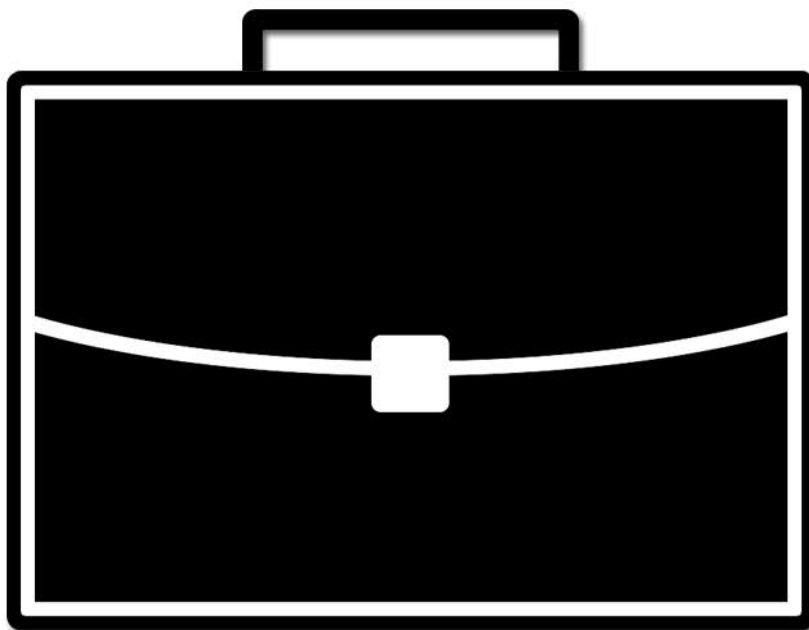


# Champion Briefs

Sept/Oct 2024

Public Forum Brief



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

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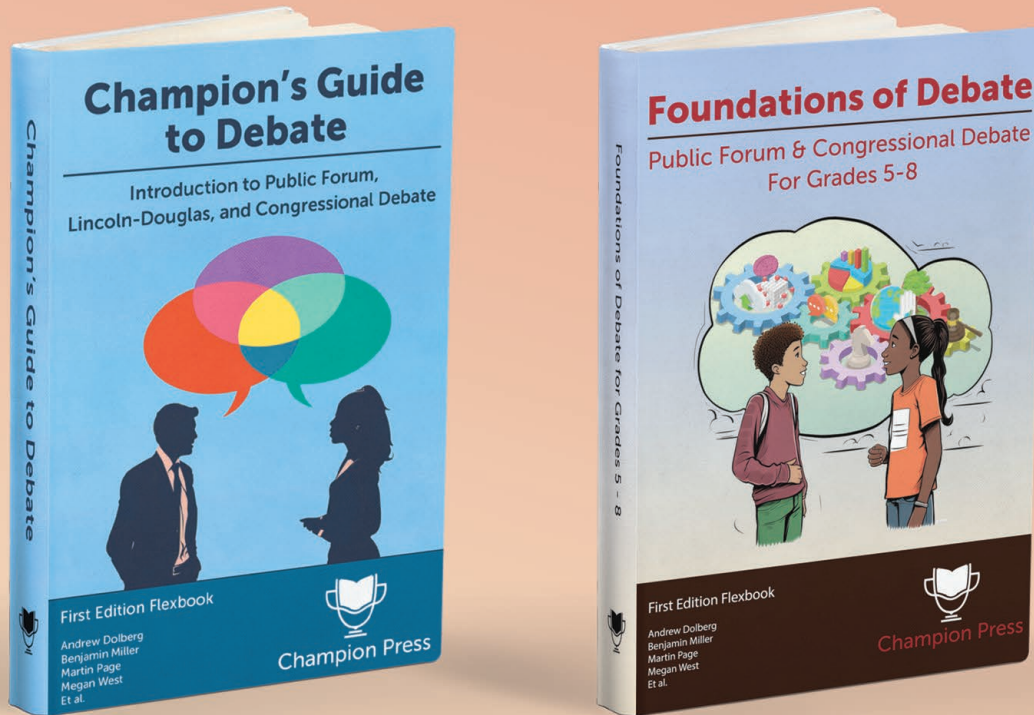
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These seven statements, while simple, represent the complex notion of what it means to advance students' understanding of the world around them, as is the purpose of educators.

## Letter from the Editor

The debate topic this month asks debaters to consider significant questions about national security, privacy, and the role of government in managing border control. One major criticism of this topic is that it may oversimplify the complex and multifaceted nature of border security. The notion of "substantially expanding" surveillance infrastructure implies that more technology and more monitoring will automatically lead to better outcomes. However, this perspective neglects the fact that the effectiveness of surveillance is not just a matter of scale but of strategy, context, and the specific challenges of different border regions.

The debate risks becoming one-dimensional, focusing only on the expansion of technology rather than a holistic consideration of border security. Moreover, this topic may inadvertently encourage a narrow focus on technological solutions while sidelining discussions about the root causes of immigration, the social and economic dynamics of border communities, and the broader implications for human rights. As such, it is important for debaters to be sensitive regarding this topic and not to be overly narrow.

The emphasis on surveillance could lead to a debate that prioritizes security at the expense of civil liberties, without fully grappling with the ethical and legal ramifications of increased monitoring. Additionally, the framing of the topic as a federal government action could limit the scope of the debate. It assumes that the federal government is the primary actor in border security, potentially overlooking the roles of state and local governments, as well as the communities most directly affected by border policies. This top-down approach may constrain the debate, reducing the opportunity to explore more nuanced or community-driven solutions. In conclusion, while the topic of expanding surveillance infrastructure at the southern border is undoubtedly timely and relevant, it risks oversimplifying the complex issues at stake and narrowing the focus of the debate.

In our ever more polarized world, I implore debaters to utilize care and caution when debating this topic.

Yair Fraifeld  
Editor-in-Chief

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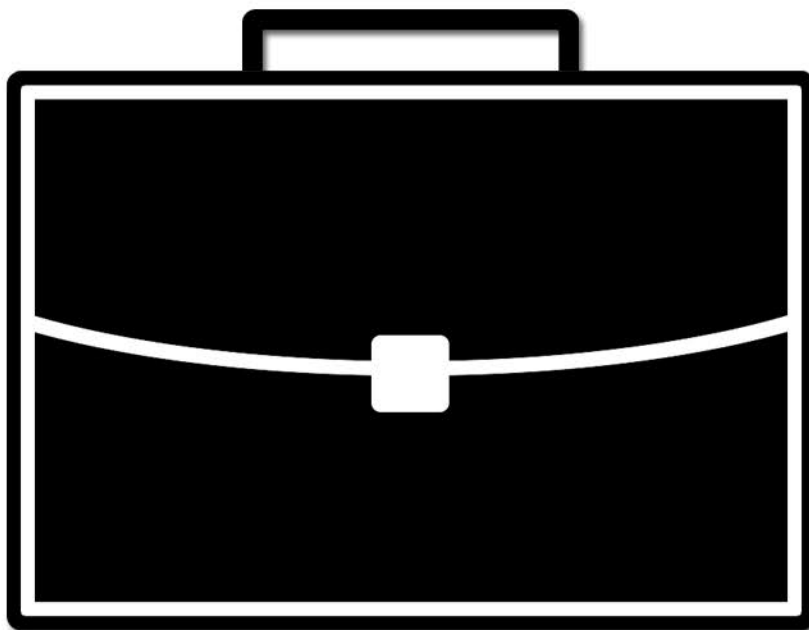
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# Champion Briefs

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# Topic Analyses

## **Topic Analysis By Yair Fraifeld**

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

### **Introduction**

This month's debate topic taps into a critical and complex issue at the heart of U.S. national security and immigration policy. With the southern border often at the center of political debate, this topic challenges debaters to explore the implications of enhancing surveillance measures. Whether discussing drones, sensors, or other high-tech monitoring systems, the topic brings to light questions of privacy, human rights, security, and the allocation of resources.

### **Strategy Considerations**

When approaching this topic, it's crucial for debaters to have a strong grasp of both the technical aspects of surveillance technology and the broader implications of its expansion. Here are a few strategic considerations to keep in mind:

First, understanding the technology. Make sure you have a solid understanding of what surveillance infrastructure entails. This could include drones, thermal imaging cameras, radar systems, biometric scanners, and more. Knowing the specifics can give you an edge in both understanding the benefits and critiquing the potential drawbacks.

Second, balancing security and rights. This debate often comes down to a balance between national security and individual rights. For the affirmative, the focus will likely be on the need to secure the border to prevent illegal immigration, drug trafficking, and terrorism.

For the negative, the emphasis might be on privacy concerns, the potential for abuse, and the impact on border communities.

Third, economic considerations. Expanding surveillance infrastructure isn't cheap. Debaters should consider the economic implications, including the cost of implementing and maintaining these systems and whether the benefits outweigh these costs. The negative may argue that the money could be better spent on other border management strategies or social programs.

Fourth, legal and ethical dimensions. Be prepared to discuss the legal and ethical implications of expanding surveillance. This could include discussions about the Fourth Amendment, the potential for racial profiling, and the impact on U.S.-Mexico relations.

### **Affirmative Arguments**

The affirmative side will argue in favor of expanding surveillance infrastructure along the southern border. Here are some potential arguments:

One of the primary arguments for expanding surveillance is that it enhances border security. With better surveillance, the U.S. can more effectively monitor and control the border, preventing illegal crossings, drug trafficking, and potential terrorist activities.

Another argument is that modern surveillance technology is highly advanced and can cover vast areas with minimal manpower. This makes it a cost-effective solution for securing the border compared to traditional methods like physical barriers or increased border patrols.

Next, the presence of advanced surveillance systems can act as a deterrent, discouraging illegal crossings. Knowing that they are being watched, potential migrants or

smugglers may think twice before attempting to cross the border. Also, expanding surveillance allows for the collection of vast amounts of data, which can be analyzed to improve border security strategies. This data can help in understanding patterns of illegal activity and deploying resources more effectively. Many will argue that by securing the border more effectively, the U.S. can enhance public safety. This is especially relevant in border communities that may be impacted by illegal activities spilling over the border.

### **Negative Arguments**

On the negative side, the focus will be on the potential drawbacks and unintended consequences of expanding surveillance. Here are some arguments to consider:

First, privacy Concerns. Expanding surveillance infrastructure raises significant privacy concerns. The negative may argue that such expansion could lead to the erosion of civil liberties, with surveillance technology being used not just at the border but potentially on U.S. citizens within the country.

Some may argue that surveillance technology is not as effective as proponents claim. Drones and cameras can monitor, but they do not prevent crossings. Without enough personnel to respond to detected activities, the technology alone may not significantly improve border security.

Next, racial profiling and discrimination. There's a risk that expanded surveillance could lead to racial profiling and discrimination, particularly against Latino communities. The negative could argue that this exacerbates social tensions and harms the relationship between the U.S. and Mexico.

Additionally, there are economic costs. The cost of expanding surveillance infrastructure is significant, and the negative might argue that these funds could be better spent elsewhere. For example, investing in comprehensive immigration reform or addressing the root causes of migration might be more effective in the long term.

Finally, the impact on border communities likely will be a point of contention. Expanding surveillance can negatively impact border communities, creating an environment of constant monitoring and suspicion. This could disrupt daily life and harm the local economy, especially in towns that rely on cross-border trade and travel.

### **Conclusion**

Debating the expansion of surveillance infrastructure along the U.S. southern border involves weighing the potential benefits of increased security against the potential costs to privacy, civil liberties, and community well-being. The affirmative will focus on the need to protect the country and ensure public safety, while the negative will highlight the risks of overreach, discrimination, and economic inefficiency. As you prepare for this debate, consider how to balance these competing concerns and how to present your arguments in a way that resonates with judges and opponents alike. Whether you argue for or against the resolution, understanding the nuances of this complex issue will be key to your success in the round.

