenade or something like that, it could actually drop from the helicopter to help with those types of situations," Wright said. The company has a wide range of products, many of them even supporting Ukrainians in their war, according to AeroVironment's webpage. And as the company's products face increasing technological challenges in conflict areas around the world, the industry also sees nonstate actors upping the electronic warfare game in the border area. "When you have a video feed going back and forth and you lose your radio, you're losing that downlink and you're not able to receive that video anymore, so to be able to have that strength in your video is really a big deal when you're out there trying to control the border," Wright told SIGNAL Media in an interview. While the company was clear that at no point had border actors successfully jammed an AeroVironment product, the jamming of some drones does happen, and the company considered these potential jamming hazards in the product updates. Features like autonomous control in case radio signals are jammed are included in the new versions, according to Wright. "Flying with the loss of [GPS] and the loss of radios, so being able to have both of those systems go out and still be able to complete a mission is something that the entire industry is struggling to be able to do, and we plan on having that in our road map in the

next year,” Wright said. The company has received orders from six customers, including the Department of Defense and the Department of Homeland Security, and expects to have dozens of units in the skies above law enforcers and troops. The company’s revenues in 2022 were \$446 million, and its small drones business unit accounted for 40% of those, according to its annual report; 58% of sales went to U.S. federal government agencies. Elbit Systems, which has so far deployed 55 integrated fixed towers, covering over 200 miles of the U.S. southern border, prides itself on handling data to ease operations for border agents. One growing danger is in small drones presumably operated by nonstate actors to guide traffickers of people and narcotics. “Back in 2018, we didn’t nearly have the rise in awareness of just how big this problem of counter-drone solutions would be, or drones that represent a threat, but we knew it was coming. We made a strategic decision to invest in AI (artificial intelligence) R&D (research and development) in the development of the new radar,” Elbit’s Powell told SIGNAL Media in an interview. During a recent demonstration in El Paso, Texas, Powell relayed a discussion he’d had with border officials, and the company was faced with a real-world situation. “The [drug] cartel is using 250-gram drones to ISR (Intelligence Surveillance Reconnaissance) to death. The cartel knows everything that’s happening on the U.S. southern border, in key areas, by using these small drones with 4K cameras. The drones are the size of a typical cellphone,” Powell quoted, reminiscing about a conversation with officials. “We’ve got all these radars that we’ve tested ... we’re not detecting these [small drones], and we can’t mitigate this threat, and it’s a serious threat because they can see everything,” Powell added. New radars can detect high-velocity small threats like those described, giving law enforcement an advantage when potential criminals are conducting ISR to find the best roads into the United States. Towers, conceived by the company along the Gaza-Israel border, include an array of sensors. Another tool is video, coupled with AI and machine learning (ML) algorithms. “Video is the most popular, and the capabilities that exist within AI/ML,” Powell said. “We have advanced AI-ML organization ... it is crazy powerful for taking all this data and finding a signal out of the noise.” Powell explained that Elbit’s ground and tower sensors can detect movement at precise locations to later acknowledge individuals or groups migrating near the border. Those areas may have lawful traffic, which amounts to most of what the algorithms must separate from potential law offenders. These sensors can be included in a mobile unit, and the CBP is looking toward procuring these systems from many suppliers and deploying 500 of these units along the border. Similar to Israel, underground tunnels continue to pose a serious threat to the U.S. border. Elbit Systems, an Israeli-originated company, refers to underground tunnel detection as being paramount to Israel’s security.

“That technology has to work, and it does work,” Powell said. “And we’ve delivered technology that was developed for that purpose to address human and drug trafficking across the U.S. southern border. ... Team awareness kits, also known as TAK devices, much like Android phones, give agents a common operating picture for them to be able to assess and dispatch to given coordinates,” Powell explained. “We’re working very closely with the organizations that are setting the requirements for meeting the future threats of counter drone, both air, ground and surface. We’re being encouraged to work with industry.” Powell explained that the CBP tries to incentivize cooperation among competitors to produce the most robust system with multiple capabilities. Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world. “Strategically placed, advanced technology provides CBP staff with enhanced situational awareness and improves the ability of officers and agents to not only surveil, deter and detect individuals and contraband entering the United States illegally, but also to better identify those in need of rescue,” a CBP spokesperson said. Still, as border law enforcement agencies improve their performance, there are unwanted consequences. Social problems arise and these encourage more illegal migration, according to an expert. “Too much border security increases irregular migrants in your country, and that has been in part proven for the past 15 years as the U.S. increased involvement and investments at the border, especially in terms of technologies, and made that border, therefore, more difficult to cross,” Côté-Boucher said. Making the border less porous increases the presence of migratory workers—as especially those working in agriculture fear not being able to repeat the trip the next season and therefore choose to remain in the country, according to Côté-Boucher. Another controversial intervention can be found around dozens of government departments, including law enforcement agencies in border areas that use simulators mimicking cellphone towers to trick phones in the area into transmitting their locations and identifying information. These could also gather information beyond the targeted suspect, including bystanders, according to a report by the American Civil Liberties Union, a nongovernmental organization (NGO). Several organizations have been mentioned in reports as potential privacy violators. Although SIGNAL Media reached out to all organizations mentioned, they declined to comment or denied gathering this information. Still, NGOs raise privacy concerns as immigrants’ cellphone data is presumably collected, geotracing and tracking immigrant movement. This data has appeared in a memorandum by The Heritage Foundation. Repeated attempts by SIGNAL Media to reach the think tank were unsuccessful. As technologies adapt and improve their power to stop drug trafficking, the human side of the equation becomes

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more complicated, adding to technology's impact upon lives on both sides of the border.

Cartels are using storm drains to carry out smuggling

Ventura 24 [Jorge Ventura, 7-9-2024, "Cartels using El Paso drains to smuggle migrants into US", NewsNation, <https://www.newsnationnow.com/us-news/immigration/border-coverage/cartels-using-el-paso-drains-smuggle-migrants-into-us/>]

Cartels are using drains to smuggle people into the U.S., creating another issue for the Biden administration as it relates to the border crisis. The storm drain system in El Paso, Texas, has become an unexpected battleground in the ongoing fight against illegal immigration and human smuggling. Border Patrol agents in El Paso are facing new challenges as smugglers use these underground networks to move migrants. How is this happening? Sources inside Juarez tell NewsNation that since President Biden's latest asylum crackdown, migrants are turning to smugglers as a means of illegally entering into the U.S. The storm drain system in El Paso is extensive; spanning over 300 miles. These drains, obviously designed to manage storm water, are being exploited by smugglers to move migrants. Migrants have been using tunnels and storm drains to avoid capture since at least the 1960s, but smugglers have turned these underground networks into dangerous routes. Migrants, including children, are forced into these drains without knowing where they are going. They rely entirely on the smugglers, who can be very unreliable and put them in great danger. Who is fighting back against the cartels? The task of stopping these smugglers falls to the Border Patrol's Confined Space Entry Team; otherwise known as CSET. This specialized team faces numerous challenges, including toxic gases, snakes, and the risk of flash floods, when they go looking for signs of recent activity. As CSET has been sweeping these drains recently, it has found an increase in entries. The team is looking to rescue migrants, as well as locate smugglers. They say smugglers use tools like electric cutters and gas-powered saws to create new entry points into drains. What happens next? Sources in Mexico tell NewsNation they expect to see more migrants moving through these tunnels. It coincides with Mexico stepping up its efforts to fight against the migrant smuggling trade. For now, smugglers are cashing in big time at the border. CSET agents have to continue to navigate the toxic gases inside the tunnels, as well as combatting compromised Mexican authorities, sources tell NewsNation.

Advanced RF spectrum monitoring and drones are revolutionizing border security by enhancing detection of illegal activities

George ND [Zac George, xx-xx-xxxx, "RF border surveillance: a key line of defense for border security", No Publication, <https://www.crfcs.com/blog/rf-border-surveillance-the-first-line-of-defense-for-border-security-monitoring>]

As such, many border security managers are now looking beyond the three traditional pillars (physical barriers, optical technology, patrols) and embracing smart alternatives such as RF (Radio Frequency) surveillance that incorporates automated features. RF spectrum monitoring and smart border control National border security has historically focused on surveillance activities at ground level. However, the advent of drones (both in the air and maritime domains) is redefining the border control landscape. The autonomous nature of these self-driving vehicles renders them highly sophisticated yet inexpensive to deploy. This makes them a compelling proposition for transnational monitoring of difficult-to-reach areas or supporting search and rescue missions. Drones can even be configured to dynamically clear ground patrol vehicles that comply with certain parameters, thus streamlining the process for border transportation checkpoints. The drawback is that illegal drone usage is also becoming more prevalent, and border control staff need a reliable means to distinguish between the two. Effective RF spectrum monitoring empowers border control officers to recognize sanctioned and unsanctioned activity immediately. It also allows them to anticipate other potential incursions by detecting, identifying, and geolocating RF transmissions from different signal sources close to border perimeters. Authorized drones can be quickly and reliably detected within an approved geofence with an accurate track-back to the operator. On the other hand, remote-piloted surface vehicles USVs can be monitored as they approach the shore to establish if they present security or operational risks. This type of proactive border monitoring offers the additional advantage of indicating the nature and severity of the threat based on the number and type of signals detected, including the ability to record and demodulate said signals. RF border surveillance offers a smart means to monitor Hostile neighbors Illegal migrant activity Drug/firearm smuggling Human trafficking International terrorism Transnational criminals Grey Zone irregular activity The same technology also provides a reliable sub-system for maritime surveillance and port protection through augmented RF spectrum awareness.

The US is responsible for a majority of the flow of illegal guns to Mexico that fuel cartel violence

Mineo 22 [Liz Mineo, 2-18-2022, "Stopping toxic flow of gun traffic from U.S. to Mexico", Harvard Gazette, <https://news.harvard.edu/gazette/story/2022/02/stopping-toxic-flow-of-gun-traffic-from-u-s-to-mexico/>]

Every year, half a million weapons enter Mexico illegally from the U.S., and many of them are military-style weapons that end up in the hands of drug cartels and other violent criminals, said Alejandro Celorio Alcántara, legal adviser of the Mexican Ministry of Foreign Affairs. "In addition to prosecuting criminals and seizing guns that are illegally in Mexico, we decided to go to the source of the problem. Like if this were a toxic river, in addition to cleaning the river, we need to go to the source and stop the toxic waste from being dumped at the river," said Celorio Alcántara, referring to the landmark lawsuit the Mexican government filed against 10 U.S. gun manufacturers in U.S. federal court last summer. It is the first time that a foreign government has sued American gunmakers. Celorio Alcántara spoke on Thursday at the online panel "Exporting Mayhem: Suing Gun Manufacturers in the U.S. to Stop Violence in Mexico" about the public health crises created by gun violence on both sides of the border and the legal arguments behind the action. The panel was sponsored by the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School. Mexican officials have said that a significant part of the epidemic of violence and crime that has plagued their nation in recent decades is driven by the illicit traffic of weapons from the U.S. Mexico has restrictive firearms laws, with one gun store in the entire nation and only about 50 permits issued per year. Between 70 to 90 percent of guns recovered at crime scenes in Mexico can be traced back to the U.S. Drug cartels, in particular, buy those weapons in the U.S., mostly in Texas or Arizona, and smuggle them across the border. The lawsuit accuses gunmakers of marketing strategies and business practices to "design, market, distribute, and sell guns in ways they know routinely arm the drug cartels in Mexico."

Cartels revenue is continuing to increase and the resulting violence could turn Mexico into a failed state within a few years

Caralle 23 [Katelyn Caralle, 7-2-2023, "Sen. Vance backs DeSantis' proposal to use deadly force at the border", Mail Online, <https://www.dailymail.co.uk/news/article-12256121/Pro-Trump-Ohio-Sen-JD-Vance-backs-Ron-DeSantis-proposal-use-deadly-force-border.html>]

'You think the fentanyl problem is bad now, what about three years from now when the Mexican drug cartels are more powerful than the Mexican state itself?' Vance questioned when speaking with host Chuck Todd. Presidential hopeful DeSantis said Monday while unveiling his proposal to tackle the southern border crisis from Eagle Pass, Texas that he would use 'deadly force' to combat the flow of drugs into the U.S. from Mexico. DeSantis has repeatedly taken aim at former President Donald Trump for failing to deliver on promises he made while campaigning when he got into office – like constructing a wall along the entire southern border. 'I would empower the President of the United States – whether that's a Republican or a Democrat – to use the power of the U.S. Military to go after these drug cartels,' he said. He also warned that if the drug crisis continued on the current track, Mexico could become a 'failed state' - like what happened in Colombia. '[Cartel] revenue per year has gone up 14 fold just in the last couple of years,' Vance said. 'That shows you, I think, what bad border policies can do.' 'The Mexican government is being, in a lot of ways, destabilized by the constant flow of fentanyl.' DeSantis said Monday that the best way to deter cartels is by taking down coyotes and smugglers and making it clear they will be met with force from border enforcement if they break U.S. laws. 'If you drop a couple of these cartel operatives, they'll stop coming,' DeSantis said at a press conference in front of the Rio Grande River in Eagle Pass, Texas last week.

Fracturing in Mexican cartels is set to lead to increases in violence throughout 2024

Resendiz 24 [Julian Resendiz, 2-7-2024, "Mexican cartel violence likely to increase in 2024, experts say", BorderReport, <https://www.borderreport.com/regions/mexico/mexican-cartel-violence-likely-to-increase-in-2024-experts-say/>]

Mexico has recorded tens of thousands of murders in the past five years, as cartels fight for territory and control of criminal activities ranging from extortion and kidnapping to fuel theft and highway robbery. What makes it more of a powder keg this year is the growing split within its largest criminal group: The Sinaloa cartel. The sons of jailed drug lord Joaquin "El Chapo" Guzman are in a "tussle" that is threatening to become a war with Guzman associate Ismael "Mayo" Zambada. A man passes by a burnt truck on a street a day after an operation to arrest the son of Joaquin "El Chapo" Guzman, Ovidio Guzman, in Culiacan, Sinaloa state, Mexico, on January 6, 2023. (Photo by JUAN CARLOS CRUZ/AFP via Getty Images) "You will continue to see them clash. And if it becomes a war of attrition, you may see them split with the territory they control along with other groups," Ballard said. "I would not be surprised to see the violence continue and even get worse if you end up with two distinct transnational criminal organizations." DEA bringing fight against fentanyl to El Paso RELATED CONTENT Juarez reports second quadruple murder in 4 days 'Rat' carved into victims of quadruple murder The Sinaloa cartel is the principal exporter of fentanyl to the United States, according to Drug Enforcement Administration Administrator Anne Milgram. The June 2 election in which favored ruling party candidate Claudia Sheinbaum faces opposition coalition challenger Xochitl Galvez and single-party candidate Jorge Alvarez is likely to alter any under-the-table arrangements between organized crime and local government officials; it's also likely to be influenced by groups trying to impose local candidates willing to favor them, experts say. Voter registration deadline looms for Mexicans living abroad "Next year we expect to see major disruptions to the organizational structures and continued diversification of their operations. This shifting criminal landscape could lead to surges in violence. In the election year, political assassinations, and threats against candidates to make them (quit) will rise," according to a report released last month by the Center for the United States and Mexico at Rice University's

Illicit smuggling is a key source of revenue for drug cartels

Klein 15 [Timothy Klein, 05-04-2015, "Drug Cartels and Business", Texas Christian University, https://repository.tcu.edu/bitstream/handle/116099117/10366/Klein_Timothy_Final_Thesis.pdf?sequence=1&isAllowed=y]

Drug cartels primarily earn revenue through the smuggling of illegal drugs. In a country with rule of law, they need to engage in certain behaviors to mitigate the ongoing threat of being thwarted by law enforcement and other defense agencies. If cartels do not engage in actions to accomplish this, then they face a business environment that makes it difficult for them to transport drugs and ultimately make money. In order to have a favorable environment to smuggle drugs, cartels engage bribery and corruption.

The majority of drugs consumed and sold in the US come from cartels

Klein 15 [Timothy Klein, 05-04-2015, "Drug Cartels and Business", Texas Christian University, https://repository.tcu.edu/bitstream/handle/116099117/10366/Klein_Timothy_Final_Thesis.pdf?sequence=1&isAllowed=y]

Drugs are popular for consumption and for selling, especially in the United States. But where do the drugs come from? They primarily come from drug cartels, mainly operating in Mexico. The word "cartel" is misleading, as the major drug cartels have intense competitive rivalry and do not cooperate with one another. Drug cartels have complex networks that allow them to move drugs from producer to end consumer. Drug cartels have also diversified their operations (Wood & Arnson, 2014). Many cartels use kidnapping and extortion as additional ways to earn revenue. The major drug cartel organizations earn millions and sometimes billions in the process.

Despite the threat of cartel-operated drones at the US-Mexico border, President Biden's budget cuts funding for counter-drone capabilities

Dinan 23 [Stephen Dinan, 4-18-2023, "DHS wants to cut funding to combat cartel drones at the border", Washington Times, <https://www.washington-times.com/news/2023/may/3/dhs-wants-cut-funding-combat-cartel-drones-border/>]

Homeland Security Secretary Alejandro Mayorkas has told Congress that combatting drones is a priority, yet his new budget cancels funding to develop the Border Patrol's capabilities to detect and derail cartel-operated drones at the border. Cartels use drones to smuggle in drugs and to keep eyes on Customs and Border Protection's operations along the U.S.-Mexico boundary, probing to find unprotected areas where they can sneak people or other contraband across. Congress last year allocated \$5.3 million to CBP for its Counter Unmanned Aircraft Systems program, but President Biden's new budget zeroes out that money. In its budget justification, CBP said it never asked for the money in the first place and its proposed cut "rebalances the request" and uses the money for other Border Patrol priorities. That's not sitting well with members of Congress. "There's not a single dollar in the CBP request to counter the small drones that the cartels are flying across the border to conduct surveillance on our agents and deliver drug loads," Rep. John Rutherford told acting CBP Commissioner Troy A. Miller during a recent hearing. In a follow-up statement to The Washington Times, the Florida Republican ticked off numbers showing the growing threat drones pose. "Yet, President Biden eliminates funding for this important border security system in his FY 2024 budget," the congressman said. "It is one of the many budget gimmicks used by President Biden, where he says one thing but does another." CBP said in a statement that the cut in funding doesn't mean they don't take the drone threat seriously. "Procurement processes for additional Counter-UAS systems are ongoing, utilizing previously appropriated funds; and the agency will continue to leverage its authorities and available funds to do this important work," the agency said. Mr. Mayorkas has personally warned Congress about the danger drones pose to the U.S. domestically. "These drones can fly farther, faster, have greater visibility, carry heavier loads. And they are being used by individuals with nefarious intent as well as by adverse nation states. And we need to have the capability to counter the use of drones," he said. He said Congress has given Homeland Security significant authority to bring down drones that pose a threat to security, but he said those powers need to be renewed and expanded. The drone threat at the border is particularly sobering. In testimony earlier this year to Congress, the Border Patrol's chief agent in southern Texas said the agency saw more than 10,000 incursions over the boundary

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with Mexico in 2022. Drones help the cartels control the territory directly south of the border and track Border Patrol movements. That gives the cartels intelligence on when the best time is to smuggle high-value contraband across. In budget data provided to Congress, CBP said its counter-drone program “mitigated” 25 drones in fiscal year 2022, and had mitigated another 15 through the first four months of fiscal year 2023. That’s a tiny fraction of the cross-border activity. Mitigation usually means hijacking the radio frequency an operator is using to fly a drone and bringing it down. CBP did credit its counter-drone strategy with helping agents seize 553 pounds of narcotics and arrest 1,490 people in the early months of fiscal year 2023. When they spot drones, Border Patrol agents can use them to try to sniff out illegal activity. As one agent described to a judge in making an arrest: “Alien smuggling organizations regularly use drones to conduct aerial surveillance ahead of trafficked aliens and/or narcotics to circumvent law enforcement positions.” But that means when agents spot the drones, they also know where to position themselves to try to nab whatever the smugglers are bringing through.

Cartels are leveraging advanced technology like drones to expand their influence and control

Zicarelli 23 [Kristen Zicarelli, 9-6-2023, “The America First Approach to Defeat the Cartels”, No Publication, <https://americafirstpolicy.com/issues/research-report-the-america-first-approach-to-defeat-the-cartels>]

The cartels wield extraordinary power because they have a monopoly on violence in an increasing number of regions throughout Mexico. The tactics the cartels are known to employ to exert influence and control include intimidation, bribery, extortion, and brutal acts of violence. The cartels are also known to purposefully leave gruesome displays of violence to terrorize local citizens. Estimates from a 2018 special report from Mexican policy organization revealed that between one-third and one-half of homicides in Mexico are believed to be linked to the cartels (Justice in Mexico, 2023). The cartels use high-powered assault weapons and military-grade weapons like the AK-47, M16, and Galil ACE (Chaparro, 2022). Since 2006, Mexico’s homicide rate has tripled, and crime-related violence has resulted in an estimated 150,000 deaths. In 2018, Mexican cartels killed at least 130 candidates and politicians before their presidential elections (CFR, 2023). Local police are known to be extremely susceptible to bribery and co-governance to protect their drug shipments, control the economy, and keep a tight hold on territory (Sheridan, 2020). The Sinaloa cartel reportedly has strong connections with Mexican political and economic elite, using bribery as a main means to influence officials (InSight, 2021). The cartels are also known to rob cargo shipments and siphon “billions of dollars of oil annually” from Pemex, Mexico’s state oil company (CRS, 2022).

A SOPHISTICATED DRONE FRAMEWORK As modern technology has evolved, the cartels have embraced the digital age and weaponized the internet and other tools to increase their power. Both the Sinaloa and Jalisco cartels use advanced technical drones to optimize their smuggling efforts and improve their reconnaissance, surveillance, and payload transportation. Their capabilities have been weaponized against U.S. law enforcement, mostly for the purpose of illegally smuggling drugs across the southern border. Cartels use drones to monitor U.S. Border Patrol agents so that drug mules can successfully move both illegal aliens and illicit narcotics across the southern border undetected. In 2016, they were even able to successfully hack DHS UAVs (unmanned air vehicles) in an effort to cross the border illegally (WAQAS, 2016). The cartels have also equipped drones with drugs to transport them across the border via a “drag-and-drop” technique that evades U.S. law enforcement by relying on technology rather than people for drug transportation. In February 2023, Congressional testimony by Border Patrol Chief Agent Gloria Chavez

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confirmed that the cartels have “17 times the number of drones, twice the amount of flight hours, and unlimited funding to grow their operations.” In the Rio Grande Valley sector of Texas, Chief Chavez testified, Customs and Border Patrol (CBP) faced more than 10,000 drone incursions and 25,000 drone sightings in one year (News Nation, 2023). President of the National Border Patrol Council Brandon Judd stated that the cartels “use drones to scout our positions, where our border patrol agents are, [and] how can they facilitate the drug trade” (Handy, 2023). The Texas Department of Public Safety has repeatedly reported on their encounters with cartel “dark ship drones,” which are flown clandestinely amidst their own airmen (Texas.gov, 2022). Evidence indicates that the cartels have also equipped their drones with weapons to attack rival groups and other enemies. The CJNG has been linked to drone attacks against the police and other civilians in Mexico (BBC, 2021). In January 2022, the CJNG used drones to bomb a camp of people in Michoacan, Mexico – part of a greater attempt to take over the region. Local police reports indicated that some of their weaponized drones were shot down by rival armed groups, causing an uptick in violence in the region and a mass exodus of residents from nearby towns (Graziosi, 2022).

Democrats are shifting their strategy on immigration to counter GOP attacks and demonstrate their commitment to border security in battleground states ahead of the elections

Associated Press 24 [Associated Press Nationwide, 2-29-2024, “Democrats lean into border security as it shapes contest for control of Congress”, No Publication, <https://ny1.com/nyc/all-boroughs/news/2024/04/06/democrats-lean-into-border-security-as-it-shapes-election>]

With immigration shaping the elections that will decide control of Congress, Democrats are trying to outflank Republicans and convince voters they can address problems at the U.S. border with Mexico, embracing an issue that has traditionally been used against them. What You Need To Know The shift in strategy, especially from Democrats running in battleground states, comes as the Biden administration has struggled to manage an unprecedented influx of migrants at the Southwest border Donald Trump, the presumptive Republican presidential nominee, has led his party in vilifying immigrants as “poisoning the blood” of the country and called for mass deportations of migrants. And as the GOP looks to flip control of the Senate, they are tying Democrats to President Joe Biden’s handling of immigration The tactic has already figured large in elections like Arizona’s Senate race, a seat Democrats almost certainly need to win to save their majority Just two states over, Democrats are hoping to bolster their chances of holding the Senate by pulling off a difficult feat — turning Texas blue, at least in one race. Some see a chance to flip a long-held GOP seat by fielding Rep. Colin Allred, D-Texas, against Sen. Ted Cruz The shift in strategy, especially from Democrats running in battleground states, comes as the Biden administration has struggled to manage an unprecedented influx of migrants at the Southwest border. Donald Trump, the presumptive Republican presidential nominee, has led his party in vilifying immigrants as “poisoning the blood” of the country and called for mass deportations of migrants. And as the GOP looks to flip control of the Senate, they are tying Democrats to President Joe Biden’s handling of immigration. The tactic has already figured large in elections like Arizona’s Senate race, a seat Democrats almost certainly need to win to save their majority. Republican Kari Lake has repeatedly linked Rep. Ruben Gallego, the likely Democratic nominee, to Biden, telling the crowd at a March event that “there’s really not a difference between the two.” Democrats are no longer shrugging off such attacks: They believe they can tout their own proposals for fixing the border, especially after Trump and Republican lawmakers rejected a bipartisan proposal on border security earlier this year. “It gives some Democrats an opportunity to say, ‘Look, I’m here for solutions,’ ” Gallego said.

“Clearly, the Republicans are here to play games. And so, whether it’s Kari Lake or Donald Trump, they’re not interested in border security. They’re interested in the politics of border security. And we’re here to actually do something about it.” During most of his five House terms, Gallego had been a member of the Congressional Progressive Caucus, but as he prepared for a Senate run, he quietly left the group. Now he’s emphasizing his work on bolstering the ranks of U.S. Customs and Border Protection and securing funding for communities impacted by recent spikes in immigration, which he calls a “crisis.” Standing in front of the Santa Cruz County Sheriff’s Office in Arizona last month, Gallego slammed the GOP for blocking the bipartisan border bill. “Every minute we wait means more fentanyl deaths, more strain on our first responders, and the looming possibility of street releases — something that no small community wants,” he said. Just two states over, Democrats are hoping to bolster their chances of holding the Senate by pulling off a difficult feat — turning Texas blue, at least in one race. Some see a chance to flip a long-held GOP seat by fielding Rep. Colin Allred, D-Texas, against Sen. Ted Cruz. Allred has emphasized his connection to border communities on the campaign trail and recounted how he had made childhood visits to Brownsville, Texas, where his grandfather worked as a customs officer. “Our border communities are not just political backdrops, not just places you go to point out problems,” he said at a news conference last month. “They’re places where real people live, where they’re trying to raise their families.” Both Allred and Gallego have joined a House task force focused on border security. Some Senate Democrats have also recently leaned into legislation focused on immigration enforcement. The Democratic Senatorial Campaign Committee has launched ads criticizing GOP senators for opposing the bipartisan Senate deal. It is all a part of a strategy to neutralize the GOP’s advantage on the issue by convincing swing voters that Democrats are serious about border policy. “Democrats aren’t going to win on immigration this year, but they have to get closer to a draw on the issue to get to a place where people take them seriously,” said Lanae Erickson, a senior vice president at Third Way, a centrist Democrat think tank. “Be palatable enough on that issue that people are then willing to consider other priorities.” Still, Democrats face a difficult task when it comes to the politics of border security. A new poll from The Associated Press-NORC Center for Public Affairs Research has found that almost half of adults blame Biden and congressional Democrats for the current situation at the U.S.-Mexico border, while 41% blame Republicans in Congress. Republicans are also using practically every tool in Congress to denounce Biden’s handling of the southern border. They are forcing Democrats to take tough votes on border security measures and demanding policy changes in return for aiding Ukraine. And the House in February impeached Homeland

Security Secretary Alejandro Mayorkas for his handling of the southern border. “The reason you’re seeing the Democrats talk about the border is because they have a political crisis, not because they’re trying to solve the border crisis,” said Sen. Steve Daines, the chair of the National Republican Senatorial Committee. “If they truly want to solve the border crisis, President Biden can go back to the Oval Office with a stroke of a pen and can make significant inroads in solving this problem. But he chooses not to.” Daines visited Arizona this week as part of an effort to boost Lake, a fervent Trump supporter who has insisted that she lost a 2022 race for governor because of fraud. Republicans lost several Senate elections in 2022, including in Arizona, Pennsylvania and Nevada, after Trump-backed candidates struggled to raise money and connect with a broader, more moderate range of voters during the general election. This year, as Republicans look to win Senate seats in West Virginia, Montana, Ohio, Pennsylvania and Maryland, they are uniting around border policy changes. They are also bringing up past comments and votes from Gallego and Allred, as well as vulnerable senators. In Texas, one political action committee aligned with Cruz has launched an ad attacking Allred for calling the border wall “racist” in 2018. And according to an analysis by media tracking firm AdImpact, over \$26 million was spent in February on TV ads about the border and immigration in federal and down-ballot races in Texas, Arizona, Florida, Michigan, North Carolina, Wisconsin and Ohio by candidates, political groups and other groups. Still, Democrats on Capitol Hill have all opposed Republican legislation that would bring back many of the Trump administration’s border policies, including restarting construction of border walls. “You’re going to be painted as an open border Democrat no matter what, so talk about solutions,” said Maria Cardona, a Democratic strategist. She is urging candidates to lean into the immigration debate by discussing plans for border security and policies to help immigrants who have set up lives in the country. It’s an approach that worked under former Presidents Bill Clinton and Barack Obama, she said. Still, the shift in the way Democrats talk about the border could shape the future of immigration policy. The hardline immigration measures pursued by the Trump administration spurred a reaction by Democrats to oppose tough immigration enforcement measures. Now, some Democrats argue that the party should move away from a stance that border security and reforms for legal immigration should not be inextricably tied together. But that approach could also disenchant progressive and Latino voters. “As we look towards the future, I would hope that Democrats see that despite all the noise we see about the border, people also really care about pathways to citizenship for immigrants who have been here for many years,” said Beatriz Lopez, the deputy director of The Immigration Hub. Most Democrats, including Gallego and Allred, still express support for that kind

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of immigration reform. But what's different is that Democrats also see the necessity of talking about their border policy proposals, said Rep. Henry Cuellar, a Texas Democrat. "For so long, the Republicans have had a narrative about the border being a dangerous place and out of control," said Cuellar, who is leading the House Democrats for Border Security group. "I think it's important that Democrats also have a narrative about border security. We care about border security."

5.0.6 AC – Arms Trafficking

The US is responsible for a majority of the flow of illegal guns to Mexico that fuel cartel violence

Mineo 22 [Liz Mineo, 2-18-2022, “Stopping toxic flow of gun traffic from U.S. to Mexico”, Harvard Gazette, <https://news.harvard.edu/gazette/story/2022/02/stopping-toxic-flow-of-gun-traffic-from-u-s-to-mexico/>]

Every year, half a million weapons enter Mexico illegally from the U.S., and many of them are military-style weapons that end up in the hands of drug cartels and other violent criminals, said Alejandro Celorio Alcántara, legal adviser of the Mexican Ministry of Foreign Affairs. “In addition to prosecuting criminals and seizing guns that are illegally in Mexico, we decided to go to the source of the problem. Like if this were a toxic river, in addition to cleaning the river, we need to go to the source and stop the toxic waste from being dumped at the river,” said Celorio Alcántara, referring to the landmark lawsuit the Mexican government filed against 10 U.S. gun manufacturers in U.S. federal court last summer. It is the first time that a foreign government has sued American gunmakers. Celorio Alcántara spoke on Thursday at the online panel “Exporting Mayhem: Suing Gun Manufacturers in the U.S. to Stop Violence in Mexico” about the public health crises created by gun violence on both sides of the border and the legal arguments behind the action. The panel was sponsored by the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School. Mexican officials have said that a significant part of the epidemic of violence and crime that has plagued their nation in recent decades is driven by the illicit traffic of weapons from the U.S. Mexico has restrictive firearms laws, with one gun store in the entire nation and only about 50 permits issued per year. Between 70 to 90 percent of guns recovered at crime scenes in Mexico can be traced back to the U.S. Drug cartels, in particular, buy those weapons in the U.S., mostly in Texas or Arizona, and smuggle them across the border. The lawsuit accuses gunmakers of marketing strategies and business practices to “design, market, distribute, and sell guns in ways they know routinely arm the drug cartels in Mexico.”

The U.S. and Mexico's joint efforts reveal a significant rise in cross-border firearms trafficking, emphasizing the need for stronger efforts to combat illegal arms flow

Lemus 24 [Guillermo Lemus, 2-13-2024, "Infographics", Wilson Center, <https://www.wilson-center.org/article/infographics-arms-trafficking-across-us-mexico-border>]

The United States and Mexico have grappled with increasing arms and drug trafficking for several years. In response to recent surges in violence, the Mexican Attorney General of the Republic (FGR) and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) undertook a joint effort to trace the origin and number of firearms in Mexico coming from or through the United States. These infographics highlight the growth in the bilateral arms trade, with particular emphasis on the years 2016-2022. The United States and Mexico have grappled with increasing arms and drug trafficking for several years. In response to recent surges in violence, the Mexican Attorney General of the Republic (FGR) and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) undertook a joint effort to trace the origin and number of firearms in Mexico coming from or through the United States. Mexico's Secretariat of Foreign Relations found that 70-90% of traced firearms originated from and passed through the US. ATF and the US Government Accountability Office (GAO) estimated a lower rate of 68%, comprising 50% domestically produced and 18% imported into the US, and ultimately found in Mexico. ATF's data unveils compelling insights. Although pistols consistently topped the list of firearms found by the ATF, there was a 105% increase in rifles found in Mexico and reported from 2016 to 2022, meaning that cartels may be favoring this type of firearm. Specific US counties have been linked to weapons found across Mexican municipalities, spanning from the Pacific to the Atlantic Coasts, as highlighted by former Mexican Secretary of Foreign Affairs Marcelo Ebrard and the Office of the Attorney General of Mexico. Concurrently, the United Nations Office on Drugs and Crime (UNODC) has identified the presence of 'ant-trafficking,' the intentional diversion of firearms from legal channels, and straw purchases, where individuals buy guns on behalf of others, along these routes. These actions intensify the illegal transportation of firearms. The presence of guns in Mexico, as well as these two phenomena, demonstrate the connection of these trafficking routes, amplifying illegal firearm transportation. The increase in these practices necessitates enhanced collaborative efforts between the United States and Mexico to curb the unlawful flow of firearms. These infographics highlight the growth in the bilateral arms trade, with particular emphasis on the years 2016-2022. "Ant-trafficking" is identified by UNODC as a cross-border firearm trafficking phenomenon that involves discreet movement of small quantities, often targeting localized demands.

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It is characterized by smaller batches and single straw purchases — a method where the intended buyer, either incapable of passing the mandatory federal background check or seeking to distance themselves from the transaction, employs another person who can successfully navigate the background check to acquire the firearm on their behalf— of larger quantities, suggesting an organized trade. Law enforcement data indicates that the majority of cross-border seizures involve fewer than five firearms, supporting the “ant trafficking” pattern (UNODC, 2020; ATF, 2021). Moreover, the United States grapples with the persistent issue of firearms trafficking across both its northern and southern borders. Illegal purchase of firearms within the US, often orchestrated by straw purchasing cells at the direction of cartels, fuels trafficking into Mexico (ATF, 2021). These infographics feature data sourced from the ATF, verified by the GAO. Additional information is derived from the White House, the Mexican Attorney General’s Office (FGR), and UNODC on cross-border firearm trafficking between 2016 and 2022.

Expanding the use of drones is a cost-effective way to enhance surveillance and has historically supported the apprehension of smuggled items

Miller 24 [Jason Miller, 3-15-2024, "Drones becoming central to a variety of CBP's mission sets", Federal News Network - Helping feds meet their mission., <https://federalnewsnetwork.com/ask-the-cio/2024/03/drones-becoming-central-to-a-variety-of-cbps-mission-sets/>]

From search and rescue to intelligence, surveillance and reconnaissance to inspecting towers, Customs and Border Protection is demonstrating how drones are more than just a fun hobby. CBP is recognizing not only the time and cost savings, and more importantly the safety to officers that small, unmanned aircraft can provide. Quinn Palmer, the National Operations Director for small unmanned aircraft systems at CBP in the Homeland Security Department, said the use of drones has evolved across the agency's mission sets. "Small drones are really filling a critical niche between fixed surveillance systems and crewed aviation or manned aviation assets because of their range, because of their price point and the quick deploy ability," Palmer said on Ask the CIO. "They can offer us surveillance over a much larger area on the border, like for search and rescue where we can cover broad swaths of territory very quickly. But another interesting piece of that is the nature of the drone, meaning its covertness, that's been a hugely impactful component to how why drones are so valuable to us and to our agents in the field. What I mean by that is having the ability to surveil a target or a law enforcement situation covertly or silently allows our folks that situational awareness, that critical time element, to prepare more smartly to position themselves to make that initial engagement, which lends itself to officer safety, but also to the effectiveness of the law enforcement resolution." This type of impact is true across many CBP mission sets. From border surveillance and related missions to facility and tower inspections to creating training videos, using drones, for internal communications, the agency is using these unmanned small aircraft systems in more ways than ever imagined. CBP flew 100,000 sorties in 2023 To that end, Palmer said CBP has grown its drone pilot crew to about 2,000 strong operating more than 330 systems from just half a dozen systems and 20 operators a about five years ago. It plans to grow to more than 500 assets and continue to train and hire operators in 2024. "The response by the field, by the folks that are out there on the front line, are really engaging in and advocating for this capability in this technology. The leadership now see the value too," Palmer said. "It's always a trade off when you've got a workforce that's stretched amongst many competing requirements and commitments, adding one more thing to do is something we've got to

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be very conscious about. It can be a distraction. It can be a negative to the labor cost of conducting a border security mission. But drones have not been that. It's been a labor saving capability. We see an effect at the ground level, but not just in the price tag but in the time it takes to resolve law enforcement situations." In 2023, CBP flew about 20% of all of the direct air support missions for ground agents of the border patrol. From those flights came 48% of all apprehensions and seizures, Palmer said. "We're putting out about 25% of the output, but yielding about 50% of the outcome. That's due to the proliferation of more drones being more places than manned aviation, but also the nature of the drone being covert and the effectiveness it lends its self to that interdiction aspect," he said. "We apprehended about 42,000 folks crossing the border illegally. In fiscal 2020 through 2023, about 2,800 pounds of narcotics were seized, 95 vehicles seized and 13 weapons seized. That resulted from about 100,000 sorties about 50,000 hours flown." Sustainment plans for drones All of those efforts in using drones instead of manned aviation in 2023 resulted in about \$50 million in cost avoidance. Palmer said that money can be put back into mission and operational priorities helping the agency extend its limited budget. "We're actually benefiting not just from the cost savings associated with deploying drones versus some of these other more expensive surveillance capabilities. But we're also benefiting because we're able to control that interdiction much more efficiently, which translates into savings on the ground level because the labor costs associated with and the time associated with accomplishing that interdiction, and that resolution is minimized," he said. "In many different ways, we found that drones are impacting and it's not just from the budgetary standpoint, but they're impacting the tactical advantage in the field." As with any new technology, CBP is learning how to manage the drones and educating the industry. For example, the agency runs drones in austere environments whether cold, heat, dust or precipitation in a way that many manufacturers didn't intend the systems to run in. "We are using our equipment a lot compared to some of the other drone users in the United States. We've had industry partners say we never intended to fly this this much. We're like, 'well, don't sell it to us,'" Palmer joked. Palmer said this means having a strict sustainment plan is more important than ever to keep the drones flying. "This gentlemen at the National Transportation Safety Board (NTSB) told me this, and I'll share it with you because I was thought it was very relevant. Drones are engineered to do very sophisticated things. But they're engineered also at the same level as the toaster on your kitchen counter. So we do very intricate and very sophisticated things with drones, but they are consumable, for lack of better term," he said. "We do have for our higher costing assets have sustainment plans and lifecycle plans associated to those acquisitions We do our due to our hard

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work to make sure that that that battery rotation and those kits are tracked and the motor arms and the propellers are replaced per manufacturer specifications. We're doing all those kinds of things on the ground. But ultimately, small drone is should be considered as a consumable. They're just not built to sustain." At the same time, Palmer said the marketplace is moving so fast that CBP or any organization could move to the next generation fairly quickly and inexpensively outweighing the cost of long-term sustainment plans.