## Topic Analysis By Rachel Mauchline

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

### Introduction

Well, it has been no time at all, and we are back with another topic and the start of another competitive season. As you begin preparation for the upcoming season, I'd highly encourage you to spend the additional time prior to many season opener tournaments developing a foundational understanding of the topic. This topic will be constantly developing throughout the course of the next few months, and therefore, now is a great opportunity to get ahead on a preliminary understanding of the topic prior to argument adjustments. As an individual who debated the surveillance policy topic during high school and an individual who coached the immigration topic during college, I know that this topic has many components that are not easy to understand at face value. The reason that oftentimes individuals struggle to have discourse on topics of immigration and surveillance infrastructure is due to a lack of knowledge of how these topics work and how they interact. It is critical that debaters invest time in understanding the critical components of such topic areas.

This topic, by nature, is a policy-based resolution asking if there should be an expansion of federal surveillance infrastructure. Therefore, the argumentation will be based on the pro/con comparison of what the implications of such a policy change will be. Due to this broad nature and policy style topic, the scope of argumentation can be much larger than seen on other topics. Similar to those that debated last September/October, starting the year with a



policy topic creates a constantly evolving situation in the literature. This year, that evolution will occur as the Southern border becomes a key talking point in the upcoming U.S. election in November. While I do love a good politics disadvantage debate, I'd encourage teams to expand their research with multiple different stances of how such a policy change could have positive or negative consequences. This does not just need to be in line with what the outcome of the election may mean for immigration policy, but instead an analysis of the solvency that surveillance infrastructure has on X issue in society. This resolution has the potential to unpack a number of misconceptions that individuals have about the overall area, based on debaters providing strong research and argumentation overall.

### **Strategy Considerations**

As with the start of each year, debaters are constantly determining the strategy that they want to utilize for that upcoming season. This topic analysis focused on some specific considerations that teams should understand in relation to this topic as they approach the start of the 2024 season. While this isn't an exhaustive list of all the considerations that teams need to keep in mind, it will help with the preparation process heading into the year.

The first strategic consideration is the topic selection. This summer, there has been a vast amount of conversation, more than in previous years, about the topic selection for September/October. Some of this discussion was from individuals online, others from specific camps, and other forums for debate discussion and deliberation. While there have been many perspectives on which topic should be selected, it is important that debaters and coaches now prepare for the topic that was selected. A big consideration for teams on a topic that discusses

topics that can be sensitive in nature is the utilization of specific discourse. I would highly encourage teams to keep an eye on the rhetoric that they use when discussing immigration, privacy, and surveillance. While some literature itself will use harmful phrasing, such as "illegal alien," I would urge teams to find arguments and research that focuses on the nuisances of the topic, from policies to reform to ethical considerations. I also uniquely say this as we approach an upcoming election in November, and there are many [studies](#) that examine the increase in anti-immigration rhetoric spiking around election cycles. Even before the argumentation brainstorming occurs for teams, I believe there is a great educational moment for teams to create an understanding of the role that specific words and phrases mean in the context of the topic and to develop strategies to make debate safe for all individuals participating. I would remind debaters to note that, as with every topic, not all votes were for this topic. Therefore, laying a foundation for debate that is based on safe and supportive rhetoric is the starting prerequisite for discussion and debate.

The second strategic consideration is the timing of the topic. As I've already mentioned prior, and as many individuals are aware, we are heading into a very politically charged few months prior to the election. At the same time, much of the [previous literature](#) before July references President Biden, and throughout the past year, it has been clear that immigration will be a hot topic for the 2024 election. It is important that individuals who are debating in September/October consider the political bias and the political leaning of the sources that they select in their argumentation. This is something that is sometimes forgotten about in research analysis, but media bias charts such as [this](#) can be a helpful tool to assist teams in understanding the backing of their argumentation. As this topic is one that individuals will more

naturally have an opinion on compared to other policy topics, such as Sept/Oct 2023 with the US-Arctic policy resolution, it is important to create a narrative on both sides that is backed by credible evidence that a judge would evaluate even with their own opinion set aside.

The third strategic consideration for teams to keep in mind is the definitions of the resolution. This is something that is often neglected in the brainstorming and topic analysis process that individuals unpack. While it can sometimes be very tempting to just jump into the argumentation of the debate, understanding how both sides may use specific definitions to their benefit can be very helpful to your topic understanding. There are two specific phrases in the resolution that are important for teams to understand and have a conceptualization of as they argue the topic. Some individuals may believe that phrases such as "Southern border" and "United States federal government" are key phrases and sure they can be. For the sake of this topic analysis, though, those terms are simpler to find clear and understandable definitions. The first of those phrases to focus on is "substantially expand ."The reason this phrase is important is because an expansion of something indicates that there is something to expand, AKA, there is already some surveillance infrastructure in place. U.S. Customs and Border Protection (CBP) is the agency that is tasked with surveillance and protecting the border from individuals attempting to enter illegally. There are currently a variety of measures that CBP needs at the border, from physical borders to technology such as cameras and drones. This resolution focuses on expanding these surveillance efforts in a substantial manner. Teams need to know what "substantial" looks like in that context and how such an expansion will resolve or prevent certain impacts from occurring. The second phrase to consider is "surveillance infrastructure ."If you do a simple Google search of this term, there is not just a default

comprehensive definition in the literature about what this term means. Therefore, it is important that on both sides of the debate, teams have clarity from the start of the debate as to what they are defending. If the pro is discussing technology and the con is discussing physical barriers, the debate will end up becoming like two ships passing in the night. I would find it beneficial for teams to defend a comprehensive expansion of surveillance infrastructure, rather than a specific tenant of infrastructure. This would allow it to be easier for both teams to engage directly and have clash that makes it simpler for judges to adjudicate.

### **Affirmative Arguments**

The affirmative team on this topic has the inherent responsibility of being clear as to what surveillance infrastructure they are defending rather than allowing that clarity to be spun later in the debate. It is important to set the debate in a clear spot, as opposed to the debate unfolding too late for there to be a clear clash on both sides. As I brainstormed a variety of affirmative arguments on this topic, the reality is that there are many stances that pro teams can take to have a winning position in the debate. There is no magical formula for this, but teams need to be sure to defend positions so that they can create a clear narrative that is easy to follow. While there are arguments from the economy to safety to trafficking to drugs that teams can focus on, I'd encourage pro teams to be aware of the link chains that are being created. The argumentation should be simple to follow but not rely exclusively on a single internal link or impact chain. This balance will come with a number of rewrites from the start of case construction until the end of the topic being debated the last weekend of October.

The first main argument that I'd focus on would be that of human trafficking. There is a growing amount of [research](#) as to how human trafficking and human smuggling are growing at an alarming rate at the Southern border. By expanding surveillance infrastructure networks, there is an opportunity to decrease these instances and the harmful consequences that can come from human trafficking. There are some heartbreaking numbers as to how trafficking is rising and the opportunity for pro teams to highlight how surveillance expansion is the only way to break down trafficking networks that are being supported by a variety of organizations on the border.

The second pro argument that teams may read is fentanyl smuggling. The amount of fentanyl being smuggled into the United States via the Southern border is expanding year by year. The [CBP](#) has already begun to consider fentanyl to be a big action item of their border surveillance policies. Pro teams can express a clear link chain as to how expanding surveillance infrastructure is vital to breaking down drug smuggling networks and chains that have formed on the Southern border. It is important for pro teams to focus on the consequences that fentanyl has on individuals on both sides of the border, along with the burden such drugs have on the healthcare system.

### **Negative Arguments**

The negative team on such a topic has the ability to articulate a couple of different stances as to why a substantial expansion of surveillance infrastructure would either be harmful to individuals, relations, or each country respectfully. While I've said prior that the election and the timing of such a topic might be a stance that a team could make on an election-style disadvantage, I don't think that this is the best strategy with the nature of the judge pool in the

Public Forum debate. The negative on this topic needs to be prepared for whatever stance the pro team may focus on if they choose to specify a specific form of infrastructure. While this may be considered a 'plan' by some, it does help the negative team have specific responses prepared for later speeches to respond to exact infrastructure examples.

The first main con argument that I'd focus on is that if there is an expansion of surveillance infrastructure, there would inherently be some form of circumvention. There is only so much bandwidth that the United States has to expand regarding resources such as time and money. Therefore, if there is a substantial expansion, organizations and groups will see the areas with the weakest infrastructure and exploit them going forward. Con teams have the opportunity to use history on their side. As historically there have been increases in surveillance infrastructure, the impacts of the pro are still true because circumvention occurred. This argument may be a bit defensive, but I think the impact can be expanded upon and is a logical narrative that many judges will understand. It will be important to use various examples from history.

The second con argument that will be compelling for teams to read is about how surveillance infrastructure, especially with technology, increases racial discrimination. There are growing [studies](#) being released as to how surveillance technology, such as A.I. and biometrics, that are infrastructure inherently discriminate based on race. Con teams have the opportunity to spawn a variety of impact scenarios from such a link chain. In my opinion, the most compelling argument can be based on examples of how digital infrastructure owned by private corporations violates privacy and human rights. An expansion of such infrastructure, when it is already being questioned at face value, could lead to harmful consequences for many.

There are a vast amount of different argumentation approaches that individuals can take on this topic. This topic analysis is just a single perspective, and the remainder of the brief provides additional perspectives and approaches to argumentation. Overall, I am hopeful that the debates will continue to adapt and mold the topic based on the growing literature. Good luck as you start this season 😊

## Topic Analysis By John Sims

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

### Introduction

Welcome to the 2024-2025 debate season! The initial topic for this year is perhaps one of the most politically charged in recent history. Immigration and border policy have been central issues in American politics for decades. Infrastructure along the border has often been a central part of that debate. Immigration hardliners often argue for an increase in officers and physical barriers to impede undocumented immigration, while other political factions argue that focusing on infrastructure misdiagnoses the problems created by an outdated legal framework for immigration. Surveillance infrastructure often occupies somewhat of a middle ground in American politics. Often deemed more humane than militaristic solutions like walls and expanded policing, surveillance still creates a disincentive for undocumented immigration by lowering the likelihood that immigrants will successfully make it into the country unnoticed. In this sense, the topic allows a great deal of flexibility in how debaters engage the question of immigration and border control.

Debaters have an opportunity to delve into a topic that is often obscured by partisan rhetoric designed to attack opponents rather than speak to realities on the ground. Researching the realities of immigration is likely to show many students and judges that the issue is far more complex than they have been led to believe by relatively simple political messaging. While there is a great deal of writing about American immigration policy that will give students useful



background and help them understand trends, it is also worth noting that this is an election year, which will bring a great deal of new and potentially interesting facets to the topic as it progresses. Beyond the obvious immigration issue, the topic also leaves some ground for creative pros who might want to avoid the immigration question or who might at least want to approach it from different perspectives.

### **A note about potentially sensitive topics**

Before I talk about specific arguments, I want to include a brief note about debating on a topic that has a uniquely personal nature for many debaters. This topic forces the community to dive head-first into a very current controversy with very real human impacts. Often, when topics are this charged, it is easy for debaters (particularly debaters without lived experiences relevant to the controversy) to feel compelled to abstract discussions away from the human costs and stories that animate the general public's interest in the topic. I want to encourage debaters to use this opportunity to avoid taking that route. First, because that route unfairly brackets out valuable understandings of the topic. Many debaters are likely to have first-hand experiences (both positive and negative) with immigration policies, and those stories and the understandings they bring are an important part of any discussion of U.S. immigration policy.

Beyond the concerns about bracketing out some debaters' lived experiences, I believe that controversies like this can clearly demonstrate how foolhardy it is to think that being right "on the flow" is somehow separable from being persuasive to an audience. This is not some plea from a debate dinosaur to go slow and think about your "lay appeal"; I'm as down with fast and technical debate as just about anyone. However, many debaters have a tendency to slip

into a view of the activity that sees it as a pure, chess-like game adjudicated by completely dispassionate judges. I'm here to tell you that this view is false. Even the most flow-oriented judges will often need something more than "everyone dying from nuclear war means there won't be anyone to experience racist/sexist violence" to disregard positions that forefront the truly devastating effects that border policies can have on specific communities. There are various reasons why judges might be hesitant to make that leap for you, but all of them are rooted in fundamental predispositions that they necessarily bring with them to debate rounds.

This is not to say that debaters should avoid any discussions of the broader economic, political, and social effects that border policies (and their failures) can have or that any particular argument possesses some sort of ability to trump any and all weighing debates. Rather, this is just a gentle reminder that, at its core, this topic requires some sensitivity to the ways that what you say might impact your audience and opponents beyond its strategic value in the round. Learning to approach difficult and charged debates in this way will make you a better and more effective debater (and not just on this topic).

### **Pro arguments**

As I mentioned above, people tend to focus on border infrastructure because it seems to intuitively have a large impact. I think the pro is best served by playing into this intuition and advancing arguments that surveillance infrastructure is able to fill in some of the most glaring holes in current infrastructure. While political rhetoric that deems the border in "crisis" is probably overly inflammatory, news stories about migrant camps and huge numbers of people seeking asylum being turned away at the border make it pretty clear that the current border

infrastructure is overloaded. This overload creates risks that security and fairness in the immigration process can be undermined. Border security is a uniquely ripe area as it allows pros to go down a series of different paths. Concerns like cartels (trafficking weapons, drugs, or human beings) or terrorist organizations being able to take advantage of poorly controlled immigration offer great opportunities to demonstrate how broad of an impact surveillance infrastructure can have.

While immigration is the obvious core of this topic, I think it is worth mentioning that the term "surveillance infrastructure" is particularly broad. While it would likely be hard for the pro to entirely avoid the likelihood that expansion would probably entail some effect on immigration enforcement, it seems entirely possible for the pro to defend other forms of expansion as well. For instance, surveillance can be used to track environmental concerns like river paths and wildlife habits. But even if surveillance is targeted at immigration, it is unclear exactly what goal that surveillance has to have. Rather than attempting to simply crack down on undocumented immigration, some advocates for increased surveillance argue that it would assist in preventing human trafficking or in rescuing people who attempt to cross on foot in desert regions. These pro arguments will have to clear the initial hurdle that they are likely to be, at best, only a small portion of a broader increase that will likely be aimed at policing/preventing undocumented immigration. But if the pro can overcome this hurdle, either through clever research that finds uncontroversial programs or by arguing that these specialized programs are worth the overall increase in policing, they are likely to surprise many cons that expected to be able to criticize a fairly static pro.

While I've advocated for a pro that leans more on "big stick" impacts, I don't think that this means the pro should just attempt to brute force their way through rounds where the con is likely defending impacts that are intuitively bad. It is probably difficult to simply convince judges to disregard issues like racist or sexist violence at the border. Instead, a more nuanced position would probably rely on framework arguments that speak to how governments have obligations to be primarily concerned with overall well-being. This kind of framing lets you concede that the impacts the con is talking about are important but that they have to be balanced against fundamental obligations that governments have to all of their citizens. In this sense, you can argue that rights and protections can never be absolute without doing far more damage than good. Beyond winning that impacts of a larger magnitude ought to come first in judges' minds, smart pros will probably focus on the ways in which the scenarios they are defending (terrorism, environmental destruction, etc.) often feed the kinds of slow violence that many cons are likely to focus on. Successful terrorist attacks often fuel even more immigration crackdowns, and environmental destruction often causes immigrant communities to be scapegoated and left to deal with the worst of those harms. Pros that take the time to think through these different contingencies will likely see far more success on this topic.

### **Con arguments**

The central con arguments on this topic are, on average, less catastrophic than the large-scale scenarios that most pros are likely to rely on. Compared to a pandemic or climate change, the kinds of slow violence that most authors critical of border surveillance talk about can seem, if not unimportant, at least far less urgent. Cons that are able to convince judges that

these issues are just as important as. Cons have a couple of options here. First, cons can attempt to establish frameworks that give these impacts greater weight. For instance, there has been a great deal of concern about whether recent U.S. border policy has violated human rights central to the UDHR.<sup>1</sup> Establishing why the U.S. has legal or moral obligations that trump the usual utilitarian calculus that it might subject a policy to would give judges a reason to be concerned with rights violations and structural harms that might not have the greatest magnitude.

While it is probably a good idea for cons focusing on structural violence to advance a framework other than utilitarianism, that isn't the only hope for winning debates against big stick impacts. The second strategy is resourceful weighing. It is easy to forget that there are ways to compare impacts outside of magnitude when the terminal impact of most arguments is enormous violence and destruction. But when one side is talking about slow violence that has been built into policies, it's in their best interest to try and think of other ways that impacts might matter to a decision-maker. Probability should be every con's best friend on this topic. Many of the impacts that the con will want to focus on are already occurring. While the pro might contest that the con is able to completely resolve those problems, it is hard to deny that the well-documented cases of racist and sexist violence at the border have happened. Certainly, it is more likely that these problems occur and recur than it is that terrorist organizations will successfully smuggle WMDs across the southern border. Similarly, timeframe often benefits

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<sup>1</sup>“ New U.S. Border Enforcement Actions Pose Risk to Fundamental Human Rights – Türk.” *OHCHR*, 11 Jan. 2023, [www.ohchr.org/en/press-releases/2023/01/new-us-border-enforcement-actions-pose-risk-fundamental-human-rights-turk](http://www.ohchr.org/en/press-releases/2023/01/new-us-border-enforcement-actions-pose-risk-fundamental-human-rights-turk).

debaters who are talking about problems that are already occurring in response to problems that rely on long link chains that would take some time to unfold. Cons should not just come to debates ready to talk about how the impacts of their position are immediate, but they should also prepare reasons why that immediacy should give their impacts more weight. The ability to not just weigh but to compare why certain weighing mechanisms should come first in a judge's decision ("meta weighing," as you will hear some people call it) will be essential for cons on this topic.

More than usual, I think that this topic demands that cons come to rounds with a specific game plan. Whether that means they intend to focus on winning a framework that shifts judges' focus to their impacts or they plan to really develop a layered weighing debate (and these two strategies are not mutually-exclusive!), cons will need to consider how a wide-variety of pro impacts are likely to interact with their strategy.

### **Conclusion**

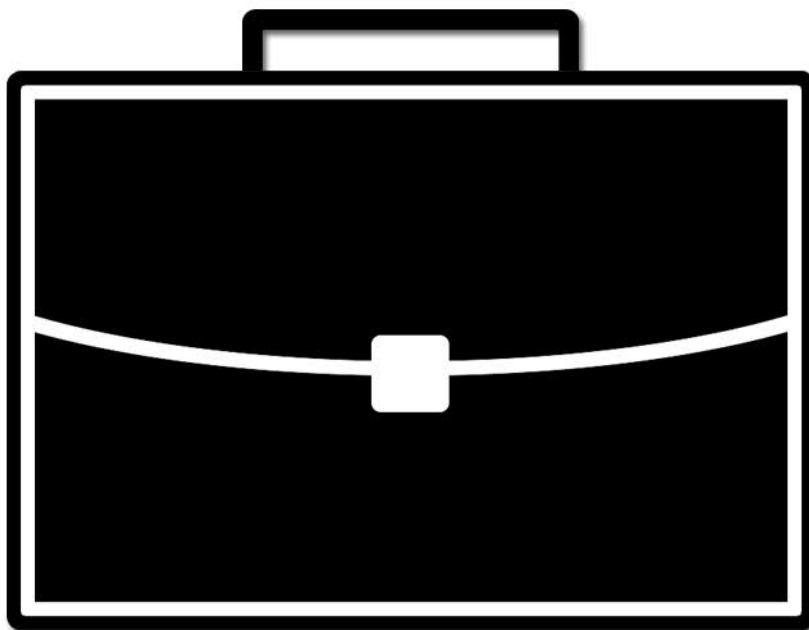
While border policy is a perennial hot-button issue in American politics, it is rare for commentary to extend beyond partisan caricature. This topic provides debaters a chance to engage the issues more thoroughly. While any topic so potentially personal for debaters and judges requires debaters to take care in crafting arguments in ways that respect the real people that are being referenced, I don't think this should discourage debaters from rigorously engaging an issue that affects millions of people every year. Discussions about how the border is managed can range from macro-level national security and trade strategy to particular discussions of the ways in which policing and militarization of the border affect specific

geographic and racial/ethnic communities. Success on this topic depends on debaters' ability to persuasively compare often drastically disparate impacts, a skill that is often missing from even high-level debates. For that reason, I am confident that debaters will find that the skills this topic rewards most are likely to help them throughout their careers. Good luck on what promises to be an interesting and rewarding topic!

# Champion Briefs

Sept/Oct 2024

Public Forum Brief



General  
Information



## General Information

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

**Foreword:** We at Champion Briefs feel that having deep knowledge about a topic is just as valuable as formulating the right arguments. Having general background knowledge about the topic area helps debaters form more coherent arguments from their breadth of knowledge. As such, we have compiled general information on the key concepts and general areas that we feel will best suit you for in- and out-of-round use. Any strong strategy or argument must be built from a strong foundation of information; we hope that you will utilize this section to help build that foundation.

**What is the United States federal government?**

The United States federal government is the national government of the United States, established by the U.S. Constitution in 1787. It is a complex system of governance that is divided into three distinct branches: the executive, the legislative, and the judicial branches. Each branch has specific powers and responsibilities designed to ensure a system of checks and balances.

The Executive Branch is headed by the President of the United States, who acts as both the head of state and the commander-in-chief of the armed forces. The President is responsible for enforcing federal laws, conducting foreign policy, and overseeing the federal bureaucracy. The executive branch also includes the Vice President, the Cabinet, and various federal agencies and departments.

The Legislative Branch consists of the U.S. Congress, a bicameral body made up of the Senate and the House of Representatives. The primary function of Congress is to create and pass legislation. The Senate is composed of 100 members, two from each state, serving six-year terms. The House of Representatives has 435 members, apportioned based on the population of each state, serving two-year terms.

The Judicial Branch is composed of the federal court system, headed by the Supreme Court of the United States. The judiciary's role is to interpret and apply the law, ensuring that laws are

consistent with the Constitution. The Supreme Court has the power of judicial review, which allows it to invalidate laws or executive actions that it finds unconstitutional.

The federal government has broad powers over issues that affect the entire nation, such as national defense, interstate commerce, and foreign policy. However, it shares power with state governments in a system of federalism, where certain powers are reserved to the states or the people. This structure is designed to balance the needs of a unified nation with the rights of individual states and citizens.

### **What is the Southern Border?**

The southern border of the United States spans approximately 1,954 miles and separates the United States from Mexico. It stretches from the Pacific Ocean in California to the Gulf of Mexico in Texas. The border traverses a variety of terrains, including urban areas, deserts, mountains, and rivers, making it a challenging environment for monitoring and enforcement.

### **What's happening at the southern U.S. border?**

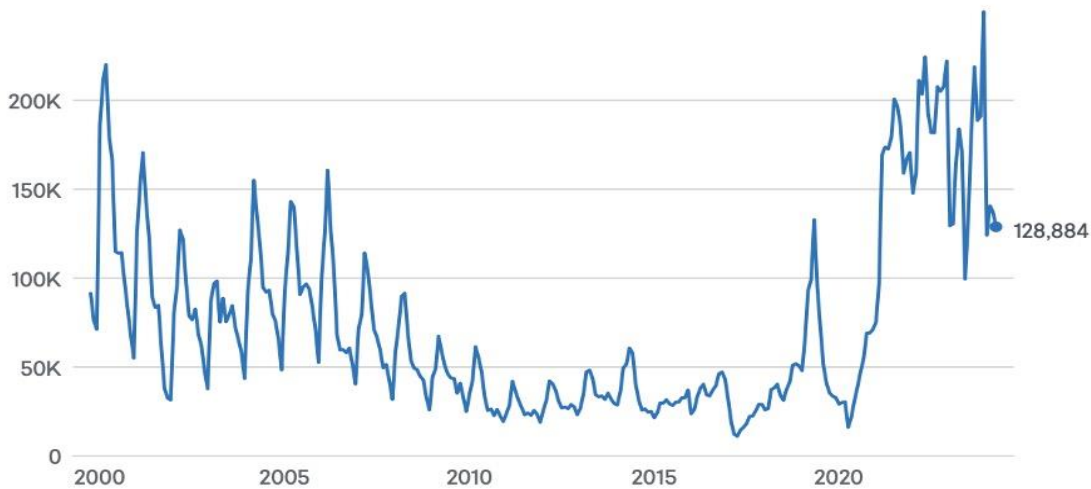
The U.S. immigration system has come under increasing strain in the past decade. After the number of migrant arrivals plunged in 2020 due to the COVID-19 pandemic, illegal border crossings subsequently soared to record highs. In fiscal year 2023 (FY 2023), U.S. immigration authorities apprehended close to 2.5 million people at the U.S.-Mexico border, the highest number ever recorded. As of mid-2024, that number had already surpassed 1.3 million, with a fifth of all migrants coming from the so-called Northern Triangle countries of El Salvador, Guatemala, and Honduras. Other major countries of origin include Colombia, Ecuador, Haiti, and Venezuela.