5.0.7 AC – Human Trafficking

Strengthening border security is crucial to combat human trafficking, as lax policies and overwhelmed agencies facilitate the exploitation of vulnerable migrants, particularly unaccompanied children

Rodriguez 22 [Selene Rodriguez, 1-11-2022, “How Porous Borders Fuel Human Trafficking in the United States”, Texas Public Policy Foundation, <https://www.texaspolicy.com/how-porous-borders-fuel-human-trafficking-in-the-united-states/>]

Slavery is alive and well today all across the world, and it comes in the form of human trafficking. January is National Human Trafficking Awareness Month. Human trafficking is today’s form of slavery as men, women, and children are recruited and exploited by being forced into labor against their will. There are many forms of trafficking, most notably forced sex exploitation, as well as domestic servitude, and factory and agricultural work. Victims of human trafficking experience physical and psychological abuse while being isolated from the world. It’s a tool their captors use to control them. Every form of human trafficking is an atrocity, and every victim deserves to be rescued, rehabilitated, and cared for. One way in which the United States can help curb human trafficking is improving border security. In the U.S., immigrants, especially immigrant women, make up the largest portion of trafficking victims. The Department of State estimates that in 2016, 57,700 victims had been trafficked into the U.S. annually. The true number is likely much larger and impossible to determine. In fiscal year 2021, there were nearly 2 million migrant apprehensions along the U.S.-Mexico border, and that number only accounts for the people encountered by border agents. More than 400,000 more migrants eluded apprehension and are counted among the “got-aways.” Last year also met another unfortunate record—147,000 unaccompanied migrant children entered into the U.S., 122,000 were taken into the U.S. custody, the previous record being 69,000. While some minors make it into the country with information on family members they have in the U.S., others end up in the foster system. According to the Department of State, a large number of child sex trafficking survivors in the U.S. were at one time in the foster care system. Being an immigrant places these children at a higher risk since they tend to have lower levels of education, an inability to speak English, and a lack of family and friends. Sophisticated transnational syndicates are notorious for using children to get single, adult males not just across the border, but through Border Patrol processing. Once these men are granted a stay, they smuggle the children back across the border where they will continue to be trafficked. Studies done by the Latin American branch

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of the Coalition Against Trafficking In Women estimates that 60% of Latin American children who set out to cross the border alone or with smugglers have been caught by the cartels and are being abused in child pornography or drug trafficking. In 2019, the Department of Homeland Security, under the Trump Administration, launched a pilot program that allowed for ICE to DNA test families that were deemed suspicious of fraudulent activity. This program was designed to help prevent minors from being trafficked or recycled, and it resulted in criminal charges for the adults exploiting them. Yet this program was met with great disdain by activist groups and lawmakers and is not being used by the current administration. Under the Biden administration, human traffickers are busier than ever, expediting the flow of migrants across the southern border. The president has made it abundantly clear that his administration does not wish to stop illegal immigration, nor does it wish to enable necessary enforcement of the immigration laws that are on the books. It is factors such as these that drive large numbers of people to surge the border, overwhelming federal and local agencies and—most importantly—risking the lives of millions. With the Border Patrol overwhelmed by the large number of migrants to process, they are being compelled to get people through as quickly as possible, leading to a less rigorous vetting process. It is unknown how many victims of human trafficking have been smuggled across the border to date, but it is clear that scandalously loose border policies and inadequate federal resources incentivize innocent people to put themselves at the mercy of human smugglers, fueling human trafficking in the United States. Human trafficking must be a fight that Americans work together to combat relentlessly, across party lines. In the U.S., almost no group is more vulnerable to falling victim than migrants recently arriving, specifically children who have no legal guardian. The U.S. must work towards restricting human trafficking by securing and maintaining its borders. Customs and Border Protection personnel should be given every tool at their disposal to intercept and stop human trafficking efforts, both at and between ports of entry.

5.0.8 AC – Drugs

Investments in surveillance at ports of entry are the best way to reduce drug smuggling into the US

National Immigration Forum 21 [National Immigration Forum, 5-4-2021, “Border Security Along the Southwest Border: Fact Sheet”, <https://immigrationforum.org/article/border-security-along-the-southwest-border-fact-sheet-2/>]

What is the best way to reduce drug smuggling along the Southwest border? Through focusing on investments at ports of entry. CBP statistics show that in the first six months of FY 2021, CBP OFO officers seized 131,086 pounds of cocaine, heroin, methamphetamine and fentanyl at ports of entry, compared to 19,587 pounds seized by the Border Patrol between ports of entry. The data demonstrates in recent months, 87% of hard drugs were seized at ports of entry, a trend that has remained consistent for years. Congress must invest in infrastructure and staffing at ports of entry to help curtail drug trafficking. Investments in border security between ports of entry, including investments in physical barriers and more Border Patrol agents, are not effective means of preventing dangerous drugs from entering American communities.

Investments in border surveillance modernization have historically increased vehicle processing and fentanyl detection

Odrich 24 [Jeremy Odrich, 02-27-2024, "", No Publication, <https://thirdway.imgix.net/pdfs/override/The-Real-Problem-at-the-Southern-Border.pdf>]

CBP has also used this funding to implement new technologies. In 2024 alone, over \$1 billion has been directed for the modernization of border facilities, technology, and assets. CBP has created a network of surveillance towers allowing agents to track border crossers day and night. The towers detect any movement within miles of the border, allowing agents to detect incoming drugs or weapons well in advance. CBP has also used these funds to add additional surveillance aircrafts to sweep over border regions. Many of these vehicles now operate autonomously, saving agents time in managing thousands of miles of border. These technological improvements mean a safer border for our country. CBP can now scan six times as much cargo entering the country each day. In real terms, CBP has gone from inspecting 2% of passenger vehicles and 17% of cargo vehicles to 40% of passenger vehicles and 70% of cargo vehicles. Consequently, we have increased our fentanyl seizures at the border from an average of 3,077 pounds per year under President Trump to 17,633 pounds per year under President Biden.² More fentanyl intercepted at the border means less fentanyl in our country.

Drug smugglers are able to hack drones to redirect them using false GPS info

SSPI ND [Better Satellite World – Sspi, xx-xx-xxxx, “How Satellites Secure the Border”, No Publication, <https://interactive.satellitetoday.com/how-satellites-secure-the-border/>]

Unmanned aerial vehicles (UAVs or drones) have revolutionized warfare. They are also active in border patrols. Flown via satellite by remote operators, they can stay in the air for long periods of time and send video from the field, which effectively extends the reach of border control agencies for thousands of miles. So successful have drones been on the southern border of the US that drug smugglers have begun hacking into their communications to throw them off course. Ironically, the cyberattack involved another satellite technology: GPS. After gaining access to the drones’ control system, the smugglers feed the aircraft fake GPS coordinates that send them hurtling across the sky to the wrong location. A new generation of low-altitude satellites is delivering a solution by transmitting navigation data at 1,000 times the power of GPS.

Border surveillance is experimenting with new tunnel detection technology to limit smuggling at the border

Pachico 11 [Elyssa Pachico, 11-16-2011, "Tunnel Detection Technology at Mexico Border: Worth the Effort?", InSight Crime, <https://insightcrime.org/news/analysis/tunnel-detection-technology-at-mexico-border-worth-the-effort/>]

As smugglers' tunnels between the U.S. and Mexico grow increasingly common, Washington is pouring resources into the search for a high-tech solution to the problem, when old-fashioned investigative work might be more effective. On November 16, a security team created exclusively to hunt down tunnels, known as the San Diego Tunnel Task Force, announced the seizure of 17 tons of marijuana after they discovered a passageway connecting the U.S. border city with Tijuana. According to the L.A. Times, the tunnel ran the length of four football fields and descended 20 feet underground. Authorities have discovered over 70 tunnels in the San Diego area since 2008. The same day, another tunnel was discovered in Nogales, Arizona, bringing the number of tunnels found in that state during the last fiscal year to 12. U.S. efforts to increase surveillance along the southern border have included proposals to recycle equipment from Iraq and Afghanistan and increase the use of drone aircraft. In a recent Congressional subcommittee hearing by the Department of Homeland Security, several witnesses emphasized one of the U.S. government's most extensive initiatives to improve their monitoring of the border: the use of technology to detect drug tunnels. U.S. agents have observed increased usage of underground tunnels to smuggle weapons and drugs since the first one was documented in 1990. Since then, authorities have discovered 154 such tunnels, the majority in the San Diego-Tijuana area, although a few have been found in Arizona. Over time the tunnels have shown increased sophistication, growing in height and length. Several have been discovered equipped with electricity, ventilation and rail systems; others have been used to smuggle migrants. In response to the problem, the Department of Defense and the Department of Homeland Security have upped their research on ways to detect suspicious activity below ground. Homeland Security representatives recently testified to a congressional subcommittee there are at least four federal task forces dedicated to finding new ways to stop tunnel construction. One project experiments with ground sensors that use seismic waves to detect movement underground, as well as robots that map the terrain using infrared and other technologies. There are various technologies the U.S. can use to detect tunnels, but all have their limitations. Ground penetrating radar does a poor job at detecting anything before 40 feet. This does little good considering that one tunnel discovered between San Diego and Tijuana traveled at

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a depth of almost 100 feet below the surface. Ground radar readings are also affected by ground conditions, and give poor results in urban settings or in damp, clay-rich soils. Other research involves microgravity — the measurement of minute changes in Earth’s gravitational field caused by cavities in the ground. However, the equipment is costly and could give many false alarms. Other technologies using cosmic rays and electrodes have proven to be as equally limited. Tunnels vary greatly in dimension and depth, which also complicates detection through these high-tech methods. The Department of Defense is reportedly most focused on developing seismic and infrared technology to detect tunnels, although the Department of Homeland Security has observed that such research is slow and “labor intensive.” Israel has reportedly developed another method, using fiber optic cables, to track the tunnels excavated in the Gaza Strip and Lebanon. But installing such a system on a mass scale would be expensive and vulnerable to tampering. The U.S. clearly intends to continue investing resources in tunnel detection research. But it’s not clear here that a technological solution is the best one. So far, U.S. authorities have managed to identify tunnels relying on policework and intelligence collection. Resources may be better invested in areas like the cultivation of informants or supporting the investigative work of units like the San Diego Tunnel Task Force. More research could well be done in developing a seismic detection system, which appears to be the most promising technological approach. But considering that U.S. Border Patrol has defined only 15 percent of the southwest border as strongly secured, it’s unlikely the U.S. will develop anything close to control of the underground frontier anytime soon.

Emerging border security technologies are essential to combat the surge in illegal immigration and drug trafficking, leveraging private sector innovations to enhance DHS's effectiveness in protecting the nation

Higgins 24 [Clay Higgins, 7-9-2024, "Chairmen Higgins, Bishop Open Joint Hearing: Border Security Technologies Play a Critical Role" In Countering Threats, Mass Illegal Immigration – Committee on Homeland Security", No Publication, <https://homeland.house.gov/2024/07/09/chairmen-higgins-bishop-open-joint-hearing-border-security-technologies-play-a-critical-role-in-countering-threats-mass-illegal-immigration/>]

Good afternoon and welcome to the Subcommittee on Border Security and Enforcement and the Subcommittee on Oversight, Investigations, and Accountability joint hearing on technology's role in enhancing our border security. The crisis at our southern border poses an existential risk to our nation. To combat this threat, emerging border security technologies play a critical role in deterring criminal activity and the mass illegal immigration that we have witnessed under the Biden administration. Illegal immigration has surged to an unprecedented level with approximately 9.7 million illegal aliens who have crossed our borders since President Biden took office. This is more than double the entire population of my home state of Louisiana. The influx of fentanyl and other deadly drugs is destroying American families and communities. The latest data shows that in the past year, approximately 13,000 pounds of fentanyl have been seized at the Southwest border. Cutting-edge technology is crucial in interdicting these dangerous substances and apprehending drug traffickers. Furthermore, dangerous cartels continually exploit vulnerabilities in our border security. DHS's partnership with the private sector is crucial in leveraging the most advanced technologies available to identify, track, and respond to these threats on land, air, and sea. We have a responsibility to our nation to use every tool and technology at our disposal to protect our homeland from these threats. DHS's deployment of emerging technologies is necessary to combat the illegal movement of aliens, drugs, weapons, and other illicit commodities from crossing the United States border. As transnational criminal organizations and terrorists constantly seek new methods to penetrate the vulnerable border, these innovative technologies are essential in countering these evolving threats, including the use of cartel drones and coyote smuggling operations. The commercial security industry has always played a vital role in protecting America's homeland. Private sector investments in new technologies have enabled components such as Customs and Border Protection (CBP) to strategically deploy personnel and technology to maximize the agency's effectiveness and fulfill its

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mission. I would like to express my gratitude to our witnesses for appearing before the Committee today to discuss how DHS works with industry to provide advanced solutions to our law enforcement personnel on the ground, emblematic of the many private partners working with DHS to secure our homeland. Border security technology will never replace frontline agents and officers. However, technology can be a critical tool to aid law enforcement personnel carry out their mission. The need for advanced technology will continue to grow, as well as the need for personnel readiness to defend our nation. With that, I yield back the balance of my time and look forward to hearing from our witnesses.

5.0.9 AC – Politics

Democrats are pivoting on immigration to counter Republican attacks, showcasing their own border security plans to appeal to swing voters

Groves 24 [Stephen Groves, 4-5-2024, “Democrats lean into border security as it shapes contest for control of Congress”, AP News, <https://apnews.com/article/congress-border-security-democrats-ca10e37c4f961700cdd1645e09422ac0>]

With immigration shaping the elections that will decide control of Congress, Democrats are trying to outflank Republicans and convince voters they can address problems at the U.S. border with Mexico, embracing an issue that has traditionally been used against them. The shift in strategy, especially from Democrats running in battleground states, comes as the Biden administration has struggled to manage an unprecedented influx of migrants at the Southwest border. Donald Trump, the presumptive Republican presidential nominee, has led his party in vilifying immigrants as “poisoning the blood” of the country and called for mass deportations of migrants. And as the GOP looks to flip control of the Senate, they are tying Democrats to President Joe Biden’s handling of immigration. The tactic has already figured large in elections like Arizona’s Senate race, a seat Democrats almost certainly need to win to save their majority. Republican Kari Lake has repeatedly linked Rep. Ruben Gallego, the likely Democratic nominee, to Biden, telling the crowd at a March event that “there’s really not a difference between the two.” Democrats are no longer shrugging off such attacks: They believe they can tout their own proposals for fixing the border, especially after Trump and Republican lawmakers rejected a bipartisan proposal on border security earlier this year. “It gives some Democrats an opportunity to say, ‘Look, I’m here for solutions,’” Gallego said. “Clearly, the Republicans are here to play games. And so whether it’s Kari Lake or Donald Trump, they’re not interested in border security. They’re interested in the politics of border security. And, we’re here to actually do something about it.” During most of his five House terms, Gallego had been a member of the Congressional Progressive Caucus, but as he prepared for a Senate run, he quietly left the group. Now he’s emphasizing his work on bolstering the ranks of U.S. Customs and Border Protection and securing funding for communities impacted by recent spikes in immigration, which he calls a “crisis.” Standing in front of the Santa Cruz County Sheriff’s Office in Arizona last month, Gallego slammed the GOP for blocking the bipartisan border bill. “Every minute we wait means more fentanyl deaths, more strain on our first responders, and the looming possibility of street releases — something that no small community wants,” he said. Just

two states over, Democrats are hoping to bolster their chances of holding the Senate by pulling off a difficult feat — turning Texas blue, at least in one race. Some see a chance to flip a long-held GOP seat by fielding Rep. Colin Allred, D-Texas, against Sen. Ted Cruz. Allred has emphasized his connection to border communities on the campaign trail and recounted how he had made childhood visits to Brownsville, Texas, where his grandfather worked as a customs officer. “Our border communities are not just political backdrops, not just places you go to point out problems,” he said at a news conference last month. “They’re places where real people live, where they’re trying to raise their families.” Both Allred and Gallego have joined a House task force focused on border security. Some Senate Democrats have also recently leaned into legislation focused on immigration enforcement. The Democratic Senatorial Campaign Committee has launched ads criticizing GOP senators for opposing the bipartisan Senate deal. It is all a part of a strategy to neutralize the GOP’s advantage on the issue by convincing swing voters that Democrats are serious about border policy. “Democrats aren’t going to win on immigration this year, but they have to get closer to a draw on the issue to get to a place where people take them seriously,” said Lanae Erickson, a senior vice president at Third Way, a centrist Democrat think tank. “Be palatable enough on that issue that people are then willing to consider other priorities.” Still, Democrats face a difficult task when it comes to the politics of border security. A new poll from The Associated Press-NORC Center for Public Affairs Research has found that almost half of adults blame Biden and congressional Democrats for the current situation at the U.S.-Mexico border, while 41% blame Republicans in Congress.

Immigration policy is a top issue for voters in the upcoming election

Parti 24 [Tarini Parti and Michelle Hackman, 4-5-2024, Why Immigration Is Now the No. 1 Issue for Voters, WSJ, <https://www.wsj.com/politics/elections/election-2024-immigration-issue-voters-84916a17>]

While illegal border crossings have repeatedly set records over the past few years, polls show a more recent sharp increase in the number of voters, like Cousins, who rank immigration as their top concern—even above the economy and inflation. Voters say they worry the migrant influx is affecting other aspects of life—from crime and fentanyl to national security and government spending—as Washington has been unable to resolve the problem. “although the economy is important, I see this also has an impact on the economy,” Cousins said, adding that taxpayers’ financial outlook is affected when cities make budget cuts to deal with the housing, food and healthcare costs associated with the influx of migrants. A Wall Street Journal national poll conducted in late February found that 20% of voters now rank immigration as their top issue, up from 13% in December. In the same poll, 65% of voters said they disapproved of President Biden’s handling of border security, and 71% said developments in immigration and border security are headed in the wrong direction. Another Journal survey conducted March 17-24 of registered voters in seven swing states—Arizona, Georgia, Michigan, Nevada, North Carolina, Pennsylvania and Wisconsin—found immigration to be among the top two issues in every state, with at least 72% of respondents in each of the states saying the country’s immigration policy and border security were headed in the wrong direction. “The issue with all the people coming in illegally: It extrapolates to everything,” said Denise Hodgkins, 56, a Republican from Dalton, Ga. “It affects our economy, it affects crime, it affects drugs.”

Republican lawmakers are demanding more border security in negotiations for aid to Ukraine and Israel

Nazzaro 23 [Miranda Nazzaro, 12-17-2023, "Graham says Biden border policies 'bit them in the ass'", Yahoo News, <https://sg.news.yahoo.com/graham-says-biden-border-policies-172149218.html>]

Sen. Lindsey Graham (R-S.C.) on Sunday argued the Biden administration's policies on the U.S. southern border "bit them in the ass," calling the border a "national security nightmare." "Our border is a national security nightmare," Graham said in an interview on NBC News's "Meet the Press." "[The Biden administration] chose bad policies. It's bit them in the ass, and we're not going to continue these stupid policies. We're going to change them." Border security remains at the center of negotiations between the Senate and the White House as the upper chamber seeks to strike a potential deal to unlock aid for Ukraine, Israel and border security measures. Republican lawmakers have largely resisted the White House's original supplemental request, arguing border security measures need to be stricter if paired with aid for Ukraine and Israel. The White House warned earlier this month that aid for Ukraine will run out by the end of this year if Congress doesn't take action. "The White House got engaged five days ago. They sent over a supplemental with border security provisions that did nothing to change policy. We've been talking to them since September. Five days ago, they finally sat at the table," Graham said, adding that lawmakers feel like they are "being jammed." Homeland Security Secretary Alejandro Mayorkas was among a group of top White House officials to meet with Senate negotiators last week. Graham said negotiations will stretch into next year despite some lawmakers' claims talks are progressing. "We're not anywhere close to a deal, it'll go into next year," Graham said. "The policy choices of the Biden administration [have] made the border a dangerous place to come to." To make his case for heightened border security provisions, Graham pointed to warnings from FBI Director Christopher Wray, who spoke of a heightened threat environment in the U.S. since the Palestinian militant group Hamas's Oct. 7 attacks on Israel that left about 1,200 people dead, including hundreds of civilians. "Since October the 7th, jihadist groups want to attack us because we're helping Israel. I've never been more worried about a 9/11 than I am right now, and our border has been obliterated. And we're not going to give in on some Band-Aid fix," Graham said. Asked to characterize the reported "progress" in negotiations, Graham said, "The only way we're ever going to get a [secure] border is we've got to make them do things they don't want to do, but they're getting there. It was a choice by the Biden administration to change policy that

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led to this debacle.” Graham said there is progress on negotiations for stricter asylum rules, one of the various proposals in discussion. Republicans have suggested measures like Title 42, which would permit the U.S. to suspend processing asylum claims, and for authorities to expel migrants if a certain number of illegal border crossings is reached per day. The White House did not immediately respond to a request for comment.

5.0.10 AC – Accountability

The use of drones in border security can enhance transparency and accountability but concerns remain regarding privacy

Koslowski 18 [Rey Koslowski, 04-07-2018, "Drones along Borders: Border Security UAVs in the United States and the European Union", *International Studies Perspectives*, https://www.albany.edu/~rk289758/documents/Koslowski%26Schulzke_Drones_along_Borders_ISA.pdf] Drone surveillance degrades privacy while also facilitating transparency. Drones bring unprecedented powers for not only monitoring illegal border crossers but also anyone living near their patrol routes. However, surveillance can have advantages if it is used to strengthening oversight of state security forces and NGOs. Drone surveillance therefore reveals a similar set of inextricable costs and benefits as those associated with physical security. The lesson is again that drones offer ways of improving certain aspects of border security while at the same time producing new risks that must be guarded against. The use of drones in border security raises serious concerns about privacy. When drones fly over the US-Mexican border they are not only in a position to watch for illegal border crossings but can also covertly monitor American and Mexican citizens who have done nothing to warrant the attention. These people suffer a continual breach of fundamental privacy rights when they and their homes are monitored without cause (Milivojevic 2015; Jumbert 2016). NGOs likewise take on greater surveillance capacities through their use of drones, which both aggravates the invasion of privacy and introduces the possibility of improved third-party oversight over how the border is being guarded. Threats to privacy could be drastically increased in the near future should more powerful cameras and sensors be mounted on drones. For example, the drones used by US CBP can carry ARGUS, the world's highest resolution (1.8 gigapixel) video surveillance system that can see objects only six inches wide and track every moving object within 36 square miles. Moreover, CBP's drones' technical specifications²¹ require that its signals interception and direction-finding technology work from 30MHz to 3GHz in the radio spectrum. This includes GSM and CDMA frequencies used by mobile phones as well as many two-way radios (McCullagh, 2013), having the potential to expand the range of surveillance beyond public spaces visible from above to conversations and text messages. Given the importance of communications interception in countering terrorism and organized crime, it seems likely that these capacities will be used in the future (Aldrich, 2009). Privacy is also a concern in and around the Mediterranean and Aegean Seas. Hundreds of thousands of

merchant ships travel through those seas each year, without doing anything to warrant surveillance, and common migrant routes run near populated coastal areas in Malta, Spain, Italy, France, and Greece. Drones may also patrol over Europe's large land borders, which extend over 6,000 kilometers. The use of drones beyond state borders reflects a broader trend in transnational intelligence collection, with states attempting to protect themselves through the extension of surveillance capacities (Aldrich, 2009). Breaches of privacy rights could be excused on utilitarian grounds; the patrols may ultimately protect more people than those who suffer infringements on their privacy rights. One might also argue that privacy rights do not exist along borders. This defense of surveillance could have some credibility for the narrow tracts of land along the border, but would not excuse surveillance of adjacent areas that will also be observed or to areas that are subject to surveillance by agencies that borrow drones. The US CPB drones are routinely used by other agencies and are being loaned out with greater frequency, from 30 times in 2010 to 250 times in 2012 (Sengupta 2013), suggesting that border security drones may also pose a serious threat to domestic privacy more generally. The likelihood of surveillance infringing on privacy rights increases as more UAVs enter service, agencies form collaborative links that facilitate technology and information sharing, and NGOs conduct their own monitoring. Europe seems to be at less risk from the expansion in drone surveillance than the US, and may be protected from it by state boundaries that would inhibit the intrusion of one EU member state's drones in another member state. However, the introduction of drones in border regions does raise the risk of drones being redirected into domestic airspace. Because the control of a drone can be shifted from one facility to another, even when a UAV is in flight, drones could be fairly easily loaned to states on a temporary basis, much as they are loaned between American law enforcement agencies. Drones' surveillance capacities aggravate the problem of border militarization. Gregory (2011) argues that the mediated vision drones provide privileges a "hunter-killer" perspective that makes it easier to launch attacks against people on the ground. Wall and Monahan (2011) support this with their contention that drones introduce "actuarial surveillance" that is premised on detecting enemies and calculating risks, but while lacking the kind of contextual knowledge that is essential for knowing who is being targeted or feeling responsibility for the effects of violence. Similarly, Jumbert (2016, 98) argues that drones are incapable of doing the delicate work of sorting through migrants who have a right to enter a country from those who do not because their position high above the ground divorces them from contextual information and forecloses the possibility of engaging with migrants directly. However, this argument overstates the problem, since border control officials would

still be present to screen entrants and drones would be restricted to patrolling routes across deserts and rough seas that are exclusively taken by illegal border crossers. These concerns are foreseeable costs of relying on drones to provide border security, yet increased surveillance is not uniformly undesirable. Surveillance becomes objectionable when it creates asymmetric power relations. One entity may assert its control over another by subjecting it to surveillance, or even the threat of surveillance. Nevertheless, the power relations created by surveillance practices are not unidirectional, especially with such a diverse range of actors involved in monitoring the border. Along with the breach of privacy and overreach of government power, drones offer an increased capacity to monitor government agencies and civil society actors who may abuse their authority. Commentators who support the use of drones in international conflicts have formulated plans for using drones to promote accountability within the militaries that use them by providing videos that would facilitate the independent examination of soldiers' conduct (Arkin 2009), and the same proposals can be extended into domestic contexts. Drones could monitor and reduce excessive use of force by border patrol agents, especially in incidents when lethal force is used against low-level threats. For example, in 2010 a CPB agent shot and killed a teenager for throwing rocks at him from the Mexican side of the border (Associated Press, 2015). Had drones been in position to monitor the incident, they could have provided valuable evidence when this case was taken to court. Ideally, drone pilots would be separated to some extent from other border patrol agents whose activities they would be monitoring to overcome the biases that interfere with internal norm enforcement. Mechanisms of reviewing videos would also need to be established in the interest of protecting migrants' welfare. If these procedures are not established, then drones operated by NGOs would become especially valuable, as they could provide a more neutral perspective on incidents without the risk of being covered up by the CPB. Government surveillance of domestic areas and citizens also has some advantages when NGOs conduct their own border operations. The American Civil Liberties Union (ACLU) and the Anti-Defamation League (ADL) have been involved in monitoring vigilante border patrol organizations in the US, with the goal of protecting border crossers. Their efforts could be facilitated by collecting surveillance footage and making it publicly available when there are grounds for thinking that migrants may have been abused. Of course, it will be essential for effective regulations to be in place. Migrants in Europe have likewise been attacked by government security forces and anti-immigration groups. Videos of these incidents have already played a vital role in calling attention to this abuse (BBC 2016), but ground-based cameras have a limited range and are vulnerable to seizure. Drone

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surveillance holds the promise of introducing a far more comprehensive viewpoint without the same risks of interference. Surveillance could help to protect border guards as well. Videos of attacks on border guards could be used to track down those who escape capture. There have been instances in which border guards have killed people who appeared to be threatening and have been unable to provide clear evidence that force was warranted. Border guards may be vindicated when they injure or kill attackers and have video evidence to prove that their use of force was justified. Drones can also monitor the interdiction of migrant boats as they cross the Mediterranean and Aegean Seas – a task that is particularly important because the many different countries and private organizations involved in this work makes it critical to ensure that norms of fair treatment are consistently followed. Moreover, using drone surveillance in this capacity could alleviate the collective action problem created by European states selectively intercepting or avoiding migrants to minimize costs to themselves. Drones would be able to provide fairly clear and unbiased information about when migrant boats are intercepted and whether any patrols appear to deliberately avoid them.

The use of body cameras increases accountability for officers and reduces abusive use of force

Rios 16 [Pedro Rios, 3-10-2016, "Body cameras on Border Patrol agents could save lives", Hill, <https://thehill.com/blogs/congress-blog/civil-rights/272403-body-cameras-on-border-patrol-agents-could-save-lives/>]

In 2010, Anastasio Hernandez Rojas, a husband and father of five, was handcuffed, tortured and brutally beaten to death by 12 Border Patrol agents at the San Ysidro border crossing in California. The horrifying incident witnessed by dozens of people exposed a systemic problem with the nation's largest law enforcement agency: that Border Patrol agents operate with impunity, without meaningful accountability, and in complete opaqueness. The abuses by agents are widespread and well documented. Since January of 2010 more than 46 people have died as a result of an interaction with the Border Patrol. This past June, a woman was killed when Border Patrol agents intentionally rammed their boat into another boat carrying 20 people. In 2012, a Border Patrol agent shot 16-year-old Jose Antonio Elena Rodriguez repeatedly in the back before he died. He was on his way to a local market to buy food staples in the Mexican city of Nogales, along the border with Arizona. {mosads}In the Hernandez Rojas case, a civilian bystander recorded the incident from the safety of an elevated pedestrian walkway. The video shows 12 Border Patrol agents, who are armed with batons and a Taser, brutally beating and tasing Rojas — who was lying on the ground with his hands cuffed behind his back. The medical examiner ruled the death a homicide. Six years later, not one of the 12 agents has been charged or even fired. Hernandez Rojas's widow, Maria Puga, is leading the movement for expanded oversight and accountability, including the demand that Border Patrol agents wear body cameras, which are a proven deterrent of abuse. A study shows that when officers wear them, the use of force plummets over 50 percent. Both civilians and officers experience fewer injuries when officers wear body cameras. Despite the overwhelming evidence and impassioned pleas by Puga and others who have lost loved ones, there has been little response from U.S. Customs and Border Protection (CBP), which oversees the Border Patrol. An internal review commissioned by CBP recommended against agents wearing body cameras. It was only after a massive public outcry that CBP commissioner Gil Kerlikowske was compelled to take up the matter for more consideration. Meanwhile, Hernandez Rojas's family is waiting for justice. This week, the Use of Force Review Board (UFRB), a new body within CBP charged with providing oversight, will initiate an administrative review of the incident. The UFRB can recommend additional training and equipment, changes in policy and disciplinary

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action. Commissioner Kerlikowske stated that rebuilding trust and preventing further acts of brutality are important priorities for CBP. If that is true, then the UFRB must urgently recommend that CBP fully equip its agents with body cameras along with a robust policy that will hold agents accountable for their actions. It must also recommend disciplinary action against Hernandez Rojas' murderers. Until then, how can we trust the Border Patrol to live up to its mission to ensure the safety of everyone on our nation's borders?

Body-worn cameras have improved transparency and trust in law enforcement, but increasing federal funding is crucial

Daly 24 [James Daly, 6-24-2024, “Sponsored Content: Body-Worn Cameras Build Transparency and Trust for Law Enforcement Across the Nation”, POLITICO, <https://www.politico.com/sponsored/2024/06/body-worn-cameras-build-transparency-and-trust-for-law-enforcement-across-the-nation/>]

Over the past decade, body-worn cameras changed the game in the U.S. criminal justice system, transforming how law enforcement agencies interact with the communities they serve. Not only have BWCs enhanced evidence collection and report-writing workflows, but they have increased understanding between agencies and community members regarding use-of-force interactions, improving the relationship between law enforcement and civilians. “Law enforcement agencies must be built on transparency and trust,” said Rick Smith, CEO and founder of Axon Enterprises, the nation’s largest provider of public safety technology. As of 2020, all U.S. police departments serving at least one million residents reported using body cameras, and 79 percent of police officers nationwide reported working in departments with BWC programs. The U.S. government has begun to follow suit. Since 2019, several federal law enforcement agencies — including U.S. Customs and Border Protection, the U.S. Marshals Service and the National Park Service — have used body cameras to improve transparency and enhance federal policing practices. In 2022, President Biden accelerated the push for BWCs in the federal space with an executive order calling for federal law enforcement agencies to develop policies and equip their officers with the technology. According to the executive order, all federal law enforcement officers that conduct patrols, engage with the public or execute pre-planned attempts to serve an arrest warrant or other pre-planned arrests should be outfitted with a body camera. Despite steady adoption of body-worn camera policies by several government agencies, funding for the technology is faltering. For instance, in their 2025 budget request, the Department of Homeland Security, the largest federal law enforcement agency, proposed funding for 3,600 BWCs for CBP, a 24 percent decrease from their 2024 request. Officials with ICE, another law enforcement agency within DHS, said in a 2024 policy update that the agency plans to give BWCs to officers in “select locations” but “currently does not have the resources to issue cameras to all ICE law enforcement personnel.” Some law enforcement experts say it’s critical that the federal government correct course and work to secure partnerships they can trust. “That’s where companies like Axon come in. Body cameras and evidence management solutions from Axon are highly adaptable, offer seamless integration and provide robust

oversight capabilities while adhering to the federal government’s rigorous cloud security standards,” said John Durastanti, head of business development and strategy for Axon Federal. Durastanti noted that effective partners have ready-to-deploy technology with the Federal Risk and Authorization Management Program and DoD cloud security authorizations. “This streamlines the procurement process and gets federal officers and agents up to speed quickly. It’s a critical example of why support and funding from policymakers for programs like these are so critical,” he said. Quote Mark Axon’s technology is highly adaptable to meet the diverse mission needs of law enforcement and investigative agencies. Our body cameras and evidence management solutions offer the flexibility to integrate seamlessly, provide robust oversight capabilities and adhere to rigorous cloud security requirements essential for the federal government. JOHN DURASTANTI HEAD OF BUSINESS DEVELOPMENT AND STRATEGY, AXON FEDERAL Making a difference in communities Over the past decade, BWCs have proven to be an effective tool in building transparency and trust between law enforcement and communities, and research shows that body-camera footage can shift public perceptions of police. In a study from Queen’s University in Canada, members of the public who were exposed to positive body camera footage showed significant increases in trust and willingness to cooperate with police. “Body-worn cameras are not just a tool for law enforcement; they are a tool for justice and communities, ensuring that every voice is heard, and every perspective is considered in the pursuit of truth,” said Smith. “Body cameras also offer public safety professionals the opportunity to demonstrate best practices by releasing footage that tells positive stories of community resilience and showcases heroic actions.” That ability to “see it all” also improves both civilian and police behavior. Body cameras help promote what psychologists call the Hawthorne, or observer, effect. People behave differently when they know they are being observed. A 2021 study from the University of Chicago Crime Lab and the Council on Criminal Justice’s Task Force on Policing found that the presence of BWCs led to 17 percent fewer complaints against officers and a 10 percent reduction in the use of force against civilians. According to a DHS assessment, body cameras with automatic activation can be used by all first responders to enhance transparency, deter aggressive behavior, preserve evidence, improve the accuracy of written reports, monitor personnel and aid in the improvement of training and operational procedures. The auto-activation features ensure critical moments are captured without the need for an officer to manually start a recording, so law enforcement and communities know an interaction is accurately captured. BWC recordings also add a critical extra layer of oversight that improves public safety. “BWCs help ensure that law enforcement behaves according

to their policies and in a way the community expects,” said Durastanti. “They have truly become a critical tool for public safety.” The Technology Behind the Body-Worn Boom The Axon Ecosystem provides law enforcement with integrated solutions such as body cameras, evidence management and real-time situational awareness to protect communities. This technology enhances security and transparency, transforming public safety. Click to view the short film to see how the Axon Ecosystem works and learn how it can improve safety for communities. [VIEW SHORT FILM HERE](#) An investment worth making Procuring and maintaining BWCs can be expensive, especially for large agencies with thousands of officers deployed nationwide. Agencies need funds not only for the initial hardware purchase but also for data storage, maintenance and training. Smith says that these investments pay off. “Body-worn cameras allow law enforcement to do their jobs in a way that is supported by the community,” he said. “BWCs increase the community’s trust in the police, and I don’t think you can put a price on that.” A 2017 study by the National Criminal Justice Reference Service found that the annual costs per user of police BWCs are offset by savings realized from fewer complaints against officers and the reduced time needed to resolve complaints by making digital evidence management more efficient. New technologies are helping to make departments even more efficient. Earlier this year Axon introduced Draft One, software that drafts high-quality police report narratives in seconds based on auto-transcribed body-worn camera audio. Draft One leverages generative artificial intelligence and includes a range of critical safeguards, requiring every report to be reviewed and approved by a human officer, ensuring accuracy and accountability of the information before reports are submitted. This technology will be a huge time-saver for law enforcement officers. Axon found that every week, officers in the U.S. can spend up to 40 percent of their time — or 15 hours per week — on what is essentially data entry. Agency trials have resulted in roughly one hour of time saved per day on paperwork. For every eight officers who use Draft One during their day, that translates to an extra eight-hour shift or more. “Every single officer and agent in the U.S. writes police reports, often every day and normally multiple times a day. As we’ve done with Draft One, through harnessing the power of AI, we will prove to be one of the most impactful technological advancements of our time to help scale police work and revolutionize the way public safety operates,” said Smith. That’s a critical consideration at a time when police departments are often understaffed. The shortage results in longer response times to calls for service and officers working overtime, which can lead to burnout and be costly for taxpayers. Ultimately, Draft One has the potential to augment and amplify officers, giving them back time to better serve their communities. Quote Mark Every single officer and agent in the U.S. writes police

5 Affirmative Evidence

reports, often every day and normally multiple times a day. As we've done with Draft One, through harnessing the power of AI, we will prove to be one of the most impactful technological advancements of our time to help scale police work and revolutionize the way public safety operates. RICK SMITH CEO AND FOUNDER OF AXON Technology for a more secure future Body cameras are much more than cameras on chests. They are advanced evidence-collection systems that document essential aspects of a crime and the actions of law enforcement officers and maintain a secure chain of custody to ensure the integrity and admissibility of the evidence in legal proceedings. In order to have the biggest impact, BWCs must be connected to digital evidence management systems that allow agencies to upload, store and manage all digital evidence for the duration of the agency's data retention periods. For example, DHS requires evidentiary data to be held for 75 years, potentially evidentiary data for three years and non-evidentiary data for 180 days. This retention is conjoined with specific custody guidelines that ensure the reliability and integrity of evidence used in legal proceedings. While properly storing video evidence can seem overwhelming for many agencies, Axon has secure systems in place to help agencies comply with federal standards. Axon's technology meets the highest security level for cloud service providers, ensuring that federal data and BWC footage is secure. "We proactively invest in the security of our system to ensure that we meet and exceed the government's requirements to ensure federal agencies have the utmost confidence that they are acquiring the most robust and secure system available to law enforcement," said Durastanti. Play Unmute Current Time 0:00 / Duration 3:20 Share Captions Fullscreen 1.00 Protecting more people in more places Engineering teams at Axon continue improving the capabilities of BWC devices and systems to ensure that body cameras remain a critical and ever-improving part of a vast ecosystem of public safety technologies designed to protect more people, in more places. As BWCs have been adopted nearly ubiquitously across U.S. state and local law enforcement, policymakers and the public now understand the benefits more clearly. "I believe policymakers are very supportive of having these tools deployed across federal law enforcement," says Smith. "That work is more important than ever." Smith sees the recent executive order as a successful first step in acknowledging the impact BWCs made and encouraging federal agencies to adopt BWCs. Now, he says, we must continue that momentum. "We've had a number of huge successes across federal law enforcement," said Smith. "But we need to continue the investment and rollout to reach full success. We can help build the relationships federal lawmakers want to have with the communities they serve."