However, between December 2023 and April 2024, illegal border crossings dropped by some 50 percent. Secretary of Homeland Security Alejandro Mayorkas credited the decrease to various U.S. efforts, including stronger border enforcement and the expansion of legal immigration

pathways. Other experts also point to Mexican authorities’ increased efforts to slow U.S.-bound migration and rising deportations.

**Migrant Apprehensions Remain High Postpandemic**

Monthly apprehensions by U.S. Border Patrol along the southern border



Note: Data for part of fiscal year 2020, fiscal years 2021 and 2022, and part of fiscal year 2023 includes Title 42 expulsions.

Source: U.S. Customs and Border Protection.

COUNCIL OF FOREIGN RELATIONS

**What are the rules of engagement?**

The 1878 Posse Comitatus Act limits the U.S. military’s role in enforcing domestic laws, restricting interactions between active-duty troops and migrants at the U.S.-Mexico border.

Under these rules, active-duty troops can neither detain and deport unauthorized immigrants nor conduct searches and seizures, though loopholes exist. Like the National Guard, they often provide indirect support, such as conducting aerial surveillance, repairing or reinforcing

infrastructure, and performing administrative duties. Unlike the National Guard and CBP, however, active-duty personnel at the border do not carry loaded weapons.

Armed officials are generally constrained from using deadly force. Under CBP policy, agents are allowed to use force considered “objectively reasonable and necessary” to gain control of a situation, taking into consideration whether a person poses a security threat or is resisting arrest; excessive force is prohibited. An agent may use deadly force only in a case of imminent danger of death or serious injury. In November 2018, Trump also allowed active-duty troops to conduct crowd control and temporary searches and seizures to assist CBP agents.

CBP personnel face hundreds of assaults each year. In FY 2023, nearly five hundred officers and agents were attacked while on duty at the southern border, and close to two hundred such incidents have already occurred in the first seven months of FY 2024. The annual number of incidents involving use of force by CBP personnel rose steadily between 2017 and 2021, though it has since dropped; 304 people—both citizens and noncitizens—have been reported killed in confrontations with border agents since 2010.

**What law forms the core of border policy?**

Secure Fence Act of 2006 - Directs the Secretary of Homeland Security, within 18 months of enactment of this Act, to take appropriate actions to achieve operational control over U.S. international land and maritime borders, including: (1) systematic border surveillance through more effective use of personnel and technology, such as unmanned aerial vehicles, ground-based sensors, satellites, radar coverage, and cameras; and (2) physical infrastructure enhancements to prevent unlawful border entry and facilitate border access by U.S. Customs and Border Protection, such as additional checkpoints, all weather access roads, and vehicle barriers.

Defines "operational control" as the prevention of all unlawful U.S. entries, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

Directs the Secretary to report annually to Congress on border control progress.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to direct the Secretary to provide at least two layers of reinforced fencing, installation of additional physical barriers, roads, lighting, cameras, and sensors extending: (1) from ten miles west of the Tecate, California, port of entry to ten miles east of the Tecate, California, port of entry; (2) from ten miles west of the Calexico, California, port of entry to five miles east of the Douglas, Arizona, port of entry (requiring installation of an interlocking surveillance camera system by May 30, 2007, and fence completion by May 30, 2008); (3) from five miles west of the Columbus, New

Mexico, port of entry to ten miles east of El Paso, Texas; (4) from five miles northwest of the Del Rio, Texas, port of entry to five miles southeast of the Eagle Pass, Texas, port of entry; and (5) 15 miles northwest of the Laredo, Texas, port of entry to the Brownsville, Texas, port of entry (requiring fence completion from 15 miles northwest of the Laredo, Texas, port of entry to 15 southeast of the Laredo, Texas, port of entry by December 31, 2008).

States that if an area has an elevation grade exceeding 10% the Secretary may use other means to secure such area, including surveillance and barrier tools.

Directs the Secretary to: (1) study and report to the House Committee on Homeland Security and the Senate Committee on Homeland Security and Governmental Affairs on the necessity, feasibility, and economic impact of constructing a state-of-the-art infrastructure security system along the U.S. northern international land and maritime border; and (2) evaluate and report to such Committees on U.S. Customs and Border Protection authority (and possible expansion of authority) to stop fleeing vehicles that enter the United States illegally, including related training, technology, and equipment reviews.



### **What is Surveillance Infrastructure?**

Surveillance infrastructure refers to the systems, technologies, and practices used to monitor, detect, and track activities along the border. This can include physical barriers such as fences and walls, as well as advanced technological systems like drones, cameras, motion sensors, radar, and biometric data collection tools. Surveillance infrastructure is intended to enhance border security by preventing illegal crossings, detecting smuggling activities, and monitoring the movement of people and goods.

Operating with a suite of technology and infrastructure assets, the U.S. Border Patrol utilizes current and future innovation, including autonomous capabilities, to detect and identify threats in near real time. Modern technology enables the exploitation of data collected by sensors, towers, drones, assets, agents, facilities, and other sources informing mission critical decisions in the field and at Headquarters.

Key to achieving this, the Border Patrol fosters active engagement with industry and other government agencies to procure, deploy, and efficiently sustain modern technology and infrastructure, keeping front-line personnel safer, more effective, and one step ahead. The Border Patrol invites engagement from external vendors with capabilities that meet mission needs outlined below.

## Operations Assets



Integrated Surveillance Towers

### Persistent Surveillance

Surveillance capabilities to detect, identify, track and classify incursions along the border.



Mobile

### Mobile Surveillance

Surveillance capabilities that mitigate blind spots created by shifts away from fixed and other mobile sensors.



Infrastructure

### Infrastructure Management

Border barrier and tactical infrastructure, planning, construction and maintenance.



Communications, Command & Control

### Situational Awareness

Capabilities providing situational awareness by enabling communications, and synthesizing data and intelligence.



Subterranean

### Domain Awareness

Land domain awareness and underground surveillance capabilities along the border.



Operations Systems

### Planning, Detection, and Classification

Enforcement and administrative systems, applications, and equipment that support operations.

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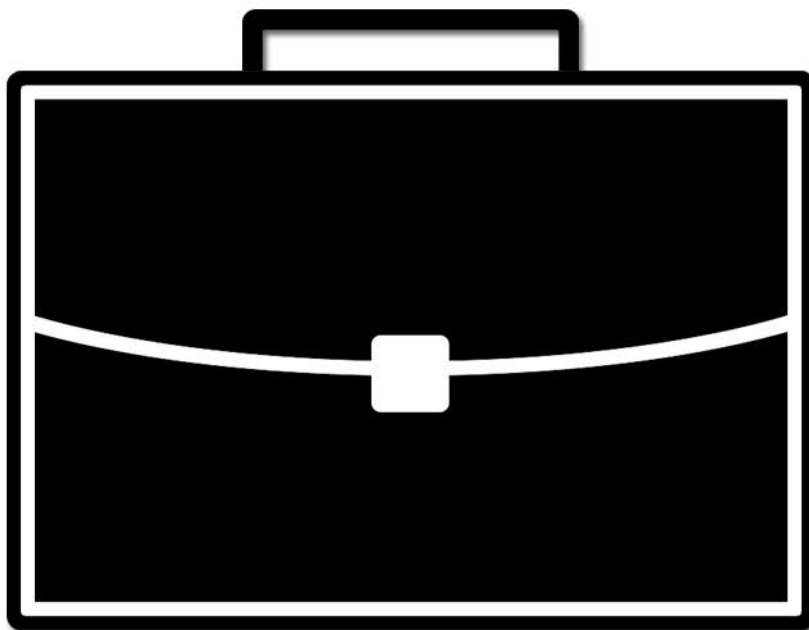
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# Champion Briefs

Sept/Oct 2024

Public Forum Brief



Pro Arguments

## PRO: Increased surveillance infrastructure will prevent future pandemics

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**Argument:** Increased surveillance infrastructure will prevent future pandemics

**Warrant:** The Border Infectious Disease Surveillance Project evaluates disease spread across the border

“Binational Border Infectious Disease Surveillance Program.” *CDC*, n.d.,  
<https://www.cdc.gov/migration-border-health/php/bids-program/index.html>.  
Accessed August 7, 2024.

The BIDS program is coordinated by CDC Division of Global Migration Health's (DGMH) Southern Border Health and Migration Branch. **BIDS partners with the U.S.-Mexico Border Health Commission, an international leadership organization committed to improving health and quality of life along the U.S.-Mexico border. In alignment with the Global Health Security Agenda, BIDS projects address a wide range of priority diseases including COVID-19, influenza, tuberculosis, and vector-borne and foodborne diseases.**

**Warrant:** Border control measures were key to preventing the spread of COVID-19

Grepin, Karen Ann and Jacob Burns. “Effectiveness of international border control measures during the COVID-19 pandemic: a narrative synthesis of published systemic reviews.” *Philosophical Transactions of the Royal Society*, August 24, 2023, <https://royalsocietypublishing.org/doi/10.1098/rsta.2023.0134>. Accessed August 7, 2024.

Quarantine of inbound travellers was also likely effective at reducing transmission, but only with relatively long quarantine periods, and came with important economic and social effects. There is little evidence that most travel restrictions, including border closure and those implemented to stop the introduction of new variants of concern, were particularly effective. **Border control measures played an important role in former elimination locations but only when coupled with strong domestic public health measures. In future outbreaks, if border control measures are to be adopted, they should be seen as part of a broader strategy that includes other non-pharmaceutical interventions.**

**Warrant:** Migrants to the United States transmit infectious diseases that are not properly treated by authorities

Root, Jay. "Dehydration and illnesses: Why more migrants at the U.S.-Mexico border are getting sick." *The Texas Tribune*, July 16, 2019, <https://www.texastribune.org/2019/07/16/migrants-us-mexico-border-face-mumps-tuberculosis-and-dehydration/>. Accessed August 7, 2024.

**"There are a lot of people that are traveling to the United States that are already ill and infirm. Many times, we won't know about it — they're not showing any signs of it,"** Karisch said at a press conference earlier this month. **"We are seeing every infirmity that you can name, from mumps to [tuberculosis], scabies. You name it, our agents are seeing it."** The Border Patrol says migrants are getting screenings before, during and after they are detained at the processing centers. But lawyers who have visited the centers say the agency is not living up to a court-ordered mandate to care for sick migrants it detains; after at least one of those visits, authorities sent four kids to the hospital.

**Impact:** Border surveillance is key to monitoring disease transmission among migrants

Pardo, Esbeydy. "UCSF Experts Explore the Crucial Role of Cross-Border Surveillance in Pandemic Preparedness." *University of California San Francisco Institute for Global Health Studies*, April 29, 2024, <https://globalhealthsciences.ucsf.edu/exploring-cross-border-surveillance-cppr-panel-discussion-at-cugh/>. Accessed August 7, 2024.

**On the southern U.S. border, it was emphasized that cross-border surveillance represents a form of binational collaboration that should be supported and strengthened, as it offers a more effective approach to addressing public health threats compared to border closures.** Trust between local actors was identified as a cornerstone of this collaboration, underscoring the importance of continuous support from national/federal, regional/state and local levels of government. Additionally, the significance of recognizing and fostering local- and state-level collaboration in cross-border surveillance efforts was acknowledged.

**Impact:** The next pandemic will kill 50 million people

Lodhi, Areesha. "What is Disease X and how will pandemic preparations help the world?" *Al Jazeera*, January 18, 2024, <https://www.aljazeera.com/news/2024/1/18/what-is-disease-x-and-how-will-pandemic-preparations-help-the-world>. Accessed August 7, 2024.

The WHO has warned that Disease X could result in 20 times more fatalities than COVID-19. COVID-19 has killed approximately seven million people around the world. **In 2023, healthcare professionals warned that any new pandemic could be even deadlier – killing an estimated 50 million people worldwide.**

**Analysis:** This argument is straightforward, saying that the US-Mexico border is a vector for disease transmission but that surveillance efforts can prevent that from happening. Specificity is key here, so teams should look for evidence discussing specific surveillance tools and methods.

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**PRO: Increased surveillance infrastructure reduces opioid overdoses**

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**Argument:** Increased surveillance infrastructure reduces opioid overdoses

**Warrant:** The rate of opioid-fueled deaths has risen rapidly since 2013

“Understanding the Fentanyl and Opioid Crisis: US-Mexico Solutions.” *Wilson Center*, September 18, 2023, <https://www.wilsoncenter.org/event/understanding-fentanyl-and-opioid-crisis-us-mexico-solutions>. Accessed August 7, 2024.

Fentanyl and other opioids are fueling the worst drug crisis in the history of the United States. According to the CDC, 107,375 people in the United States died of drug overdoses and drug poisonings in the 12-month period ending in January 2022. **A staggering 67 percent of those deaths involved synthetic opioids like fentanyl. Furthermore, synthetic opioid-involved death rates increased by over 56% from 2019 to 2020 and accounted for over 82% of all opioid-involved deaths in 2020. The rate of overdose deaths involving synthetic opioids was more than 18 times higher in 2020 than in 2013.**

**Warrant:** Most opioids enter the United States through legal points of entry, not through other areas

Penichet-Paul, Christian. “Illicit Fentanyl and Drug Smuggling at the U.S.-Mexico Border: An Overview.” *National Immigration Forum*, October 25, 2023, <https://immigrationforum.org/article/illicit-fentanyl-and-drug-smuggling-at-the-u-s-mexico-border-an-overview/>. Accessed August 7, 2024.

The U.S.-Mexico border extends 1,954 miles, spanning four states and about 26 land Ports of Entry (POEs). CBP must interdict illicit substances across this vast and sometimes



rugged expanse, both between and at POEs. **CBP data indicates most illicit drug substances are smuggled through POEs, contrary to common belief that they are smuggled between ports of entry, particularly in areas without fencing or other physical barriers. The data also indicates that most illicit fentanyl encountered by CBP is smuggled through POEs at the southern border.**

**Warrant:** Increased funding for surveillance infrastructure results in new fentanyl scanners at legal ports of entry

Strickler, Laura and Julia Ainsley. "Fentanyl scanners that were sitting idle for lack of federal funds can now be installed at the border to catch smugglers." *NBC News*, May 9, 2024, <https://www.nbcnews.com/politics/national-security/border-fentanyl-scanners-sat-idle-lack-funding-rcna151374>. Accessed August 7, 2024.

**Fifty-six scanning systems that can detect fentanyl in personal vehicles at southern U.S. border crossings will now be installed because of \$200 million in new funding that was approved by Congress after NBC News reported the scanners were sitting unused in warehouses. Ninety-five percent of the fentanyl U.S. law enforcement seizes is discovered in personal vehicles driven across the border by U.S. citizens, according to Department of Homeland Security officials, and the scanners are the strongest tool the Biden administration has to detect fentanyl in vehicles.** After the NBC News report, two senators, three House members and two state attorneys general called for additional funding to install the scanners that had been previously requested by DHS. Funding to finally install the machines came through the House Homeland Security appropriations bill, which Congress passed in late March.

**Impact:** Mexico is a major, growing producer of opioids that enter the United States

“Fentanyl Flow to the United States.” *Drug Enforcement Agency*, January 2020, [https://www.dea.gov/sites/default/files/2020-03/DEA\\_GOV\\_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States\\_0.pdf](https://www.dea.gov/sites/default/files/2020-03/DEA_GOV_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States_0.pdf). Accessed August 7, 2024.

**Mexican TCOs are likely poised to take a larger role in both the production and the supply of fentanyl and fentanyl-containing illicit pills to the United States, especially if China’s proposed regulations and enforcement protocols are implemented effectively.**

Fentanyl production and precursor chemical sourcing may also expand beyond the currently identified countries as fentanyl lacks the geographic source boundaries of heroin and cocaine as these must be produced from plant-based materials.

**Impact:** Over 80,000 Americans die every year from opioid overdoses

“Drug Overdose Death Rates.” *National Institute on Drug Abuse*, May 14, 2024, <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates>. Accessed August 7, 2024.

Figure 3. National Overdose Deaths Involving Any Opioid—Number Among All Ages, by Sex, 1999-2022. The figure is a bar and line graph showing the total number of U.S. overdose deaths involving any opioid from 1999 to 2022. **Any opioid includes prescription opioids (natural and semi-synthetic opioids and methadone), heroin, and synthetic opioids other than methadone (primarily fentanyl). Opioid-involved overdose deaths rose from 49,860 in 2019 to 81,806 in 2022.** The bars are overlaid by lines showing the number of deaths by sex from 1999 to 2022 (Source: CDC WONDER).

**Analysis:** This argument is straightforward, saying that a significant number of illegal drugs pass through the southern border and that surveillance stops. Teams should be careful to not mischaracterize where these drugs come from – They primarily come through legal ports of entry, which are part of the border.

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## PRO: Increased surveillance infrastructure can leverage artificial intelligence

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**Argument:** Increased surveillance infrastructure should use artificial intelligence

**Warrant:** The U.S. Border Patrol is historically racist

“The Legacy of Racism within the U.S. Border Patrol.” *American Immigration Council*, February 10, 2021, <https://www.americanimmigrationcouncil.org/research/legacy-racism-within-us-border-patrol>. Accessed August 7, 2024.

Since the agency’s inception, the Border Patrol has targeted people in border communities for enforcement on the basis of their physical appearance—what one officer described as “Mexican male; about 5’5” to 5’8”; dark brown hair; brown eyes; dark complexion”—or what immigration historian Kelly Lytle Hernández calls “Mexican Brown.” Since 1925, Congress has allowed the Border Patrol to arrest without a warrant any unauthorized immigrant who “enters [the United States] in the presence or view... of the officer.” **The agency quickly defined this description of its jurisdiction as allowing arrests as far as 100 miles “back of the line,” a surprising authority given its primary role enforcing civil law—not criminal law. That same year, Border Patrol officers from the Del Rio, Texas station stopped 32,516 people for the purpose of screening them for immigration status within the interior of the United States. Stops overwhelmingly targeted males of Mexican descent over the age of 15, of which there were approximately only 3,750 living in the area.**

**Warrant:** This racism continues into the present day, with agents harassing American citizens of Latin descent

“The Legacy of Racism within the U.S. Border Patrol.” *American Immigration Council*, February 10, 2021, <https://www.americanimmigrationcouncil.org/research/legacy-racism-within-us-border-patrol>. Accessed August 7, 2024.

**In a survey conducted between 2006 and 2008, 22% of U.S. citizens and lawful permanent residents of Mexican descent in the Arizona border region reported having experienced or witnessed mistreatment by immigration officials. Participants reported incidents including immigration officials apprehending them without asking their immigration status, ordering them to lie down at gunpoint while they were out running for exercise, and shaking a ladder to throw them off while demanding identity documents.** Participants also reported being detained and accused of smuggling while traveling with a minor relative of a lighter skin complexion. In 2014, residents of Arivaca, Arizona conducted observations of the Border Patrol checkpoint at the entrance to their community. Latino-occupied vehicles were more than 26 times more likely to be required to show identification while passing through the checkpoint.

**Warrant:** New surveillance infrastructure takes the form of AI-powered surveillance

Graham, Edward. “AI can enhance border security but won’t close workforce gap, lawmakers say.” *NextGovFCW*, July 10, 2024, <https://www.nextgov.com/artificial-intelligence/2024/07/ai-can-enhance-border-security-wont-close-workforce-gap-lawmakers-say/397943/>. August 7, 2024.

**Dan Bishop, R-N.C. — chair of the Subcommittee on Oversight, Investigations and Accountability — said “using artificial intelligence can help alleviate the manpower issue” and added that these tools are bolstering border security as “cartel tactics and use of technology have become increasingly advanced.” Federal officials have touted the benefits of enhanced tools and their ability to identify more illicit contraband. CBP said its use of non-intrusive inspection systems in fiscal year 2022, for instance, resulted**

in “the interdiction of more than 100,000 pounds of narcotics, approximately \$2 million of undeclared U.S. currency and the identification of 86 illegal travelers.”

**Impact:** AI is less biased than humans

Cerf, Moran and Adam Waytz. “If you worry about humanity, you should be more scared of humans than of AI.” *Bulletin of the Atomic Scientists*, September 11, 2023, <https://thebulletin.org/premium/2023-09/if-you-worry-about-humanity-you-should-be-more-scared-of-humans-than-of-ai/>. Accessed August 7, 2024.

However, once identified, the researchers could easily modify this feature of the algorithm to produce risk scores that were relatively unbiased. **Other work has shown that algorithms can produce less racially biased outcomes (and more effective public safety outcomes) than human judges in terms of decisions of whether or not to grant bail to defendants awaiting trial (Kleinberg et al. 2018). As biased as algorithms can be, their biases appear less ingrained and more pliable than those of humans.** Compounded by recent work showing that, in hiring and lending contexts, managers reject biased algorithms in favor of more biased humans, the suggestion that humans should remain at the helm of those functions is, at best, questionable (Cowgill, Dell’Acqua, and Matz 2020).

**Impact:** Even if there is AI bias, it’s easier to fix than human bias

Moschella, David. “AI Bias Is Correctable. Human Bias? Not So Much.” *Information Technology & Innovation Foundation*, April 25, 2022, <https://itif.org/publications/2022/04/25/ai-bias-correctable-human-bias-not-so-much/>. Accessed August 7, 2024.

The good news is that just as survey professionals strive to design random samples and ask neutral questions, so can AI developers take steps to assure the quality of their

underlying data. **Systems can, for example, be tested for bias by isolating criteria such as race, gender, location and other factors. Facial recognition weaknesses can and have been corrected through better data. These and similar techniques will only improve over time, as business practices mature and as the volume of relevant data steadily increases.** While eliminating all bias is impossible (and often not desirable), building systems that outrun the average human is a very achievable task.

**Analysis:** This argument states that new surveillance techniques would incorporate AI technologies, which would reduce racial profiling by agents. Teams should be careful to not present AI technology as inherently better but instead argue that AI-fueled biases are easier to fix than human-fueled biases.

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**PRO: Increased surveillance infrastructure increases immigrant safety**

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**Argument:** Increased surveillance infrastructure increases immigrant safety

**Warrant:** The US-Mexico border is the most dangerous migration land route in the world

“US-Mexico Border World’s Deadliest Migration Land Route.” *International Organization for Migration*, September 12, 2022, <https://www.iom.int/news/us-mexico-border-worlds-deadliest-migration-land-route>. Accessed August 7, 2024.

**The International Organization for Migration (IOM) documented 686 deaths and disappearances of migrants on the US-Mexico border in 2022, making it the deadliest land route for migrants worldwide on record. The figure represents nearly half of the 1,457 migrant deaths and disappearances recorded throughout the Americas in 2022, the deadliest year on record since IOM’s Missing Migrants Project (MMP) began in 2014.** The data comes from IOM’s MMP annual overview, which underscores the growing death toll and increasing risks that migrants face throughout the region. These figures represent the lowest estimates available as many more deaths are likely to go unrecorded due to lack of data from official sources.