5.0.11 AC – Wildlife Trafficking

AI tools can be used to crackdown on wildlife trafficking

IFAW 23 [IFAW, 8-14-2023, “How can we use AI to combat wildlife crime?”, IFAW, <https://www.ifaw.org/journal/ai-combat-wildlife-crime>]

AI could tell frontline officers, who cannot possibly search every piece of cargo crossing through airports or international borders, which checkpoints are most likely to see trafficked wildlife at which times. To do this, AI tools must learn through collecting and analysing data over time. That data can take the form of intelligence reports, border force seizures, and data collected on the ground by law enforcement officers during their daily routine checks. It can also be open-source data (for example, from transport companies) and complementary data from NGOs and academia, including information about species-specific seasonal patterns and common trafficking routes. Feedback from participants in on-the-ground trials of the technologies could also be used to help AI learn. The goal is to create a feedback loop in which data informs the AI, which helps the officers to catch more wildlife traffickers, which in turn creates better data, from which the AI can continue to learn and develop—ultimately becoming more accurate in its predictions. AI in action AI tools could enable us to devote resources to fight wildlife trafficking at the most optimal locations and at the right times. We could heavily staff the control points that are most likely to encounter wildlife trafficking and concentrate staff there during the times of day when trafficking is most likely to occur. Like many available AI tools, one intended to help fight wildlife trafficking could take the form of an app. Useful features of such an app would include maps for rangers and law enforcement officers showing them tailored, efficient routes that have higher likelihoods of encountering trafficked animals. While practical AI tools for frontline officers fighting wildlife trafficking on the ground are not yet in use, AI is currently used to combat online wildlife trafficking. When animals are traded illegally online, and users upload their images, AI tools can scan the internet for these photos and flag suspected illegal listings, accounts, and other relevant intel. Obstacles to adoption Right now, many jump at the opportunity to use AI because it’s trendy. However, AI requires a significant investment of resources, time, political support, and expertise. AI tools require costly trial and pilot periods. Before spending thousands—or millions—of dollars on developing an AI tool, it’s important to ensure it would actually be effective. Frontline wildlife crime officers are already lacking in funding and necessary equipment to conduct their on-the-ground work, and investment in AI technology could potentially be wasteful without

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first securing these resources. In addition, AI tools require time and data to become effective, but sufficient data on wildlife trafficking is currently lacking.

Wildlife surveillance at the border is currently inadequate

Dorn 24 [Andrew Dorn, 5-9-2024, "Border officials seize exotic animals as wildlife smuggling grows", Hill, <https://thehill.com/changing-america/sustainability/environment/4651510-border-officials-seize-exotic-animals-as-wildlife-smuggling-grows/>]

In 2022, FWS special agents and other law enforcement partners investigated over 10,000 wildlife trafficking cases and collected over \$11,000,000 in criminal penalties, the agency said. A study published in April found that better wildlife screening tools, which are "severely lacking," could help authorities crack down further. "Currently, wildlife seizures predominately rely on prior intelligence as opposed to active surveillance methods, thus seizures reported likely represent a very small percentage of all smuggling attempts," researchers at the University of Adelaide found. Specifically, wildlife detection dogs are becoming more common because they can sniff out distinct scents like reptiles and birds. In fact, it was a K-9 unit that detected the nearly two dozen exotic birds heading into California in March. For now, the U.S. remains one of the world's largest markets for trafficked wildlife, in part because the "size and scope" of the country's financial system makes it "ideal for bad actors to pass their illicit funds through," Moody's said in its report. In that sense, addressing the illegal animal trade could be crucial in the battle against Mexican drug cartels in addition to protecting endangered species and threats to human health stemming from the transmission of disease.

The CBP works to enforce wildlife trafficking laws

USCBP 23 [U.S. Customs and Border Protection, 08-01-2023, “Wildlife Trafficking”, <https://www.cbp.gov/trade/programs-administration/natural-resources-protection/wildlife-trafficking>]

Combating wildlife trafficking poses significant challenges to national security. Criminal groups and dangerous international networks involved in drug trafficking, arms trafficking, human smuggling, and other crimes are often also involved in wildlife trafficking. The global movement and trafficking of animals and plants also expose actors along shipment routes to novel zoonotic diseases, which are transmitted from animals to humans. Transmittable infectious disease is not just a concern for human pandemic preparedness; it can have widespread economic consequences for the agricultural sector, as well as detrimental effects for native wildlife. In addition to potentially major economic consequences, wildlife trafficking incentivizes criminals to target already endangered species, while threatening to endanger others. This, in turn, can destabilize ecosystems and threaten the health and security of people who depend on these natural resources for their livelihood. CBP works with U.S. Fish and Wildlife, the U.S. Forest Service, and U.S. Department of Agriculture, Animal and Plant Health Inspection Service to enforce wildlife trade laws. These interagency efforts target imports of illegal wildlife within the bounds of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Lacey Act.

6 Negative Evidence

6.0.1 NC – Safety

“Prevention Through Deterrence” strategies at the border have led to massive increases in migrants by funneling them towards more dangerous crossings

Human Rights Watch 24 [Human Rights Watch, 6-26-2024, “US: Border Deterrence Leads to Deaths, Disappearances”, <https://www.hrw.org/news/2024/06/26/us-border-deterrence-leads-deaths-disappearances> //SM]

Border deterrence policies are driving increased deaths and disappearances of people migrating to the United States, said Human Rights Watch and the Colibrí Center for Human Rights in a web feature published today. The web feature, “‘Nothing but Bones:’ 30 Years of Deadly Deterrence at the US-Mexico Border,” features the stories of nine people who died or disappeared while trying to cross the southern US border and of their surviving family members. US Border Patrol has reported about 10,000 deaths since 1994, when Prevention Through Deterrence was first implemented, but local rights groups at the border believe the number could be up to 80,000, with thousands more disappeared. Most of those dead are Indigenous, Brown, and Black people. “The number of deaths is shocking, but each death represents a human being, a family, a community,” said Ari Sawyer, US border researcher at Human Rights Watch. “The US government should end deadly border deterrence policies and enact policies that protect human life.” Prevention Through Deterrence and its progeny are a set of policies explicitly aimed at forcing irregular migrants onto “hostile terrain” and making crossing the US southern border so dangerous that people are discouraged from even trying. The policies have intentionally funneled migrants into crossing points where there are life-threatening conditions. Deterrence policies include punitive immigration policies and dangerous infrastructure, such as border walls, razor wire, armed soldiers, surveillance technology, and, in Texas, river buoys equipped with saw blades and other infrastructure. Pushed back to Mexico, criminal groups and corrupt state officials systematically target migrants for kidnapping and violence, while missing person reports are rarely resolved and

the human remains of migrants—in known mass graves—remain unidentified. Former Border Patrol officials who witnessed the initial rollout of Prevention Through Deterrence told Human Rights Watch that the number of people they found dead immediately spiked when the US government began funneling migrants into more dangerous crossings. Predictably, continued border deterrence has driven the death toll higher in the US-Mexico borderlands. Over the past three decades, Prevention Through Deterrence and its progeny have proven ineffective at reducing migration and are harmful to both migrants and Border Patrol agents. Agents have said that being required to enforce deterrence policies inconsistent with their values has contributed to the Border Patrol's record-high rates of suicide. Former President Donald Trump and current President Joe Biden have used deterrence to target asylum seekers. The Biden administration, in close collaboration with Mexican President Andrés Manuel López Obrador, has blocked asylum at ports of entry and removed many non-Mexican migrants to Mexico. Documented deaths and disappearances have hit record highs during Biden's term. The accounts in the web feature reflect the different experiences of a range of individuals, and they show the deeply personal and damaging impacts deterrence policies have on families. Some of the narratives illustrate how families suffer from the unending grief of not knowing what happened to their loved one. In one case, a 19-year-old woman died crossing the US-Mexico border in the hopes of joining her aunts and making money to send home to her parents, who are both chronically ill. While her aunts are both legal permanent residents in the United States, that status did not allow them to sponsor their niece, with whom they were very close. "How is it possible that I have come to see her for the last time, and she is nothing but bones, when I have waited for her with so much love?" her aunt said when the body of her niece was finally found. The US government has a responsibility to safeguard the right to life when it makes border and immigration policy decisions. The US should end deadly border deterrence policies, expand safe and legal pathways to migrate, and support Colibrí's efforts to collect DNA and identify human remains. "No one should lose their life to reunite with family, get a better job, or flee persecution," Sawyer said. "The Biden administration should reverse course and create a rights-respecting and humane border."

Attempts to secure the border have historically been unsuccessful at deterring migrants and instead led to them to take more dangerous routes or turn to smugglers

Dunn 16 [Timothy Dunn, 9-21-2016, “Hardline U.S. Border Policing Is a Failed Approach”, NACLA, [//SM](https://nacla.org/blog/2016/09/21/hardline-us-border-policing-failed-approach)]

Similarly confounding for policy makers, Massey and colleagues found that the massive increase in border enforcement spending had virtually no effect on the successful entry (after multiple attempts) of undocumented Mexican migrants from 1986 through 2008. (Each year they found a 95-100 percent success rate for entry.) The eventual successful entry rate did drop to 75 percent in 2010, but this was among a much smaller pool of unauthorized crossers by that time. That said, the border build-up did have a host of negative consequences for migrants, many of which have impacted border communities. One of the most obvious was that it pushed unauthorized crossings out of urban areas, like San Diego and El Paso, where the vast majority of such crossings had long taken place, to non-traditional, rural crossing areas that are much more dangerous, particularly the Sonoran desert of Southern Arizona. In response, unauthorized migrants almost universally turned to using coyotes (smugglers) (up to 100 percent usage from 70 percent previously) and the cost of such guides increased by a factor of five (from \$550 USD in 1989 to \$2,700 USD in 2010), according to the study. The dramatic increase in deaths of unauthorized border crossers is the most extreme example of tragedies that have resulted from the border build-up. The dramatic increase in deaths of unauthorized border crossers is the most extreme example of tragedies that have resulted from the border build-up. Fatalities more than doubled from an approximate range of 75-150 deaths per year prior to 1995 to 300-500 annual deaths between 2000-2010. There were 477 recovered sets of remains in 2012, despite many fewer total crossers than in the years before the build-up. Overall, more than 7,500 bodies or sets of remains were recovered in the U.S.-Mexico border region from 1994 through 2015.

Organized crime groups make millions helping migrants cross the border

Khmara 23 [Danyelle Khmara, 5-10-2023, "Human smugglers primarily control migration across the U.S.-Mexico border, and are likely making billions", No Publication, <https://news.azpm.org/p/newsfeature/2023/9/5/217340-human-smugglers-primarily-control-migration-across-the-us-mexico-border-and-are-likely-making-billions/> //SM]

In recent years one of the biggest money makers for organized crime groups involved in the U.S.-Mexico border has become human smuggling, essentially controlling migration and charging every single person trying to get to the U.S. a fee. Ramos says smuggling organizations charge migrants up to \$2,000 to cross the border. That could mean \$80 million for the organized crime groups, in just one year, just from people who came through the center. The fact that smuggling organizations are making so much money off migrants doesn't surprise border authorities. Border Patrol's Tucson Sector Deputy Chief Justin DeLaTorre says that migration trends are largely driven by criminal organizations that control human smuggling at the border. "The criminal organizations, they're going to move anything that they can move that they're going to make money off of, and part of that is human smuggling," he said. A report by InSight Crime says the Department of Homeland Security in recent years estimates that criminal organizations earned \$500 million annually from migrant smuggling. Based on migrants' experiences that could be an underestimate. InSight Crime reporter Parker Asmann says during the team's two-year investigation in Mexican border states, they found that factions of the Sinaloa cartel collected at least \$100 per migrant in Altar, about an hour-and-a-half drive south of Sasabe, Sonora, where U.S. officials have dropped off large groups of migrants in recent years, returning them to Mexico. "Assuming that as many as 30,000 migrants pass through Altar in a single month, which is what the local priest estimated, that's \$3 million just from that quota, just in Altar, just in one month," he said. "So that gives you an idea of just how much money there is to be made." In addition to that, the report found migrants paid at least \$10,000 to be transported from Central America or from Mexico to a U.S. city. U.S. authorities encountered migrants nearly 2.4 million times in 2022 on the southern border. The InSight Crime report says that if even half of that represented migrants who paid \$10,000 in smuggling fees and bribes, the market would be worth close to \$12 billion.

Surveillance towers push migrants into more remote and dangerous crossings

Biddle and Devereaux 23 [Sam Biddle, Ryan Devereaux, 3-20-2023, "Mapping Project Reveals Locations of U.S. Border Surveillance Towers," Intercept, <https://theintercept.com/2023/03/20/border-surveillance-map/> //SM]

Sam Chambers, a researcher at the University of Arizona, studies the relationship between surveillance infrastructure and migrant deaths in the Sonoran Desert and has found the two inextricable from one another. While the purpose of surveillance towers in theory is to collect and relay data, Chambers argues that the actual function of towers in the borderlands is more basic than that. Like the agents deployed to the Rio Grande in Operation Blockade or a scarecrow in a field, the towers function as barriers pushing migrants into remote areas. "It's made in a way to make certain places watched and others not watched," Chambers told The Intercept. "It's basically manipulating behavior." "People cross in more remote areas away from the surveillance to remain undetected," he said. "What it ends up doing is making the journeys longer and more difficult. So instead of crossing near a community, somebody is going to go through a mountain range or remote area of desert, somewhere far from safety. And it's going to take them more energy, more time, much more exposure in the elements, and higher likelihood of things like hyperthermia." Last year was the deadliest on record for migrants crossing the southern border. While the planet is already experiencing a level of human migration unlike anything in living memory, experts expect human movement across the globe to increase even further as the climate catastrophe intensifies. In the U.S., where the nation's two leading political parties have offered no indication of a will to abandon their use of deadly landscapes as force multipliers on the border, the multidecade wave of dying shows no sign of stopping anytime soon.

Increased border surveillance leads to more dangerous migrant routes, harms Indigenous communities, and results in harmful technology spreading to the interior of the country

Murdza 22 [Katy Murdza, 3-4-2022, “New Border Surveillance Technology Raises Privacy Concerns and Could Increase Deaths,” *Immigration Impact*, <https://immigrationimpact.com/2022/03/04/border-surveillance-technology-privacy-deaths/> //SM]

But one study on sections of “virtual” wall in Arizona found “a meaningful and measurable shift in the location of human remains toward routes of travel outside the visual range of the [technology], routes that simultaneously required much greater physical exertion, thus increasing peoples’ vulnerability to injury, isolation, dehydration, hyperthermia and exhaustion.” This outcome is consistent with those of past immigration strategies that relied on deterrence. Attempting to deter migration is ineffective and dangerous, as people still attempt to cross the border but in more remote areas. The remains of over 8,000 people have been found on the northern side of the U.S.-Mexico border since 1998—the real death toll is likely much higher. CBP is also increasing the collection of biometric data at its land ports of entry. In October 2020, the agency launched CBP One, an app that uses GPS tracking and facial recognition to facilitate inspection and entry into the United States. The app raises several concerns, including ones related to privacy and facial recognition technology’s higher false positive rates among certain racial groups. Surveillance and militarization also harm border communities. One community that has suffered greatly is the indigenous Tohono O’odham Nation. CBP has installed vehicle barriers, interior checkpoints, and Integrated Fixed Towers on Tohono O’odham land, which is divided by the U.S-Mexico border. People living in these areas report a constant buzzing, the feeling of always being watched, and symptoms of “checkpoint trauma.” But border surveillance technology doesn’t only affect immigrants and border communities. Technologies that start at the border, such as aerial drones and license plate scanners, are often later used in the interior of the country. In 2020, CBP agents and drones were deployed to protests in various cities of the police murder of George Floyd, a Black man in Minneapolis. And the militarization of the border wastes immense amounts of taxpayer dollars for the benefit of for-profit defense contractors. In 2006, Boeing Defense started work on a DHS contract to build the Secure Border Initiative Network, a type of “virtual” wall. Five years later, a review showed that the project could not meet its objective. DHS then canceled the contract. \$1 billion dollars had already been spent, at a cost of at least \$15 million per completed mile. Increasing border surveillance technology is harmful, ineffective, and unnecessary. The

6 *Negative Evidence*

Biden administration should focus on restoring access to asylum and creating a humane immigration system. There's no need to waste resources on a modern version of the repeatedly failed deterrence strategy.

Harsh U.S. border policies exacerbate migrant suffering and result in migrants turning towards violent smuggling rings

Gilman 24 [Denise Gilman, 1-16-2024, “Claims of an Open Border Are False and Harmful,” UT News, <https://news.utexas.edu/2024/01/16/claims-of-an-open-border-are-false-and-harmful/>]

Border and asylum policies are some of the harshest ever, and it is about to get worse. With likely White House sign-off, Congress is poised to limit asylum further and allow for more rapid deportations in exchange for aid to Ukraine and Israel. Texas has adopted a law that creates a state-level deportation scheme. So, high numbers of arrivals at the southern border are not a result of generous immigration policies as some politicians claim. Rather than doubling down on failed border enforcement and deterrence strategies, we need a new approach. Migrants journey to the border because of danger in their home countries, such as Cuba, Venezuela and Afghanistan, with horrific human rights situations the United States condemns. According to the U.N. refugee agency, forced displacement worldwide has risen dramatically and is comparable only to the period immediately after World War II. The lack of legal U.S. migration pathways for family reunification or work also pushes migrants to make the trek to the border. Rather than recognizing the humanitarian situation, though, we have seen a decades-long ramp-up of barriers to asylum. Currently, asylum seekers who are unable to secure numerically limited appointments through the glitchy CBP One app are physically prevented from reaching or crossing through border checkpoints. Those who manage to enter the United States outside of official entry points, despite razor wire and floating buoys, generally turn themselves in or are apprehended and are often promptly deported. The federal government and the state of Texas also criminally prosecute many such border crossers. Some succeed in communicating a fear of return home and are labeled as asylum seekers, but they are generally detained or placed on GPS monitors. Asylum seekers then must undergo a high-stakes “credible fear” screening interview to prevent rapid deportation and win the chance to present their claims in court. New Biden administration rules make this screening much stricter by imposing Trump-era requirements unrelated to a person’s fear of harm. Around half of asylum seekers now fail, whereas over 80% previously passed. And those that pass must prove their cases again in court in a trial setting. Asylum grants in immigration court are rare — usually fewer than 25,000 each year — regardless of the levels of need for protection. These harsh policies do not stop arrivals at the border, but they do have serious negative consequences, since asylum seekers are returned to their home country. The policies also do not make the United

6 *Negative Evidence*

States safer. Instead, they force asylum seekers into the hands of smuggling rings, which incentives and profits organized crime, making both sides of the U.S.-Mexico border more violent. The U.S. should switch gears to emphasize humanity and efficiency. To begin, we should skip over resource-wasting credible fear screening interviews and detention for migrants arriving from situations that regularly produce viable claims, automatically referring those cases for full asylum adjudication. For example, recently, multiple government offices were involved in GPS monitoring and a five-hour screening interview of my asylum client and his young son who had a straightforward claim based on political repression. The family passed the screening, meaning that the claim will now be heard again in court. A streamlined approach would free up resources for faster and more robust asylum decisions and for real law enforcement priorities. The federal government should also provide an infusion of funding for processing and reception at the border and within the United States. Quicker processing into the United States would reduce the chaos at the border, and numerous organizations stand by to integrate migrants into communities, if funding is available. Additional measures are needed, but these would provide immediate relief. The United States should be known for leadership rather than cruelty at the border. We all would be better off.

Expanding surveillance in Arizona empirically led to migrants taking more dangerous routes

Murdza 22 [Katy Murdza, 3-4-2022, “New Border Surveillance Technology Raises Privacy Concerns and Could Increase Deaths,” *Immigration Impact*, <https://immigrationimpact.com/2022/03/04/border-surveillance-technology-privacy-deaths/>]

But one study on sections of “virtual” wall in Arizona found “a meaningful and measurable shift in the location of human remains toward routes of travel outside the visual range of the [technology], routes that simultaneously required much greater physical exertion, thus increasing peoples’ vulnerability to injury, isolation, dehydration, hyperthermia and exhaustion.”

Surveillance results in a “funneling” effect that drives migrants to unsafe crossings

Chambers 19 [Samuel Norton Chambers, 1-31-2019, “Mortality, Surveillance and the Tertiary”Funnel Effect” on the U.S.-Mexico Border: A Geospatial Modeling of the Geography of Deterrence”, Taylor & Francis, <https://www.tandfonline.com/doi/abs/10.1080/08865655.2019.1570861>]

Theories of migration deterrence have long posited that border enforcement infrastructure pushes migration routes into more rugged and deadly terrain, driving an increase in migrant mortality. Applying geospatial analysis of landscape and human variables in one highly-trafficked corridor of the Arizona / Sonora border, we test whether the expansion of surveillance infrastructure has in fact shifted migrants’ routes toward areas that are more remote and difficult to traverse. We deploy a modeling methodology, typically used in archaeological and military science, to measure the energy expenditure of persons traversing the borderlands. Outcomes of this model are then compared to the changes in border infrastructure and records of fatality locations. Findings show that there is a significant correlation between the location of border surveillance technology, the routes taken by migrants, and the locations of recovered human remains in the southern Arizona desert. Placed in the context of ongoing efforts by the United States to geographically expand and concentrate border surveillance and enforcement infrastructure, we argue that this suggests a third “funnel effect” that has the outcome of maximizing the physiological toll imposed by the landscape on unauthorized migrants, long after migration routes have moved away from traditional urban crossing areas.

Migrants attempting to avoid surveillance are forced into deadlier crossings

Biddle and Devereaux 23 [Sam Biddle, Ryan Devereaux, 3-20-2023, "Mapping Project Reveals Locations of U.S. Border Surveillance Towers," *Intercept*, <https://theintercept.com/2023/03/20/border-surveillance-map/>]

Sam Chambers, a researcher at the University of Arizona, studies the relationship between surveillance infrastructure and migrant deaths in the Sonoran Desert and has found the two inextricable from one another. While the purpose of surveillance towers in theory is to collect and relay data, Chambers argues that the actual function of towers in the borderlands is more basic than that. Like the agents deployed to the Rio Grande in Operation Blockade or a scarecrow in a field, the towers function as barriers pushing migrants into remote areas. "It's made in a way to make certain places watched and others not watched," Chambers told *The Intercept*. "It's basically manipulating behavior." "People cross in more remote areas away from the surveillance to remain undetected," he said. "What it ends up doing is making the journeys longer and more difficult. So instead of crossing near a community, somebody is going to go through a mountain range or remote area of desert, somewhere far from safety. And it's going to take them more energy, more time, much more exposure in the elements, and higher likelihood of things like hyperthermia." Last year was the deadliest on record for migrants crossing the southern border. While the planet is already experiencing a level of human migration unlike anything in living memory, experts expect human movement across the globe to increase even further as the climate catastrophe intensifies. In the U.S., where the nation's two leading political parties have offered no indication of a will to abandon their use of deadly landscapes as force multipliers on the border, the multidecade wave of dying shows no sign of stopping anytime soon.

The expansion of high-tech border enforcement, including AI-driven surveillance and biometric tracking, is deepening migration crises, increasing fatalities, and exacerbating human rights abuses, with inadequate legal safeguards and regulatory oversight

Molnar 24 [Petra Molnar, 05-21-2024, "The Deadly Digital Frontiers at the Border", TIME, <https://time.com/6979557/unregulated-border-technology-migration-essay/>]

Like a wound in the landscape, the rusty border wall cuts along Arizona's Camino Del Diablo, the Devil's Highway. You can drive up to it and touch it, the rust staining your hand for the rest of the day. Once the pride and joy of the Trump Administration, this wall is once again the epicenter of a growing political row. I make my way slowly over the course of a few hours down the dusty Sonora desert, following the footsteps of a search-and-rescue group in southern Arizona to a memorial site of Elias Alvarado, a young husband and father from Central America, whose body was discovered mere kilometers from a major highway. Alvarado was ensnared in a growing surveillance and "smart border system," a dragnet at the U.S.-Mexico border that has already claimed thousands of lives, underscored by a growing commitment by the U.S. government to make a virtual smart border extending far beyond its physical frontier. High-risk and unregulated border technologies are impacting every aspect of migration. At the U.S.-Mexico border, fixed AI-surveillance towers scan the Sonora desert for movement, joining an arsenal of border technologies such as ground sensors, license plate readers, and facial recognition applications used by Customs and Border Protection (CBP). Now, in an election year, migration continues to be a defining issue for both the Biden administration as well as former President Trump, who promises to deport 15 to 20 million people, strengthen the wall, and its surveillance dragnet. In this politically fraught environment, we must pay close attention to these high-risk technologies, which are deepening divides between the powerful actors who develop high-tech interventions and the marginalized communities who are on their receiving end. As a lawyer and anthropologist, I have been researching how new technologies are shaping migration. Over the last six years, my work has spanned borders from the U.S.-Mexico corridor to the fringes of Europe to East Africa and beyond. I have witnessed time and time again how technological border violence operates in an ecosystem replete with the criminalization of migration, anti-migrant sentiments, and over-reliance on the private sector in an increasingly lucrative border industrial complex. From vast biometric data collected without consent in refugee camps, to algorithms replacing visa officers and making discriminatory decisions, to AI lie detectors used at borders, the roll out of unregu-

lated technologies is ever-growing. The biggest problem, however, is that the opaque and discretionary world of border enforcement and immigration decision-making is built on societal structures underpinned by intersecting systemic racism and historical discrimination against people migrating, allowing for high-risk technological experimentation to thrive at the border. While presented as solutions to a so-called “border crisis,” border technologies as a deterrent simply do not work. In fact, they lead to an increasing loss of life. People desperate for safety—and exercising their internationally protected right to asylum—will not stop coming. They will instead use more circuitous routes, and scholars have already documented a threefold increase in deaths at the U.S.-Mexico frontier as the smart border expands. While investigating this technology and standing on the sands of the Sonora to visit Alvarado’s memorial site in early spring of 2022, in a moment that is etched in my memory as one of the more surreal ones of my career, the U.S. Department of Homeland Security (DHS) announced that it was rolling out robo-dogs to join its arsenal of border enforcement technologies along the US-Mexico corridor. In the not-so-distant future, will people like Alvarado be pursued by these robo-dogs? Read More: [The Current Migrant Crisis Is a Collective Trauma](#) It is no accident that very little laws currently exist to govern high-risk technologies at the border. For example, despite years of tireless advocacy by a coalition of civil society and academics, the European Union’s much heralded new law regulating artificial intelligence falls short on protecting the most vulnerable. The EU’s AI Act could have been a landmark global standard for the protection of these rights. But once again, it did not provide the necessary safeguards around border technologies. In fact, the lack of bans and red lines under the high-risk uses of border technologies in the EU is in opposition to years of academic research and international guidance. A 2023 report by the UN’s Office of the Human Rights Commissioner (OHCHR), which I co-authored with Professor Lorna McGregor, argues for a human rights-based approach to digital border technologies, including a moratorium on harmful and high risk border technologies such as border surveillance. The EU did not take even a fraction of this position on border technologies. The U.S. is also no exception, and in an election year where migration is once again in the spotlight, there does not seem to be much incentive to regulate technologies at the border. The Biden administration’s 2023 Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence does not mention the impacts of border technologies on people migrating. And while the DHS has released its 2024 Roadmap on Artificial Intelligence, outlining its framework for what the agency considers “responsible use of AI,” the document neglects to mention the human rights impacts of people on the move. More globally, the UN itself has a lot of

work to do, with its recent resolution on AI, once again, not engaging with the real harms that these technologies perpetuate for people who are migrating. We must also pay close attention to the role of the private sector, as big business drives the development of border technologies, and private companies do not have an incentive to regulate these lucrative projects. Surveillance companies set the agenda of what we innovate on and why, presenting technical “solutions” to migration like robo-dogs or AI lie detectors, instead of developing AI to root out racist border guards, or creating technologies for information-sharing or mental health support at the border. Borders are a viable testing ground for technologies. But oftentimes, this technology does not stop there. Projects like robo-dogs chasing people at the border become normalized and bleed over into public life—the New York City Police Department, for instance, proudly announced in 2023 that it will be deploying robo-dogs to “keep New York safe.” One such robo-dog is even painted with polka-dots like a dalmatian. How many more people must die at the hands of a deadly and digital border regime for us to pay attention? We need stronger laws to prevent further human rights abuses at these deadly digital frontiers. To shift the conversation, we must focus on the profound human stakes as smart borders emerge around the globe. With bodies becoming passports and matters of life and death are determined by algorithm, witnessing and sharing stories is a form of resistance against the hubris and cruelty of those seeking to use technology to turn human beings into problems to be solved.

High-tech border surveillance, while intended to enhance security, often forces migrants into more dangerous routes and raises significant privacy concerns

Hellerstein 21 [Erica Hellerstein, 07-14-2021, "Between the US and Mexico, a corridor of surveillance becomes lethal", Coda Story, <https://www.codastory.com/authoritarian-tech/us-border-surveillance/>]

My guide, a Nogales native and agent with U.S. Customs and Border Protection, scanned the ridge. Cartel scouts, he guessed. The hills serve as their home base. The scouts survey the desert, watching out for border patrols during drug and migrant-smuggling operations. Local reports describe them being equipped with semiautomatic rifles, encrypted radios, cellphones and binoculars. "They're constantly monitoring our movements in order to get people across without getting detected," the agent told me. Nearby, a surveillance tower pierced the cloud-streaked sky. The tower is one of roughly 48 spread out across the 1,950-mile southwestern border between the United States and Mexico. Stretching up to 160 feet tall, the structures are outfitted with high-resolution infrared and daytime cameras, and radar sensors with a seven-mile range, which transmit video and location data to border patrol agents. The towers are part of a web of surveillance that blankets the frontier with Mexico, a decades-old U.S. government effort to fortify the southern border whose origins can be traced to the jungles of Vietnam. In 2020, border patrol apprehended nearly 460,000 people at the southwest border. In 2021, nearly 930,900 have been apprehended, with over 180,000 in May alone. This matrix of technology stretches the border from California to Texas as part of a U.S. attempt to curb illegal immigration. It's made up of stationary and mobile surveillance towers, hidden underground sensors that send alerts to border patrol agents when they detect motion, radar-equipped aerostat blimps operating from 15,000 feet in the air, Predator B drones enabled with video and radar sensors, facial recognition cameras at pedestrian border crossings and license plate readers at U.S.-Mexico ports of entry and internal checkpoints. Data from the sensors, towers, and cameras is sent to a control room in Nogales where agents monitor computers for alerts. Steering his truck on a dirt path near the border wall, the agent told me the technologies free up agents to patrol wide swaths of territory, and form one of three core elements of border security: Infrastructure, technology, and manpower. "It helps us a lot to have this technology," he said. "The scouts — they know it's up. They try to adjust to our improvements. And they're constantly monitoring our cameras, our agents. The technology is an extra person out there, basically." The steady march toward a smart border has lavished private companies with hundreds of millions of dollars in government contracts and earned the support of lawmakers on both sides

of the aisle. Among those at the forefront of the “smart” approach to border policing is President Joe Biden, who, despite ceasing funding for Donald Trump’s physical border wall in his administration’s proposed 2022 budget, is asking for more than \$1 billion in funding for “border infrastructure” and “investments in modern border security technology and assets.” The Biden administration’s budget proposal for “smart” border funding brought me on a journey from Tijuana to San Diego and across nearly 1,000 miles in Arizona to map out existing technologies and how they are used. The route revealed an expansive surveillance ecosystem that poses risks to U.S. citizens and migrants alike, and laid bare the weaknesses of a technology-driven approach to immigration enforcement. Crossing through southern Arizona’s rugged desert is a potentially lethal endeavor. The harsh and searingly hot landscape is a “land of open graves,” according to University of California, Los Angeles anthropologist Jason de León. Over the past two decades, the remains of 3,721 people have been uncovered in the region, with a significant increase in the early 2000s. Experts have connected the death toll to a 1994 border enforcement policy established under former president Bill Clinton. Known as Prevention Through Deterrence, it pushed migrants away from traditional urban crossing points in places like San Diego and El Paso, and into the desert. Humanitarian and migrant rights groups have argued that the border’s high-tech surveillance infrastructure funnels people into ever-deadlier corridors. The suite of technologies has also come under fire from critics, who say that the electronic perimeter raises significant privacy and civil liberty concerns. While there is little research on the intersection between border surveillance and migrant deaths, a 2019 peer-reviewed study by researchers from the University of Arizona and Earlham College found that the surveillance matrix along southern Arizona’s border — including towers and ground sensors — forced migrants to use more dangerous routes in the desert, exposing them to greater risk of dehydration and heat exposure. Geoffrey Alan Boyce, academic director of the Earlham College Border Studies Program in Tucson, Arizona, and a co-author of the report, disagrees with the idea of a humane “smart” border. “Biden and the Democrats have really pushed the idea that this is a kind of more humane alternative to the border wall and family separation. I’m sure, from a marketing standpoint, they believe that this is like a convincing kind of framing. But the reality on the ground is that all of these technologies become integral, not only to the intensification of suffering and deaths for undocumented border crossers, but also this expansion of surveillance throughout the interior of the country.”