**Warrant:** Customs and Border Patrol operates programs to rescue migrants

Copeland, Melissa and Colleen Chandler. “Answering the Call.” *Customs and Border Patrol*, July 5, 2024, <https://www.cbp.gov/frontline/cbp-makes-lifesaving-rescues>. Accessed August 7, 2024.

**However, despite the decreasing number of encounters on the Southwest border in fiscal year 2020, the number of CBP rescues increased. Since Oct. 1, 2014, more than**

**25,000 individuals have been rescued along the Southwest border. Over a five-year span from October 2014 to September 2019, rescues nearly doubled from almost 2,250 to more than 5,000.** In particular, water rescues jumped from 86 in fiscal year 2018 to 382 just a few years later – an increase of more than 344%.

**Warrant:** Border surveillance programs plug gaps and ensure real-time knowledge of migrants in danger

Boguslaw, Daniel. "U.S. Government Seeks 'Unified Vision of Unauthorized Movement'." *The Intercept*, March 12, 2024, <https://theintercept.com/2024/03/12/dhs-border-towers-ai/>. Accessed August 7, 2024.

IST includes four ever-growing programs: Autonomous Surveillance Towers (AST); Integrated Fixed Towers (IFT); Remote Video Surveillance System Upgrade (RVSS-U); and the Northern Border RVSS (NB-RVSS). The deployment of various towers have been going on so long, some are already obsolete, according to the DHS 2025 budget request. According to the Department of Homeland Security, **IST detects and identifies "threats in near real time," plugging up one gap that allows for "the exploitation of data collected by sensors, towers, drones, assets, agents, facilities, and other sources informing mission critical decisions in the field and at Headquarters." Modern technology, including AI and "autonomous capabilities," the Border Patrol says, is key to "keeping front-line personnel safer, more effective, and one step ahead" of border enemies.**

**Impact:** Migrants have died due to incomplete surveillance

Hellerstein, Erica. "Between the US and Mexico, a corridor of surveillance becomes lethal." *Coda*, July 14, 2021, <https://www.codastory.com/authoritarian-tech/us-border-surveillance/>. Accessed August 7, 2024.



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.

**Impact:** Female migrants are disproportionately killed while attempting border crossings

Kutz, Jessica. “Under increasing pressure to migrate, more women are dying at the US-Mexico border.” *The 19<sup>th</sup>*, July 3, 2024, <https://19thnews.org/2024/07/women-migrants-deaths-us-mexico-border/>. Accessed August 7, 2024.

In April, No More Deaths, a humanitarian aid organization, issued a report quantifying the changes in who is dying while trying to cross the border. The report examined deaths in the Border Patrol’s El Paso sector, which covers southwest Texas and the bootheel of New Mexico. **In 2023, the group documented 140 deaths in that area — 31 more than in 2022. Of those, 51 percent were women. It’s the first time that data captured anywhere along the border has indicated a higher number of deaths for women than men. And across the board, the number of women who die appears to be rising. According to the Humane Borders’ Migrant Death Mapping, a partnership with the medical examiner’s office in Pima County, Arizona, that tracks deaths in the state’s border desert region, 38 women were found dead in 2023 — or 22 percent of all cases.** Just the previous year, women made up 15 percent of all deaths. Between 2010 to 2020, they accounted for approximately one in 10 deaths.

**Analysis:** This argument says that migrants are killed along the border, primarily in unsurveilled locations or dangerous areas. By expanding surveillance efforts, it will be easier for CBP to conduct rescue missions and locate incoming migrants no matter where they are.

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## PRO: Increased surveillance infrastructure improves federal oversight of the border

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**Argument:** Increased surveillance infrastructure improves federal oversight of the border

**Warrant:** Unauthorized CBP units along the border have avoided oversight

Riggins, Alex. "Federal watchdog: Border Patrol critical incident teams operated in San Diego and beyond without oversight." *The San Diego Union-Tribune*, May 17, 2024, <https://www.sandiegouniontribune.com/2024/05/17/federal-watchdog-border-patrol-critical-incident-teams-operated-in-san-diego-and-beyond-without-oversight/>. Accessed August 7, 2024.

**Seven of nine U.S. Border Patrol sectors along the U.S.-Mexico border operated "homegrown" teams to investigate critical incidents with no oversight from Border Patrol headquarters, including the San Diego Sector, which created the first such unauthorized unit more than 35 years ago, according to a report released this week by the U.S. Government Accountability Office.** The Southern Border Communities Coalition, which first shed light on such units in a 2021 letter to Congress that described them as "cover-up teams" and "shadow police," said the new report "points to widespread and ongoing abuse of power at the nation's largest law enforcement agency."

**Warrant:** Congressional pressure exists to unify Border Patrol efforts in the status quo

Riggins, Alex. "San Diego Congress members seek more answers about Border Patrol units that operated without oversight." *The San Diego Union-Tribune*, May 31, 2024, <https://www.sandiegouniontribune.com/2024/05/29/san-diego-congress->

members-[seek-more-answers-about-border-patrol-units-that-operated-without-oversight/](#). Accessed August 7, 2024.

**A trio of San Diego Congress members led by Rep. Juan Vargas are calling on two federal agencies to provide more answers about how seven Border Patrol sectors along the U.S.-Mexico boundary were allowed to operate “homegrown” critical incident teams for decades without oversight.** The letter to Border Patrol’s parent agencies — signed Vargas, Rep. Sara Jacobs, Rep. Scott Peters and Texas Rep. Joaquin Castro — comes in response to a report published earlier this month by the U.S. Government Accountability Office that documented the use of unregulated critical incident teams in all but two of the nine sectors along the Mexican border. The report revealed that the first such team began in the San Diego Sector more than 35 years ago and that it and subsequent units operated with no oversight from Border Patrol headquarters.

**Warrant:** Increased border surveillance efforts only come at a federal level

Roy, Diana, Amelia Cheatham, and Claire Klobucista. “How the U.S. Patrols Its Borders.” *Council on Foreign Relations*, June 18, 2024, <https://www.cfr.org/backgrounders/how-us-patrols-its-borders>. Accessed August 7, 2024.

**Securing the borders primarily falls to U.S. Customs and Border Protection (CBP), a branch of DHS. Alongside agencies such as the Transportation Security Administration and Drug Enforcement Administration (DEA), CBP is responsible for overseeing and enforcing laws related to trade and travel in and out of the country. Its duties include preventing criminals, would-be terrorists, and contraband from entry.** CBP inspects immigrants and cargo at 328 official ports of entry, patrols thousands of miles of border to the country’s north and south, and helps investigate criminal networks, among other

responsibilities [PDF]. Of CBP's more than sixty thousand employees, some one-third are Border Patrol agents, who exclusively work between ports of entry.

**Warrant:** Increased border reforms come with more executive oversight

"An Analysis of the Senate Border Bill." *American Immigration Council*, February 8, 2024, <https://www.americanimmigrationcouncil.org/research/analysis-senate-border-bill>. Accessed August 7, 2024.

**The bill gives the federal government significant discretion over exactly when to implement this new emergency summary-deportation process and does not require it to be publicly announced.** The upshot is this: on any given day, a would-be asylum seeker would have no idea whether they would be allowed to seek asylum in the U.S. or not. The government would be allowed to opt people out of summary removal for a variety of reasons, including operational constraints such as overcrowding. Non-Mexican unaccompanied children would also be exempted.

**Impact:** State and federal clashes lead to deaths on the border

Beauregard, Luis Pablo. "Deaths of three migrants on US-Mexico border raises tension between White House and Texas." *El Pais*, January 17, 2024, <https://english.elpais.com/usa/2024-01-17/deaths-of-three-migrants-on-us-mexico-border-raises-tension-between-white-house-and-texas.html>. Accessed August 7, 2024.

After being notified by Mexican authorities, agents of the Border Patrol, the federal body in charge of guarding the 3,000-kilometer (1,864-mile) border with Mexico, attempted to enter the Shelby Park area, which had been monitored since January 11 by state law enforcement. **"Speaking through the closed gate, the [Texas National] guardsmen**

refused to let the Acting Supervisor enter because they had been ordered not to allow Border Patrol access to the park,” stated the brief addressed to the Supreme Court. A staff sergeant supervising the guardsmen unit posted in the area stated that his orders prevented the passage of federal agents “even in emergency situations.”

**Analysis:** This is primarily a politics argument, saying that any increase in border surveillance would be coupled with other reforms that create more federal oversight. It could be strengthened by teams tying it into the 2024 presidential election.

## PRO: Increased surveillance infrastructure will conserve immigration enforcement resources

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**Argument:** Increased surveillance infrastructure will conserve immigration enforcement resources

**Warrant:** Immigration enforcement is costlier than ever

Akkerman, Mark. "Global Spending on Immigration Enforcement Is Higher than Ever and Rising." *Migration Policy*, <https://www.migrationpolicy.org/article/immigration-enforcement-spending-rising>

**The United States has in recent years spent more money on immigration enforcement than at any other point in history. For fiscal year (FY) 2024, the Biden administration has asked Congress for nearly \$25 billion for U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE), an increase of almost \$800 million over the previous year and nearly equal to the entire gross domestic product (GDP) of Iceland. U.S. immigration enforcement budgets have been steadily increasing for many years, irrespective of the political orientation of the country's federal government.**

**Warrant:** The federal government is increasingly automating its border activities

Madan, Monique. "The future of Border Patrol: AI is always watching." *The Markup*, March 22, 2024, <https://themarkup.org/news/2024/03/22/the-future-of-border-patrol-ai-is-always-watching>

**Currently, only one out of 12 components used by 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.

**Warrant:** More surveillance technologies at the border will reduce demand for live human border patrol

Taylor, Nuray, and Laje, Diego. “New Tools Protect Increasingly Complicated Border.” *Armed Forces Communications & Electronics Association*, March 1, 2023, <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border>

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.**

**Impact:** Conserving immigration enforcement resources will save lives and money

“How U.S. Border Patrol is improving safety with security drones.” *Skydio*, May 16, 2024, <https://www.skydio.com/blog/enhancing-security-with-aerial-robots>

Utilizing drones in response to security threats empowers boots-on-the-ground with unmatched awareness in situations where every detail and every moment matters. **By**



**utilizing drones with thermal cameras, responders to threats can safely observe activity discreetly from a distance, day or night, providing valuable information to both boots on the ground and decision-makers.**

**Analysis:** The argument highlights that the deployment of advanced surveillance technologies will optimize the allocation of resources in immigration enforcement. By automating certain tasks and reducing the need for human intervention, the government can achieve greater efficiency and cost savings, ultimately lowering the financial burden of immigration enforcement.

## PRO: Increased surveillance infrastructure will reduce violent encounters at the border

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**Argument:** Increased surveillance infrastructure will reduce violent encounters at the border

**Warrant:** Public safety has deteriorated at the border recently

Perez, Santiago and Caldwell, Alicia. “‘It’s Like a Graveyard’: Record Numbers of Migrants Are Dying at the U.S. Border.” *Wall Street Journal*, March 17, 2023, <https://www.wsj.com/articles/illegal-immigration-mexico-us-border-deaths-c35cf892>

**A spike in deaths along the most dangerous stretches of the U.S.-Mexico border reflects the escalating number of migrants seeking to cross into the U.S. from troubled home countries.** At the same time, U.S. immigration policies are allowing fewer of them legal entry. Many migrants have turned to human smugglers and WhatsApp messages to help them navigate more lightly patrolled—and treacherous—sections of the border to enter illegally, U.S. officials said.

**Warrant:** Better surveillance at the border would reduce crossings likelier to entail violence

“The role of technology in securing the nation’s borders.” *Military+Aerospace Electronics*, October 1, 2018, <https://www.militaryaerospace.com/uncrewed/article/16707261/the-role-of-technology-in-securing-the-nations-borders>. Accessed August 11, 2024.

The days of monitoring these areas by human eyes alone, attempting to use sometimes-out-of-date paper to identify repeat offenders and known criminals, are over (although

still a vital part of the effort). Today, the nation's borders and coastlines are under constant surveillance from satellites and sensor-packed unmanned aerial vehicles (UAVs), aerostats, manned aircraft, boats, and ground vehicles. **The fast-growing need for interdiction, the large variety of sensors and platforms now being used or planned for in the future, and the dozens of local, state, and federal agencies involved also has increased the need for shared intelligence at all levels through real-time networks, advanced communications systems, and artificial intelligence (AI).** The technologies employed and being developed vary from agency to agency, depending on the task for which each is responsible.

**Warrant:** Surveillance technology gives border agents more time to plan for encounters

"How U.S. Border Patrol is improving safety with security drones." *Skydio*, May 16, 2024, <https://www.skydio.com/blog/enhancing-security-with-aerial-robots>

Drones, in particular, have emerged as key assets in overcoming the logistical challenges of traditional perimeter monitoring methods, offering a swift, reliable means to enhance operational capabilities. **Having eyes in the sky that are relaying real-time information to the operator(s) about what is happening on the ground (description/number of people, what they are carrying, direction of travel, etc) makes agents more aware of situations before they approach, gives them time to formulate a safe plan to have that encounter on their terms, and makes them safer.**

**Impact:** Immigration authorities can better protect both migrants and government personnel

**Analysis:** The argument suggests that enhancing surveillance capabilities at the border will allow authorities to better anticipate and manage potentially dangerous situations. By providing border agents with real-time information, surveillance technologies can help prevent violent encounters, thereby protecting both migrants and enforcement personnel.

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## PRO: Increased surveillance infrastructure will reduce automobile congestion at the border

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**Argument:** Increased surveillance infrastructure will reduce automobile congestion at the border

**Warrant:** Border wait times are lengthy

De La Fe, Rocio. "Travelers waiting double to three times longer than normal to cross into Mexico." *CBS*, November 4, 2023, <https://www.cbs8.com/article/news/local/travelers-waiting-longer-normal-cross-mexico/509-9fce07f3-fd16-4972-98ed-47c77169552e>

**Long lines at the U.S.-Mexico border are getting even longer, becoming a daily problem for hundreds of cross-border communities, including San Diego County and Tijuana residents. People who live in Tijuana say the crossing time to get back into Mexico is lengthening their commute.** "That's creating a lot of uncertainty in travelers," said Joaquin Luken, executive director of the Smart Border Coalition. More than 140,000 people cross the U.S.-Mexico border every day — more than 40,000 cross by car. In recent weeks, many drivers have grown frustrated with how long they're waiting to go back into Mexico.

**Warrant:** Traveler processing times at the Texas border are slow due to screening measures

Teague, Chris. "U.S.-Mexico border congestion is complicating automakers' lives." *Auto Blog*, October 15, 2023, <https://www.autoblog.com/2023/10/15/us-mexico-border-troubles-manufacturing-headaches/>

No matter where you fall on the political spectrum, there's no denying that the U.S. has some significant challenges at its southern border. The droves of people attempting to cross the border from Mexico into the U.S. have complicated trade between the two countries as border authorities' limited resources and increasing political scrutiny have made it difficult to move goods. While that will have an impact on the prices of several consumer goods, it will also slow vehicle and parts shipments needed to keep the U.S. auto industry running. Automotive News reported that the **Texas border has been particularly slow, as the state has implemented new screening measures for illegal crossings and drugs. That extra effort has had a severe impact on border logistics, to the point that Bloomberg estimated 19,000 trucks and \$1.9 billion in cargo were stranded in Mexico waiting to cross. Officials said the delays have created wait times of up to 24 hours and a line of trucks 14 miles long.**

**Warrant:** Better immigration technology allows border screenings to take less time

Lohr, Alexandra, "Customs and Border Protection adopts new technology to make traveling easier." *Federal News Network*, October 27, 2022, <https://federalnewsnetwork.com/artificial-intelligence/2022/10/customs-and-border-protection-adopts-new-technology-to-make-traveling-easier/>

Now the biometrics entry-exit program offers a path to touchless entry. However, it hit some road bumps on its rollout. Originally designed to use finger printing to identify travelers, CBP found the process cumbersome. "We worked very closely on how we could streamline this process, and essentially ran into obstacles in our exit mission, because we didn't have that infrastructure to be able to capture fingerprints on everybody departing the U.S.," said Hardin on the Federal Drive with Tom Temin. **In facial recognition software, CBP found a solution to the problem. Working in concert with private partners and the Massachusetts Institute of Technology, CBP developed a program**

called **Traveler Verification Services (TVS)** that used a photo, such as a driver's license or passport, and compared it with existing images of a person to verify identity.

**Warrant:** U.S. trade depends heavily on imports from Mexico crossing the border

Mahoney, Noi. "US-Mexico cross-border trade totaled almost \$800B in 2023." *Freight Waves*, February 12, 2024, <https://www.freightwaves.com/news/us-mexico-cross-border-trade-totaled-almost-800b-in-2023>

The port of entry in Laredo has been the No. 1 international trade gateway in the U.S. for 11 consecutive months. In December, Laredo's total commerce was \$24.4 billion. The Port of Los Angeles ranked No. 2 at \$23.9 billion, while Chicago O'Hare International Airport was No. 3 and reported \$22.7 billion in trade. **In 2023, more than 7.35 million cargo trucks crossed the U.S.-Mexico border, while over 6 million tractor-trailers crossed the U.S. and Canadian border.**

**Impact:** More accurate surveillance would streamline cross-border commerce

Rodriguez, Alejandro Bruges et al. "The transformative power of reduced wait times at the US-Mexico border: Economic benefits for border states." *Atlantic Council*, February 17, 2023, <https://www.atlanticcouncil.org/in-depth-research-reports/report/the-transformative-power-of-reduced-wait-times-at-the-us-mexico-border-economic-benefits-for-border-states/>

Results were informed by engaging local and regional stakeholders in roundtables, focus groups, and one-on-one interviews to identify areas for practical improvement in border management. These include investing in technologies, infrastructure, management, staffing, and supply chains. **For instance, deploying high-tech screening technologies further away from ports of entry would facilitate a greater and faster flow of cargo and**

**passenger information. Similarly, a collaboration between the United States and Mexico to develop joint, decentralized tools for border management and processing could ensure a more efficient flow of legitimate cross-border traffic while detecting illegal activity.** Improvements in infrastructure and an increase in personnel staffing ports of entry would prevent bottlenecks and decongest queues that regularly spill over onto interstate highways and local roads.

**Analysis:** The argument asserts that improving surveillance technology at border crossings will expedite the screening and processing of vehicles, thus reducing congestion. By streamlining these procedures, the infrastructure can minimize delays, benefiting both travelers and cross-border economic activity.

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## PRO: Increased surveillance infrastructure will speed up the legal immigration system

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**Argument:** Increased surveillance infrastructure will speed up the legal immigration system

**Warrant:** Better border surveillance will deter illegal immigration

Fiedler, David. "Guns, Tech, and Steel: The Wall Debate and Digital Technologies in Border Security." *Council on Foreign Relations*, January 14, 2019, <https://www.cfr.org/blog/guns-tech-and-steel-wall-debate-and-digital-technologies-border-security>

Integrating advanced technological capabilities has been productive for border security operations, but the effects arise from how the capabilities plug and play with other changes in border security efforts, such as more agents and better infrastructure, including physical barriers. **In 2015, Jeh Johnson, then secretary of homeland security, captured these synergies in stressing that "the massive investment in increased border security over the last decade—with drones, sensors, more than 600 miles of new fences and a doubling of the size of the Border Patrol—was showing results."**

**Warrant:** Deterrence will free up more legal pathways to immigration

Bier, David. "Why Legal Immigration Is Nearly Impossible." *Cato Institute*, June 13, 2023, <https://www.cato.org/policy-analysis/why-legal-immigration-nearly-impossible>

From the average would-be immigrant's perspective, America's doors are legally shut. Many people would prefer to ignore the immigrant's viewpoint, but when legal immigration is hopeless, illegal immigration should surprise no one. **Nonetheless, the**



myth that legal immigration is relatively easy or a matter of simply waiting a few years persists. The focus then becomes solely on how to deal with the symptom of the restrictions—people crossing illegally—rather than the restrictions themselves, and legal immigration reforms fall to the wayside. Although reform could come in many ways, this paper is a starting place to understand not only that nearly all immigrants cannot come legally to America but also why they cannot and what policymakers can do to liberate American immigration policy.

**Warrant:** The asylum process is already slow and the backlog is substantial

Treyger, Elina, and Culbertson, Shelly. “The Crisis at the Border: A Primer for Confused Americans.” *RAND*, February 28, 2024,  
<https://www.rand.org/pubs/commentary/2024/02/the-crisis-at-the-border-a-primer-for-confused-americans.html>

**The volume of migrants arriving at the border without prior authorization—a historic high of 3.2 million encounters in fiscal year 2023—is indeed record-breaking. Migrants now hail from a greater diversity of countries than in the past and consist of more families and children.** They make the dangerous trek for many reasons (PDF). Some are fleeing increased violence or political upheaval. Others seek jobs and economic opportunities, in the wake of profound economic dislocations caused by COVID-19, natural disasters, and economic stagnation. There are few lawful paths into the country for migrants driven by those factors. As a result, growing numbers seek to enter the country through the asylum process. **The volume of migration is straining the capacity of the entire immigration system. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) have struggled to process, detain, or remove arrivals. U.S. Citizenship and Immigration Services (USCIS) has struggled to screen the ballooning number of those seeking to claim asylum. And cities around the country are unable to house the swelling numbers of destitute newcomers.**

**Impact:** Streamlined legal immigration will fill labor shortages and boost the economy

“The US Needs More Legal Immigration, Not Less.” *Bloomberg*, March 11, 2024,  
<https://www.bloomberg.com/opinion/articles/2024-03-11/border-crisis-more-legal-immigration-can-boost-the-us-economy?embedded-checkout=true>

Estimates released last month by the Congressional Budget Office show that higher-than-projected immigration — due to both the record influx of asylum-seekers and the post-pandemic reopening of legal pathways — will expand the US labor force by 5.2 million workers over the next decade. **That’s because more than 90% of adult foreigners coming to the US are under 55, compared to 62% of the overall adult population. These workers should boost gross domestic product by about 0.2 percentage point per year over the next decade, adding \$7 trillion to the economy and contributing an extra \$1 trillion in taxes.**

**Analysis:** The argument posits that better surveillance will deter illegal immigration, thereby allowing the legal immigration system to operate more efficiently. By freeing up resources and reducing the strain on the system, the infrastructure will facilitate faster processing of legal immigration cases.

## PRO: Increased surveillance infrastructure will reduce the federal deficit

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**Argument:** Increased surveillance infrastructure will reduce the federal deficit

**Warrant:** The US has spent hundreds of billions of dollars on immigration enforcement

“The Cost of Immigration Enforcement and Border Security.” *Immigration Council*,  
January 2021,

[https://www.americanimmigrationcouncil.org/sites/default/files/research/the\\_cost\\_of\\_immigration\\_enforcement\\_and\\_border\\_security.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/the_cost_of_immigration_enforcement_and_border_security.pdf)

**Since the creation of the Department of Homeland Security (DHS) in 2003, the federal government has spent an estimated \$333 billion on the agencies that carry out immigration enforcement.** As Congress renews its focus on immigration enforcement and border security under the Biden administration, it is important to review how much money has already been spent on these initiatives and what outcomes have been produced.

**Warrant:** Increased use of surveillance technology is cost-saving

“CBP Has Improved Southwest Border Technology, but Significant Challenges Remain.”

*Department of Homeland Security, Office of Inspector General*, February 23, 2021,

<https://www.oversight.gov/sites/default/files/oig-reports/DHS/OIG-21-21-Feb21.pdf>

**In response to Executive Order 13767, U.S. Customs and Border Protection (CBP) has implemented an array of new tools and technologies that have enhanced Border**

**Patrol's surveillance capabilities and efficiency along the southwest border.** However, these upgrades are incomplete as CBP has deployed about 28 percent of the surveillance and subterranean technology solutions planned, even after receiving more than \$700 million in funding since fiscal year 2017.