Decades of U.S. border enforcement have failed to deter unauthorized Mexican migration, instead driving up migrant fatalities and increasing the undocumented population

NACLA 16 [NACLA, 9-21-2016, “Hardline U.S. Border Policing Is a Failed Approach”, <https://nacla.org/blog/2016/09/21/hardline-us-border-policing-failed-approach>]

“This election is our last chance to secure the border, stop illegal immigration, and reform our laws to make your life better,” Donald Trump proclaimed in his August 30 “immigration policy” speech. Railing against “the Obama-Clinton open borders policies,” the Republican candidate for the White House pledged that “we will begin working on an impenetrable physical wall on the southern border” on his first day in office. He also promised to hire 5,000 additional Border Patrol agents—a roughly 25 percent increase over current staffing levels. And yet, hardline U.S. border policing efforts—which have expanded drastically over the past two plus decades and which Trump wishes to drastically escalate even further—have utterly failed to realize their objectives and instead led to the opposite of intended outcomes. A spring 2016 article by immigration scholars Douglas Massey, Jorge Durand and Karen Pren is an antidote to bombast like Trump’s. Massey and Durand have been publishing their findings on the failure of US border immigration enforcement since their landmark 2002 book, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. The 2016 article is their most thorough updating of their work. It should force a fundamental rethinking of U.S. immigration and border control policies. Their work is echoed by many other scholars and activists. Massey, Durand, and Pren’s study is based on data from one of the largest ongoing migrant databases in the world, and certainly the most comprehensive when it comes to studying Mexican migration. Known as the Mexican Migration project, the database began tracking migration in 1982 and has since interviewed some 151,000 people from migrant-sending households in twenty-four Mexican states. Massey and Durand have been publishing work on this massive project since 1987. In their recent study, the authors take 1986, the year that the Immigration Reform and Control Act was enacted by the Reagan administration, as the starting point for escalated border immigration enforcement efforts, and examine data through 2010, allowing a detailed analysis of decades of long-term immigration trends. During this period, there was enormous growth in resources devoted to boundary enforcement. The U.S. Border Patrol, for example, saw an increase of 850 percent in its budget—reaching \$3.8 billion per year in 2010 and a quintupling of the number of agents, to more than 20,000. The dramatic growth in the border policing apparatus, Massey, Durand, and

Pren propose, can be traced back to the mid-1970s. Since then, three connected groups of self-interested social actors—immigration control bureaucrats asking for larger budgets, politicians seeking more votes, and media pundits in search of bigger audiences—have produced a “moral panic” about undocumented immigration from Mexico by playing up images of a “Latino threat.” Trump’s infamous demonization of undocumented Mexican immigrants as rapists and drug dealers is only a more extreme version of the outrageous and grossly misleading statements politicians have been making for decades. Such vilification has fueled much public fear and hostility toward undocumented Latino immigrants, resulting in a self-perpetuating cycle of public support for ever-escalating border enforcement. Given that calls for such policies are based on outright falsehoods, according to the study, it’s little surprise they’ve been completely ineffective. The idea of increasing border enforcement and even building a wall ignores some of the key dynamics that historically underlie Mexican migration to the United States: a growing population and falling wages in Mexico, coupled with ongoing labor demand in the United States, whose dynamics have shifted significantly in recent years. Such shifts help illuminate one of Massey, Durand, and Pren’s most striking findings: the huge increase in border enforcement spending had virtually no impact on the likelihood that a potential Mexican migrant would undertake a border crossing without documents for the first time. That is, immigration enforcement is not a deterring factor for this group. Though the number of migrants fluctuated from 1970 through 1999 (linked to trends in U.S. labor demand and Mexican wages), there was a clear drop-off after 1999 (through 2010) in first-time undocumented migrations. However, the researchers found this was not statistically related to increased border enforcement. Instead, it was tied to a dramatic reduction in the Mexican birth rate in prior decades, which resulted in fewer young workers in need of jobs; the prior out-migration of masses of young people, which left fewer individuals trying to migrate for a first time; and crucially, increased access to legal visas after 2005. They also cite a somewhat improved Mexican economy and social conditions. Projecting into the future, the authors predict that the era of mass migration from Mexico is probably over. However, the more than 500,000 Mexicans who have come to the U.S. with temporary worker visas per year suggest that is not certain. Similarly confounding for policy makers, Massey and colleagues found that the massive increase in border enforcement spending had virtually no effect on the successful entry (after multiple attempts) of undocumented Mexican migrants from 1986 through 2008. (Each year they found a 95-100 percent success rate for entry.) The eventual successful entry rate did drop to 75 percent in 2010, but this was among a much smaller pool of unauthorized crossers by that time. That said, the border build-up did have a host of

negative consequences for migrants, many of which have impacted border communities. One of the most obvious was that it pushed unauthorized crossings out of urban areas, like San Diego and El Paso, where the vast majority of such crossings had long taken place, to non-traditional, rural crossing areas that are much more dangerous, particularly the Sonoran desert of Southern Arizona. In response, unauthorized migrants almost universally turned to using coyotes (smugglers) (up to 100 percent usage from 70 percent previously) and the cost of such guides increased by a factor of five (from \$550 USD in 1989 to \$2,700 USD in 2010), according to the study. The dramatic increase in deaths of unauthorized border crossers is the most extreme example of tragedies that have resulted from the border build-up. The dramatic increase in deaths of unauthorized border crossers is the most extreme example of tragedies that have resulted from the border build-up. Fatalities more than doubled from an approximate range of 75-150 deaths per year prior to 1995 to 300-500 annual deaths between 2000-2010. There were 477 recovered sets of remains in 2012, despite many fewer total crossers than in the years before the build-up. Overall, more than 7,500 bodies or sets of remains were recovered in the U.S.-Mexico border region from 1994 through 2015. Although the drastic rise in migrant deaths should hardly be surprising given the strategic goal of pushing crossers into arduous terrain, it appears to have caught U.S. officials off-guard. In 2000, then Immigration and Naturalization Service (parent agency of the Border Patrol at that time) commissioner Doris Meissner explained in an interview with *The Arizona Republic*, “We did believe that geography would be an ally to us ... It was our sense that the number of people crossing the border through Arizona would go down to a trickle, once people realized what it’s like.” Despite the admission of faulty assumptions and intention of using border policy as a deterring factor, the strategy has remained steadfastly in place and has expanded since. And there has been no accountability for this human tragedy among border patrol, other immigration bureaucracy leaders or policymakers, but rather only braying calls for more border enforcement. Meanwhile, it was not increased migration but rather perceived difficulties of being able to cross again that led those who made it across to stay longer, resulting in a huge leap in the U.S. undocumented immigrant population from approximately 3 million in 1992 to 11 million in 2010, half of whom are Mexican. Massey, Durand, and Pren found the rates of return migration within a year for first-time Mexican migrants fluctuated between 30 and 50 percent from 1970 to 1999, but dropped drastically after 2000, reaching zero by 2010. The more fortified border did not keep people out but rather kept unauthorized migrants “caged in” once here, thus interrupting the traditional pattern of back-and-forth migration that existed throughout most of the twentieth century. Migration could be

better managed, they contend, via a more open border and increased investments in social infrastructure in Mexico (public health, education, transportation, credit access) to increase prosperity for more people. Massey, Durand, and Pren argue that a more realistic policy option would be to accept that more open migration— or some degree of free movement of labor— is a “natural component” of the North American Free Trade Agreement (NAFTA). Migration could be better managed, they contend, via a more open border and increased investments in social infrastructure in Mexico (public health, education, transportation, credit access) to increase prosperity for more people. This was the model the European Union successfully followed in Spain and Portugal during the 1980s and 1990s, transforming those countries from migrant-sending to migrant-receiving countries. Fixing the legal status of the 11 million undocumented immigrant residents of the United States is the remaining policy issue for the research team. Today, the U.S.-Mexico border is “secured,” as undocumented immigration from Mexico has dropped sharply, and Border Patrol apprehensions are down 60-70 percent since 2007. And as Todd Miller recently pointed out, the “border wall” called for by Trump is already largely built in various forms. Meanwhile, there has quietly been a remarkable increase in worker visa access—some 360,000 temporary worker visas were granted to Mexicans in 2008 (reaching more than 500,000 per year from 2010-2013, up from 27,000 in 1995). Thus, the key remaining part of “immigration reform” yet to be addressed, and so urgently needed, is the legalization of the undocumented immigrant residents—something the polls show the vast majority of the public has supported from 2006 through the present. Amazingly, recent data suggests that even a strong majority of Republicans support the idea. For such reasons, Massey, Durand, and Pren maintain, “More border enforcement and a denial of social and economic rights to those currently out of status makes absolutely no sense in practical or moral terms.” While the authors limit their analysis to Mexico, their prescriptions are useful for thinking more expansively so as to include Central America and the Caribbean. Together with Mexico, these regions are the sources of three-quarters of undocumented migrants in the United States. What they also share is that United States has played a large role—from disastrous neoliberal trade policies to “security assistance” programs, the war on drugs, and support for anti-democratic regimes—in producing the conditions for high rates of emigration. A more just foreign policy, coupled with more liberal immigration (legalization plus greater visa access) and scaled back border policies, would save billions of dollars wasted on border and immigrant policing. The United States would be much better served to instead use those billions to promote the well-being of people abroad and at home.

The “smart border” technology proposed as an alternative to Trump’s wall has failed operationally, shifting migration to more dangerous areas and contributing to an increase in migrant deaths, raising concerns about its humanitarian impact

Boyce 19 [Geoffrey Alan Boyce, Samuel N. Chambers and Sarah Launius, Opinion Contributors, 2-11-2019, “Democrats’ ‘smart border’ technology is not a ‘humane’ alternative to Trump’s wall”, Hill, <https://thehill.com/opinion/immigration/429454-democrats-smart-border-technology-is-not-a-humane-alternative-to-trumps/>]

In response to President Trump’s demand for \$5.7 billion for a physical barrier along the U.S.-Mexico border, and his threat to shut down the government again on Feb. 15 if Congress doesn’t provide it, Democratic Congressional leaders are promoting an alternative they refer to as a “smart border.” This is essentially an expansion of existing technologies like remote sensors, integrated fixed-towers, drones and other surveillance assets. On Jan. 29, Rep. James Clyburn (D-S.C.), the third-ranking Democrat in the House, wrote an op-ed in *The Hill* arguing that this kind of “smart border” is preferable to a physical wall because it will “create a technological barrier too high to climb over, too wide to go around, and too deep to burrow under,” resulting in an “effective, efficient and humane” alternative to Trump’s border wall. Meanwhile, the “opening offer” announced on Jan. 31 by the Democrats in bipartisan budget negotiations included \$400 million for this “smart border” surveillance package. {mosads}In a recent peer-reviewed article in the *Journal of Borderlands Studies*, we raised fundamental questions about these kinds of “smart border” technologies, including their humanitarian implications. Using geospatial modeling and statistical analysis, we show how previous “high-tech” border solutions failed to deliver on their operational objectives; instead of preventing unauthorized crossing, the surveillance network simply shifted migration routes into much more difficult and remote terrain, with a measurable impact on the geography of migrant deaths in the southern Arizona desert. From 2006 to 2011 the United States appropriated \$3.7 billion for the SBInet system, intended as a high-tech network of ground sensors connected to integrated fixed towers mounted with infrared, high-resolution cameras and motion-detecting ground radar. Experimentally deployed southwest of Tucson, Arizona, the surveillance network aimed to provide the Border Patrol “complete situational awareness” through the real-time, automated integration of multiple sources of surveillance data. The outcomes delivered by the SBInet program fell well short of these aspirations, however. In 2010 the Government Accountability Office concluded that the Department of Homeland Security had “yet to identify expected benefits from the [program], whether quantitative or qualitative.” After continuous operational short-

comings and delays, in 2011 the Obama administration quietly canceled the program. Simultaneously, the area where SBInet was deployed has become a “land of open graves,” according to anthropologist and 2017 MacArthur “genius grant” recipient Jason De León. From 2006 to 2011, at least 1,267 people died in southern Arizona attempting to cross the border. A significant majority of these deaths were the outcome of exposure to the elements: dehydration, hyperthermia and exhaustion. Meanwhile, during this same period the rate of death (the number of deaths / 100,000 Border Patrol apprehensions) skyrocketed, nearly tripling between 2008 and 2011 alone. These deaths are the result of many factors. But our research shows that significant among these has been the expansion of border surveillance technology. Using Geographic Information Science, we analyzed the mapped location of human remains pre- and post-SBInet. We then plotted the visual range of the SBInet system using publicly-available information on the location of the towers and the operational reach of their various components. Next, we created a model using variables like vegetation, slope and terrain to measure the physiological difficulty associated with pedestrian transit along different routes of travel. We found a meaningful and measurable shift in the location of human remains toward routes of travel outside the visual range of the SBInet system, routes that simultaneously required much greater physical exertion, thus increasing peoples’ vulnerability to injury, isolation, dehydration, hyperthermia and exhaustion. {mosseconadads}Our research findings show that in addition to its monetary cost and its questionable operational efficacy, the “smart border” technology presently being promoted by the Democratic congressional leadership contributes to deadly outcomes. Based on these findings there is a need to reconsider the premise that surveillance technology and infrastructure can provide a “humane” alternative to Trump’s border wall (a proposal we also consider to be wasteful and destructive). Instead, we’d like to see a shift in U.S. border policy that genuinely prioritizes the protection of human life, regardless of a person’s citizenship or immigration status. This kind of shift, of course, would require reforms not just to the Border Patrol and its enforcement strategy, but to U.S. immigration policy overall, allowing people to seek safety or reunite with family and loved ones without risking their lives crossing through the desert.

Surveillance technology at the U.S.-Mexico border is costly and often ineffective, driving migrants to dangerous routes and risking community privacy through faulty AI and potential mission creep

Mejías-Pascoe 24 [Sofía Mejías-Pascoe, 5-15-2024, "AI raises fresh questions over CA border town's surveillance tower", inewsource, <https://inewsource.org/2024/05/15/in-california-border-town-ai-raises-fresh-questions-over-decades-old-surveillance-tower/>]

Surveillance technology comes at a huge cost to both migrants crossing into the U.S. from Mexico and the communities on the border where surveillance is most concentrated, according to privacy experts. And despite hundreds of millions in federal funding over the years, multiple reports from watchdog agencies have found little evidence that the surveillance tower programs have had the intended effect. Instead of deterring immigration, critics say surveillance has driven migrants seeking safety in the U.S. to take more dangerous routes to avoid apprehension, leading to thousands of deaths or disappearances over the years. Communities on both sides of the border get caught in the fray, becoming "receptacles" of experimental technology prone to mistakes, said Petra Molnar, a lawyer and anthropologist who recently published a book on artificial intelligence at the border. Molnar pointed to issues with the use of AI in facial recognition, which studies have found is generally less accurate for people of color and has already led to several wrongful arrests. "If we already know that AI and automated decision making is far from perfect ... how can we ensure that it doesn't both replicate the issues that are already inherent in the system and not create new ones?" Molnar said. In Calexico, where 98% of residents identify as Latino, faulty AI decision-making could create dangerous situations for community members, according to Dave Maass, director of investigations at EFF. "It may push police or law enforcement or Border Patrol to respond aggressively to something that the algorithm has determined as a crime or an incursion when it really isn't," Maass said. Aside from faulty AI, experts said communities need to consider the technology's capability for mass data collection and how it could be used in the future — potentially outside of what agencies may initially promise. Dinesh McCoy, a staff attorney at Just Futures Law, a legal advocacy group for immigration and criminal justice, said that kind of "mission creep" — when surveillance technology is used for purposes outside of the initial scope — has happened before. In 2020, CBP used surveillance drones to spy on protesters following the police killing of George Floyd. In other cases, the National Security Agency employees misused surveillance technology to spy on their romantic partners. "The more and more that we normalize mass surveillance in daily life, the more that that surveillance will chip away at anyone's sense of privacy. And

6 *Negative Evidence*

I think we should all be concerned about normalizing that," McCoy said. The current contract being considered between Calxico and CBP would allow the surveillance tower "solely for noncommercial governmental use" but gave no further specifics.

Because of US border surveillance already and Mexico tightening their border as well, migrant smuggling and dangerous crossings are on the rise

Medina 24 [Brenda Medina, 5-6-2024, “Reporters uncover new details of migrant smuggling routes in Mexico”, ICIJ, <https://www.icij.org/inside-icij/2024/05/reporters-uncover-new-details-of-migrant-smuggling-routes-in-mexico/>]

A new collaboration from the International Consortium of Investigative Journalists and media partners in Latin America, Europe and the United States documented nearly 19,000 migrants’ journeys to the U.S. border under dangerous conditions. The investigation “Cargo trucks: a trap for migrants,” led by Noticias Telemundo and the Latin American Center for Investigative Journalism (CLIP) found that the illegal use of cargo trucks to smuggle people across Mexico is on the rise, as are accidents and deaths involving migrants and trucks. This is happening as the Mexican government, pressured by the United States, toughens its policies to limit the record number of people crossing its territory in recent years, pushing migrants to find dangerous and often deadly ways to travel. The reporters interviewed people who have traveled crammed in cargo trucks to cross Mexico and relatives of those who died in accidents. Reporters also interviewed dozens of experts, migrant’ rights advocates and current and former Mexican officials, including the country’s former immigration chief. The team combed through thousands of pages of public records and a report from Mexico’s National Human Rights Commission, an independent body that looked into one particularly deadly accident that killed 56 people in a Chiapas highway in December 2021.

Biden's executive order to cap asylum seekers at the southern border risks increasing dangerous crossings

Al Jazeera Staff 24 [Al Jazeera Staff, 6-5-2024, "How will Biden's new restrictions affect asylum seekers at US border?", Al Jazeera, <https://www.aljazeera.com/news/2024/6/5/how-will-bidens-new-restrictions-affect-asylum-seekers-at-us-border>]

What does the new order do? Biden's executive order puts a cap on the number of asylum seekers who can enter the US via the southern border in a given time period. The ability to apply for asylum after irregularly crossing the border will be largely suspended when detainments at and near the border exceed a daily average of 2,500 across the span of a week. That pause will continue until the secretary of the US Department of Homeland Security "makes a factual determination" that those numbers have fallen to an average of 1,500 daily encounters over a period of a week. Then, 14 days afterwards, the normal asylum processes will resume. Are there exceptions? Under the executive order, there are several exceptions to the suspension of asylum-related entries. Individuals crossing the border who express fear of persecution if they are returned to their home countries will still be screened by asylum officers — but in an expedited process with a higher standard than those currently in place. Individuals deemed "particularly vulnerable" could still be allowed to stay in the US to seek other forms of humanitarian protection, according to the White House. The order exempts unaccompanied minors and human-trafficking victims, as well as those who have appointments to make an asylum claim via the CBP One app. When does the order go into effect? The order went into effect at the start of June 5. However, the real effects on the ground will be contingent on the number of crossings in the coming days and weeks. The pause would go into effect as soon as the Department of Homeland Security determines there have been seven consecutive days exceeding the 2,500 encounter limit. Daily encounters on the southern land border in May hovered around 3,700 a day, according to numbers obtained by CBS News. As the Associated Press news agency reported, the last time the number of encounters dipped below 2,500 was in January 2021. At the current rate, restrictions could go into effect by next week. What does this mean for migrants and asylum seekers? Biden's proclamation could have several knock-on effects, according to rights groups. Most pressingly, they warn the executive order risks denying asylum to those who actually need it. Rights groups have also expressed concerns that such restrictions encourage migrants and asylum seekers to take more dangerous routes into the country, in order to avoid border authorities. The move is also set to further delay scheduling for asylum

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appointments through the CBP One app, which can leave people waiting in dangerous conditions across the border in Mexico.

Militarized and invasive surveillance technologies at the border exacerbate dangers for migrants while generating profits for private companies

Guerrero 22 [Jean Guerrero, 2-10-2022, “Column: Biden’s border surveillance empire should scare you regardless of politics”, Los Angeles Times, <https://www.latimes.com/opinion/story/2022-02-10/border-surveillance-homeland-security-biden>]

President Biden largely halted construction on his predecessor’s border wall, which Democrats decried as inhumane. But he never stopped the Department of Homeland Security from using the border as a testing ground for dystopian military and surveillance technologies — including, most recently, headless robot dogs. This month, DHS pitched the robot dogs as fun, futuristic versions of “man’s best friend,” meant to help Border Patrol agents navigate rough terrain and other threats. Critics argue that they look like the human-hunting ones in the Netflix series “Black Mirror,” and that they’d frighten families seeking refuge in this country. The company that makes them, Ghost Robotics, has showcased similar robot dogs equipped with firearms. Whether you think these canines are creepy or cute, the fact is that the deployment of surveillance technologies at the border — including sensors, drones and camera-equipped towers — has historically pushed people seeking work or asylum in the U.S. into more dangerous remote crossing routes, where thousands have died. “It’s very much the same type of enforcement that criminalizes migration and makes it more deadly,” Jacinta González, senior campaign director for the racial justice group Mijente, told me. These so-called smart technologies — which Biden touted from his first day in office — have also tended to spill from the border into the country’s interior. For example, in 2020, border drones and other aerial surveillance tools were used by DHS to monitor anti-racist protesters in more than 15 cities. Similarly, license-plate-scanning technology that started at the border in the 1990s is now common across police departments. “A lot of people who’d normally oppose intrusive government technologies and programs are just fine with it because of their antipathy to immigrants,” Jay Stanley, a senior policy analyst at the American Civil Liberties Union, told me. The ACLU has raised concerns about these technologies, noting a “vast potential for abuse, as law-abiding citizens in border areas may not be aware that they are being monitored.” Mijente and other groups have documented the proliferation of high-tech border infrastructure in marginalized communities and its disproportionate impact on Black and Indigenous people. But the borderlands surveillance empire — which lacks oversight because of its largely rural nature — imperils everyone. It’s driven by companies that deserve scrutiny. For example, in 2019, the Tohono O’odham Nation became the designated site for surveillance towers built by Israel’s military company Elbit

Systems, whose activities affecting Palestinians have triggered human rights concerns and divestment. “Technology companies that were for a long time making a huge profit off of investment in [wars] abroad are now bringing that technology to our militarized border as a way of experimenting how far they can normalize this before making it widespread throughout the United States,” González told me. The border has also attracted venture capitalists such as the billionaire and Trump supporter Peter Thiel, who funded the Irvine-based company Anduril, which has won government contracts worth hundreds of millions of dollars to build 200 sensor towers all along the border. Instead of creating a humane immigration system that might begin to address the reality of migration, the Biden administration is continuing a bipartisan legacy of throwing insane amounts of money at military-style border technology. These expenditures promote the fantasy of the border as a war zone overwhelmed by criminals and cartels, when the reality is that most people Border Patrol encounters are parents and children seeking asylum. In promoting military and surveillance technologies, DHS conflates immigration with terrorism. The department’s Science and Technology Directorate article about the robot dogs likened them to “force multipliers” and conjured the presence of “WMD,” or weapons of mass destruction. (I asked DHS how many such weapons agents have found at the border, but did not receive a response in time for this column; the State Department previously said there is no credible information that known terrorists have traveled through Mexico to access the U.S.) Amid a surge in high-tech gadgets for use on people crossing the border, technology for detecting sophisticated cartel infrastructure — such as underground drug tunnels — flounders. Gil Kerlikowske, Customs and Border Protection commissioner in the Obama administration, recalls asking the Science and Technology Directorate to help develop such tools during his tenure. “Unfortunately, there was no answer from them,” he told me. “In a way, S&T had a bit of a mind of their own.” Dave Maass, the investigations director at Electronic Frontier Foundation, believes the “highly politicized nature” of DHS, which inclines many of its employees toward activities that showcase their power, means it’s “more susceptible to products that can be packaged for press releases or TV.” A DHS spokesperson told me that the robot dog project is still in a “research and development phase” and that they’re not meant to “engage with migrants.” Last year, the New York City Police Department canceled a contract for similar robot dogs after public outrage. DHS has a documented problem of migrant abuse, extremism and white supremacist views in its ranks. Its members have targeted attorneys, journalists and others for questioning without cause. Their access to technologies powered by artificial intelligence — from iris scanning to racially discriminatory facial recognition — raises serious ethical questions. Given the global

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rise of authoritarianism, and the known use of surveillance technologies for oppression abroad, it's imperative that the U.S. develop a bill of rights regulating their use here. In the meantime, lawmakers should slash DHS funding for these technologies, recognizing that they are just as deadly as then-President Trump's wall — with greater potential for abuse.

6.0.2 NC – Preventable Death

Migrant deaths are increasingly concentrated near urban areas in the El Paso Sector, underscoring their preventable nature

Isacson 24 [Adam Isacson, 03-22-2024, “Weekly U.S.-Mexico Border Update: Migrant deaths, 2024 budget, S.B. 4”, WOLA, <https://www.wola.org/2024/03/weekly-u-s-mexico-border-update-migrant-deaths-2024-budget-s-b-4/>]

A report and database from No More Deaths document a rapid increase in the number of migrant remains recovered in Border Patrol’s El Paso Sector, which covers far west Texas and New Mexico. A preponderance of deaths occur in or near the El Paso metropolitan area, within range of humanitarian assistance. CBP meanwhile released a count of migrant deaths through 2022, a year that saw the agency count a record 895 human remains recovered on the U.S. side of the border. Heat and drowning were the most frequent causes of death. 2024 Homeland Security appropriation increases border security funding Nearly six months into the fiscal year, Congress on March 21 published text of its 2024 Homeland Security appropriation. As it is one of six bills that must pass by March 22 to avert a partial government shutdown, the current draft is likely to become law with few if any changes. Congressional negotiators approved double-digit-percentage increases in budgets for border security agencies, including new CBP and Border Patrol hires, as well as for migrant detention. The bill has no money for border wall construction, and cuts grants to shelters receiving people released from Border Patrol custody. A week of “whiplash” and uncertainty over Texas’s S.B. 4 law Texas’s state government planned to start implementing S.B. 4, a law effectively enabling it to carry out its own harsh immigration policy, on March 5. While appeals from the Biden administration and rights defense litigators have so far prevented that, the Fifth Circuit Court of Appeals and the Supreme Court have gone back and forth about whether Texas may implement the controversial law while appeals proceed. As of the morning of March 22, S.B. 4 is on hold. Mexico’s government has made clear it will not accept deportations even of its own citizens if carried out by Texas. THE FULL UPDATE: REPORTS HIGHLIGHT THE CRISIS OF MIGRANT DEATHS A new report and database from No More Deaths, an organization that has mainly worked in Arizona, provided the first documentation of migrant deaths in Border Patrol’s El Paso Sector, which includes far west Texas and New Mexico. Its mapping finds that a majority of deaths are happening not in remote areas of the Chihuahuan Desert, but in or near the metropolitan area of El Paso and neighboring Sunland Park, New Mexico. This means

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many migrants are dying painful and preventable deaths within a short distance of help.

Border Patrol's slow and inadequate response to migrant distress calls, even when accurate location data is provided, leads to preventable deaths

EPSMDD ND [El Paso Sector Migrant Death Database, xx-xx-xxxx, "El Paso Sector Migrant Death Database", <https://www.elpasomigrantdeathdatabase.org/index.php/el-paso-sector-migrant-death-database/>]

This 20-year old woman, Mrs. Amanda Isamar Quito Vazquez, died of extended heat exposure. Ms. Quito Vazquez was identified by an identification paper issued by the Ecuadoran government for its citizens, which is similar to the social security number in the United States. Reportedly Ms. Quito Vazquez had crossed the US border illegally, when she got weak and passed out. According to the Homeland Security Agent (HSI), Agent Licon, Ms. Quito Vazquez texted the coordinates of her whereabouts to her relatives. An individual, possibly the decedent's brother, informed the Ecuadoran Consulate in Houston, Texas of Ms. Quito Vazquez's situation. In the meantime, Ms. Quito Vazquez's parents contacted their local police. Subsequently, the Consular General contacted the US Border Patrol, which mounted a search in the area of the reported coordinates and located the body of Ms. Quito Vazquez in the desert in Dona Ana County. Allegedly, there was a six day delay from the time Ms. Quito Vazquez texted her position until the US Border Patrol agents located her body. – 2020 Doña Ana County autopsy report Because of the segregated nature of search and rescue in the borderlands, migrants calling 911 are often left with Border Patrol as their only emergency responders. BP is notoriously slow to respond, if they respond at all, and in practice are not accountable to any other agency. Their "rescue" data has been shown to both inflate the numbers of rescues and also to reflect no useful data about the effectiveness of their response. As illustrated by the above linked report, BP's response to a 911 call, even with adequate location information and advocacy from family and the appropriate consulate, can take a week, if it happens at all. When dispatchers receive a distress call, they make a judgment decision about whether the caller is a border crosser—that is to say, they profile the caller—then pass the call along to Border Patrol, who may or may not take any action. Humanitarian aid volunteers in the summer of 2023 received a distress call from the family of a Colombian man close to a highway. Though the man was just half a mile from the Santa Teresa Border Patrol Station, OMI data shows that Border Patrol failed to conduct a search for days after they had received the initial distress call. Moreover, aid workers experienced first-hand how Border Patrol actively prevented other agencies and individuals from searching on their own. A friend reached out and said he'd gotten a report of a man missing in the desert about an hour from Las Cruces.

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The man, Johan, had last contacted his family the day before (Sunday) and sent them an exact GPS location of where he was. The pinpoint was less than half a mile from the Santa Teresa Border Patrol station, but Border Patrol refused to go look. I was returning to Las Cruces from out of state, without access to a car, and it would be several hours until I could go look for him. At that point it would be almost 9pm Monday, which would be long after dark and long after Johan had stopped responding to his family. My friend reached out to a ton of people. Firefighters. Police. Border Patrol. I texted him the number of the local Search and Rescue group, who apologetically said they could not go look. My understanding is that they depend on BP's abundant resources and trained rescuers to help out when US citizens go missing while hiking, skiing, ATVing. If they got involved with a migrant, they explained, they felt that BP might withhold those resources and trained agents in the future, which would threaten the lives of all the people they're trying to rescue. They were very upset and kept asking us, "Why doesn't BP go look?" While we pleaded with people to go out, Johan remained alone in the desert. I found a friend to go with me the next morning, Tuesday, and we were on our way to Johan when a search and rescue volunteer called and told me I didn't need to come. A few of their volunteers decided that it was worth it to go search, even if it jeopardized their relationship with BP. He told me what they found at the exact pinpoint less than a half mile from the BP station: fresh ATV tracks, trash from the equipment used to recover Johan's body, vultures following the odor that lingered. It was clear that BP had gone and recovered Johan that morning. By the scene, the SAR volunteers guessed he had passed away more than a day prior. I was so angry at BP for not even bothering to tell us they went to recover him. So many of us were coordinating a search that didn't need to happen, and it put the SAR volunteers who went to look for him at unnecessary risk. They didn't even bother to update us. That's how little they care. Maybe I shouldn't have been surprised when months later we got the autopsy report back and read that Border Patrol had already learned Johan's location, which I would like to reiterate was less than one half of one mile from their station, more than a day before we did. The consulate or another SAR group had told them about it on Sunday, as soon as they learned from the family. Maybe I shouldn't have been surprised to know they care so little about life that they only went to look for him Tuesday morning, after he was already dead, even though they knew exactly where he was on Sunday. Surprised, no. But I am so sad and sick and angry about it. -Bees, desert aid volunteer Sunland Park Fire Department is notable for responding to all distress calls in their jurisdiction, while not receiving any money from the federal government for these rescues. Chief Medrano stated in an interview with KTSM that the fire department is not in the business of

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finding out the legal status of people to whom it renders potential life-saving assistance. And for their part, the department advocated passionately, though ineffectively, for Border Patrol to respond to the above case. The segregation of emergency response is not inevitable; it is a choice, and can be changed when there is the will for it. In the above case, some emergency responders expressed surprise that the individual was in distress so close to a road. “Why doesn’t he just walk to the road?” one asked. One implication of this database, which records many deaths close to roads and population centers, is that dispatchers, emergency responders, and SAR teams must take seriously all distress calls, even those that come from locations close to a road and in urban areas. They must also take action when BP fails to do so, and follow up on cases to ensure that there has been an adequate response. BP has proven time and again that they cannot be trusted to respond to emergencies, and the consequences are too dire to wait indefinitely for the agency to change these entrenched practices.

U.S. border deterrence policies have led to thousands of migrant deaths and disappearances, disproportionately impacting Indigenous, Brown, and Black individuals, while proving ineffective and harmful over the past three decades

HRW 24 [Human Rights Watch, 6-26-2024, "US: Border Deterrence Leads to Deaths, Disappearances", <https://www.hrw.org/news/2024/06/26/us-border-deterrence-leads-deaths-disappearances>]

Border deterrence policies are driving increased deaths and disappearances of people migrating to the United States, said Human Rights Watch and the Colibrí Center for Human Rights in a web feature published today. The web feature, "‘Nothing but Bones:’ 30 Years of Deadly Deterrence at the US-Mexico Border," features the stories of nine people who died or disappeared while trying to cross the southern US border and of their surviving family members. US Border Patrol has reported about 10,000 deaths since 1994, when Prevention Through Deterrence was first implemented, but local rights groups at the border believe the number could be up to 80,000, with thousands more disappeared. Most of those dead are Indigenous, Brown, and Black people. "The number of deaths is shocking, but each death represents a human being, a family, a community," said Ari Sawyer, US border researcher at Human Rights Watch. "The US government should end deadly border deterrence policies and enact policies that protect human life." Prevention Through Deterrence and its progeny are a set of policies explicitly aimed at forcing irregular migrants onto "hostile terrain" and making crossing the US southern border so dangerous that people are discouraged from even trying. The policies have intentionally funneled migrants into crossing points where there are life-threatening conditions. Deterrence policies include punitive immigration policies and dangerous infrastructure, such as border walls, razor wire, armed soldiers, surveillance technology, and, in Texas, river buoys equipped with saw blades and other infrastructure. Pushed back to Mexico, criminal groups and corrupt state officials systematically target migrants for kidnapping and violence, while missing person reports are rarely resolved and the human remains of migrants—in known mass graves—remain unidentified. Former Border Patrol officials who witnessed the initial rollout of Prevention Through Deterrence told Human Rights Watch that the number of people they found dead immediately spiked when the US government began funneling migrants into more dangerous crossings. Predictably, continued border deterrence has driven the death toll higher in the US-Mexico borderlands. Over the past three decades, Prevention Through Deterrence and its progeny have proven ineffective at reducing migration and are harmful to both migrants and Border Patrol agents. Agents have said that being required to enforce deterrence

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policies inconsistent with their values has contributed to the Border Patrol's record-high rates of suicide. Former President Donald Trump and current President Joe Biden have used deterrence to target asylum seekers. The Biden administration, in close collaboration with Mexican President Andrés Manuel López Obrador, has blocked asylum at ports of entry and removed many non-Mexican migrants to Mexico. Documented deaths and disappearances have hit record highs during Biden's term. The accounts in the web feature reflect the different experiences of a range of individuals, and they show the deeply personal and damaging impacts deterrence policies have on families. Some of the narratives illustrate how families suffer from the unending grief of not knowing what happened to their loved one. In one case, a 19-year-old woman died crossing the US-Mexico border in the hopes of joining her aunts and making money to send home to her parents, who are both chronically ill. While her aunts are both legal permanent residents in the United States, that status did not allow them to sponsor their niece, with whom they were very close. "How is it possible that I have come to see her for the last time, and she is nothing but bones, when I have waited for her with so much love?" her aunt said when the body of her niece was finally found. The US government has a responsibility to safeguard the right to life when it makes border and immigration policy decisions. The US should end deadly border deterrence policies, expand safe and legal pathways to migrate, and support Colibrí's efforts to collect DNA and identify human remains. "No one should lose their life to reunite with family, get a better job, or flee persecution," Sawyer said. "The Biden administration should reverse course and create a rights-respecting and humane border."

Border Patrol's strategy of "prevention through deterrence" has shifted migrant crossings to more dangerous desert areas and limited humanitarian aid efforts, increasing migrant deaths

Valle 22 [Gaby Del Valle, 8-3-2022, "The Most Surveilled Place in America", *Verge*, <https://www.theverge.com/c/23203881/border-patrol-wall-surveillance-tech>]

Border Patrol's most powerful tool is not its fleet of drones and helicopters — it's the desert itself. Since the mid-1990s, the agency has relied on a strategy called "prevention through deterrence" to reduce unauthorized border crossings. The idea is simple: if you put more manpower and surveillance technology in highly trafficked areas, including big border cities like Nogales, migrants will have no choice but to travel through "more hostile terrain, less suited for crossing and more suited for enforcement," as Border Patrol's 1994 strategic plan stated. "Early on, they were like, 'If we're going to do this, people are going to get hurt,'" Jason De León, an anthropology professor at UCLA and author of *The Land of Open Graves: Living and Dying on the Migrant Trail*, told me. "But the idea is that if enough people get hurt, they'll stop coming." The policy was a partial success. Migrants did stop crossing through big border cities. But the underlying problem — the fact that people want or need to come to the United States but have few, if any, legal avenues for doing so — persisted, and so did unauthorized crossings. Instead of discouraging migrants from making the journey to the US altogether, prevention through deterrence pushed them into more inhospitable areas. Crossings through the Sonoran Desert skyrocketed. What was once a quick hop over a border fence turned into a multiday trek through the desert. In 1994, the year prevention through deterrence went into effect, the Pima County Medical Examiner's Office logged four migrant deaths in Arizona; 10 years later, that figure was 186. The death tolls of the summers of 2020 and 2021 were exceptionally high, but migrant deaths in the Arizona borderlands are far from unusual. It's common knowledge in Arizona that every year, at least 100 people will lose their lives trying to make it to the United States. Most of these fatalities happen on the Tohono O'odham Nation's tribal lands; CBP has responded to this crisis by installing surveillance towers on the reservation, but the crossings and deaths haven't stopped. Humanitarian aid groups do their best to prevent these deaths from happening: some dispatch search and rescue teams to look for migrants who have gone missing in the desert; others leave water jugs and other supplies on migrant trails in the hopes that they'll save a life. When those efforts fail, they attempt to log all the remains they find and identify the deceased. Despite their dedication, these groups lack the resources, manpower, and legal might of the federal government. Members of No More Deaths

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have been arrested for leaving water in the desert and accused of harboring migrants. Two O'odham women were sent to a medium-security prison after being arrested for protesting wall construction on their ancestral land. The government isn't just using its resources to surveil and arrest migrants; it's also going after the people who might save their lives.

6.0.3 NC – Dehumanization

Empirically, the Southern border has served as testing grounds for dehumanizing surveillance technology that gets used throughout the country

Electronic Privacy Information Center ND [Electronic Privacy Information Center, xx-xx-xxxx, “Traveler Screening and Border Surveillance”, EPIC - Electronic Privacy Information Center, <https://epic.org/issues/surveillance-oversight/border-surveillance//SM>]

Throughout history surveillance technologies have often been first used on travelers crossing America’s borders or traveling through other ports of entry into the U.S. At the border, privacy protections are lowered and pressure to comply is heightened, forcing people to submit to invasive screening and surveillance procedures. Travelers are subjected to excessive surveillance including: Screening by black box algorithms that give them “scores” determine the level of security screenings at airports and decide who will be put on a “no-fly” list; Detailed databases powered by AI and managed by companies like Palantir; Facial recognition identification at borders and airports; Cell phone and computer searches without warrants; Social media searches of immigration applicants; Drones and mobile surveillance towers patrolling the border with a wide range of surveillance equipment. EPIC works to end the use of the most privacy-invasive screening and surveillance technology and impose limits, protections, and oversight to protect individual rights against the abuse of the technology that is implemented. BORDER SURVEILLANCE CREEPS INTO THE INTERIOR Border Authorities Have a Massive Jurisdiction Under current 4th Amendment law there are lower privacy protections at the border compared to the interior of the US. Travelers may be searched without warrants and forced into screening databases. The border extends far further than most people realize, Customs and Border Patrol is authorized to operate within 100 miles of the border, giving the agency effective jurisdiction over 2/3 of America’s population. Technology Starts at the Border and Ends Up in Your Hometown Most major surveillance technologies were first tested at the border. The Department of Homeland Security piloted its facial recognitions programs at Southern border crossings before expanding the technology to airports across the US. Drone surveillance has been used along the border for years, and is increasingly present in American cities. Both DHS and the National Guard flew drones over Black Lives Matter protests in 2020. Metal detectors and body scanners were first used in airports but are now a feature of many government buildings and events across the country. When a surveillance technology is

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used at the border, it's usually only a matter of time before that tech is deployed more widely. *Border Surveillance Dehumanizes Migrants* Border authorities subject travelers and especially immigrants to surveillance that would be considered unacceptable in any other context. Long wait times, invasive screening, and detention centers all serve to distinguish migrants from citizens, who are subjected to less intense border crossing procedures. Surveillance plays a key role in managing the immigration process. While all travelers are subjected to excessive surveillance, those with the lowest status experience the most invasive procedures. EPIC'S WORK EPIC regularly comments on the proposed use of surveillance technologies in airports and at the border. EPIC pays particular attention to the use facial recognition services and immigration databases. EPIC also works with coalitions to oppose the expansion of border surveillance and roll back excessive practices.

Surveillance used at the border has historically spilled over throughout the US and has a disproportionate impact on marginalized communities while private companies aim to normalize their use

Guerrero 22 [Jean Guerrero, 2-10-2022, "Column: Biden's border surveillance empire should scare you regardless of politics", Los Angeles Times, <https://www.latimes.com/opinion/story/2022-02-10/border-surveillance-homeland-security-biden//SM>]

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access to technologies powered by artificial intelligence — from iris scanning to racially discriminatory facial recognition — raises serious ethical questions. Given the global rise of authoritarianism, and the known use of surveillance technologies for oppression abroad, it's imperative that the U.S. develop a bill of rights regulating their use here. In the meantime, lawmakers should slash DHS funding for these technologies, recognizing that they are just as deadly as then-President Trump's wall — with greater potential for abuse.

CBP's unchecked power allows racial profiling and rights violations

Hawkins 23 [Katherine Hawkins, 1-10-2023, "The Border Zone Next Door, and Its Out-of-Control Police Force", POGO, <https://www.pogo.org/reports/the-border-zone-next-door-and-its-out-of-control-police-force> //SM]

There is a police force in the United States that has the explicit power to engage in racial profiling, and is allowed to stop and question Americans without any evidence they have broken the law. This police force is heavily militarized, with a history of brutality and impunity for unlawful behavior. It has access to cutting-edge surveillance technology and huge databases of biometric data, and cannot be directly sued for violating Americans' constitutional rights. That police force is U.S. Customs and Border Protection (CBP) — the agency the Project On Government Oversight (POGO) described in a report last year as "America's largest, least accountable law enforcement agency."¹ That report focused on steps congressional overseers could take to help improve accountability at CBP. This follow-up report emphasizes the dangers CBP's overbroad authority poses to citizens and non-citizens alike, and shares steps the executive branch can take to limit the risk of abuse. CBP currently operates in a shockingly broad area and has even broader authority, with capabilities that could be dangerous in the hands of someone looking to control the public.

AI technologies at the border violate privacy and human rights, extending surveillance into the interior and endangering migrants

Tyler 22 [Hannah Tyler, 02-02-2022, “The Increasing Use of Artificial Intelligence in Border Zones Prompts Privacy Questions”, migrationpolicy.org, <https://www.migrationpolicy.org/article/artificial-intelligence-border-zones-privacy//SM>]

Civil liberties and privacy groups have raised concerns that the use of AI technologies at U.S. borders, especially systems incorporating facial recognition and the use of drones, could infringe on the human rights of foreign and U.S. nationals. The border is essentially exempted from the U.S. Constitution’s Fourth Amendment protections against unreasonable stops and searches. CBP is also allowed to operate immigration checkpoints anywhere within 100 miles of the United States’ international border, an expanded border zone that includes areas in which approximately two-thirds of the U.S. population live. Critics warn that the use of this technology could lead to endless surveillance and a vast, ever-growing dragnet, as technology that is deployed to patrol the border is also used by local police miles in the U.S. interior. Local police in border communities—and those far from the border—have been revealed to use facial recognition technology, cellphone tracking “stingray” systems, license-plate cameras, drones, and spy planes, with immigration authorities sometimes sharing information with law enforcement for non-immigration purposes. CBP flew nearly 700 surveillance missions between 2010 and 2012 on behalf of other law enforcement agencies according to flight logs, some of which were not directly related to border protection. During Black Lives Matter protests in Minneapolis in 2020 following the murder of George Floyd, a CBP Predator drone flew over the city and provided live video to authorities on the ground. Similar operations involving helicopters, airplanes, and drones also took place in 14 other cities, broadcasting about 270 hours of footage live to CBP control rooms. Critics’ concerns about the creep of these kinds of technologies from the border into the interior of the country have escalated in recent years, as their use has become more widespread. There is also evidence that the expansion of surveillance infrastructure, much of it bolstered by AI, leads to an increase in deaths by pushing migrants trying to cross illegally towards more remote and dangerous routes. Researchers have found evidence that surveillance systems can have a “funnel effect,” leading migrants to avoid areas where they might be detected and instead are more likely to head to areas where they face increased risk of dehydration, hyperthermia, injury, and exhaustion. In some areas these efforts have also received pushback from lawmakers and privacy advocates, including Canadian and Mexican groups that have raised issues with surveillance at

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their respective borders. The organizations have been especially worried about aerial surveillance conducted by balloons and drones, which they argue would catch Mexican and Canadian citizens. They have also raised concerns that such surveillance, conducted by the United States, could constitute a violation of their countries' sovereignty.

The 100-mile border enforcement zone allows CBP to exercise broad powers, including warrantless searches and racial profiling, raising concerns about civil rights violations and calls for reform

SBCC ND [Southern Border Communities Coalition, xx-xx-xxxx, “100-Mile Border Enforcement Zone”, https://www.southernborder.org/100_mile_border_enforcement_zone]

WHAT IS THE 100-MILE BORDER ENFORCEMENT ZONE? The U.S. Customs and Border Protection (CBP), which includes the Border Patrol, is the largest law enforcement agency in the country. Their jurisdiction they claim spans 100 miles into the interior of the United States from any land or maritime border. Two-thirds of the U.S. population lives within this 100-mile border enforcement zone, including cities like Washington D.C., San Francisco CA, Chicago IL, New Orleans LA, Boston MA, & more. Because these are considered border cities, federal border and immigration agents assert the power to board public transportation or set up interior checkpoints and stop, interrogate and search children on their way to school, parents on their way to work, and families going to doctor’s appointments or the grocery store — all done without a warrant or reasonable suspicion. How can CBP agents do this? Unlike other federal agencies, CBP officers are uniquely granted extraordinary and unprecedented powers. These extraordinary powers state that officers are able to racially profile, stop, frisk, detain, interrogate, and arrest anyone without a warrant or reasonable suspicion. The Fourth Amendment is intended to protect all people against unreasonable searches and seizures. Every other federal law enforcement agency, except CBP, requires either a warrant or “reasonable grounds” for an officer to act without a warrant. Border regions are often treated as zones of exception for human rights and civil rights, laying the foundation for abuse not just along our nation’s borders but across the country. That should never be the case. In these zones, border authorities assert excessive power, beyond the power of other law enforcement agencies, which leads to harassment, abuse, racial profiling and intimidation of border residents and travelers. In February 2020, Trump announced CBP employees would be granted immunity from Freedom of Information Act (FOIA) requests, and a few days later he announced he would be sending BORTAC units, the elite tactical units of Border Patrol, across the United States to major cities like New York, Chicago, and most likely many other major cities, to assist in door-to-door ICE raids and terrorizing communities of color. Most recently, BORTAC units & CBP resources were being used across the country to surveil & quell Black Lives Matter protests. Almost all of those major cities reside within the 100 mile border enforcement zone where border

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patrol operates with impunity. If human rights are to mean something, they must be fully protected in border communities, without exception. The results have been deadly. We must end the decades of enforcement-only policies that have erased our rights and have resulted in death & damage across our border communities. It is time to reimagine what border communities should look like, and what border governance could look like. That is why the Southern Border Communities Coalition calls on Congress to adopt a New Border Vision that expands public safety, protects human rights, and welcomes people at our borders in a manner consistent with our national values and global best practices. Part of a New Border Vision would be to establish a “reasonable grounds” standard in the statute governing the Department of Homeland Security, specifically sections (a)(1) and (a)(3) of 8 USC 1357, which would strengthen our protections against unreasonable interrogation, searches, and entry onto private property. Cities are beginning to take action to protect their communities from inhumane & immoral border policies that impact everyone. By supporting a New Border Vision, they are taking the first step in envisioning a future that is welcoming, safe & humane for all!

The US border system's design perpetuates crisis and suffering, driven by an expanding border-industrial complex

Miller 21 [Todd Miller, 4-19-2021, "A lucrative border-industrial complex keeps the US border in constant 'crisis'", <https://www.theguardian.com/commentis-free/2021/apr/19/a-lucrative-border-industrial-complex-keeps-the-us-border-in-constant-crisis>]

I'll never forget Giovanni's blistered feet as an EMT attended to him on the Mexico side of the US-Mexican border in Sasabe, a remote desert town. On the back of one foot, his skin had been rubbed away and the tender, reddish, underlying tissue exposed. One toenail had completely ripped off. Giovanni, who was from a small Guatemalan town near the Salvadorian border, had just spent days walking through the Arizona desert in the heat of July. When I think of the "border crisis", I think of Giovanni's gashed feet. Stories of death and near death, of pain and immense suffering like this, happen every single day. This displacement crisis is not temporary; it is perpetual. This is something that I've witnessed in my own reporting for more than two decades. The border by its very design creates crisis. This design has been developed and fortified over the span of many administrations from both political parties in the United States, and now involves the significant participation of private industry. The border-industrial complex and its consequences is one of the reasons that I argue in my new book *Build Bridges, Not Walls: A Journey to a World Without Borders* that if people honestly want a humane response to border and immigration issues we have to confront something much bigger than the Trump legacy, and begin to imagine and work towards something new. Across the line from where I sat looking at Giovanni's feet was one of the most fortified and surveilled borders on planet Earth. An array of armed border patrol agents, walls, surveillance towers, implanted motion sensors and Predator B drones were deployed specifically to force people like Giovanni (and the group of five people he was with) into desolate, deadly regions. Like many, he walked a full day through a rugged mountain range until his feet became too wounded and his shins started to give out. He also ran out of water. What happened to Giovanni is part of the design of what the US border patrol calls "prevention through deterrence". By blockading traditional crossing areas in border cities, a 1994 border patrol strategic memo notes, the desert would put people in "mortal danger". At the beginning of this strategy, in 1994 under the Bill Clinton administration, the annual border and immigration budget was \$1.5bn, through the Immigration and Naturalization Service. In 2020, the combined budget of its superseding agencies, Customs and Border Protection (CBP) and Immigration and Customs

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Enforcement (Ice), exceeded \$25bn. That is a 16-fold increase. Another way to look at the scope of this money juggernaut are the 105,000 contracts, totaling \$55bn, that CBP and Ice have given private industry – including Northrop Grumman, General Atomics, G4S, Deloitte and CoreCivic, among others – to develop the border and immigration enforcement apparatus. That is worth more than the total cumulative number of border and immigration budgets from 1975 to 2003. That’s 28 years combined amounting to \$52bn. The companies can also give campaign contributions to key politicians and lobby during budget debates. And so we have the formula of a perpetual “border crisis”: the bigger the crisis, the more need for border infrastructure, generating more revenue. One result? Since the 1990s, nearly 8,000 human remains have been found in the US borderlands. The number of actual deaths is almost certainly much higher. Families of migrants continued to search for lost loved ones. In this sense, Giovanni was lucky. He decided he could go no further and left his group. He was disoriented when he turned around. The high desert landscape of mesquite and grasslands all blended together. Luckily, he found a puddle from a rain storm, which likely saved his life from death by dehydration. By the time I saw him, Giovanni’s feet were a disaster, but that wasn’t the disaster that brought him to the border. As the EMT applied antibiotic cream so that his discolored feet glistened, he spoke to me at length about the fact that it hadn’t rained in his community for 40 days; the crops wilted, and the harvest never came. He lived in the “dry corridor”, he told me. The term describes a huge swath of territory running from Guatemala to Nicaragua that is getting dryer and dryer as a direct result of global warming. According to an estimate from the World Food Programme, this has left 1.4 million farmers in severe crisis. In that sense, Giovanni was, like many others coming from Central America, driven by the climate crisis. The back-to-back hurricanes in late 2020, in particular, displaced countless people. Since the United States has produced nearly 700 times more carbon emissions than El Salvador, Guatemala and Honduras combined since 1900, you might think it would be ethically obligated to help undo the damage. Instead, as with other large historic greenhouse gas emitters, it is at the global forefront of militarizing its borders. As the Zapatistas say, Basta Ya. There has to be another way to imagine the world. Yet instead of truly confronting the problems that we face as a globe – such as climate change, endemic inequalities in which 2,000 billionaires have more wealth than 4.6 billion people, and runaway pandemics where the health of people and peoples across borders become intimately interconnected – the solution somehow always becomes more border walls, more surveillance technologies and more suffering. In 1989, when the Berlin Wall fell, there were 15 border walls worldwide. Now there are 70, two-thirds created since 9/11. Clearly the time has arrived for new

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questions to be asked. When geographer Ruth Wilson Gilmore discusses the abolition of prisons, she talks about presence. “Abolition is about presence,” Gilmore has said, “not absence. It’s about building life-affirming institutions.” Gilmore stresses that abolition today is not just about ending incarceration, but also about “abolishing the conditions under which prisons became solutions to problems”. This approach also applies to borders: how do we shift the conditions under which borders and walls became acceptable solutions to problems? Perhaps the answer lies not in the impossible task of building a humane border, but rather a more humane world in which concepts such as borders and prisons are seen as outmoded, unjust ways of relating to one another. Maybe the biggest impediment to this is the global border-industrial complex. Joe Biden’s 2020 presidential campaign received three times more campaign contributions from the border industry than did Donald Trump’s. While the president has called for a reversal of Trumpian policies, he is far from challenging a border-industrial complex that leaves people like Giovanni with ravaged feet and near death in the Sonoran desert. The border is designed to be in a perpetual crisis, but we can stop this by shifting to something new. Abolition is not about destruction, but about restoring who we can be. It’s time to build bridges, not walls.

Deportations are harmful for migrants

Langhout 18 [Regina Day Langhout, Sara L. Buckingham, Ashmeet Kaur Oberoi, Noé Rubén Chávez, Dana Rusch, Francesca Esposito, Yolanda Suarez-Balcazar, 07-31-2018, “Statement on the Effects of Deportation and Forced Separation on Immigrants, their Families, and Communities”, *American Journal of Community Psychology*, <https://onlinelibrary.wiley.com/doi/full/10.1002/ajcp.12256>]

In addition to the trauma, violence, or abuse experienced prior to migration, during the migration journey, or during detention, many immigrants who are deported return to extremely dangerous and often turbulent environments in their countries of origin. Researchers at the Global Migration Project developed a database recording people who had been deported and then faced death or other harms (Stillman, 2018). The researchers contacted more than two hundred local legal-aid organizations, domestic violence shelters, and immigrants’ rights-groups nationwide, as well as migrant shelters, humanitarian operations, law offices, and mortuaries across Central America; they also interviewed several families (Stillman, 2018). Their database includes numerous cases where deportations resulted in harm, including kidnapping, torture, rape, and murder (Stillman, 2018). This is especially important to consider given 79% of families screened in family detention centers have a “credible fear” of persecution if they returned to the countries from which they migrated (US Citizenship and Immigration Services, 2016).

Biometric information gathered at the border is used to target migrants within the US as well, but risks inaccuracy due to racial bias in algorithms

Morley 24 [Priya Morley, 06-28-2024, “AI at the Border: Racialized Impacts and Implications”, Just Security, <https://www.justsecurity.org/97172/ai-at-the-border/>]

Upon arrival to the U.S.-Mexico border, some migrants are required to use CBP One, a mobile AI application implemented by U.S. Customs and Border Protection (CBP) to submit their personal and biometric information to apply for asylum (or, previously, exceptions to Title 42). This app has come under scrutiny, including because it is less able to recognize the photos of Black and dark-skinned people, creating a barrier for them to access this portal to move their asylum applications forward. While the algorithms CBP One relies on are not publicly available, such facial recognition technology has been rejected as racially discriminatory in other contexts such as policing. For example, these algorithms have been found to inaccurately identify Black faces at a rate 10 to 100 times more than white faces. Immigration officials continue to use technology to monitor migrants after they enter U.S. territory. This includes the Investigative Case Management System used by Immigration and Customs Enforcement (ICE), software that gives ICE access to migrants’ personal and biometric information; as well as the use of mobile applications like SmartLink or electronic ankle monitors as alternatives to (immigration) detention. The Department of Homeland Security (DHS) is developing a Homeland Advanced Recognition Technology System (HART) to “aggregate and compare biometrics data including facial recognition, DNA, iris scans, fingerprints, and voice prints—most often gathered without obtaining a warrant...[in order] to target immigrants for surveillance, raids, arrests, detention, and deportation.” Just as anti-Black racism operates in the criminal legal system, Black migrants face racial profiling, criminalization, and detention at disproportionate rates, and these technologies are another tool that perpetuates these differential outcomes in the U.S. immigration system. As BAJI and the Promise Institute argued before the IACHR, the use of border technology exacerbates racial discrimination in U.S. immigration enforcement, particularly against Black migrants, as well as the racialized harms caused by U.S. border externalization. Border technology, as with technology in general, is often framed as “neutral,” “objective,” and “fair” – yet it has the “capacity to reproduce, reinforce and even exacerbate racial inequality within and across societies.” It is used for controlling, surveilling, and policing migrants. Despite claims that it makes immigration enforcement “safer,” smart borders are a form of deterrence that perpetuate the racial inequity at the heart of immigration laws, policies, practices, and enforcement.

A “smart wall” raises significant safety and equity concerns, including intrusive surveillance, biased AI systems, and privacy issues, while exacerbating risks for migrants and residents near the border

Ramirez 22 [Josue Ramirez, 5-31-2022, ““Smart” but Harmful: The Risks and Implications of Surveillance Technologies in the U.S.-Mexico Border”, Trucha RGV, <https://truchargv.com/surveillance-technologies/>]

The increased surveillance of the border poses a myriad of safety concerns, particularly due to the technologies’ intrusiveness and because they provide border agencies access to vast amounts of extremely sensitive data, oftentimes without the knowledge and consent of the individuals subjected to this tech. In the case of drones, for example, while CBP is restricted by the Federal Aviation Administration to fly them between 25 and 60 miles of the US-Mexico border, civil liberties advocates worry that they could be used to surveil beyond the designated areas. In terms of equity, AI-enabled systems are particularly harmful because of their technical shortcomings; biases embedded in facial recognition systems can result in the misidentification of disabled people, Black and Brown people, and women, making them subject to further scrutiny and to be mistakenly recognized as security threats. Still, even though these tools are known to be inaccurate, they are employed for important decision-making tasks, like helping determine which asylum seekers should enter the country. Here, in addition to posing equity concerns, the digitization of the asylum seeking process gives rise to privacy issues, as it allows for the pervasive tracking of individuals and more invasive information sharing. Albeit less politically controversial the digital wall is more of an extension to a physical barrier than an alternative. Under a facade of progress and innovation, the “smart wall” jeopardizes people’s civil rights and promotes the usage of the U.S. – Mexico borderland as a ground for technological experimentation. U.S. residents living near the areas where tech devices are located may be subject to surveillance, and the increased militarization of the U.S.-Mexico border with monitoring devices pushes migrants to take alternative routes that are potentially more dangerous, resulting in an increase in death rates in the desert.

Biden administration’s use of dystopian surveillance technologies at the border continues militarized enforcement, risking abuse and escalating dangers for migrants

Guerrero 22 [Jean Guerrero, Los Angeles Times, 2-10-2022, “Opinion: U.S. Border Surveillance Should Scare Residents”, GovTech, <https://www.govtech.com/opinion/opinion-u-s-border-surveillance-should-scare-residents>]

President Biden largely halted construction on his predecessor’s border wall, which Democrats decried as inhumane. But he never stopped the Department of Homeland Security from using the border as a testing ground for dystopian military and surveillance technologies — including, most recently, headless robot dogs. This month, DHS pitched the robot dogs as fun, futuristic versions of “man’s best friend,” meant to help Border Patrol agents navigate rough terrain and other threats. Critics argue that they look like the human-hunting ones in the Netflix series “Black Mirror,” and that they’d frighten families seeking refuge in this country. The company that makes them, Ghost Robotics, has showcased similar robot dogs equipped with firearms. Whether you think these canines are creepy or cute, the fact is that the deployment of surveillance technologies at the border — including sensors, drones and camera-equipped towers — has historically pushed people seeking work or asylum in the U.S. into more dangerous remote crossing routes, where thousands have died. “It’s very much the same type of enforcement that criminalizes migration and makes it more deadly,” Jacinta González, senior campaign director for the racial justice group Mijente, told me. These so-called smart technologies — which Biden touted from his first day in office — have also tended to spill from the border into the country’s interior. For example, in 2020, border drones and other aerial surveillance tools were used by DHS to monitor anti-racist protesters in more than 15 cities. Similarly, license-plate-scanning technology that started at the border in the 1990s is now common across police departments. “A lot of people who’d normally oppose intrusive government technologies and programs are just fine with it because of their antipathy to immigrants,” Jay Stanley, a senior policy analyst at the American Civil Liberties Union, told me. The ACLU has raised concerns about these technologies, noting a “vast potential for abuse, as law-abiding citizens in border areas may not be aware that they are being monitored.” Mijente and other groups have documented the proliferation of high-tech border infrastructure in marginalized communities and its disproportionate impact on Black and Indigenous people. But the borderlands surveillance empire — which lacks oversight because of its largely rural nature — imperils everyone. It’s driven by companies that deserve scrutiny. For example, in 2019, the Tohono O’odham Nation became the designated site for surveillance towers built by Israel’s military company Elbit

Systems, whose activities affecting Palestinians have triggered human rights concerns and divestment. “Technology companies that were for a long time making a huge profit off of investment in [wars] abroad are now bringing that technology to our militarized border as a way of experimenting how far they can normalize this before making it widespread throughout the United States,” González told me. The border has also attracted venture capitalists such as the billionaire and Trump supporter Peter Thiel, who funded the Irvine-based company Anduril, which has won government contracts worth hundreds of millions of dollars to build 200 sensor towers all along the border. Instead of creating a humane immigration system that might begin to address the reality of migration, the Biden administration is continuing a bipartisan legacy of throwing insane amounts of money at military-style border technology. These expenditures promote the fantasy of the border as a war zone overwhelmed by criminals and cartels, when the reality is that most people Border Patrol encounters are parents and children seeking asylum. In promoting military and surveillance technologies, DHS conflates immigration with terrorism. The department’s Science and Technology Directorate article about the robot dogs likened them to “force multipliers” and conjured the presence of “WMD,” or weapons of mass destruction. (I asked DHS how many such weapons agents have found at the border, but did not receive a response in time for this column; the State Department previously said there is no credible information that known terrorists have traveled through Mexico to access the U.S.) Amid a surge in high-tech gadgets for use on people crossing the border, technology for detecting sophisticated cartel infrastructure — such as underground drug tunnels — flounders. Gil Kerlikowske, Customs and Border Protection commissioner in the Obama administration, recalls asking the Science and Technology Directorate to help develop such tools during his tenure. “Unfortunately, there was no answer from them,” he told me. “In a way, S&T had a bit of a mind of their own.” Dave Maass, the investigations director at Electronic Frontier Foundation, believes the “highly politicized nature” of DHS, which inclines many of its employees toward activities that showcase their power, means it’s “more susceptible to products that can be packaged for press releases or TV.” A DHS spokesperson told me that the robot dog project is still in a “research and development phase” and that they’re not meant to “engage with migrants.” Last year, the New York City Police Department canceled a contract for similar robot dogs after public outrage. DHS has a documented problem of migrant abuse, extremism and white supremacist views in its ranks. Its members have targeted attorneys, journalists and others for questioning without cause. Their access to technologies powered by artificial intelligence — from iris scanning to racially discriminatory facial recognition — raises serious ethical questions. Given the global

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rise of authoritarianism, and the known use of surveillance technologies for oppression abroad, it's imperative that the U.S. develop a bill of rights regulating their use here. In the meantime, lawmakers should slash DHS funding for these technologies, recognizing that they are just as deadly as then- President Trump's wall — with greater potential for abuse.

6.0.4 NC – Border Patrol

The US Border Patrol, founded in institutional racism, has a long history of unchecked violence and abuse

American Immigration Council 21 [American Immigration Council, 2-10-2021, “The Legacy of Racism within the U.S. Border Patrol”, American Immigration Council, <https://www.americanimmigrationcouncil.org/research/legacy-racism-within-us-border-patrol//SM>]

Since its creation in 1924, the U.S. Border Patrol has been steeped in institutional racism and has committed violent acts with near impunity. The racial animus of U.S. immigration policy in the late nineteenth and early twentieth century formed the foundation for the agency. Federal laws banning Asian immigration were followed by the national origins quota system, which prioritized northern and western Europeans over the rest of the world. While not included in the original quotas, Mexicans, who previously could travel freely across the U.S.-Mexico border, began to experience increasing restrictions in the 1920s. Congress created the Border Patrol in 1924 to patrol the northern and southern borders between ports of entry. Many officers came from organizations with a history of racial violence and brutality, including the Ku Klux Klan and the Texas Rangers, carrying over the culture of a racist “brotherhood” into the new agency. In the Border Patrol’s early days, it focused on the unlawful entry of Asian and European immigrants. However, in the 1930s enforcement began to shift to Mexican citizens entering along the southern border. A culture of racism within the Border Patrol has persisted throughout its history. Repeated reports have surfaced of agents using racial slurs, sexual comments, and other offensive language. Various lawsuits and studies have demonstrated the Border Patrol’s use of racial profiling in stops within the interior of the United States. Agents have maintained connections to the white supremacist movement and the paramilitary SWAT-style Border Patrol Tactical Unit has been deployed to crack down on protests of police brutality against Black people. The Border Patrol began as a small agency, but its budget and deportations quickly skyrocketed. Over time, the agency targeted Mexican immigrants more aggressively, using a strategy of intensive enforcement directed at high-traffic areas. Beginning in the 1980s, the Border Patrol began a profound process of militarization and increased collaboration with other law enforcement agencies. The government began an official “prevention through deterrence” strategy in 1994, with the goal of making unlawful entry to the United States so dangerous as to discourage people from trying. The September 11, 2001 terrorist attacks led to the restructuring of

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immigration agencies, putting the Border Patrol under the newly created Department of Homeland Security, further increasing the growth and militarization of the agency. The Border Patrol continues to perpetuate violence in the form of killing, sexual assault, excessive force, and verbal degradation—all with impunity. Despite these problems, the Border Patrol has lowered hiring standards to pursue rapid staff expansion. The Border Patrol often perpetrates violence through less direct means, including medical abuse and neglect, inhumane custody conditions, and family separation. Since its founding nearly 100 years ago, the Border Patrol has become a sprawling and immensely powerful law enforcement agency with a deeply entrenched culture of racism and abuse. Nevertheless, the agency has received ample funding from Congress and enjoys an extraordinary degree of independence. Revamping the agency will involve fundamentally reshaping how Border Patrol agents view themselves in relation to the different communities and groups of people they encounter along the border.

Deep-seated corruption within the CBP due to inadequate oversight allows for infiltration by criminal organizations

Lasusa 16 [Mike Lasusa, 1-19-2016, "How Mexico Cartels Corrupt US Border Agents", InSight Crime, <https://insightcrime.org/news/analysis/mexico-cartels-us-border-patrol-corruption/>]

An investigative report by the Texas Observer last month revived longstanding concerns about US Customs and Border Protection (CBP), calling into question whether the nation's largest law enforcement agency is effectively combating corruption and infiltration by criminal organizations. In a 7000-word exposé, reporters Melissa del Bosque and Patrick Michels chronicled various instances of misbehavior by agents at the Department of Homeland Security (DHS), including purchasing weapons for criminal groups, abusing confidential informants, and taking bribes to allow human smugglers and drug traffickers to cross the US-Mexico border. Furthermore, the Texas Observer investigation indicated that corruption at CBP frequently went unpunished. According to the article, the department in charge of overseeing CBP "became known for hoarding cases and then leaving them uninvestigated," and "the office often refused offers of help from the FBI [Federal Bureau of Investigation] and other law enforcement agencies that also keep watch over customs officers and Border Patrol agents." James Tomsheck, the former head of CBP's internal affairs division from 2006 to 2014, told the reporters, "It was very clear to me...that DHS was attempting to hide corruption, and was attempting to control the number of arrests [of CBP personnel on corruption charges] so as not to create a political liability for DHS." Del Bosque and Michels focused closely on a few particularly egregious examples, but they also cited a recent report by an advisory panel appointed by the Secretary of the Department of Homeland Security, which found that "true levels of corruption within CBP are not known." The panel also stated that CBP "remains vulnerable to corruption that threatens its effectiveness and [US] national security." InSight Crime Analysis For Mexican organized crime groups, del Bosque told InSight Crime, attempting to corrupt law enforcement agencies working on the border is "part of their business model." And she said that contrary to what one might expect, those most susceptible to corruption are "not people who have just joined the agency. It's usually long-time agents who are more vulnerable." Del Bosque said that corrupt relationships often start off with agents taking small bribes for small favors. Over time, these connections can escalate into more serious affairs. "People get closer to retirement and feel like they haven't been compensated for their work," del Bosque explained. "There's a longer period of time for people to develop relationships." An analysis by the

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Center for Investigative Reporting appears to bear out this conclusion. Of the 153 cases of CBP corruption reviewed by the organization, 52 of the accused agents had between one and five years of service, 47 had between six and ten years, and only three had less than one year of service at the time of their arrest. Many agents hail from border regions, and have family or friendly ties with people in those communities. Del Bosque said that it's not unusual for people who get involved in criminal activities to attempt to recruit acquaintances working for law enforcement. "Whichever cartel controls that territory, they're all involved in corrupting agents," she said. In 2010, while he was still in charge of CBP internal affairs, Tomscheck warned the Senate Homeland Security subcommittee, "There is a concerted effort on the part of transnational criminal organizations to infiltrate, through hiring initiatives, and to compromise our existing agents and officers." One example, reported by Andrew Becker for Mother Jones magazine, is the case of Margarita Crispin, who joined CBP in El Paso, Texas in 2003. Becker wrote that "investigators from the Department of Homeland Security suspect she'd been recruited by a friend with ties to the Juárez cartel before she took the job. Almost immediately after completing her training and putting on her badge, she began to help traffickers 'cross loads'... By the time she was arrested in July 2007, Crispin is thought to have let more than 2,200 pounds of marijuana into the United States." A more recent example is the case of Joel Luna, a six-year Border Patrol veteran working in Brownsville, Texas, who was recently charged in connection with an apparent cartel-related murder in the area. According to the Los Angeles Times, investigators in the case suspect Luna may have been tied to the Gulf Cartel through his brothers. The huge size of CBP and its relative lack of oversight personnel make the agency especially susceptible to corruption. With roughly 60,000 agents, officers and specialists, CBP employs more law enforcement officers than the New York Police Department (34,500) and the Los Angeles Police Department (10,000) combined. In addition, the number of border agents has been growing at a breakneck pace, nearly doubling over the past decade. However, as del Bosque and Michels reported, CBP for many years had no criminal investigators who could investigate corruption and other abuse within its ranks. Instead, some 200 investigators from the DHS Office of Inspector General were tasked with overseeing all 220,000 DHS employees — a ratio of around one investigator for every 1,000 workers. "In comparison," the reporters wrote, "the FBI has 250 internal affairs investigators for its 13,000 agents" — a ratio of about one for every 50 officers. Only recently did CBP receive its own investigators, but it still doesn't have enough to effectively fight corruption, according to the panel appointed to study CBP. Del Bosque told InSight Crime that hiring more internal investigators and performing more thorough background checks on new recruits could help stem corruption and

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infiltration at CBP. She also suggested that rotating agents through different posts on the border might prevent the development of corrupt relationships between agents and criminals. But perhaps the most effective means of reducing corruption would be to continue efforts to investigate and prosecute officers already under suspicion or working with criminal groups. Not only would this send a message that official misbehavior will not be tolerated, it would also allow CBP to get a better handle on the effects corruption has on the agency's operations. "That's part of the problem," del Bosque said, "we don't know exactly how widespread it is."

Without transparency, body-worn cameras risk limiting officer performance rather than increasing accountability in Border Patrol operations

Newell 13 [Bryce Clayton Newell, 11-14-2013, "Body-Worn Cameras Alone Won't Bring Transparency to the Border Patrol", Slate Magazine, <https://slate.com/technology/2016/02/border-patrols-body-worn-cameras-will-require-good-transparency-policies.html>]

Body-Worn Cameras Alone Won't Bring Transparency to the Border Patrol The agency's historical lack of transparency suggests that without good policies, the cameras will become another tool for surveillance. In November, U.S. Customs and Border Protection Commissioner Richard Gil Kerlikowske announced that the agency would expand its body-worn camera deployment in the coming months, using the cameras in "law enforcement operations such as checkpoints, vessel boarding and interdictions, training environments, and outbound operations at ports of entry." This is a modest expansion to the border control agency's ongoing pilot program, and it comes in spite of an internal evaluation by the agency's Body-Worn Camera Working Group recommending caution because, among other reasons, the cameras might distract officers, lower officer morale, and fail to work in the harsh climate that border agents work in along the U.S.-Mexico border. Adopting body-worn cameras as part of a larger project to make the agency more transparent and accountable is potentially a step in the right direction. But without the implementation of proper policies for camera use and public disclosure of footage, it won't do much to overcome the agency's historical lack of transparency and its general resistance to releasing video footage to the public. Unless CBP commits to greater transparency and external oversight as part of its body-worn camera program, the cameras may become just another tool of government surveillance wielded by the state without adequate oversight. In an independent review of agency response to cases of alleged abuse in 2013, investigators found that CBP agents have "deliberately stepped in the path of cars ... to justify shooting at the drivers" and have repeatedly fired their weapons through the border fence at Mexican nationals on Mexican soil. (The review was commissioned by CBP, but the agency has tried to keep it from coming to light.) Another investigation found that across 42 agent-involved killings between 2005 and 2013, there has not been a single case in which an officer is "publicly known to have faced consequences." At the same time, CBP has also frequently withheld video evidence of agent-involved shootings, even in high-profile cases like the 2012 shooting of José Antonio Elena Rodríguez. In August 2015, a federal judge also sanctioned the agency for destroying video evidence that it was required to preserve during an ongoing civil rights

lawsuit. Agent Lonnie Ray Swartz, the officer involved in the case of José Antonio, has recently become the first agent ever charged with murder for shooting a Mexican national through the border fence. However, CBP and the U.S. Justice Department have continually refused to release existing video of the incident to the public. Swartz repeatedly fired his weapon through the fence, hitting 16-year-old José Antonio 10 times, including eight times in the back (and possibly reloading in the process) as the youth was walking away from the officer, supposedly on his way home from a basketball game. Swartz claims it was self-defense. Of course, these sorts of problems are not unique to CBP or the Border Patrol. A number of local police agencies around the country have also resisted public disclosure of video footage depicting officer-involved shootings or other uses of force. Sometimes agencies relent only after judges order them to release footage—often quite some time after an incident took place. These incidents have inspired a public demand for body cams on police officers—but whether a city cop or a border agent, much of the potential social benefit of outfitting law enforcement with body-worn cameras hinges on agency transparency and the public availability of footage. Body cameras are joining a very sophisticated surveillance apparatus deployed by CBP along the nation’s southwest border with Mexico over the past couple of decades, including ground sensors, fixed camera towers, mobile camera units, drones, helicopters, and rescue beacons for migrants in distress. Undoubtedly, as the agency claims itself in its November 2015 statement about its continuing body-worn camera evaluation, video cameras have “long been a key component” in border security operations. However, it is not clear that these cameras have also played an important role in CBP’s “efforts to earn and keep the public’s trust and confidence,” as the CBP commissioner also claimed in that same report. In recent exploratory research with migrants, humanitarian volunteers, and Border Patrol agents in and around Nogales, Arizona, (and Sonora, Mexico), colleagues and I found that increasing levels of border surveillance provide only a small deterrent to potential migrants from making undocumented border crossings. The migrants we interviewed were generally supportive of the use of body-worn cameras by Border Patrol agents. But they were also concerned about officer discretion regarding when to record and allowing public access to footage, even when it might implicate border agents in wrongdoing. Some migrants claimed that body cameras would make Border Patrol agents treat them more humanely while others said they feared that officers would simply turn off their cameras when they wanted to treat migrants badly or that the agency would refuse to release video that might support a migrant’s claim of poor treatment. Research has repeatedly shown that body-worn cameras have the potential to increase officer accountability, provide better evidence of events, and modify the behavior of officers and civilians, but

accountability is unlikely when police control the footage and refuse to release it publicly. Although CBP leadership has expressed a desire to improve transparency and improve internal review of misconduct by its officers, incorporating body cameras into that internal review process only signals the possibility of internal accountability. However, this development, without a firm commitment to more external transparency, neglects any consideration of external oversight and public accountability—a problem facing many local law enforcement agencies around the country as they adopt body-worn cameras and craft policies in the face of public pressure to become more transparent and accountable to their communities. The good news is that CBP can learn much from the adoption of body-worn cameras in police departments. The members of the CBP working group—not unlike many police officers—expressed concerns about the technologies. But at least in two departments in Washington state, evidence suggests that as officers are becoming increasingly positive about the cameras as they use them themselves or see colleagues use them without many negative repercussions. The Seattle Police Department has perhaps taken the most unique and, arguably, transparent approach to date, proactively posting its officers' body-worn camera footage to a department-run YouTube channel after blurring—or otherwise obscuring—the entire frame of footage and removing all or most of the audio. That approach is wise, because body camera footage may include very sensitive personal information about civilians contacted by officers, including footage filmed inside homes, with victims of sexual violence or domestic abuse, or depicting minor children. Border Patrol agents who use these cameras will often record through the windows of innocent people's cars, capture conversations about potentially sensitive or embarrassing subjects, or capture migrants suffering from various types of physical, emotional, and mental distress. We need to find a balance between full public disclosure and the privacy interests of citizens, migrants, and even innocent officers, or else we risk making personal privacy the collateral damage of our transparency efforts. However, unless CBP commits—and follows through on a promise—to provide external access to recordings made by its agents' wearable cameras, and to require agents to record all encounters with migrants (or with others, for example, at checkpoints), the social value of any body-worn camera program will likely be insignificant, fulfilling a broader state surveillance purpose rather than providing any added transparency or accountability. If the agency will not commit to transparency, there may be no upside to financing the purchase of cameras or requiring officers to wear them in the first place.

The U.S. Border Patrol's \$400-million drone program is ineffective and mismanaged, contributing little to border security while diverting resources away from more practical surveillance solutions

Bennett 15 [Brian Bennett, 1-7-2015, "Border drones are ineffective, badly managed, too expensive, official says", Los Angeles Times, <https://www.latimes.com/nation/immigration/la-na-border-drones-20150107-story.html>]

Drones patrolling the U.S. border are poorly managed and ineffective at stopping illegal immigration, and the government should abandon a \$400-million plan to expand their use, according to an internal watchdog report released Tuesday. The 8-year-old drone program has cost more than expected, according to a report by the Department of Homeland Security's inspector general, John Roth. Rather than spend more on drones, the department should "put those funds to better use," Roth recommended. He described the Predator B drones flown along the border by U.S. Customs and Border Protection as "dubious achievers." "Notwithstanding the significant investment, we see no evidence that the drones contribute to a more secure border, and there is no reason to invest additional taxpayer funds at this time," Roth said in a statement. The audit concluded that Customs and Border Protection could better use the funds on manned aircraft and ground surveillance technology. The drones were designed to fly over the border to spot smugglers and illegal border crossers. But auditors found that 78% of the time that agents had planned to use the craft, they were grounded because of bad weather, budget constraints or maintenance problems. Even when aloft, auditors found, the drones contributed little. Three drones flying around the Tucson area helped apprehend about 2,200 people illegally crossing the border in 2013, fewer than 2% of the 120,939 apprehended that year in the area. Border Patrol supervisors had planned on using drones to inspect ground-sensor alerts. But a drone was used in that scenario only six times in 2013. Auditors found that officials underestimated the cost of the drones by leaving out operating costs such as pilot salaries, equipment and overhead. Adding such items increased the flying cost nearly fivefold, to \$12,255 per hour. "It really doesn't feel like [Customs and Border Protection] has a good handle on how it is using its drones, how much it costs to operate the drones, where that money is coming from or whether it is meeting any of its performance metrics," said Jennifer Lynch, a lawyer for the Electronic Frontier Foundation, a San Francisco-based privacy and digital rights group. The report's conclusions will make it harder for officials to justify further investment in the border surveillance drones, especially at a time when Homeland Security's budget is at the center of the battle over President Obama's program to give work permits to

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millions of immigrants in the country illegally. Each Predator B system costs about \$20 million. “People think these kinds of surveillance technologies will be a silver bullet,” said Jay Stanley, a privacy expert at the American Civil Liberties Union. “Time after time, we see the practical realities of these systems don’t live up to the hype.” Customs and Border Protection, which is part of Homeland Security, operates the fleet of nine long-range Predator B drones from bases in Arizona, Texas and North Dakota. The agency purchased 11 drones, but one crashed in Arizona in 2006 and another fell into the Pacific Ocean off San Diego after a mechanical failure last year. Agency officials said in response to the audit that they had no plans to expand the fleet aside from replacing the Predator that crashed last year. The agency is authorized to spend an additional \$433 million to buy up to 14 more drones. The drones — unarmed versions of the MQ-9 Reaper drone flown by the Air Force to hunt targets in Pakistan, Somalia and elsewhere — fly the vast majority of their missions in narrowly defined sections of the Southwest border, the audit found. They spent most of their time along 100 miles of border in Arizona near Tucson and 70 miles of border in Texas. Rep. Henry Cuellar (D-Texas) has promoted the use of drones along the border but believes the agency should improve how it measures their effectiveness. Homeland Security “can’t prove the program is effective because they don’t have the right measures,” Cuellar said in an interview. “The technology is good, but how you implement and use it — that is another question.” The audit also said that drones had been flown to help the FBI, the Texas Department of Public Safety and the Minnesota Department of Natural Resources. Such missions have long frustrated Border Patrol agents, who complain that drones and other aircraft aren’t available when they need them, said Shawn Moran, vice president of the Border Patrol agents’ union. “We saw the drones were being lent out to many entities for nonborder-related operations and we said, ‘These drones, if they belong to [Customs and Border Protection], should be used to support [its] operations primarily,’” Moran said.

Historically, efforts aimed at increasing surveillance have not limited border crossings, but instead, these failures are used as further justification for more surveillance

Valle 22 [Gaby Del Valle, 8-3-2022, “The Most Surveilled Place in America”, Verge, <https://www.theverge.com/c/23203881/border-patrol-wall-surveillance-tech>]

President Joe Biden promised that “not another foot of wall” would be built if he was elected president. Instead, his administration would use “high-tech capacity” to secure the border. Drones, cameras, and sensors would be more effective and more humane than a physical barrier, he claimed. What Biden’s promises ignored, however, is that the federal government has spent billions on border surveillance technology for the past three decades — and that despite these efforts and aside from a brief lull in crossings early in the pandemic, the number of unauthorized border crossings has gone up year after year. Since the ‘90s, the question hasn’t been whether to fund border technology but how to get more of it. The fact that some migrants still make it across the border undetected — or that they attempt the journey at all — isn’t seen as a failure of technology or policy. Instead, it is used to justify more surveillance, more spending, and more manpower.

Expanding body-worn cameras will fail to bring accountability for officers because of a lack of transparency and clear policies within the CBP

Newell 13 [Bryce Clayton Newell, 11-14-2013, "Body-Worn Cameras Alone Won't Bring Transparency to the Border Patrol", Slate Magazine, <https://slate.com/technology/2016/02/border-patrols-body-worn-cameras-will-require-good-transparency-policies.html>]

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Drug smugglers have figured out how to spoof and jam border surveillance drones, make it difficult for law enforcement to catch them

Thompson 15 [Cadie Thompson, 12-29-2015, "Drug traffickers are hacking US surveillance drones to get past border patrol", Business Insider, <https://www.businessinsider.com/drug-traffickers-are-hacking-us-border-drones-2015-12>]

The US Department of Homeland Security has turned to using small drones to monitor its borders, but drug traffickers have apparently already found a way to avoid surveillance. Timothy Bennett, a Department of Homeland Security program manager, said last week that drug smugglers are using technology to spoof and jam unmanned aircraft systems that are being used at the border. US border Patrol drones YouTube/CNN "The bad guys on the border have lots of money. And what they are putting money into is spoofing and jamming of GPSs, so we are doing funding to look at small UAS that we can counter this," Bennett said during a panel at the Center for Strategic & International Studies. Spoofing is when someone is able to counterfeit the GPS signal navigating the drone. Because non-military GPS signals are not encrypted, they are vulnerable to being spoofed. In a border patrol scenario, this means that the GPS signal from the control station could be hijacked by the "spoofers" and crashed. Jamming is when someone uses a device to jam the GPS signal so that the drone loses its ability to determine its location or altitude. These methods of hacking the device are nothing new. In 2012, researchers at the University of Texas demonstrated how a remote UAS could be hijacked via a GPS spoof. At the time, lawmakers were up in arms about implementing a fix before these small drones were integrated into the national airspace. Bennett said the DHS is currently investing in research to improve the security of the unmanned systems so that they aren't vulnerable to these kinds of attacks. Tech Insider reached out to the Department of Homeland Security to get more information on how often its drones were being targeted and will update when we hear back. But Bennett did tell Defense One that the spoofing and jamming attacks were making it difficult for law enforcement abilities to map drug routes. "You're out there looking, trying to find out this path [they're] going through with drugs, and we can't get good coordinate systems on it because we're getting spoofed. That screws up the whole thing. We got to fix that problem," Bennett told Defense One.

The CBP lacks accountability, which allows for continued abuse towards migrants

Drake and Huddleston 21 [Shaw Drake, Kate Huddleston, 9-24-2021, “Addressing Racialized Violence Against Migrants Requires a Complete Overhaul of Customs and Border Protection”, American Civil Liberties Union, <https://www.aclu.org/news/immigrants-rights/addressing-racialized-violence-against-migrants-requires-a-complete-overhaul-of-cust>

Every day, CBP carries out U.S. border policy and interacts with migrants through the filter of an agency culture steeped in cruelty, xenophobia and racism, violent inhumanity, and impunity. On rare occasions, the agency’s abusive actions are caught on camera. But images of CBP tear gassing families, surveillance video of a child dying on the floor of a Border Patrol facility, or horse-mounted agents menacing migrants captured on camera tell only a small part of the long history of the agency’s violent actions, and the lack of accountability with which they have been met. The Border Patrol, initially a small agency, was established in an anti-immigrant atmosphere in 1924. It employed white supremacists, including Ku Klux Klan members, from the outset, and its early history included regular beatings, shootings, and hangings of migrants. Now, after rapid expansion in the early 2000s due to unprecedented funding, Border Patrol’s ranks include nearly 20,000 agents, making it the nation’s largest law enforcement agency. It is also the least accountable. At least 191 people have died following encounters with Border Patrol in the last decade. Six of these deaths were caused by Border Patrol agents shooting across the border into Mexico — yet no agent was held accountable for the killings. The agency lacks basic accountability practices: No agent has ever been convicted of criminal wrongdoing while on duty, despite deaths in custody and uses of excessive, deadly force. The agency’s discipline system is broken. As James Tomsheck, CBP’s former internal affairs chief, has described, the agency “goes out of its way to evade legal restraints” and is “clearly engineered to interfere with [oversight] efforts to hold the Border Patrol accountable.” Between just 2019 and 2020, the ACLU filed 13 administrative complaints with internal oversight bodies, documenting hundreds of cases of CBP abuse—including of asylum seekers, families, pregnant persons, and children, among other misconduct. Existing accountability mechanisms have failed to prevent abuses or adequately hold agents to account in ways that would deter future misconduct. Border Patrol’s abuses are also not limited to the border itself—and have particularly targeted communities of color in the United States. The agency deploys its massive police force across the country where agents profile, surveil, and militarize U.S. communities. Just last year, Border Patrol agents terrorized and kidnapped protesters from the streets of Portland after deployment to Black Lives Matter protests sparked

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by George Floyd's murder, and sent sniper units to George Floyd's burial service with authority to use deadly force. Verbal abuse of migrants is not unique to the mistreatment documented in Del Rio. In 2019, the ACLU received reports from migrants that detailed verbal abuse by Border Patrol agents. The abuse included bullying, harassment, threats, racism, and misstatements about U.S immigration law. Reported abuse was in line with that in the Del Rio video: For example, migrants described Border Patrol agents calling them derogatory terms and making comments such as, "I've fucking had it with you, this is why you guys don't advance in your country." As the disturbing videos from Del Rio show, verbal abuse often accompanies agents' physical violence. For example, a Border Patrol agent who pleaded guilty in 2019 to repeatedly hitting a migrant with a truck sent text messages in which he described migrants as "disgusting subhuman shit unworthy of being kindling in a fire." His attorney defended the xenophobic messages as "part of the agency's culture" and "commonplace." Border Patrol's abuse often targets those who are particularly vulnerable. In 2014, more than 50 children reported verbal abuse. "You're the garbage that contaminates this country," one agent told a child. Children have reported that CBP has called them a wide range of derogatory names. Migrants also have reported numerous highly derogatory anti-LGBTQ comments. The agency's long-entrenched culture of violence and abuse toward migrants is completely contrary to the basic dignity and respect with which all migrants — and anyone who encounters law enforcement — should be afforded.

CBP is pushing for more AI-integrated surveillance at the border, but concerns exist related to discriminatory biases, privacy violations, and the overall efficacy of greater surveillance

Madan 24 [Monique O. Madan, 3-21-2024, "The future of Border Patrol: AI is always watching", Government Executive, <https://www.govexec.com/technology/2024/03/future-border-patrol-ai-always-watching/395167/>]

U.S. Customs and Border Protection is trying to build AI-powered border surveillance systems that automate the process of scanning people trying to cross into the U.S., an effort that experts say could push migrants to take more perilous routes and clog the U.S. immigration court and detention pipeline. To achieve full autonomy across the borderlands, CBP held a virtual "Industry Day" in late January, where officials annually brief contractors on the department's security programs and technology "capability gaps." One of the main shortcomings: Too many missed border crossing detections because border agents spend long work shifts in front of computers. Presentations and other materials shared at Industry Day are public record, but they are geared toward third-party contractors—and often go unnoticed. The Markup is the first to report on the details of CBP's plans. If all goes as hoped, then U.S. Border Patrol "operators would need only to periodically monitor the system for accountability and compliance," officials wrote, according to meeting documents. Currently deployed surveillance technology relies on human staff to observe and relay information received from those technologies. Investing in tech that's not AI-driven would increase the number of people required to monitor them around the clock, officials wrote in a 2022 document that was shared at the event, adding, "New autonomous solutions and enhancements to existing systems are therefore preferable and are expected to reduce the number of personnel required to monitor surveillance systems." Some of CBP's goals include: Creating one unified central operating system for all land, air, and subterranean surveillance technology Upgrading fleets of mobile surveillance trucks Integrating persistent, real-time surveillance in remote locations Reducing costs and human operator dependence Minimizing margin of error and missed detections Maximizing use of AI to flag illegal border crossings in real-time Investing in technology that would navigate terrain and surveil moving "items" or people Fully autonomizing surveillance so that more agents can be placed in the field to apprehend, transport and detain border crossers Currently, only one out of 12 components of CBP's Command, Control, and Communications Engineering Center—the technological hub for everything the agency does along the border—is autonomous, records show. Once the department reaches its goal, nine out of 12 would be automated,

according to an analysis by The Markup. The main goal is to hand off surveillance decision-making to AI, largely eliminating the human element from the point a person crosses the border until they're intercepted and incarcerated. Since at least 2019, DHS has been gradually and increasingly integrating AI and other advanced machine learning into its operations, including border security, cybersecurity, threat detection, and disaster response, according to the department's AI Inventory. Some specific uses include image generation and detection, geospatial imagery, identity verification, border trade tracking, biometrics, asylum fraud detection, mobile device data extractions, development of risk assessments, in addition to more than four dozen other tools. "For 20-plus years, there was this idea that unattended ground sensors were going to trigger an RVSS camera to point in that direction, but the technology never seemed to work," Dave Maass, Director of Investigations at the Electronic Frontier Foundation, an international nonprofit digital rights and research group, told The Markup. "More recently, Anduril [a mega technology company] came in with 'autonomous surveillance towers' that were controlled by an AI system that would not only point the camera but also use computer vision to detect, identify, and track objects. All the other vendors have been trying to catch up with similar capabilities," Maass added, referencing how the slide shows an unattended ground sensor going off and alerting a tower, then the tower AI does all the work of identifying, classifying and tracking the system, before handing it off to humans. "To realize this increased level of autonomy throughout all surveillance and intelligence systems, USBP must leverage advances in AI, machine learning, and commercial sensors designed for an ever-evolving, autonomous world,". CBP said in a presentation, led by Julie Koo, CBP's industry partnership and outreach program director. But using AI and machine learning may come with ethical, legal, privacy, and human rights implications, experts say. Among the main concerns: the perpetuation of biases that may lead to discriminatory outcomes. Eliza Aspen, researcher on technology and inequality with Amnesty International, said advocates are "gravely concerned" about the proliferation of AI-enabled police and surveillance technologies at borders around the world, and the potential impact on borderland communities and asylum seekers. "These technologies are vulnerable to bias and errors, and may lead to the storage, collection, and use of information that threatens the right to privacy, non-discrimination, and other human rights," Aspen said. "We've called on states to conduct human rights impact assessments and data impact assessments in the deployment of digital technologies at the border, including AI-enabled tools, as well as for states to address the risk that these tools may facilitate discrimination and other human rights violations against racial minorities, people living in poverty, and other marginalized populations." Mizue Aizeki, Executive

Director of The Surveillance Resistance Lab, said it's important to digest the role that tech and AI is playing "in depriving rights and making it more difficult for people to access the very little rights that they have." "One of the things that we're very concerned about is how ... the nature of the ability to give consent to give all this data is ... almost meaningless because your ability to be seen as a person or to access any level of rights requires that you give up so much of your information," Aizeki said. "One of the things that becomes extremely difficult when you have these systems that are so obscured is how we can challenge them legally, especially in the context when people's rights, the rights of people on the move, and people migrating become increasingly limited." USBP had nearly 250,000 encounters with migrants crossing into the United States from Mexico in December 2023, the most recent month for which data is available. That was the highest monthly total on record, easily eclipsing the previous peak of about 224,000 encounters in May 2022. Colleen Putzel-Kavanaugh, an associate policy analyst at the Migration Policy Institute, a research organization, called the growing tech arena "a double-edged sword." "On the one hand, advances in automation are really helpful for certain aspects of what happens at the southern border. I think it's been extremely helpful, especially when migrants are stuck in perilous situations, if they've been hurt, if a member of their group is dehydrated or ill or something like that, there are different ways that, whether it's via a cell phone or via some sort of remote tower or via something, Border Patrol has been able to do search and rescue missions," she said. "But there are still similar problems that Border Patrol has been facing for the last several years, like what happens after someone is apprehended and processed. That requires resources. It's unclear if automation will provide that piece," she said. Though migration patterns have historically shifted as technology has advanced, Putzel-Kavanaugh said it's too soon to tell if fully-automated surveillance would scare migrants into taking on more-dangerous journeys. "I think that people have continued to migrate regardless of increased surveillance. AI could push people to take more perilous routes, or it could encourage people to just show up to one of the towers and say, 'Hey, I'm here, come get me.'" Samuel Chambers, a longtime border researcher who's been analyzing surveillance infrastructure and migration for years, said surveillance tech increases harm and has not made anything safer. "My research has shown that the more surveillance there is, the riskier that the situation is to migrants," Chambers said. "It is shown that it increases the amount of time, energy, and water used for a person to traverse the borderlands, so it increases the chances of things like hyperthermia, dehydration, exhaustion, kidney injuries, and ultimately death." During his State of the Union address this month, President Biden touched on his administration's plan to solve the border crisis: 5,800 new border and immigration

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security officers, a new \$4.7 billion “Southwest Border Contingency Fund,” and more authority for the president’s office to shut down the border. Maass, of the EFF, told The Markup he’s reviewed Industry Day documents going back decades. “It’s the same problems over and over and over again,” he said. “History repeats every five to ten years. You look at the newest version of Industry Day, and they’ve got fancier graphics in their presentation. But [the issues they describe are] the same issues they’ve been talking about for, gosh, like 30 years now,” Maass said. “For 30 years, they’ve been complaining about problems at the border, and for 30 years, surveillance has been touted as the answer. It’s been 30 years of nobody saying that it’s had any impact. Do they think that now these wonders could become a reality because of the rise of AI?” In his 2025 budget, unveiled earlier this month, Biden reiterated the unmet needs from an October request: the need to hire an additional 1,300 border patrol agents, 1,000 CBP officers, 1,600 asylum officers and support staff, and 375 immigration judge teams. Buried in that same budget was a \$101.1 million surveillance upgrade request. In the brief, DHS told Congress the money would help maintain and repair its network of surveillance towers scattered throughout the borderlands. That’s in addition to the agency’s \$6 billion “Integrated Surveillance Towers” initiative, which aims to increase the number of towers along the U.S.-Mexico border from an estimated 459 today to 1,000 by 2034. The budget also includes \$127 million for investments in border security “technology and assets between ports of entry,” and \$86 million for air and marine operational support.

Billions spent on Border Patrol hiring show minimal results and reveal a misalignment with the needs of migrating families, emphasizing the need for social workers over enforcement officers

Stenglein and Hudak 19 [Christine Stenglein, John Hudak, 1-16-2019, “When it comes to the border, money doesn’t solve all problems”, Brookings, <https://www.brookings.edu/articles/when-it-comes-to-the-border-money-doesnt-solve-all-problems/>](<https://www.brookings.edu/>) At the root of the current government shutdown is a profound disagreement over the wisdom and efficacy of spending billions of dollars on a wall. But when it comes to border security, history shows more money doesn’t always solve the problem. To provide one example, let’s have a look at the difficult process of hiring more Border Patrol agents. Last year, Customs and Border Protection (CBP) awarded a \$297 million contract to Accenture to support the president’s goal of dramatically increasing the size of the Border Patrol. Between bringing the force up to the level authorized by Congress and then adding Mr. Trump’s executive order, the scale of the hiring surge was immense. The objective of the contract was to get 500 applicants hired and on the border in the first year, and then another 1,500 every year for three more years. The contract has since been scaled back by CBP, after an inquiry by the Office of Inspector General (OIG) for the Department of Homeland Security found a host of issues. In late November GovExec reported that for the \$43 million spent on the contract, this was the result: just 15 new officers had begun duty, and Accenture had 3,700 more candidates in the hiring process. The brief by the Office of the Inspector General painted an equally grim picture. For the \$13.6 million spent on the contract’s startup costs, the OIG attributed two accepted job offers to Accenture. In its contract solicitation, CBP wrote that it takes 133 applicants to yield one successful hire. The contract called for 7,500 new personnel, 5,000 of which were Border Patrol agents. Assuming the 1/133 success rate is correct, to get a pool big enough the starting population needed to be huge—if the applicant pool were the size of the entire 18-to-40-year-old population in New Mexico (about 625,000 according to Census estimates), that would not quite have been enough. Let’s say Accenture brought the Border Patrol hiring success rate up to where it was 25 years ago, when it took 27 applicants to yield one officer at the border. That’s still a pool of 135,000 people. As we have noted before, if a corps of 7,500 officers could be hired, it would cost the government at least an additional \$1.35 billion per year to employ them.[i] The budget implications of these hiring demands from the White House are astronomical with an uncertain return on the payoff. The blame, however, does not rest solely with Accenture or CBP; the blame chiefly rests with a

White House making undeliverable workforce demands. Why is it so hard to staff the Border Patrol at the levels the president demands? We outlined these challenges—even beyond selection and retention—in a paper published in June 2017. Policing the border is extremely stressful, and it’s located far from home for the majority of Americans. It’s a once-obscure job that is increasingly performed in the glare of national attention while the Trump administration re-writes the rules frequently, separates families, teargasses asylum-seekers, and sends in 5,000 U.S. troops to create the appearance of a national security crisis. The deeper problem with spending millions or billions on hiring a surge of Border Patrol officers is that it’s the wrong kind of staffing for the types of migrants who are arriving at U.S. border. From a law enforcement perspective, the border is covered. It has more agents than ever before. But according to the president it needs even more because, he claims, the migrants traveling in a caravan are “marching” toward the border to “invade” the United States. They want what we have, according to President Trump—“the hottest economy anywhere in the world.” In truth, migrants traveling in families have a more complicated story than simply seeking economic gains. Many of them are fleeing countries in Central America that have weak institutions and powerful criminal organizations, where the threat of violence is a day-to-day reality and opportunities are scarce. Adults traveling in family units account for a small fraction of arrests in recent years—about 20 percent of people apprehended at the border. Women make up 73 percent of adults apprehended with children, versus 13 percent of other arrests^[ii]. For all the rhetoric about the supposed criminality of this population, and the need for harsh consequences, historically Border Patrol has not referred them for felony prosecution. For the entire month of April 2018, after the administration had supposedly successfully piloted the family separations policy, and the month directly preceding its implementation across the entire southwest border, about 4,500 adults were arrested at the border as part of a family unit. According to the Transactional Records Access Clearinghouse (TRAC), who obtained comprehensive case-by-case data from CBP, just one of those adults was referred for criminal prosecution. These families don’t need an arresting officer—they need a social worker.

6.0.5 NC – Privacy & Civil Liberties

CBP and ICE use commercial cell phone location data and surveillance technology like stingrays to monitor and enforce border security, raising privacy concerns amid efforts to enhance communication networks in border areas

Ghaffary 20 [Shirin Ghaffary, 2-7-2020, “The”smarter” wall: How drones, sensors, and AI are patrolling the border”, Vox, <https://www.vox.com/re-code/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>]

CBP and ICE can detect, locate, and collect information about people around the US-Mexico border by acquiring their location data. According to a February report by the Wall Street Journal, CBP and ICE have bought access to a commercial database that tracks “millions” of cellphones in America, and the agencies are using it to identify and arrest undocumented immigrants at the US-Mexico border. DHS spent \$250,000 in contracts in the past few years from Venntel, a company that licenses location data and is affiliated with the mobile ad company Gravy Analytics. And in September 2019, CBP bought \$1.1 million in licenses for Venntel subscriptions and other software. The agency previously acknowledged it may acquire “commercially available location data” from “third-party data providers” in order to “detect the presence of individuals in areas between Ports of Entry where such a presence is indicative of potential illicit or illegal activity,” according to a DHS privacy report last year. The report states that CBP buys location data that includes an anonymized unique ID for a device detected, along with that device’s location, time, date, and how many other signals are near it. CBP has said that it doesn’t collect personally identifiable information, however, only enough to detect the presence of individuals at the border. While DHS hasn’t said that it purchases historical cell location data in particular, for years, cellphone carriers have been selling customer’s location data to third-party brokerage firms, which then resell the information — mostly to advertisers but also to government agencies. Wireless carriers have faced increasing scrutiny over these practices for violating people’s privacy. Most major carriers such as AT&T, Verizon, and T-Mobile have pledged to stop due to public outcry and the potential for FTC or FCC intervention. Cellphones of asylum seekers wanting to stay in the US charge in Juventud 2000 migrant shelter, in Tijuana, on March 5, 2019. Cellphones of asylum seekers wanting to stay in the US charge in Juventud 2000 migrant shelter, in Tijuana, on March 5, 2019. Guillermo Arias / AFP / Getty Images When asked about the practice of mobile surveillance at large, CBP acknowledged that if there is commercially available location information and a company is selling it, “the government

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could be one of those entities” that purchases that data if it is in the agency’s enforcement zone. “The No. 1 thing that’s key to understand here is that we’re not looking at who is there; we’re looking to see if there is someone there,” Schuler said. CBP also uses devices referred to as “stingrays,” “cell site simulators,” or “IMSI catchers,” according to the ACLU, which can detect and intercept cellphone signals in real time, although it’s not known if they are being used at the US-Mexico border specifically. These devices mimic legitimate cellphone towers and pull the location and other information from mobile devices trying to connect with the fake tower. Stingrays can not only detect the presence of a cell but also intercept text and voice messages and in some cases even send them out. From 2010 to 2014, CBP spent about \$2.5 million to acquire cell-site simulator technology, according to a US House of Representatives Committee on Oversight and Government Reform report. Meanwhile, CBP is working to enhance its own secure but agile communication networks. Much of the US southern border doesn’t have cell or internet service. That’s why the agency is actively commissioning new communications technologies that are more sophisticated than the radios and walkie-talkies that many agents still rely on. “All the technology in the world means nothing if you don’t have a reliable network that can bring that data to a customer,” said Schuler. CBP said it employs satellite communications that are used in commercial space applications and small form-factor radios with a mesh network. It’s still a limited form of connectivity, but Schuler compares it to how people can use an offline version of Google Maps on their phones even when they don’t have signal. As mobile data connectivity across the border increases, CBP will have increased opportunities to better communicate among its workforce, as well as surveil other people within the border zone. How exactly it chooses to do so, and whether that infringes on US citizens’ lives, is a major worry for many.

Advanced border security technologies contracted through private companies risk the expansion of surveillance beyond borders and eroding civil liberties

Hoz 21 [Felipe De La Hoz, 01-22-2021, “Why Biden’s ‘Virtual’ Border Could Be Worse Than Trump’s Wall”, *Nation*, <https://www.thenation.com/article/politics/biden-immigration-surveillance/>]

Many Democrats have embraced aerial drones, infrared cameras, motion sensors, radar, facial recognition, and artificial intelligence as more humane ways to reach the shared, if somewhat amorphous, goal of border security. “It has been easy for politicians to point to border security technology as a fallback option if they just don’t like the idea of physical barriers,” said Jessica Bolter, associate policy analyst at the Migration Policy Institute. These implements have the veneer of scientific impartiality and rarely produce contentious imagery, which makes them both palatable to a broadly apathetic public and insidiously dangerous. Unlike a border wall, an advanced virtual “border” doesn’t just exist along the demarcation dividing countries. It extends hundreds of miles inland along the “Constitution-free zone” of enhanced Border Patrol authority. It’s in private property and along domestic roadways. It’s at airports, where the government is ready to roll out a facial recognition system with no age limit that includes travelers on domestic flights that never cross a border. A frontline Customs and Border Protection officer, who asked not to be identified as they were not authorized to speak publicly, told *The Nation* that they had concerns about the growth of this technology, especially with the agency “expanding its capabilities and training its armed personnel to act as a federal police.” These capabilities were showcased this summer when CBP agents joined other often-unidentified federal forces in cities with Black Lives Matter protests. The deployments included the use of ground and aerial surveillance tech, including drones, as first reported by *The Nation*. This sort of mission creep illustrates the folly in complacency over the use of advanced surveillance tech on the grounds that it is for “border enforcement.” It is always easier to add to the list of acceptable data uses than it is to limit them, largely owing to our security paranoia where any risk is unacceptable. It’s the same mechanism that stops politicians from reducing bloated police budgets: Do so, and you run the risk of having one grisly crime be your political undoing. “The oversight committees are not providing oversight,” the CBP officer said, referring to the congressional committees that have purview over homeland security and technology. To an extent, these technologies’ ability to fade into the background can leave them relatively invisible to domestic audiences—until suddenly they’re not. Take the no-fly list, which is more like an unreviewable no-fly algorithm. Every time someone tries to check in for a flight, their information is sent to

the Department of Homeland Security (DHS), which makes real-time decisions about whether they're allowed to board the plane or not. If rejected, you are given no reasoning, shown no evidence, given no process by which this decision was reached, and have few avenues for redress. Even the specific criteria used for such determinations is secret. It's a tool that many Americans might agree with on principle, but it has expanded into a tool of wanton state power without any public discussion. "People are shocked to the point of near disbelief when you tell them this is happening. It doesn't occur to them that there's an invisible checkpoint at the airport," said Edward Hasbrouck, a consultant with the Identity Project and writer at the affiliated Papers Please blog. Hasbrouck believes the principles applied at airports will be extended to the physical border. He said DHS officials "complain constantly and explicitly about the fact that, unlike at the airport, where we know who's getting on the plane before they get on the plane, at the land border anybody can just show up. They regard this as a horrible defect that they're working assiduously to rectify." The language in the immigration bill fact sheet points in the direction of technological processing of migrants in a way that will limit their ability to just show up. This is particularly concerning given the changing demographics of border arrivals. In the early 2000s, the typical unlawful crosser was a single male from Mexico seeking work in the United States. Today, the bulk of those arriving without documentation are asylum seekers, especially children and families after humanitarian protection. The Trump administration has been laser-focused on tamping down access to asylum, but the more sympathetic Obama administration never figured out how to effectively deal with this shifting population either. The Obama White House, not Trump, built the now-notorious family residential centers, the "cages" that caused such controversy. Trump adviser Stephen Miller's strategy has been to push the border south under the often-correct assumption that for the American public out of sight means out of mind. The squalid refugee camps created by the Migrant Protection Protocols program are just across the border, and have gotten a fraction of the attention of other border abuses. For an administration hoping to sidestep domestic controversy over the treatment of desperate migrants while still set on controlling their flow and entry, the use of technology to develop what Hasbrouck called a "kind of pre-approval that externalizes and moves the borders further and further away" might seem like the best option. Everything about our society has been affected by the Covid-19 pandemic, and immigration enforcement is no exception. Seth Stodder, who served stints in Homeland Security in both the Bush and Obama administrations, most recently as assistant secretary for border, immigration, and trade policy, said one of the primary immigration technology questions in the near term is: "How do you evaluate technology

needs to have reliable verification that people have been vaccinated, or they've actually taken screening tests and things like that?" In this interim period where the vaccines are widely available only in some areas, Stodder said there has to be a tech-driven solution to balance health concerns with a desire to remain open to travel and humanitarian entry. "Do you start totally liberalizing travel between the rich world that has been vaccinated and then sort of shut out the other world? I hope not," he said. Wednesday's slate of executive actions neither rolled back Covid-19-related travel bans nor repealed the controversial Centers for Disease Control and Prevention order that has served as the basis for the expulsions without due process of hundreds of thousands of would-be asylum seekers. Some of the solutions floated so far are concerning from a civil liberties perspective. In an article for the trade publication *Border Security Report*, two PricewaterhouseCoopers consultants write that governments can integrate different data streams, pointing to Taiwan's effort to combine immigration and health databases so authorities can immediately check patients' travel data. They also advocate leveraging the "sensors and connectivity facilities" of the globe's 3.5 billion active smartphones for active monitoring, while acknowledging the potential for abuse. New technologies like AI-equipped thermal cameras, which can supposedly detect fevers, could act as a dragnet for anyone even suspected of having the coronavirus. Once the vaccine rollout is further along, international travel to certain countries could start requiring some sort of certificate of vaccination, like another passport. Whatever its direction, there will likely be an expansion of immigration and border technology, and it will involve a slew of private actors. In 2011, Obama infamously canceled a years-long "high-tech border fence" project that had accomplished little except provide \$1 billion in taxpayer funds to Boeing. Yet technological capabilities have improved dramatically since then, and the vision of a pervasive and interconnected travel surveillance apparatus is now more realizable. Entire companies have formed to cater to these contracts, including Anduril, headed by crypto-fascist troll Palmer Luckey, who has close ties to mass surveillance firm Palantir (not coincidentally, both are companies named after objects from *Lord of the Rings*, by people who probably cheered the villains' quest for absolute power). Anduril has already received over \$60 million in contracts from the DHS, including for high-tech pilot programs utilizing laser-equipped cameras, radar, and pattern-recognition software to detect border crossings. Other defense and security contractors are creating the infrastructure to ingest and manage millions of immigration applicants' and US sponsors' sensitive biometric data, including voice prints and DNA, in what Hasbrouck termed the "unholy alliance" of public and private surveillance interests and efforts. There are already few limitations on the ability of immigration agents to access and use

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the information held in federal databases or to conduct additional surveillance when and where they see fit. Even then, the restrictions that do exist are easily sidestepped by going commercial. The DHS, for instance, simply buys phone geolocation data on the open market to avoid the hassle of obtaining a warrant. Much of the danger with these technologies emerges when they're used in tandem with each other. Each individual tool might make sense as a standalone technology, but the relationship models and pattern recognition enabled by the DHS's massive databases and the interfaces provided by a company like Palantir are incredibly powerful together. License-plate readers can pick up the movements of a car; phone location and long-range RFID data can tell you who is in the car; social media and contact webs can tell you who those people know and interact with; and so on. So far there are signs Biden intends to cautiously transition to some sort of virtual border. In addition to the language in the immigration bill fact sheet, his campaign immigration plan chastised Trump for failing to "invest in smarter border technology coupled with privacy protections" and featured a pledge to invest in tools like "cameras, sensors, large-scale x-ray machines, and fixed towers." The fact sheet also notes that "to protect privacy, the DHS Inspector General is authorized to conduct oversight to ensure that employed technology effectively serves legitimate agency purposes." While this inclusion is welcome, without clear enforcement mechanisms it will be an empty promise. For over a decade, the DHS has ostensibly ascribed to the privacy-minded Fair Information Practice Principles, yet it continuously violates them with its unfettered data collection and usage. CBP's own inspector general has criticized the department for not taking privacy seriously. The president's picks for key cabinet-level positions have a distinct getting-the-gang-back-together feel. The inclusion of former White House Domestic Policy Council head Cecilia Muñoz enraged immigration activists who hold her responsible for the enforcement machinery that earned Obama the moniker of "deporter in chief."

The Biden administration's expanded surveillance of immigrants via private data brokers exacerbates fear amongst migrants, limits rights, and undermines dissent

Guerrero 24 [Maurizio Guerrero, 01-09-2024, "Surveillance capitalism has taken over immigration enforcement", Prism, <https://prismreports.org/2024/01/09/surveillance-capitalism-taken-over-immigration-enforcement/>]

Aided by electronic monitoring and data mining companies that extract, aggregate, and sell personal information from tens of thousands of private and public digital databases without the consent of individuals, the Biden administration is expanding the surveillance of immigrants to unprecedented levels—stifling dissent and political organizing and sowing fear among non-citizens and civil rights advocates. At the core of the spreading surveillance lies LexisNexis Risk Solutions, whose Accurint tool produces comprehensive dossiers with identifying information, court data, and details of relatives, associates, and social media usage of practically all U.S. residents, citizens and non-citizens alike. It also incorporates license plate reader data, which can determine where a person was at various times, and real-time information on county jails' bookings, which allows Immigration and Customs Enforcement (ICE) agents to apprehend people upon release. Though the Biden administration requested an approximately \$100 million cut from the fiscal year 2023 to the fiscal year 2024 budget for ICE, an agency denounced for using private contractors to abuse immigrants, both the House and the Senate proposed significant budget increases. If approved, ICE will have its largest budget, at least \$9.1 billion, partly to broaden what is already the most extensive surveillance apparatus in U.S. history. "This mass surveillance program of ICE instills fear and chills organizing political activity," said Laura Rivera, a senior staff attorney at Just Futures Law, one of the grassroots organizations at the forefront of uncovering ICE's surveillance network. "It has repercussions in all areas of life from workplaces to religious institutions to schools and homes." Other companies have paved the way for LexisNexis Risk Solutions and the taking over of immigration enforcement by surveillance capitalism—or the mining of data to repackage and exploit it for profit without the consent of individuals, shaping their behavior as consumers and, in this case, as non-citizens. The Canadian information conglomerate Thomson Reuters' CLEAR tool also aggregates information about practically all U.S. residents—more than 400 million names and records. Though CLEAR contracted with ICE from 2015 to 2021, Thomson Reuters has a current five-year contract with the Department of Homeland Security, which houses ICE, for more than \$22 million, although allegedly not for CLEAR. The data collected by CLEAR led to "further human rights abuses," according to the Electronic Frontier Foundation, and after years

of activists' pressure, Thomson Reuters signed the United Nations Guiding Principles on Business and Human Rights in 2022. Similar concerns have not persuaded LexisNexis Risk Solutions and other data aggregators to cancel their contracts with ICE, despite its documented human rights violations. LexisNexis is selling individuals' reports to the agency based on information extracted from 10,000 different databases through a five-year contract potentially worth \$22.1 million until 2026. Another corporation has been central to ICE's surveillance apparatus: Palantir, which, since 2011, provides ICE with artificial intelligence tools to create surveillance reports and has a current five-year contract for almost \$96 million. Between 2008 and 2021, ICE has spent almost \$2.8 billion on data collection and data-sharing initiatives, building a domestic surveillance apparatus that rivals that of the Federal Bureau of Investigations (FBI), according to the Center on Privacy & Technology of Georgetown Law. In the last few years, this surveillance has expanded and decentralized. Surveillance used to be primarily conducted by ICE's National Criminal Analysis and Targeting Center (NCATC) and by the Pacific Enforcement Response Center (PERC)—though not anymore. Similar to Thomson Reuters' CLEAR, LexisNexis Risk Solutions allows ICE field agents to obtain immediate encyclopedic information on 276 million consumers in the U.S. Court documents show that ICE's LexisNexis tools were consulted more than 1.2 million times and produced more than 300,000 reports in only seven months in 2021. ICE agents operate in a legal gray area using the tools of a vastly unregulated industry. Immigrant communities, however, have not stopped organizing and responding, said Rivera. Just Futures Law represents three advocates and two grassroots organizations—Mijente and Organized Communities Against Deportations—in a lawsuit filed in August 2022 against LexisNexis Risk Solutions for collecting their data without consent. "Each day that LexisNexis is allowed to continue its illegal activities, plaintiffs suffer immediate and irreparable injuries," claims the lawsuit, "including the chilling of their core constitutional rights of freedom of association and freedom of speech, violations of their rights to privacy, deprivations of the economic value of their own personal data, and injuries to their peace of mind and well-being." Breaking immigrants' systems of support Surveillance capitalism has contributed to creating an environment of fear among immigrants—an uncertainty about who will be targeted for detention and deportation and why, which restricts their access to essential services and their willingness to denounce. abuse, say advocates. Claudia Marchan, an immigrant rights advocate in Chicago, "felt scared" when she learned of the extent of the information that LexisNexis was collecting about her to sell it to ICE and others. As the executive director of Northern Illinois Justice for Our Neighbors and a member of the Illinois Coalition for Immigrant and Refugee Rights, Marchan was also

concerned for the scores of undocumented immigrants she dealt with daily. “I felt really scared for my family members who could be at risk of being deported,” she told Prism. Marchan, who emigrated from Mexico as a 4-year-old, encourages fellow immigrants to overcome their misgivings about sharing information with government officials to access public services. However, after learning that her LexisNexis report included even her full social security number without redactions, “I understand their fear,” she said. For Marchan, a plaintiff in the lawsuit against LexisNexis Risk Solutions, one of the purposes of ICE’s surveillance is to paralyze immigrant communities. “How do they break down the systems of support and the organizing we have in place?”

she said. “How do they make people scared? I think that is very, very intentional.” Marchan and her co-plaintiffs dread that LexisNexis reports on them will make them “targets for retaliation” for their work advocating for immigrant rights, according to the complaint, and that ICE will use the “information to deport them.” ICE has a record of retaliating against immigrants who denounce mistreatment, often ending in their deportation. Aided by private contractors, ICE has used prolonged solitary confinement, medical neglect, forceful transfers, and threats of removal to silence immigrants, as Prism reported. The agency’s spokespersons did not respond to a request for comment. ICE field agents have also used database searches, such as Thomson Reuters’ CLEAR, to arrest immigrants simply because they can. A bilingual teacher aide in Oregon who “matched none of the agency’s stated enforcement priorities, even under [the administration of] Trump,” was detained after a data aggregator yielded his personal information, according to a 2019 investigative report. Thomson Reuters did respond to a request for comment. That power, available to field agents, is especially threatening to immigrant rights activists. Every interaction of a non-citizen with a government agency, a utility company, or a social media platform, or even their mere presence in a public space, could be used to identify them and, eventually, to detain and deport them. “One of the horrible consequences of the system of surveillance is that the more people engage in the basic social structures that we have in this country, the more legible they become ... and thus create more data points that can be used to identify, profile, find, and target them,” said Alli Finn, the senior organizer and researcher at Surveillance Resistance Lab. While LexisNexis perpetuates fear in immigrant communities, its parent company, the British multinational RELX Group, headquartered in London, announced an 9% increase in revenues in 2022. The price paid by society has been steep. These tools, said Finn, are “deeply influencing the way that people live their lives,” not only as consumers, but also as members of a democratic society. Surveillance capitalism, they said, is driving “the suppression and repression of free speech, protests, and the

ability to speak out against abuses.” Skirting laws for profit LexisNexis’ contracts with ICE are budgeted through Fugitive Operations, a program created in 2003 allegedly to locate and apprehend dangerous individuals with removal orders. In an emailed response to Prism’s queries, Paul Eckloff, LexisNexis Special Services’ senior director of public relations, stated that the company complies with current federal policies, which “emphasize a respect for human rights, and focus on threats to national security, public safety, and security at the border.” Eckloff added, “the Department of Homeland Security must use our services in compliance with these principles.” However, the vast majority of the program’s apprehensions quickly became “low-priority noncriminal fugitive aliens,” not “threats,” showed the Migration Policy Institute in 2009. Fugitive Operations’ own handbook states that its agents can detain individuals for “reasonable suspicion” they are “unlawfully present in the United States.” As of Dec. 31, 66.8% of individuals held in ICE detention had no criminal record, while many more had only minor offenses, including traffic violations. Despite the data, ICE’s Fugitive Operations program displays a quote on its website: “We remove criminals from our communities.” Under this overblown risk, surveillance capitalism is thriving with ICE’s support. “Corporations and the state use fear very deliberately to get what they want, whether that’s profit or the criminalization of marginalized groups,” said Rumsha Sajid, the national field organizer on policing and surveillance at MediaJustice, a grassroots organization advocating for social justice in the digital landscape. “Surveillance is not just a threat in and of itself, it’s criminalization, when every move is under a microscope and when people are surveilled more because of immigrant status or because of their race.” The Department of Homeland Security lists two additional companies as top Fugitive Operations contractors: Thomson Reuters Special Services and ThunderCat, an information technology reseller that offers to solve its “customer problems in and around the data center.” A major U.S. government contractor, ThunderCat is nearing the end of a 12-year contract worth up to \$6.3 billion with the Department of Homeland Security and at least two active contracts with ICE for an additional \$13 million. ThunderCat’s partners are LexisNexis and Thomson Reuters, Google, and Amazon, among dozens of other companies. Data aggregators—also called data brokers—have become the backbone of immigration enforcement in the U.S. interior, even though they cross legal and ethical lines, say advocates. LexisNexis accesses and sells information that ICE would be unable to obtain without a subpoena, court order, or other legal process, according to the Center on Privacy & Technology. “ICE’s reliance on data brokers evades public scrutiny and helps the agency circumvent statutory and constitutional privacy protections,” it stated in a 2022 report. According to the Electronic Privacy Information Center, while ICE’s investigators cannot directly

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intercept oral, wire, or electronic communication, they face no explicit restrictions for using commercially available data, which can be as invasive if not more. In 2022, the American Civil Liberties Union (ACLU) denounced data aggregators Venntel and Babel Street, the latter of which has a five-year contract with ICE for up to \$6.5 million, for “sidestepping our Fourth Amendment right against unreasonable government searches and seizures by buying access to, and using, huge volumes of people’s cell phone location information quietly extracted from smartphone apps.” The efforts by local jurisdictions to rein in ICE enforcement operations by declaring themselves sanctuaries—limiting cooperation with immigration authorities—have been circumvented by data aggregators

Empirically, the Southern border has served as testing grounds for new surveillance technology to be used throughout the country

EPIC ND [Electronic Privacy Information Center, NO DATE, “Traveler Screening and Border Surveillance”, EPIC - Electronic Privacy Information Center, <https://epic.org/issues/surveillance-oversight/border-surveillance/>]

Throughout history surveillance technologies have often been first used on travelers crossing America’s borders or traveling through other ports of entry into the U.S. At the border, privacy protections are lowered and pressure to comply is heightened, forcing people to submit to invasive screening and surveillance procedures. Travelers are subjected to excessive surveillance including: Screening by black box algorithms that give them “scores” determine the level of security screenings at airports and decide who will be put on a “no-fly” list; Detailed databases powered by AI and managed by companies like Palantir; Facial recognition identification at borders and airports; Cell phone and computer searches without warrants; Social media searches of immigration applicants; Drones and mobile surveillance towers patrolling the border with a wide range of surveillance equipment. EPIC works to end the use of the most privacy-invasive screening and surveillance technology and impose limits, protections, and oversight to protect individual rights against the abuse of the technology that is implemented. BORDER SURVEILLANCE CREEPS INTO THE INTERIOR Border Authorities Have a Massive Jurisdiction Under current 4th Amendment law there are lower privacy protections at the border compared to the interior of the US. Travelers may be searched without warrants and forced into screening databases. The border extends far further than most people realize, Customs and Border Patrol is authorized to operate within 100 miles of the border, giving the agency effective jurisdiction over 2/3 of America’s population. Technology Starts at the Border and Ends Up in Your Hometown Most major surveillance technologies were first tested at the border. The Department of Homeland Security piloted its facial recognitions programs at Southern border crossings before expanding the technology to airports across the US. Drone surveillance has been used along the border for years, and is increasingly present in American cities. Both DHS and the National Guard flew drones over Black Lives Matter protests in 2020. Metal detectors and body scanners were first used in airports but are now a feature of many government buildings and events across the country. When a surveillance technology is used at the border, it’s usually only a matter of time before that tech is deployed more widely. Border Surveillance Dehumanizes Migrants Border authorities subject travelers and especially immigrants to surveillance that would be considered unacceptable in any

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other context. Long wait times, invasive screening, and detention centers all serve to distinguish migrants from citizens, who are subjected to less intense border crossing procedures. Surveillance plays a key role in managing the immigration process. While all travelers are subjected to excessive surveillance, those with the lowest status experience the most invasive procedures. EPIC'S WORK EPIC regularly comments on the proposed use of surveillance technologies in airports and at the border. EPIC pays particular attention to the use facial recognition services and immigration databases. EPIC also works with coalitions to oppose the expansion of border surveillance and roll back excessive practices.

Surveillance at the border will increasingly include the collection of biometric data about migrants

Heilwell and Nihill 24 [Rebecca Heilwell, Caroline Nihill, 03-07-2024, “CBP leaning into biometrics on controversial app, raising concerns from immigrant rights advocates”, FedScoop, <https://fedscoop.com/cbp-one-app-biometrics-immigrants-rights/>]

U.S. Customs and Border Protection plans to expand the use of biometrics through its CBP One app, a platform created by the agency to help process people who intend to come to the country that has raised concerns from immigrant rights groups. The expansion of biometrics — and in particular, personal data about peoples’ faces — comes amid ongoing issues with the app’s technical capabilities. The disclosure, published to the Federal Register last month, states that CBP is introducing a new biometric capability into the app that’s meant to accelerate the Department of Homeland Security’s effort to collect biometric information from nonimmigrants leaving the country, requiring a “selfie” photo with geolocation tracking to confirm that they’ve actually departed. The update is also intended to decrease travel document fraud and improve the agency’s “ability to identify criminals and known or suspected terrorists.” [...] The CBP One expansion comes after the agency in September announced plans to utilize the technology before someone arrives in the United States. That information, according to the disclosure, is supposed to be shared with U.S. Citizenship and Immigration Services and air carriers working with CBP’s document validation initiative. In this case, photos sent to the app are, for instance, scanned with a facial recognition algorithm and uploaded to a Traveler Verification System gallery and the Automated Targeting System, which is used to compare traveler information to other law enforcement data, according to a privacy impact assessment published at the beginning of last year. “Noncitizens are able to use the CBP One mobile application to schedule an appointment at one of seven Southwest Border [ports of entry] and present themselves for inspection to a CBP officer,” Benjamin “Carry” Huffman, then-acting deputy commissioner at CBP, said during a border-focused House hearing last year. “The ability to use the app cuts out the smugglers, decreases migrant exploitation, and makes processing more efficient upon arrival at the [ports of entry].”

Expanded surveillance tech domestically spills over to other countries as well as the US is viewed as a model by others

Bady 19 [Aaron Bady, 08-20-2019, "How the US Exported Its Border Around the World", Nation, <https://www.thenation.com/article/archive/todd-miller-new-book-empire-of-borders-interview/>]

The border, in the abstract, can seem like a simple, objective thing, just a line on a map that gives a country its shape. And because securing and enforcing that line—what people call border security—can seem just as obvious and self-evident, people of very different political stripes can find themselves taking the border for granted, as something natural and normal and given. Journalist Todd Miller’s *Empire of Borders* is about how dramatically and completely this easy simplicity can mislead us about what the border really is, where it is, and where it is going. Borders aren’t just there. Not only were they made (often arbitrarily and with great cruelty and violence), but the US border, in particular, extends far beyond the frontier line that separates one country from another, even far beyond the 100-mile range that Homeland Security considers the border zone. The US border is a massive global apparatus, an interconnected network of partnerships, funding, multinational industries, and international agreements, stretching across every continent and saturating the world. Most important, it’s still growing. With a climate-changed future on the horizon—and the prospect of climate refugees from around the globe growing exponentially—walls and fences and towers are proliferating, as the global border security industrial complex accelerates its efforts. From his home in Arizona, Miller tracks the border from Guatemala and Honduras to the Caribbean, Israel, the Philippines, and Kenya, interviewing subjects on every side of that multidimensional line. I recently spoke with Miller about tracking the border and reporting on it. Our conversation has been edited for style and content. —Aaron Bady

Aaron Bady: How did you start working on this topic? Todd Miller: The idea first occurred to me in 2012, when I was on the west coast of Puerto Rico, on a research trip for my book *Border Patrol Nation*. I saw the same green-striped Border Patrol vehicles roving the west coast as in southern Arizona, where I live. When I learned that Border Patrol could legally operate only 30 miles away from the Dominican coast—since the Mona Island was a US territory—I thought, “Wow, this thing, the border, is so much more extensive than I realized.” Mind you, this was all happening a thousand miles from the US mainland. Then, when I went to the Dominican Republic to investigate US funding and training of the DR’s border patrol, for the border with Haiti, I really began to see the multiple, widespread, programs that were, as officials would say, pushing out the border. AB: What does

that mean, “pushing out the border”? TM: Well, the idea that the US border is just the boundary line with Mexico, for example, is not true. It’s much bigger and more expansive. In 2004, [Customs and Border Protection] Commissioner Robert Bonner talked about “extending our zone of security where we can do so, beyond our physical borders—so that American borders are the last line of defense, not the first line of defense.” And during his confirmation hearing to be secretary of the Department of Homeland Security, Gen. John Kelly said that “border security cannot be attempted as an endless series of goal line stands on the one-foot line at the ports of entry or along the thousands of miles of border between this country and Mexico.” “The defense of the southwest border,” he said, “starts 1,500 miles to the south, with Peru.” AB: But it also blurs borders into one another, into one single, continuous, global border regime. You write about the “Palestine-Mexico” border, for example, the way technologies, techniques, and even laws are being standardized across the world, the way border control is a kind of globalization. Migrant Voices TM: The Palestine example is a good one to demonstrate how this works. “Smart wall” technology gets tested out in the occupied Palestinian territories first, like the West Bank wall. “Smart wall” means walls that are either equipped with or reinforced by sensor systems, cameras, radar systems, drones, and linked to command and control centers. These are technologies of segregation, of apartheid. But if a company can show that their technology is effective, like the Haifa-based company Elbit Systems claims in the West Bank, they can then sell it to other countries for their own border and homeland security enforcement systems. It’s field-tested. If it works in the occupation of Palestine, the argument goes, then it can work everywhere else. And that is exactly what is happening. In 2014, Elbit got a contract from US Customs and Border Protection to build 52 surveillance towers in southern Arizona, for the border with Mexico. But now that those towers are being deployed, they get showcased to other countries as a model of what US border enforcement is. This also leads to another big part of the US pushing out the borders—sending officials to the other borders around the world so they can diagnose the problems with that border and give recommendations that result in trainings and resource transfers and suggestions for technology deployments. They can suggest, for example, that other countries adopt smart walls that were first developed in occupied Palestine, modeled in Arizona, but coming to a country near you. So this is a way that the global border system propagates and standardizes itself, a globalization of essentially oppressive technologies of exclusion and division for profit. AB: Though this book is journalism—you go places, talk to people, and report—it’s also an effort to reframe and redefine what we’re talking about when we discuss something as innocuous-sounding as border security. For example, would it be fair to say this book makes an argument that

“border security” is another name for “empire”? TM: Yes, that’s fair. I think the term “border security” needs to be eliminated. At the very least, journalists should stop using it because it’s inaccurate. And it’s been repeated so many times that it’s lost its meaning. It sounds nice because there’s the word “security” in it, and who could be against that? But who is border enforcement providing security for? Certainly not border crossers. A prevention through deterrence strategy is explicitly designed to make crossings as dangerous as possible. And it’s certainly not for the people who live in the border zones, which become a militarized zone where you can’t go to the doctor, grocery store, or your middle school without going through Homeland Security checkpoints. On top of that, the term “border security” creates the delusion that the US is fending off evil from the other side of the border, paying no attention to the US’s political, economic, and military policies that are impacting the magnitude of displacement. I mean, who would think that free trade pacts that privilege US companies, elite oligarchies, and rely on a ferocious marginalization of large swaths of population around the Americas and the world, would impact people being displaced? So, yes, I think that border security should be synonymous with “empire.” It’s not just one line of division, like the international boundary with Mexico. It’s a global system of borders. The expansion of the US border, in cooperation with other countries, forms a scaffolding through which business as usual can continue, keeping in place the status quo of a world of frightening inequalities and in ecological collapse. And, of course, the people that suffer the most are kept in line. In a sense, what border control is best at is punishing and controlling people born on the wrong side of the wall, creating a hierarchical system, even a caste system. In Bridget Anderson, Nandita Sharma, and Cynthia Wright’s essay “Why No Borders?”—which I highly recommend—they argue that “any study of national borders needs to start with the recognition that they are thoroughly ideological. While they are presented as filters, sorting people into desirable and non-desirable, skilled and unskilled, genuine and bogus, worker, wife, refugee, etc., national borders are better analyzed as molds, as attempts to create certain types of subjects and subjectivities.” AB: You describe the George W. Bush administration’s paradigm shift from conceiving the border as a line or wall around the US toward policing and preventing the movements of entire peoples. But it also is a line, just a line imprisoning particular countries, around the global poor. TM: Well, it’s both. The border functions as a line, but when you think about interior or international expansion, it becomes a set of lines, layers of lines, line after line after line, becomes omnipresent. This is especially true after a border crossing, because it redefines you and your relationship with the state. If you are unauthorized, the border will follow you. Cross the US border, you’ll still have to cross the 100-mile zone. Past the 100-mile

zone, you'll still have to deal with [Immigration and Customs Enforcement]. The border keeps going with you, in different manifestations—bureaucratic lines, judicial lines, DMV lines, all emanating from the international border line. I don't know how you can call it anything else than state-sanctioned xenophobia. But the same thing happens if you cross into Mexico without papers from, say, Guatemala. Your unauthorized status will force you to avoid 200 miles of checkpoints into the interior of Mexico, but there is also the US's seemingly odd but very standardized relationship with Mexico. Though Mexico's citizens are heavily policed by the United States, Mexico polices Central Americans on behalf of the United States. There's a hierarchy of policing, with the global poor policing the global poor. AB: There's a lot of overlap between your books. *Storming the Wall* is a climate change book, for example, but because you wrote *Border Patrol Nation*, you approach the subject in a very distinct way. TM: *Empire of Borders* is a global version of *Border Patrol Nation* that advances the climate analysis and reporting from *Storming the Wall*. When I was finishing *Storming the Wall* in late 2016 and early 2017, I was learning about how the 7,000-island Philippines is facing sea-level rise, flooding, and storms of unheard-of destruction, but I was also learning how the US cooperates with the [Philippine] Coast Guard, like the \$20 million maritime command center in the Manila Bay, financed by the United States and built by Raytheon. It was simultaneous. AB: How much do you think the global security complex is driven by its awareness of climate change and anticipation of future climate refugees? TM: You hear climate change mentioned more and more in homeland security market forecasts, explicitly cast as one of its drivers. And in the 25 years the UN has had global climate summits, border walls around the world have increased from 15 to more than 70. Every Pentagon assessment in the future has climate change front and center, and DHS recognizes this too in its action plan and quadrennial reviews/mission statement. DHS also calls climate change a "black swan." With the climate crisis, there are potentially situations that are much worse than we are anticipating now and that DHS, and particularly its border and immigration enforcement apparatus, will have to react to. AB: I wonder how aware the border security industry is about the future we're facing. If we look at how the climate is changing and think about how that will likely impact global migration, if 100 million or 200 million people are displaced by 2050, for example—a conservative projection—then you could argue that only the far right is really preparing for a post-climate change world by building walls, camps, and xenophobic legal regimes. TM: I think that's correct, regarding the military, DHS, and the surrounding industries. Efforts on climate change are in constant stall mode. Is it real or not? Human caused or not? It creates a smokescreen that limits public debate. But the Pentagon, border forces, and

their surrounding industries are looking into and planning for that future. Think about it this way: The Pentagon has teams of skilled risk assessors, and there's no way they're going to deny the 97 percent consensus of scientists as they contemplate the world 10, 20, 30, 50, or 100 years into the future. So while they're actively working to create future battlegrounds and borderscapes, the rest of us are debating dynamics that should have been and were settled in the 1970s. AB: How do border security people think about the future? There's a strange casualness you record when these people are talking about Big Brother-type surveillance, even using those kinds of words. TM: Going to the expo halls where private industry peddles their surveillance wares sometimes seems like walking into a great cathedral of science fiction, of drones, robots, facial recognition, all inspired by the very dystopic futures of hard science fiction. But rather than fear, they fetishize the technology that will "solve" our problems. On one reporting trip, I went to the 2017 Border Security Expo, and David Aguilar—the former Border Patrol chief and CBP commissioner who now works for a private company, GSIS—stood before an audience of Border Patrol types and corporate executives, and after a discussion of all the biometric technologies being implemented, he said, "Wasn't this getting kind of Orwellian?" And then, like he was letting us all in on the secret, "We have Big Brothers and Sisters all over the place." AB: What was the audience's reaction? TM: Oh, it was a collective chuckle. "Yes, exactly that!" AB: What's it like to interview people whose positions you fundamentally disagree with? Or with whom you have a basic lack of shared perspective about the problems they're addressing? TM: I go into every interview with an open mind. With officials or agents or other workers of the apparatus, like from the private sector, I want to learn as much about them as possible, as much about the nature of the apparatus they work for as I possibly can. I want to hear their justifications and reasoning. It is important to me, especially when asking digging questions, not to be antagonistic. AB: Of course, sometimes they don't want to talk. I was struck by the sentence "If you get too close to the security apparatus, they will interrogate you." Does the border resist being reported on? TM: It happened to me in Kenya. I was interviewing a commandant from the Kenyan police who had worked on the borders, and there were two or three times when I was no longer interviewing him. Suddenly, he was questioning me: How did I get to Nairobi from the Maasai Mara? How much money did I spend to do that? Did I register with the embassy? Who are you? You seem nice, but how am I to be sure what your intentions are? etc. Another time when I went to interview a CBP agent in Detroit, the agent immediately asked me for my credentials, then asked me for a list of pieces I had written. On his phone, he began to Google me as I sat there directly in front of him. The border apparatus absolutely resists being reported on, unless it's on its own terms,

which is basically its public relations line. Since the nature of the work they do is both inescapably violent and clandestine, this means that some of the most hypersurveilled places on planet Earth—including deadly borderscapes and incarceration camps—never reach a TV screen or a news report. AB: Do you think emphasizing what’s novel about Donald Trump’s border policies can distract in a counterproductive way from the longer history of US exclusion through the Cold War to 9/11? TM: I think it’s very important to tell the long story. Trump didn’t make the heinous immigration enforcement apparatus we’ve had for so many years. He’s a manifestation of it. But an interesting thing Trump has done is denormalize what had been normalized in previous administrations. Many people are seeing the utter brutality of the border and immigration apparatus for the first time, when it has been going on for so many years. Certainly, Trump is ratcheting part of it up, like forcing families apart right on the border. And he’s doing it in front of TV cameras, like a performance for his constituency. But there is a danger of treating Trump like an anomaly, which is what much of the media seems to be doing. Erasing the long history also erases how this bipartisan system of exclusion was created, the countless billions invested in it since Bill Clinton took office in the early 1990s, how the Border Patrol went from 4,000 to 21,000, how 650 miles of walls and barriers have already been constructed, how more than 30,000 people have been incarcerated on any given day in an assortment of prison camps, and 400,000 people expelled and banished from the country per year, not to mention the 23 CBP attachés around the world. That long predates Trump. If you think this border immigration apparatus only came when Trump took power, the solution then seems to be as simple as voting Trump out. It’s not that simple.

The U.S. “smart borders” and CBP One app exploit biometric data and surveillance technology, exacerbating migrant vulnerability and undermining rights while expanding controversial cross-border data-sharing practices

Alarcon, Gigena, and Coppi 24 [Ángela Alarcón, Franco Giandana Gigena, Giulio Coppi 03-13-2024, “‘Smart borders’ and the making of a humanitarian crisis”, Access-Now, <https://www.accessnow.org/smart-borders-and-the-making-of-a-humanitarian-crisis/>]

The U.S. “smart borders” also include the controversial CBP One app, “the only way that migrants arriving at the U.S.-Mexico border seeking asylum at a port of entry can preschedule appointments for processing and maintain guaranteed asylum eligibility.” The CBP One app requires facial recognition to sign up for the asylum process, and access to GPS which could be used to locate migrants at least at the time of the submission of exit or entry. This app is a sample of deliberately hostile designed tech tools that undermine people’s rights, and increase their vulnerability: The insufficient available appointments, the need of a tech medium to apply to asylum, and the fact that a user can schedule an appointment only within a certain distance from the border based on GPS location by the app, it all contributes to this growing humanitarian crisis. Collecting biometrics is a standard procedure in many points of entrance to a country, but their transfer to and process by authorities of other countries is not. The cross-border exchange of migrants’ biometrics is allowed through binding and non-binding agreements. Currently the United States has signed non-binding agreements – also known as MOCs – with multiple countries, including Mexico, Guatemala, Honduras, and El Salvador, our geographic scope for this article. Based on these agreements, an unspecified amount of personal data, including biometrics, is being transferred from enforcement agencies in Latin American countries to their counterparts in the U.S. The implementation of the MOCs includes support by the U.S., such as technical resources and training to deploy their data processing technology. Most of these agreements are introduced for national security, with the intention to “suppress criminal activities and threats to domestic security,” despite having no public evidence that supports this claim. Agreements like the one between the U.S. and El Salvador, even allow the transferring of biometrics of people who are “planning” to travel to another signatory country, in direct opposition to the presumption of innocence. The legal basis for scrutinizing people for crimes that have not occurred remains unknown, as is the percentage of people affected by this measure. The sharing of life-threatening information concerning people on the move occurs despite the evident corruption by the enforcement authorities processing those data. El Salvador

has been under a state of exception that has been extended for more than a year, enabling mass arbitrary detentions and human rights violations. It has also allowed Salvadorean authorities to submit false gang affiliation, abusive INTERPOL Red Notices, and other inaccurate information that has later been used by U.S. authorities to deny asylum and for police harassment. The detention of individuals with no legal basis or without a formal accusation constitutes a disproportionate use of the force, and such an authoritarian state should not be trusted for data transferring. Abuses coming from the U.S. authorities have also been documented. An ICE officer created false alerts for personal vendetta, while other ICE officers have not only stalked individuals for personal interest, but have passed information to criminals in exchange for money. These unlawful uses of the databases and systems, and the lack of channels for migrants to access, rectify, cancel, and oppose collection of their personal data, place migrants in an even more vulnerable position. The U.S. is developing a new cutting-edge database that will further expand the storage and sharing of biometric data. Currently, the U.S. uses the Automated Biometric Identification System (IDENT) as the main centralized database to conduct inquiries on migrants. IDENT holds information of more than 200 million people, and it can be accessed by both national and international enforcement agencies. IDENT is used to identify “known or suspected terrorists” (KST), an ambiguous concept in itself that also presents different risks to fundamental rights, such as presenting false positives (misidentifying a person as a KST), which has a direct impact on the migration destination of many. The new system, named Homeland Advanced Recognition Technology System, or “HART,” is set up to collect, organize, and share sensitive data of more than 270 million people. This technology is planned to be hosted on Amazon Web Services (AWS), one of the many dubious decisions that Amazon has recently taken on surveillance. It is unclear how HART is being developed, but what is clear is that there is no mitigation to many of the risks that the very U.S. Department of Homeland Security (DHS) has identified and acknowledged. This includes the ability of manually inserting “derogatory and disposition information” into the system; potential mismatching of juveniles’ biometrics due to aging; data subjects incapable of deleting records; and data being shared with foreign partners with probably no control from DHS.

Surveillance tech used at the border has historically spilled over throughout the US and has a disproportionate impact on marginalized communities as private companies aim to normalize such tech

Guerrero 22 [Jean Guerrero, 2-10-2022, "Column: Biden's border surveillance empire should scare you regardless of politics", Los Angeles Times, <https://www.latimes.com/opinion/story/2022-02-10/border-surveillance-homeland-security-biden>]

President Biden largely halted construction on his predecessor's border wall, which Democrats decried as inhumane. But he never stopped the Department of Homeland Security from using the border as a testing ground for dystopian military and surveillance technologies — including, most recently, headless robot dogs. This month, DHS pitched the robot dogs as fun, futuristic versions of "man's best friend," meant to help Border Patrol agents navigate rough terrain and other threats. Critics argue that they look like the human-hunting ones in the Netflix series "Black Mirror," and that they'd frighten families seeking refuge in this country. The company that makes them, Ghost Robotics, has showcased similar robot dogs equipped with firearms. Whether you think these canines are creepy or cute, the fact is that the deployment of surveillance technologies at the border — including sensors, drones and camera-equipped towers — has historically pushed people seeking work or asylum in the U.S. into more dangerous remote crossing routes, where thousands have died. "It's very much the same type of enforcement that criminalizes migration and makes it more deadly," Jacinta González, senior campaign director for the racial justice group Mijente, told me. These so-called smart technologies — which Biden touted from his first day in office — have also tended to spill from the border into the country's interior. For example, in 2020, border drones and other aerial surveillance tools were used by DHS to monitor anti-racist protesters in more than 15 cities. Similarly, license-plate-scanning technology that started at the border in the 1990s is now common across police departments. "A lot of people who'd normally oppose intrusive government technologies and programs are just fine with it because of their antipathy to immigrants," Jay Stanley, a senior policy analyst at the American Civil Liberties Union, told me. The ACLU has raised concerns about these technologies, noting a "vast potential for abuse, as law-abiding citizens in border areas may not be aware that they are being monitored." Mijente and other groups have documented the proliferation of high-tech border infrastructure in marginalized communities and its disproportionate impact on Black and Indigenous people. But the borderlands surveillance empire — which lacks oversight because of its largely rural nature — imperils everyone. It's driven by companies that deserve scrutiny. For example, in 2019, the Tohono O'odham Nation

became the designated site for surveillance towers built by Israel's military company Elbit Systems, whose activities affecting Palestinians have triggered human rights concerns and divestment. "Technology companies that were for a long time making a huge profit off of investment in [wars] abroad are now bringing that technology to our militarized border as a way of experimenting how far they can normalize this before making it widespread throughout the United States," González told me. The border has also attracted venture capitalists such as the billionaire and Trump supporter Peter Thiel, who funded the Irvine-based company Anduril, which has won government contracts worth hundreds of millions of dollars to build 200 sensor towers all along the border. Instead of creating a humane immigration system that might begin to address the reality of migration, the Biden administration is continuing a bipartisan legacy of throwing insane amounts of money at military-style border technology. These expenditures promote the fantasy of the border as a war zone overwhelmed by criminals and cartels, when the reality is that most people Border Patrol encounters are parents and children seeking asylum. In promoting military and surveillance technologies, DHS conflates immigration with terrorism. The department's Science and Technology Directorate article about the robot dogs likened them to "force multipliers" and conjured the presence of "WMD," or weapons of mass destruction. (I asked DHS how many such weapons agents have found at the border, but did not receive a response in time for this column; the State Department previously said there is no credible information that known terrorists have traveled through Mexico to access the U.S.) Amid a surge in high-tech gadgets for use on people crossing the border, technology for detecting sophisticated cartel infrastructure — such as underground drug tunnels — flounders. Gil Kerlikowske, Customs and Border Protection commissioner in the Obama administration, recalls asking the Science and Technology Directorate to help develop such tools during his tenure. "Unfortunately, there was no answer from them," he told me. "In a way, S&T had a bit of a mind of their own." Dave Maass, the investigations director at Electronic Frontier Foundation, believes the "highly politicized nature" of DHS, which inclines many of its employees toward activities that showcase their power, means it's "more susceptible to products that can be packaged for press releases or TV." A DHS spokesperson told me that the robot dog project is still in a "research and development phase" and that they're not meant to "engage with migrants." Last year, the New York City Police Department canceled a contract for similar robot dogs after public outrage. DHS has a documented problem of migrant abuse, extremism and white supremacist views in its ranks. Its members have targeted attorneys, journalists and others for questioning without cause. Their access to technologies powered by artificial intelligence — from iris scanning to racially

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discriminatory facial recognition — raises serious ethical questions. Given the global rise of authoritarianism, and the known use of surveillance technologies for oppression abroad, it's imperative that the U.S. develop a bill of rights regulating their use here. In the meantime, lawmakers should slash DHS funding for these technologies, recognizing that they are just as deadly as then-President Trump's wall — with greater potential for abuse.

Expanding government surveillance technology will further discriminatory policing practices in the US, widening racial disparities

Kerry 22 [Cameron F. Kerry, 4-12-2022, "Police surveillance and facial recognition: Why data privacy is imperative for communities of color", Brookings, <https://www.brookings.edu/articles/police-surveillance-and-facial-recognition-why-data-privacy-is-an-imperative-for-communities-of-color/>]

Governments and private companies have a long history of collecting data from civilians, often justifying the resulting loss of privacy in the name of national security, economic stability, or other societal benefits. But it is important to note that these trade-offs do not affect all individuals equally. In fact, surveillance and data collection have disproportionately affected communities of color under both past and current circumstances and political regimes. From the historical surveillance of civil rights leaders by the Federal Bureau of Investigation (FBI) to the current misuse of facial recognition technologies, surveillance patterns often reflect existing societal biases and build upon harmful and virtuous cycles. Facial recognition and other surveillance technologies also enable more precise discrimination, especially as law enforcement agencies continue to make misinformed, predictive decisions around arrest and detainment that disproportionately impact marginalized populations. In this paper, we present the case for stronger federal privacy protections with proscriptive guardrails for the public and private sectors to mitigate the high risks that are associated with the development and procurement of surveillance technologies. We also discuss the role of federal agencies in addressing the purposes and uses of facial recognition and other monitoring tools under their jurisdiction, as well as increased training for state and local law enforcement agencies to prevent the unfair or inaccurate profiling of people of color. We conclude the paper with a series of proposals that lean either toward clear restrictions on the use of surveillance technologies in certain contexts, or greater accountability and oversight mechanisms, including audits, policy interventions, and more inclusive technical designs. The history of race and surveillance in the United States The oversurveillance of communities of color dates back decades to the civil rights movement and beyond. During the 1950s and 1960s, the FBI tracked Martin Luther King, Jr., Malcolm X, and other civil rights activists through its Racial Matters and COINTELPRO programs, without clear guardrails to prevent the agency from collecting intimate details about home life and relationships that were unrelated to law enforcement.¹ More recently, the Black Lives Matter (BLM) movement, initially sparked in 2013 after the murder of 17-year-old Trayvon Martin by a local vigilante, has highlighted racial biases in policing that disproportionately

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lead to unwarranted deaths, improper arrests, and the excessive use of force against Black individuals.² Over the years, the government's response to public protests over egregious policing patterns has raised various concerns over the appropriate use of surveillance, especially when primarily focused on communities of color. In 2015, the Baltimore Police Department reportedly used aerial surveillance, location tracking, and facial recognition to identify individuals who publicly protested the death of Freddie Gray.³ Similarly, after George Floyd was murdered in 2020, the U.S. Department of Homeland Security (DHS) deployed drones and helicopters to survey the subsequent protests in at least 15 cities.⁴ But African Americans are not the only population that has been subjected to overt tracking and profiling. The consequences of mass government surveillance were evident in programs like the China Initiative, which the Department of Justice (DOJ) launched in 2018 to prevent espionage and intellectual property theft and formally ceased in February 2022.⁵ Although the China Initiative aimed to address national security threats from the Chinese government, it manufactured wider distrust and racial profiling of Chinese American academics, including those who were U.S. citizens or who lacked ties with the Chinese Communist Party. It led to several false arrests, including those of Temple University professor Xi Xiaoxing, UCLA graduate student Guan Lei, University of Tennessee professor Anming Hu, and National Weather Service scientist Sherry Chen.⁶ Like with other historically-disadvantaged populations, government surveillance of Asian Americans is not a new phenomenon. As an example, the U.S. government monitored the broader Japanese American community for years even prior to World War II, including by accessing private communications and bank accounts, and eventually used census data after 1941 to locate and detain 120,000 people in internment camps.⁷ Demonstrating similar profiling of an entire community, the New York Police Department (NYPD) and Central Intelligence Agency (CIA) surveilled Muslim neighborhoods, restaurants, mosques, stores, and student groups for over six years after September 11, 2001, listening in on conversations, recording license plates, and taking videos.⁸ Over a decade after 9/11, a 2017 Pew Research Center survey found that 18% of Muslim American respondents still experienced being "singled out by airport security."⁹ From 2015 to 2020, Freedom of Information Act (FOIA) records exposed over 75 complaints sparked by intrusive airport searches or Islamophobic comments from Transportation Security Administration (TSA) officers toward people who were perceived to be of Middle Eastern descent.¹⁰ Both the NYPD's "Demographic Unit" surveillance and TSA's profiling of Muslim travelers are widely considered to be inaccurate and ineffective in preventing violent crime.¹¹ Moreover, Customs and Border Protection (CBP) has deployed planes, boats, and radios to track and identify people along the U.S.-Mexico

border—continuing a long tradition of hostility toward immigrants, especially those from Latino communities. Immigrant-focused surveillance extends far beyond a physical border; during the Obama and Trump administrations, Immigration and Customs Enforcement (ICE) purchased surveillance technology from private companies like Palantir and Thomson Reuters and used vehicle, insurance, tax, social media, and phone records to track undocumented immigrants throughout the country.¹² As early as 1992, the Drug Enforcement Administration surveilled phone call records to over 100 countries in bulk, which, over the years, may have gathered a significant amount of information from immigrants who called home to Mexico and countries in Central or South America.¹³ In these and other cases, government entities directed surveillance with the stated goals of maintaining public order, preventing cyber theft, and protecting Americans more broadly—but the indiscriminate deployment and public vigilantism have contributed to and been fueled by deep-rooted discrimination that affects communities of color in the United States. In order to stop ongoing injustice, we need greater attention to this issue and concrete steps to protect personal privacy. How law enforcement officers use facial recognition and other surveillance technologies

Although suspicion toward communities of color has historical roots that span decades, new developments like facial recognition technologies (FRT) and machine learning algorithms have drastically enlarged the precision and scope of potential surveillance.¹⁴ Federal, state, and local law enforcement agencies often rely upon tools developed within the private sector, and, in certain cases, can access massive amounts of data either stored on private cloud servers or hardware (e.g., smartphones or hard drives) or available in public places like social media or online forums.¹⁵ In particular, several government agencies have purchased access to precise geolocation history from data aggregators that compile information from smartphone apps or wearable devices. In the general absence of stronger privacy protections at the federal or state levels to account for such advancements in technology, enhanced forms of surveillance used by police officers pose significant risks to civilians already targeted in the criminal justice system and further the historical biases affecting communities of color. Next, we present tangible examples of how the private and public sectors both play a critical role in amplifying the reach of law enforcement through facial recognition and other surveillance technologies.

(A) Facial recognition Facial recognition has become a commonplace tool for law enforcement officers at both the federal and municipal levels. Out of the approximately 42 federal agencies that employ law enforcement officers, the Government Accountability Office (GAO) discovered in 2021 that about 20, or half, used facial recognition. In 2016, Georgetown Law researchers estimated that approximately one out of four state and local law enforcement agencies

had access to the technology.¹⁶ On the procurement side, Clearview AI is one of the more prominent commercial providers of FRT to law enforcement agencies. Since 2017, it has scraped billions of publicly available images from websites like YouTube and Facebook, and enables customers to upload photos of individuals and automatically match them with other images and sources in the database.¹⁷ As of 2021, the private startup had partnered with over 3,100 federal and local law enforcement agencies to identify people outside the scope of government databases. To put this tracking in perspective, the FBI only has about 640 million photos in its databases, compared to Clearview AI's approximately 10 billion.¹⁸ But Clearview AI is only one of numerous private companies that U.S. government agencies partner with to collect and process personal information.¹⁹ Another example is Vigilant Solutions, which captures image and location information of license plates from billions of cars parked outside homes, stores, and office buildings, and which had sold access to its databases to approximately 3,000 local law enforcement agencies as of 2016.²⁰ Vigilant also markets various facial recognition products like FaceSearch to federal, state, and local law enforcement agencies; its customer base includes the DOJ and DHS, among others.²¹ A third company, ODIN Intelligence, partners with police departments and local government agencies to maintain a database of individuals experiencing homelessness, using facial recognition to identify them and search for sensitive personal information such as age, arrest history, temporary housing history, and known associates.²² In response to privacy and ethical concerns, and after the protests over George Floyd's murder in 2020, some technology companies, including Amazon, Microsoft, and IBM, pledged to either temporarily or permanently stop selling facial recognition technologies to law enforcement agencies.²³ But voluntary and highly selective corporate moratoriums are insufficient to protect privacy, since they do not stop government agencies from procuring facial recognition software from other private companies. Moreover, a number of prominent companies have noticeably not taken this pledge or continue to either enable or allow scaping of their photos for third-party use in facial recognition databases. Furthermore, government agencies can still access industry-held data with varying degrees of due process—for example, although they would require a warrant with probable cause to compel precise geolocation data from first-party service providers in many cases, they might be able to access a person's movement history without probable cause through other means, including by purchasing it from a data broker.²⁴ (B) Data aggregators and private sector information The enormous scale of information that the private sector collects can feed into broader law enforcement efforts, since federal, state, and local government agencies have multiple channels by which to access corporate data. From January to June

2020 alone, federal, state, and local law enforcement agencies issued over 112,000 legal requests for data to Apple, Google, Facebook, and Microsoft—three times the number of requests than they submitted five years prior—of which approximately 85% were accommodated, including some subpoenas or court orders that did not require probable cause.²⁵ In 2020, reports surfaced that federal law enforcement agencies like the FBI, ICE, CBP, Drug Enforcement Agency, and the U.S. Special Operations Command purchased smartphone app geolocation data—without a warrant or binding court order—from analytics companies like Venntel, X-Mode, and Babel Street.²⁶ ICE and CBP used this data to enable potential deportations or arrests, which demonstrates how geolocation can have singular consequences for immigrant communities, especially among populations of color.²⁷ Although geolocation tracking is almost ubiquitous among smartphone apps, it also poses unique potential for harm—both since it enables the physical pursuit of an individual and because it allows entities to deduce extraneous details like sexual orientation, religion, health, or personal relationships from their whereabouts. Law enforcement has also worked with commercial data aggregators to scan social media websites for photos and posts. In 2018, ICE used photos and status updates posted on Facebook to locate and arrest an immigrant using the pseudonym “Sid” in California—only one of thousands of individuals whom the agency reportedly tracks at any given point, aided by private data miners such as Giant Oak and Palantir.²⁸ On a local level, the Los Angeles Police Department reportedly pilot tested ABTShield, an algorithm developed by a Polish company, to scan millions of tweets from October to November 2020 for terms that included “protest,” “solidarity,” and “lives matter,” despite concerns that such bulk surveillance could pose privacy harms to BLM activists without presenting a clear benefit to public safety.²⁹ (C) Public-oriented and civilian surveillance Technological advances have expanded government surveillance in traditionally “public” places, prompting legal questions over the boundaries between permissible or non-permissible data collection. For instance, the Electronic Frontier Foundation and University of Nevada estimate that over 1,000 local police departments fly drones over their communities.³⁰ The Chula Vista Police Department had dispatched drones for over 5,000 civilian calls as of March 2021, capturing images of individuals within public areas like sidewalks and parking lots.³¹ Body-worn cameras, another common police resource, can function as an accountability safeguard in part as a response to BLM activism but also pose privacy concerns—particularly when videos of civilians in sensitive scenarios are retained for lengthy periods, used for facial recognition purposes, or even publicly posted online, or when bystanders in public areas are incidentally caught on camera.³² Lastly, the everyday use of store-bought devices or apps by residents complicates the curtailment

of excessive surveillance. Private sector apps, such as Neighbors (an Amazon subsidiary, and integrated with Amazon's Ring video doorbell), NextDoor, and Citizen allow people to livestream, watch, and exchange opinions about potential crimes with other users in real-time, generating concerns over unconscious bias and privacy.³³ Surveillance cameras are becoming increasingly prevalent within private homes, restaurants, entertainment venues, and stores; hundreds of millions are estimated to operate smart security devices worldwide, some of which—such as Google Nest's Doorbell and the Arlo Essential Wired Video Doorbell—include built-in facial recognition capabilities.³⁴ Simultaneously, Amazon's Ring has partnered with almost 2,000 local law enforcement agencies to facilitate a process for officers to ask Ring users to voluntarily turn over their video recordings without the explicit use of a warrant.³⁵ Facial recognition is perhaps the most daunting of them all. Mass surveillance affects all Americans through a wide suite of technologies—but facial recognition, which has become one of the most critical and commonly-used technologies, poses special risks of disparate impact for historically marginalized communities. In December 2020, the New York Times reported that Nijeer Parks, Robert Williams, and Michael Oliver—all Black men—were wrongfully arrested due to erroneous matches by facial recognition programs.³⁶ Recent studies demonstrate that these technical inaccuracies are systemic: in February 2018, MIT and then-Microsoft researchers Joy Buolamwini and Timnit Gebru published an analysis of three commercial algorithms developed by Microsoft, Face++, and IBM, finding that images of women with darker skin had misclassification rates of 20.8%-34.7%, compared to error rates of 0.0%-0.8% for men with lighter skin.³⁷ Buolamwini and Gebru also discovered bias in training datasets: 53.6%, 79.6%, and 86.2% of the images in the Adience, IJB-A, and PBB datasets respectively contained lighter-skinned individuals. In December 2019, the National Institute of Standards and Technology (NIST) published a study of 189 commercial facial recognition programs, finding that algorithms developed in the United States were significantly more likely to return false positives or negatives for Black, Asian, and Native American individuals compared to white individuals.³⁸ When disparate accuracy rates in facial recognition technology intersect with the effects of bias in certain policing practices, Black and other people of color are at greater risk of misidentification for a crime that they have no affiliation with.

CBP's warrantless searches of travelers' electronic devices at the border infringe on privacy rights

Khabbaz 22 [Dana Khabbaz, Epic Law Fellow, 2-22-2022, "How CBP Uses Hacking Technology to Search International Travelers' Phones", EPIC - Electronic Privacy Information Center, <https://epic.org/how-cbp-uses-hacking-technology-to-search-international-travelers-phones/>]

U.S. Customs and Border Protection ("CBP") continues to search travelers' electronic devices at the border without a warrant despite years of advocacy from EPIC and others calling for an end to this practice. CBP reports that in Fiscal Year 2021, it conducted 37,450 searches of international travelers' electronic devices. These devices can include cell phones, computers, tablets, cameras, and hard drives. The agency maintains that these searches constitute a small percentage of CBP's total interactions with international travelers. But in today's world, devices like cell phones are keepers of a person's most intimate information. For those travelers whose devices are being searched without probable cause, the invasion of privacy is anything but trivial. For searches at the border—including airports when entering the United States—CBP follows a 2018 directive that dictates the procedures officers must follow when searching electronic devices. The directive allows agents searching devices to access any information that is stored directly on the electronic device. Data stored on cloud services is not retrievable unless the CBP officer has a warrant or receives consent from the traveler. Audit charts obtained by EPIC through a Freedom of Information Act ("FOIA") request also show that CBP does not always notify travelers of the search. How thoroughly CBP can search a digital device depends on their level of suspicion—a legal standard—as well as whether there is a "national security concern." Without having to show any suspicion, a CBP officer can conduct what's called a "basic search," which means examining a digital device and "review[ing] and analyz[ing] information encountered at the border." Travelers are required to provide their passcodes. If they refuse, an officer is permitted to "detain the device" for up to five days. Officers can only keep information relating to immigration, customs, and other enforcement matters. With reasonable suspicion or a national security concern, a CBP officer can conduct what's called an "advanced search" or a forensic search. This means an officer can "connect[] external equipment . . . not merely to gain access to the device, but to review, copy, and/or analyze its contents." A document regarding "Border Searches of Electronic Media" that EPIC obtained through a FOIA request instructs officers to place devices in airplane mode or to disable the data connection before the search begins. Officers can only keep information relating to immigration, cus-

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toms, and other enforcement matters. Under CBP's guidelines, the reasonable suspicion requirement is met if there's a "national security concern" or reasonable suspicion of a law violation. Being on a "government-vetted terrorist watch list" can create reasonable suspicion. Finally, with probable cause that the digital device has "evidence of a violation of law that CBP is authorized to enforce or administer," CBP can seize the electronic device. To conduct its "advanced searches," CBP uses mobile extraction software from firms including Cellebrite, Grayshift, PenLink, and Magnet Forensics. Many of these firms also contract with other DHS agencies including with Immigration and Customs Enforcement ("ICE") and state police departments. CBP records uncovered by EPIC through a FOIA Request show that beginning March 2019, CBP upgraded its mobile extraction software to also include technology that centralizes information it obtains through its advanced searches. Cellebrite produces a mobile forensics tool, Universal Forensics Extraction Device (UFED), that allows law enforcement to extract data from mobile devices, including encrypted, password-protected, and deleted data. Cellebrite also sells an analytical tool that efficiently decodes, translates, and organizes extracted data. Grayshift's Graykey is a mobile forensic tool that can extract data from "locked and encrypted" iPhones. PenLink's PLX software can extract and analyze location data, a person's social media and email communications, and other files. Magnet AXIOM boasts an ability to recover data from cell phones, computers, and cloud services. To extract cell phone data, Magnet AXIOM pairs with Graykey, Cellebrite, and Oxygen software. Oxygen software, like Graykey and Cellebrite, is a forensic mobile extraction tool that advertises capabilities including "bypassing screen locks, locating passwords to backups, extracting and parsing data from secure applications and uncovering deleted data." As of today, CBP has at least \$1,299,552 worth of active contracts for Cellebrite, Grayshift, PenLink, and Magnet Forensics software. EPIC and other organizations have been fighting against these digital device border searches for years. EPIC filed an amicus brief in 2020 in the Fifth Circuit case *Anibowei v. Wolf*, which challenged warrantless mobile searches at the border. EPIC's amicus brief emphasized that "[s]martphones are ubiquitous" and are a "window into [Americans'] personal lives," containing information spanning from "bank records to medical records to photos, videos, and internet browsing history." The Fourth Amendment, EPIC wrote, protects against warrantless searches of these devices, and, moreover, any interest the government might have in warrantless searches of cell phones at the border does not outweigh that privacy right. In 2020, EPIC also settled a FOIA lawsuit against ICE concerning records about ICE's contracts for Cellebrite's UFED technology. Other groups have also advocated to end this practice. In 2019, the American Bar Association passed a resolution urging the

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adoption of a warrant and probable cause requirement for device searches at the border. In 2021, the ACLU and EFF petitioned the Supreme Court to hear the case *Merchant v. Mayorkas* concerning the legality of warrantless digital device searches. Recently, the Senate introduced a bipartisan bill to end warrantless device searches at the border. Warrantless electronic device searches—and particularly searches of cell phones—are tremendously invasive. That a traveler decides to cross an international border at a particular time should not justify the Federal Government’s access to an incalculable amount of information about the traveler’s private life and associations. As CBP’s contracts and administrative guidelines show no sign of the agency voluntarily halting these searches, courts and legislators must heed the calls of advocates and act firmly to protect travelers’ privacy rights.

A breach of CBP's facial recognition and license plate data raises significant privacy concerns and underscores the risks of expanding surveillance efforts without robust protections

Harwell 19 [Drew Harwell, 6-10-2019, "U.S. Customs and Border Protection says photos of travelers were taken in a data breach", Washington Post, <https://www.washingtonpost.com/technology/2019/06/10/us-customs-border-protection-says-photos-travelers-into-out-country-were-recently-taken-data-breach/>]

U.S. Customs and Border Protection officials said Monday that photos of travelers had been compromised as part of a "malicious cyberattack," raising concerns over how federal officials' expanding surveillance efforts could imperil Americans' privacy. Customs officials said in a statement Monday that the images, which included photos of people's faces and license plates, had been compromised as part of an attack on a federal subcontractor. CBP makes extensive use of cameras and video recordings at airports and land border crossings, where images of vehicles are captured. Those images are used as part of a growing agency facial-recognition program designed to track the identity of people entering and exiting the U.S. Fewer than 100,000 people were impacted, said CBP, citing "initial reports." The photographs were taken of people in vehicles entering and exiting the U.S. over a month and a half through a single land border entry port, which CBP did not name. Officials said the stolen information did not include other identifying information, and no passport or other travel document photos were compromised. Perspective: Don't smile for surveillance: Why airport face scans are a privacy trap The agency learned of the breach on May 31 and said that none of the image data had been identified "on the Dark Web or Internet." But reporters at The Register, a British technology news site, reported late last month that a large haul of breached data from the firm Perceptics was being offered as a free download on the dark web. CBP would not say which subcontractor was involved. But a Microsoft Word document of CBP's public statement, sent Monday to Washington Post reporters, included the name "Perceptics" in the title: "CBP Perceptics Public Statement." Perceptics representatives did not immediately respond to requests for comment. CBP spokeswoman Jackie Wren said she was "unable to confirm" if Perceptics was the source of the breach. Surveillance cameras stand above the U.S.-Mexico border fence in January 2017 in Tijuana, Mexico. (Justin Sullivan/Getty Images) One U.S. official, who spoke on condition of anonymity due to lack of authorization to discuss the breach, said it was being described inside CBP as a "major incident." The official said Perceptics was attempting to use the data to refine its algorithms to match license plates with the faces of

a car's occupants, which the official said was outside of CBP's sanctioned use. The official said the data involved travelers crossing the Canadian border. The breach, according to the official, did not involve a foreign nation, such as when China hacked the Office of Personnel Management in 2014 exposing the sensitive information of at least 22 million people. News of the breach raised alarms in Congress, where lawmakers have questioned whether the government's expanded surveillance measures could threaten constitutional rights and open millions of innocent people to identity theft. "If the government collects sensitive information about Americans, it is responsible for protecting it — and that's just as true if it contracts with a private company," Sen. Ron Wyden (D-Ore.) said in a statement to *The Post*. "Anyone whose information was compromised should be notified by Customs, and the government needs to explain exactly how it intends to prevent this kind of breach from happening in the future." Wyden said the theft of the data should alarm anyone who has advocated expanded surveillance powers for the government. "These vast troves of Americans' personal information are a ripe target for attackers," he said. Civil rights and privacy advocates also called the theft of the information a sign that the government's growing database of identifying imagery had become an alluring target for hackers and cybercriminals. "This breach comes just as CBP seeks to expand its massive face recognition apparatus and collection of sensitive information from travelers, including license plate information and social media identifiers," said Neema Singh Guliani, senior legislative counsel at the American Civil Liberties Union. "This incident further underscores the need to put the brakes on these efforts and for Congress to investigate the agency's data practices. The best way to avoid breaches of sensitive personal data is not to collect and retain it in the first place." CBP said copies of "license plate images and traveler images collected by CBP" had been transferred to the subcontractor's company network, violating the agency's security and privacy rules. The subcontractor's network was then attacked and breached. No CBP systems were compromised, the agency said. ICE is tapping into a huge license-plate database, ACLU says, raising new privacy concerns about surveillance. Perceptics and other companies offer automated license-plate-reading devices that federal officials can use to track a vehicle, or its owner, as it travels on public roads. Immigration agents have used such databases to track down people who may be in the country illegally. Police agencies have also used the data to look for potential criminal suspects. Perceptics, based in Tennessee, has championed its technology as a key part of keeping the border secure. "You want technology that generates data you can trust and delivers it when and where you need it most," a marketing website says. The company also said recently that it had installed license-plate readers at 43 U.S. Border Patrol checkpoint lanes across Arizona,

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California, New Mexico and Texas, saying they offered border guards “superior images with the highest license plate read rate accuracy in North America.” Oregon became a testing ground for Amazon’s facial-recognition policing. But what if Rekognition gets it wrong? The federal government, as well as the group of private contractors it works with, has access to a swelling database of people’s cars and faces, which it says is necessary to enhance security and enforce border laws. The FBI has access to more than 640 million photos, including from passports and driver’s licenses, that it can scan with facial-recognition systems while conducting criminal investigations, a representative for the Government Accountability Office told the House Committee on Oversight and Reform at a hearing last week. Rep. Bennie Thompson (D-Miss.), chair of the House Homeland Security Committee, said he intended to hold hearings next month on Homeland Security’s use of biometric information. “Government use of biometric and personal identifiable information can be valuable tools only if utilized properly. Unfortunately, this is the second major privacy breach at DHS this year,” Thompson said, referring to a separate breach in which more than 2 million U.S. disaster survivors had their information revealed by the Federal Emergency Management Agency. “We must ensure we are not expanding the use of biometrics at the expense of the privacy of the American public.”

6.0.6 NC – Econ

Enhanced inspections of commercial vehicles at the border could lead to significant delays and economic harm

Barragán 22 [James Barragán, 4-7-2022, “Texas border officials worry that Greg Abbott’s order to increase vehicle inspections will hurt local economies”, Texas Tribune, <https://www.texastribune.org/2022/04/07/texas-border-security-economic-impact/>]

A day after Gov. Greg Abbott announced that his plan to conduct “enhanced safety inspections” of commercial vehicles crossing into Texas could “dramatically slow” traffic across the border, local officials and business groups are still trying to gauge the potential impact on their economy, which depends on trade with Mexico. “That’s one of the things McAllen is concerned about,” said Javier Villalobos, that border city’s Republican mayor. “We’re going to see how it affects us. But of course if it affects negatively, we’re going to be in the governor’s ear daily.” On Wednesday, Abbott directed the Department of Public Safety to immediately begin enhanced inspections of commercial vehicles crossing into the state from Mexico, a move aimed at stopping the large number of migrants crossing into the state. Abbott took that step as federal officials prepare for thousands more migrants at the border in May, when the Biden administration ends a pandemic-era emergency order that allowed immigration officials to turn away migrants, even those seeking asylum. Without that order, federal officials say they could be overwhelmed by the large number of migrants expected at the border this summer. Abbott is targeting commercial vehicles because he said they are used by drug cartels to smuggle migrants and drugs through the ports of entry. He said DPS troopers would conduct enhanced inspection of commercial trucks “as they cross the international ports of entry.” But it is unclear how the directive will work. Federal authorities already inspect commercial trucks as they pass the ports of entry and state troopers would have no authority in federal jurisdictions. Troopers could do further inspections after the trucks get past the federal points, as they have done in the past and continue to do in some areas like Laredo. But increased inspections there could lead to substantial delays in the flow of northbound traffic. DPS Director Steve McCraw said Wednesday the inspections wouldn’t be done on federal property or international bridges but that drivers would get plenty of warning that they would have to stop for an inspection. State authorities could also choose to set up checkpoints for commercial trucks further inland to avoid a bottleneck at the ports. But that would allow potential smugglers to disperse and find other ways to move their cargo once they’ve crossed the port of entry. Travis Considine, a spokesperson for

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DPS, said on Thursday the agency could not provide further details for security reasons. Nearly \$442 billion in trade flowed through Texas ports of entry in 2021, according to the Texas Center for Border Economic and Enterprise Development at Texas A&M International University in Laredo. Abbott's new directive raises concerns for truckers and others in the logistics business who depend on that commerce. Jerry Maldonado, president of the Laredo Motor Carriers Association, said his group is monitoring the impact and would stay engaged with state officials to limit harm to the trucking industry. Laredo is the top inland port along the U.S.-Mexico border and relies heavily on truck crossings for its economy. The city has 656 trucking and transportation companies, according to the Laredo Economic Development Corporation. Maldonado said any delays would harm individual truckers. "Will it affect us? Yes," he said. "We feel it will add more to our current delays we already have." Laredo Mayor Pete Saenz said through a spokesperson he is waiting for more details on Abbott's plan before making public comments. But while local officials wait to see the directive's impact, U.S.-Mexico experts warn that it could lead to catastrophic results rippling through the rest of the country's already lagging economy. "The governor underestimates how long it takes to inspect a single truck," said Tony Payan, director of the Center for the United States and Mexico at the Baker Institute at Rice University. Doing a full inspection of a truck could take hours to unload and reload, he said. And with thousands of trucks crossing the border every day, that could lead to significant delays in the movement of goods and commodities. "You will affect many of these trucks and truck companies that expect to get their goods to a certain point at a certain time and in certain conditions," Payan said. "That cannot but add to the already difficult conditions businesses are already operating in due to the pandemic. It's certainly not going to make things better — it's only going to make things worse." He criticized the approach of using troopers to inspect trucks that had already been cleared by federal inspectors as duplicative and inefficient and said Abbott was "playing politics" to activate his base in an election year. A better approach, Payan said, would be to work in conjunction with Department of Homeland Security agents to assist in the inspections at the ports of entry and cut down on duplications. In McAllen, Villalobos said he's still waiting to see how things play out and remains in touch with Abbott, who has been responsive to his city's needs as the number of migrants at the border has increased. But he remains worried about the potential economic impact to his region. "My main concern is right off the bat, what's going to happen if it clogs up?" he said. "We'll start losing jobs, start losing — hopefully not companies. That's something that's very concerning."

Heavy security measures at the U.S.-Mexico border result in significant delays and economic costs, impacting trade efficiency and job growth

ABC News 13 [ABC News, 6-5-2013, "When It Comes to the Border, Congress Wants to Put Up a Big Red Stoplight", ABC News, https://abcnews.go.com/ABC_Univision/delays-border-delays-business/story?id=19328992]

When it comes to the southern border, the United States Congress wants to put up a big red stoplight: Stop the flow of drugs, stop illegal immigration and stop the terrorists. Last year Congress spent more on securing the border than it did on all federal law enforcement combined. Critics argue the lockdown at the border chokes billions of dollars worth of legitimate traffic. Alejandro Rivera is a big rig trucker who chauffeurs goods between the U.S.-Mexico border for an American logistics company based in El Paso, Texas. On a good day he'll accomplish two round-trips, rarely adding more than 70 miles to his odometer. "Since the 9/11 everything changed," Rivera said. "Before we used to cross in five minutes, ten minutes. Now it takes us about three hours, two hours, because of the long lines." Rivera referred to long lines at the border crossing. It's a complaint echoed from San Diego to Brownsville. Some five million trucks per year are subject to costly delays as a result of rigorous security measures put in place in the last decade. These delays affect the timeliness of a trucker's delivery. "These big lines have economic costs. Billions of dollars a year in lost growth for the United States and Mexico," said Chris Wilson, who studies the economics of trade for the Woodrow Wilson Center in Washington D.C. Wilson said trade between the U.S. and Mexico quintupled in the last 20 years. Some 6 million U.S. jobs depend on trade with Mexico. That includes companies like Dell and Ford as well as smaller businesses that make medical devices or auto parts. Just how long are the wait times? A trip across the border with Rivera provided some insight. Rivera began his daily routine at a factory in the Mexican border city of Juárez. Before departing he called his dispatcher and noted the time. On this particular trip Rivera carried a load of plastic mannequins. They're made by factory workers in Juárez who earn \$10 a day. Rivera's job is to transport them to a warehouse in El Paso about 20 miles away. From there the mannequins will ship across the U.S. to stores like Nike and JCPenney. When Rivera reached U.S. Customs on the American side of the border bridge, an officer ordered his truck to be X-Rayed. Afterward an officer unloaded half his cargo and inspected the trailer for anything illegal. The company Rivera works for has a special certification called C-TPAT that usually allows their trucks expedited passage. Only about 1 percent of the company's cargo goes through lengthy searches. Before, when Rivera worked for a non-certified company, he said he faced

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prolonged inspections everyday. All commercial traffic at this particular crossing must clear four separate agencies: Mexican customs, American customs, the U.S. Department of Transportation and the Texas Department of Public Safety. In total Rivera clocked in two and half hours at the bridge. "Sometimes the customer doesn't understand all the process that we have to make," Rivera said. "They want their load."

6.0.7 NC – Agriculture

Undocumented immigrants are important for sustaining domestic agricultural production

Moriarty 21 [Andrew Moriarty, 3-18-2021, “Immigrant Farmworkers and America’s Food Production”, FWD.us, <https://www.fwd.us/news/immigrant-farmworkers-and-americas-food-production-5-things-to-know/>]

For decades, immigrant farmworkers have helped feed America. But the agriculture industry faces a chronic labor shortage that has been exacerbated by the COVID-19 pandemic, and the conditions for and rights of farmworkers and their families must be improved. The critical importance of farmworkers, including those who are undocumented, has never been clearer. Modernizing the temporary visa program, and establishing a pathway to citizenship for long-term undocumented agricultural workers, is urgently needed to protect farmworkers and their families and ensure the future of America’s essential agriculture industry. An estimated 73% of agriculture workers today were born outside of the United States Economic Research Service - USDA 1 | Farmworkers are essential workers - and most are immigrants Immigrant farmworkers make up an estimated 73% of agriculture workers in the United States. Farm labor is absolutely essential work that puts food on our tables across the country, powers the economy and supports our communities, from dairy farms in Wisconsin to strawberry fields in Florida and apple orchards in Washington. All together, food and agriculture sector is a \$1.053 trillion industry.¹ Every state is involved in food production, but California, Iowa, Texas, Nebraska, and Minnesota make up more than one-third of total U.S. agricultural-output value. While some sectors like livestock production are scattered across the country, others are concentrated in certain regions, such as lettuce grown in Arizona or poultry farming in southeastern states like Georgia and Alabama.² Agricultural work requires great skill and is relentless, exhausting, and can be extremely dangerous. All across the country, farmworkers spend extremely long hours harvesting crops in all types of weather while risking injury or illness from heavy equipment or pesticide exposure. In recent years, workers in states like California and Oregon have also faced wildfires and record heat waves, in addition to the threat of COVID-19. Underscoring the critical importance of farmworkers, the Department of Homeland Security has deemed the food and agriculture sector as “critical infrastructure” during the pandemic. They deserve protections — not just the label “essential.” 56% of California farmers reported being unable to find all the workers they needed over the last five years. 2 | Even before

COVID-19 struck, America's farms faced a chronic labor shortage crisis. The American Farm Bureau Federation estimates that, in total, U.S. agriculture needs 1.5 to 2 million hired workers each year. Farmers have been struggling to fill these positions; in 2019, 56% of California farmers reported being unable to find all the workers they needed over the last five years. This is partly because, even when wages and benefits are increased, there are still not enough U.S. citizens applying. The current agricultural workforce is also aging, requiring younger workers to replace them. Immigrants have filled these shortfalls in the workforce for decades, but in recent years, fewer immigrants are coming to the U.S. to work in agriculture, a result of current U.S. immigration policy and rising incomes in Mexico. The labor shortage puts American agriculture at a competitive disadvantage. American growers' inability to find dependable sources of labor is a major reason for the significant increase in the amount of fresh fruit and vegetables that are imported into the U.S, costing billions in sales and tens of thousands of jobs. Without workers, crops wither in the fields, contributing to food waste and millions of dollars in lost production. In 2020, this chronic labor shortage was further exacerbated by the COVID-19 pandemic, which forced employers to keep workers at home and restricted access to foreign-born workers that farmers had been planning to employ. 3 | Legalizing the undocumented workforce is an economic and moral imperative. Undocumented farm workers make up approximately 50% of the farm labor workforce. Without their hard work, millions of pounds of food would otherwise go unharvested. While these workers pay taxes and contribute to the economy, they are not protected by U.S. labor laws, and they live every day under the threat of arrest and family separation – all while working in extremely difficult conditions. Despite lacking a legal immigration status, these workers and their families have lived in the United States for a long time. In general, the majority of undocumented immigrants have lived in the U.S. for more than ten years. Likewise, the average farmworker has worked for their current farm employer for seven years, and more than 80% of hired farmworkers work at a single location within 75 miles of their home. Majority of America's farmworkers are foreign-born. Relying on large numbers of undocumented individuals to fuel an industry is bad policy for workers and employers alike. But forcing them to leave would be even more devastating to our food supply, and fundamentally unfair, given what they've contributed. For example, the dairy industry estimates that retail milk prices would nearly double if farmers lost their foreign-born workers. Overall, agricultural output would fall by \$30 to \$60 billion. Above all, the United States has a moral imperative to find a solution for undocumented families who have called this country home for so long, who have contributed greatly with little recognition, and who have more than earned their place in the American story. In 2019,

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about 258,000 immigrant workers were granted temporary H-2A visas...but less than 4% of the total number of workers that are needed for food production. U.S. Department of Labor 4 | The temporary H-2A visa program is important, but it is not enough The H-2A Temporary Agricultural Worker Program is the primary way in which immigrant workers can legally perform short-term farm labor in the U.S. U.S. farmers can sponsor workers for a temporary employment visa if sufficient numbers of domestic workers are not available. In 2019, about 258,000 immigrant workers were granted temporary H-2A visas, up from 48,000 positions certified in 2005, but less than 4% of the total number of workers that are needed for food production. Florida, Georgia, Washington, California and North Carolina were the top five states where the most H-2A workers were employed. Demand for H-2A Visas has Tripled Over Last Decade While the current H-2A program helps address labor shortages, more needs to be done to ensure farmworkers have access to basic rights, and protections from persistently low wages, overcrowded or unsafe housing conditions, and lack of access to health insurance.³ Additionally, farmers say utilizing the H-2A system is an expensive, slow process. On average, workers arrive to pick crops 22 days late. Farmers in year-round sectors like dairy or pork production cannot even participate because visas are only available for seasonal workers. If farmers lost their foreign-born workers... agricultural output would fall by \$30 to \$60 billion. American Farm Bureau Federation 5 | Americans would benefit enormously from a stable agricultural workforce. The nonpartisan Congressional Budget Office (CBO) has found that providing legal status to current undocumented workers would have a net positive effect on the federal budget, increasing tax revenues. The CBO has also found that legalizing the undocumented population would boost economic output and increase employment for U.S.-born workers. Additionally, stabilizing the workforce would help U.S. farmers stay open for business, keepings jobs available for U.S. workers and pushing back on increasing food and production costs driven by the shortages. Congress should allow undocumented farmworkers who have been present in the U.S. to adjust to a legal status. This would allow farmers to maintain their current workforce legally, while also allowing undocumented immigrants to come out of the shadows, earn a fair wage, be better protected from exploitation and abuse, and fully participate in the communities they have called home for years.⁴

Border enforcement policies reduce the number of undocumented farm workers and agricultural exports

Devadoss and Luckstead 11 [Stephen Devadoss, Jeff Luckstead, 6-28-2011, "IMPLICATIONS OF IMMIGRATION POLICIES FOR THE U.S. FARM SECTOR AND WORKFORCE", Wiley Online Library, <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1465-7295.2010.00300.x>]

We develop a theoretical model using migration and trade theory to examine the effects of domestic and border enforcement policies on unauthorized workers and the U.S. agricultural sector. The theoretical results show that heightened immigration policies increase the illegal farm wage rate, and reduce the employment of unauthorized farm workers and exports. The empirical analysis show that increased domestic enforcements curtail the number of undocumented farm workers by an average of 8,947 and commodity exports to Mexico by an average of \$180 million. The tighter border control curbs illegal farm workers by 8,147 and reduces farm exports by \$181 million. (JEL F160)

6.0.8 AT – Security

Migrants crossing the border are not a national security threat to the US

National Immigration Forum 21 [National Immigration Forum, 5-4-2021, “Border Security Along the Southwest Border: Fact Sheet”, <https://immigrationforum.org/article/border-security-along-the-southwest-border-fact-sheet-2/>]

Do migrants crossing the U.S.-Mexico border pose a terrorist or national security threat to the U.S.? No, the supposed national security threats posed by migrants entering at the Southwest border is not borne out by facts. According to a Cato Institute report, zero people have ever died or been injured from terrorist attacks on U.S. soil committed by an individual who crossed the Southwest border without authorization. As a group, immigrants are less likely to commit violent and property crimes when compared to native-born U.S. citizens. Undocumented immigrants in particular have a considerably lower felony rate than both legal immigrants and native-born U.S. citizens. Based on the data, increases in migration at the Southwest border are far more likely to pose humanitarian concerns than security ones. Some reports and politicians have noted that occasionally those on security-based watch lists are apprehended by CBP at the border, but it is important to be precise about how many such interdictions occur and what threat, if any, presence on each list might signify. Broadly, there are two separate lists CBP checks against to determine whether an individual may pose a potential national security or terrorism risk upon apprehension at the border. The first is the FBI’s terrorist watchlist, which mainly includes identifying information relating to individuals in the Known or Suspected Terrorist (KST) file. KSTs are individuals who have either been charged, arrested, or convicted of a crime related to terrorism or those who are reasonably suspected to be engaging in or intending to engage in terrorist activities. The watchlist is a very broad master list including anyone suspected of terrorism-related activities, and it includes smaller sub-lists for individuals that pose a higher risk (such as the No Fly List, which consists of approximately 7% of the names on the master watchlist). As of 2017, the terrorism watchlist had 1.16 million names on it, although some individuals are only identified by surnames and limited biographical details. Only a small number of the names on the list are likely to be actual terrorists, and only a tiny fraction (.08%) of KSTs apprehended attempting to enter the U.S. are encountered at the Southwest border. Attempts of entry by individuals that are known or suspected terrorists or associates of terrorists are extremely rare on the Southwest border. According to a September 2020 whistleblower complaint, no more than three KSTs were apprehended at the border in

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Fiscal Year 2017. CBP and other agencies had encountered 3,752 KSTs at airports and in the interior in the same time period. In March 2021, CBP told Congress that it had apprehended four individuals on the terrorist watchlist at the border in the preceding 6 months. Known and Suspected Terrorist Apprehensions (FY 2017) The second list is based on a CBP term of art called Special Interest Aliens (SIAs). SIAs are individuals who have traveled through or are coming from any of a list of 30-50 countries identified as having a possible link to terrorism. The current list of designated countries is not publicly available, but in years past it has included several countries in the Americas, including Argentina, Brazil, and Panama. There are no additional criteria for being considered an SIA other than presence in one of these countries prior to arrival at the border. DHS has reported that over 3,000 SIAs are apprehended at the border each year. DHS has made clear that SIA and KST apprehensions should not be conflated, and that most KSTs are apprehended at airports rather than the border.

Concerns about illegal immigrants committing terrorist attacks are largely unfounded, with evidence showing that terrorism in the US is more often committed by homegrown extremists or individuals entering legally, but inflammatory rhetoric towards immigrants emboldens white supremacist violence

Ware 23 [Jacob Ware, 9-26-2023, "The Southern Border Poses Terrorism Risks. Home-grown Threats Still Loom Larger.", Council on Foreign Relations, <https://www.cfr.org/blog/southern-border-poses-terrorism-risks-homegrown-threats-still-loom-larger>]

Recent reporting and opinion articles have raised fears of illegal immigrants crossing the southern border to commit terrorist attacks in the United States on behalf of foreign actors. "The reality is that [President Joe Biden's] open border is the gravest terrorist threat to the homeland in years," Senator Tom Cotton (R-AR), for instance, wrote in a Fox article commemorating the twenty-second anniversary of the 9/11 attacks. The comment followed an August news piece in CNN that revealed more than a dozen Uzbek migrants had sought asylum at the southern border, having "traveled with the help of a smuggler with ties to ISIS." Those arguments highlighting the threat of terrorist attacks by illegal immigrants overlook three important points of context. First, although such fears can never be completely dismissed, to date they have been mostly hypothetical, as there is scant evidence that illegal immigrants have committed acts of terrorism in the United States. For instance, of the 3,203 offenders in the University of Maryland's Profiles of Individual Radicalization in the United States dataset, only nineteen (less than 0.6 percent) are listed as "Undocumented Resident." Most modern acts of American terrorism directed or inspired by foreign terrorist organizations—such as ISIS-inspired attacks in the cities of San Bernardino, Orlando, and New York between 2015 and 2017—are instead committed by "homegrown" legal immigrants or U.S. citizens. This was in fact a deliberate strategy pursued by groups such as the self-proclaimed Islamic State, which calculated—correctly—that it would be far easier to inspire lone actors in the United States than attempt to send operatives into the country. As the Pulse nightclub in Orlando can attest, lone American jihadists can cause plenty of damage without needing to be smuggled across the border. Meanwhile, each of the 9/11 attackers flew into U.S. ports of entry and were in the country legally (albeit with two having overstayed their visas). Second, fear of illegal immigrants committing acts of terrorism is not entirely unfounded, but it has previously manifested in unexpected ways. In recent years, the most high-profile terrorism incidents involving illegal immigrants have in fact both been perpetrated by Canadian far-right extremists—an anti-government extremist who attempted to attack Speaker of the House Nancy Pelosi (D-CA) in the

build-up to the 2022 midterms, and a neo-Nazi who crossed the northern border and joined a white supremacist terrorist organization known as “The Base” in 2020, planning to attack a gun rights rally in Richmond. In the former attack, the would-be murderer had legally entered the United States as a temporary visitor through the San Ysidro port of entry in 2008, then overstayed his legally permitted stay. The latter incident, conversely, involved perhaps precisely the scenario many now fear at the southern border—an international terrorist organization deliberately smuggling an operative across a U.S. border with the intention to commit a significant act of terrorism against civilians. Of note, the Base conforms to the so-called accelerationist strategy of violent extremism, which seeks to conduct random acts of violence in order to accelerate the onset of an apocalyptic civil war. This far-right attack, accordingly, aimed to kill Second Amendment proponents in order to spark a broader conflagration between rallygoers and police in Richmond. And finally, immigration does lead to a rise in terrorism, but—again perhaps counterintuitively—this violence has been largely white supremacist in nature, not jihadist, with data analysis from the University of Pennsylvania’s Richard J. McAlexander suggesting “there is little evidence to support the common claim that letting in more immigrants means letting in more terrorists.” Instead, inflammatory rhetoric against immigrants contributes to the white supremacist “Great Replacement” theory, which claims that Jews and Marxists are orchestrating a deliberate replacement of white people in Western countries, operationalized through immigration and minority political power. The theory has directly led to catastrophic white supremacist violence in communities such as Pittsburgh, El Paso, Buffalo, and Jacksonville over the past five years. The Pittsburgh terrorist, who murdered eleven worshippers at the Tree of Life synagogue in October 2018, directly cited immigration at the southern border as a central inspiration for his attack. “[Hebrew Immigrant Aid Society] likes to bring invaders in that kill our people,” he wrote on far-right social media site Gab. “I can’t sit by and watch my people get slaughtered. Screw your optics, I’m going in.” The El Paso terrorist, who murdered twenty-three primarily Latino shoppers at a Walmart in August 2019, having traveled to the border town explicitly in search of immigrants, was arguably even more blunt: “This attack is a response to the Hispanic invasion of Texas.” White supremacist terrorists have killed more Americans than jihadists since 9/11—and pose an imminent threat not just to minority communities, but also the federal government as well as the Republican Party. This data suggests that the issues of immigration and terrorism are indeed linked, but the problem is in fact far more nuanced than some commentators suggest. There are, then, at least three conclusions from the preceding analysis. First, the United States should, indeed, carefully watch for terrorism suspects

entering the country, but the greatest threats will likely attempt to enter legally—or were born here. Second, the United States' northern border at least historically has proven to be a comparable source of documented instances of politically motivated violence as the southern border, which consumes disproportionate attention in this febrile, polarized political environment. And third, a broader effort should be undertaken to counter the dehumanization of immigrants in American political rhetoric and finally enact much-needed immigration law reforms that would make the border less of a partisan, political flashpoint. A porous southern border does provide an opportunity for jihadist terrorist organizations to send operatives to the United States. But for now, the most serious terrorist danger still comes from lone-actor white supremacists, radicalized online here inside the United States, attacking soft targets using firearms—as displayed to such heartbreaking effect just weeks ago in Jacksonville.

Cartel scouts monitor Border Patrol to allow smugglers to evade detection

Chilton 24 [Jim Chilton, 05-10-2024, "", No Publication, <https://docs.house.gov/meetings/JU/JU00/20240510/117288/HHRG-118-JU00-Wstate-ChiltonJ-20240510.pdf>]

What is most outrageous to me, is that Mexican Cartel scouts, occupying some of our ranch mountain tops on US soil, guide these border crossers. The scouts communicate with Cartel operatives through encrypted satellite phones with radio function. Scouts are also equipped with the finest binoculars, night vision and backpack roll-down solar panels to keep their equipment functioning. Their purpose is to know where the Border Patrol is at all times and guide the Cartel drug packers or persons ineligible for asylum to sites where Cartel operatives inside the United States can pick up and then distribute the drugs and people throughout the Nation.