**Warrant:** Economic growth from more legal immigration reduces the debt-to-GDP ratio.

"The US Needs More Legal Immigration, Not Less." *Bloomberg*, March 11, 2024, <https://www.bloomberg.com/opinion/articles/2024-03-11/border-crisis-more-legal-immigration-can-boost-the-us-economy?embedded-checkout=true>

Estimates released last month by the Congressional Budget Office show that higher-than-projected immigration — due to both the record influx of asylum-seekers and the post-pandemic reopening of legal pathways — will expand the US labor force by 5.2 million workers over the next decade. That's because more than 90% of adult foreigners coming to the US are under 55, compared to 62% of the overall adult population. **These workers should boost gross domestic product by about 0.2 percentage point per year over the next decade, adding \$7 trillion to the economy and contributing an extra \$1 trillion in taxes. Without this added growth, the projected federal deficit in 2034 would be 7.3% of GDP rather than 6.4%.**

**Impact:** Deficit reduction and securing the border are major political wedge issues

Brenan, Megan. "Immigration Named Top U.S. Problem for Third Straight Month." *Gallup*, April 30, 2024, <https://news.gallup.com/poll/644570/immigration-named-top-problem-third-straight-month.aspx>

**A steady 27% of Americans say the most important problem facing the U.S. is immigration, topping Gallup's open-ended trend for the third consecutive month, the**

**longest stretch for this particular issue in the past 24 years. The latest results are based on an April 1-22 Gallup survey, as elevated numbers of migrants continued to seek entry at the U.S. southern border.** Immigration tied with the government as the top issue in December 2023, when the number of migrant encounters at the southern border set a record for a single month. In February, as a bipartisan measure to address the issue failed in the U.S. Senate, immigration overtook the government as the nation's most important problem and has remained there since.

**Analysis:** The argument contends that investing in surveillance infrastructure is a cost-effective measure that will lower overall immigration enforcement expenses. Additionally, the economic growth spurred by more efficient legal immigration processes can contribute to reducing the federal deficit over time.

## PRO: Increased surveillance infrastructure will reduce human trafficking

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**Argument:** Human traffickers commonly transport victims across the southern border. Increasing the surveillance in this area will make it harder to do so.

**Warrant:** Human trafficking is a problem in the United States.

Wooditch, Alsace and Steverson, Leonard. "Human Trafficking." Britannica, 31 July 2024, <https://www.britannica.com/topic/human-trafficking>. Accessed August 9, 2024.

Human trafficking, form of modern-day slavery involving the illegal transport of individuals by force or deception for the purpose of labour, sexual exploitation, or activities in which others benefit financially. Human trafficking is a global problem affecting people of all ages. **It is estimated that approximately 1,000,000 people are trafficked each year globally and that between 20,000 and 50,000 are trafficked into the United States, which is one of the largest destinations for victims of the sex-trafficking trade.**

**Warrant:** Human trafficking is horrible for the victims.

The United Nations. "8 facts you need to know about human trafficking in the 21st century." The United Nations Office on Drugs and Crime, n.d., <https://www.unodc.org/unodc/frontpage/2024/May/8-facts-you-need-to-know-about-human-trafficking-in-the-21st-century.html>. Accessed August 9, 2024.

Human trafficking manifests in many forms. **UNODC's latest research shows that 38.7 per cent of victims are trafficked for sexual exploitation, which takes place on the**

streets, in brothels, massage centres, hotels or bars. The victims – mainly women and girls – often experience extreme violence and abuse. A further 38.8 per cent are exploited for forced labour. Some people work long hours in factories, for minimal or no pay, producing clothes, computers or phones. Others work on fields, plantations or fishing boats – often in harsh weather – cultivating corn, rice or wheat, harvesting coffee and cocoa beans or catching fish and seafood. Around 10 per cent are compelled to engage in illegal activities, such as pickpocketing, bag snatching, begging or drug selling. Other forms of exploitation include forced marriage, organ removal and domestic servitude.

**Warrant:** Traffickers commonly transport victims across the southern border.

Roe-Sepowitz, Dominique et al. "Sex Trafficking at the U.S. Borders: Victim Characteristics." Amber Alert, July 2018, [https://www.amberadvocate.org/wp-content/uploads/2018/07/AATTAP-Publication-Formatted\\_ASU-STIR\\_Sex-Trafficking-U.S.-Borders\\_Victim\\_Characteristics.pdf](https://www.amberadvocate.org/wp-content/uploads/2018/07/AATTAP-Publication-Formatted_ASU-STIR_Sex-Trafficking-U.S.-Borders_Victim_Characteristics.pdf). Accessed August 9, 2024.

Mexico is both a high source and destination country for sex trafficked persons (Goldberg, Silverman, Engstrom, Bojorquez-Chapela, & Strathdee, 2013; Still, 2017; Tiano & Murphy-Aguilar, 2012) and is believed to be the largest source country when trafficking across international borders (Gozdziaik & Collett, 2005; Loff & Sanghera, 2004) and when trafficking into the United States (Cicero-Dominguez, 2005; Protection Project, 2010). The U.S. Department of State (2005) estimated that 70% of all sex trafficked persons are trafficked from Mexico to the U.S., 50% of which are minors who are trafficked for prostitution. Statistics such as these offer some justification for the vast amount of research conducted on sex trafficking at the Mexican border. Established corridors and patterns of trafficking through Mexico has shown that the flow of victims is from most impoverished county to least or from South to North

(Rocha-Jimenez et al., 2017; Tiano & Murphy-Aguilar, 2012). **Following this pattern, most sex trafficking victims brought to the U.S. via Mexico are from southern Mexico or Central America (Rocha-Jimenez et al., 2017; Servin et al., 2015; Tiano & Murphy Aguilar, 2012), with an estimated one-third of all sex trafficked persons brought into the U.S. being from Central America (Ugarte et al., 2003).** Other origin countries trafficked through Mexico to the U.S. include Eastern Europe, South America, Africa, the Caribbean, and Asia (Tiano & Murphy-Aguilar, 2012; U.S. State Department, 2017). Although little data has been found describing the most common methods used to move sex trafficked individuals into the U.S. via Mexico, the vulnerability factors of these victims have been examined in depth. Victims transported through the U.S.-Mexico border often have a combination of environmental and personal risk characteristics that increase their vulnerability to sex trafficking. **In addition to the common risk factors of sex trafficking victims, such as economic and familial instability, addiction, marginalized sexual identity and gender identification, abuse, disability, and low education level (Dalla, 2001; Dalla, 2003; Hardman, 1997; Nadon, Koverola, & Schludermann, 1998; Roe-Sepowitz, 2012; Silbert & Pines, 1982; Simons & Whitbeck, 1991); individuals trafficked through the U.S. Mexico border also face issues related to forced migration from countries in Latin America.**

**Warrant:** Systematic surveillance of human trafficking at the border is needed to target the problem.

Asmann, Parker and Dudley, Steven. "Human Trafficking on the US-Mexico Border: Family Clans, Coyotes, or 'Cartels'?" InSight Crime, 30 Aug. 2023, <https://insightcrime.org/investigations/clans-coyotes-cartels-human-trafficking-us-mexico-border/>. Accessed August 9, 2024.

**Policymakers seeking to deal with human trafficking would do better to push for further research and increased resources for data collection and analysis.** There is a



serious dearth of data related to this crime on both sides of the US-Mexico border, which contributes to uncertainty about where to target resources. **Without systematic data collection on both victims and victimizers, it is difficult to understand the true nature of human trafficking in this space and thus focus resources towards mitigating its impact.**

**Impact:** Surveillance efforts will reduce trafficking.

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southernborder." MIT Technology Review, 17 April 2023, <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 9, 2024.

Late last year, the agency responsible for policing the border, US Customs and Border Protection (CBP), began asking for proposals for a \$200 million upgrade and expansion of a network of surveillance towers that pepper a trail from San Diego, California, to near Port Isabel, Florida. **CBP claims that these towers help agents monitor border crossings, intercept human trafficking and drug smuggling, and provide an essential service in a time of crisis, and the program has cost over a billion dollars since 2005.** The towers are equipped with long-range cameras, radar, and laser illuminators, which generate images and other data that the agency's algorithms process in an attempt to identify people and objects. **The agency has indicated that the expanded program will fill gaps in the surveillance infrastructure at the border left by the planned termination of its blimp surveillance program.**

**Analysis:** This argument will probably be a common stock argument for this topic as it is closely tied to much of the rhetoric that exists in discussions involving the US border. It also has potential to be paired with drug trade related arguments to form a greater anti-crime narrative. This argument can also be used to establish why border protection is important in the first place.

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## PRO: Increased surveillance infrastructure will curb the drug trade at legal border crossings

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**Argument:** A large proportion of the illicit drugs in the United States are transported across the southern border. Increasing the surveillance in this area will make it harder to do so.

**Warrant:** Illicit drugs are highly prevalent in the US.

“Drug Abuse Statistics.” National Center for Drug Abuse Statistics, 2023,  
<https://drugabusestatistics.org/>. Accessed August 9, 2024.

**Among Americans aged 12 years and older, 37.309 million were current illegal drug users (used within the last 30 days) as of 2020. 13.5% of Americans 12 and over used drugs in the last month, a 3.8% increase year-over-year (YoY).** 59.277 million or 21.4% of people 12 and over have used illegal drugs or misused prescription drugs within the last year. 138.543 million or 50.0% of people aged 12 and over have illicitly used drugs in their lifetime. Usership among people aged 12 and over is down 0.4% YoY. 138.522 million Americans 12 and over drink alcohol. 28.320 million or 20.4% of them have an alcohol use disorder. **57.277 million people use tobacco or nicotine products (vape).** **25.4% of illegal drug users have a drug disorder. 24.7% of those with drug disorders have an opioid disorder;** this includes prescription pain relievers or “pain killers” and heroin).

**Warrant:** Most illicit drugs in the US come from Mexico.

United States Department of State: Bureau for International Narcotics and Law Enforcement Affairs. “International Narcotics Control Strategy Report: Volume 1 Drug and Chemical Control.” Insight Crime, March 2023,

<https://insightcrime.org/wp-content/uploads/2023/03/INCSR-2023-Vol-1.pdf>.  
Accessed August 9, 2024.

**Mexico is the source of the vast majority of the methamphetamine, heroin and illicit fentanyl seized in the United States and a key transit point for cocaine from South America.** Fentanyl precursors from the People's Republic of China (PRC) are used to manufacture fentanyl in Mexico. Mexican criminal organizations have a significant and expanding global presence not only in the Western hemisphere but also Europe, Africa, and Asia. **In 2022, the United States identified Mexico as the sole significant source of illicit fentanyl and fentanyl analogues significantly affecting the United States.** The U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities, adopted in 2021, committed both countries to broadening security cooperation. In 2022, the United States and Mexico committed to implement a joint action plan to address the manufacture, distribution, and consumption of illicit synthetic drugs. The joint plan brings in additional entities - regulatory agencies, health- and trade-focused agencies, and the private sector - to build the capacity needed to disrupt the broader synthetic drug supply chain. **However, the volume of dangerous drugs entering the United States from Mexico, and violent crime in Mexico fueled by transnational criminal organizations, remain alarmingly high.** The United States and Mexico are committed to continued collaboration on counterdrug measures but must redouble efforts to disrupt the production, trafficking, and use of illicit fentanyl and other illicit drugs.

**Warrant:** Most drugs that cross the border come into the US via legal points of entry.

Gomez, Alan. "Fact-checking Trump officials: Most drugs enter US through legal ports of entry, not vast, open border." USA Today, 16 Jan. 2019,  
<https://www.usatoday.com/story/news/politics/2019/01/16/fact-check-mike->

pence-donald-trump-drugs-crossing-southern-border-wall/2591279002/.

Accessed August 9, 2024.

But an analysis of data from the southern border indicates that the vast majority of narcotics enters through U.S. ports of entry, not the wide swaths of border in between where additional barriers could be erected. **According to U.S. Customs and Border Protection statistics, 90 percent of heroin seized along the border, 88 percent of cocaine, 87 percent of methamphetamine, and 80 percent of fentanyl in the first 11 months of the 2018 fiscal year was caught trying to be smuggled in at legal crossing points. While those numbers deal only with drugs that are caught, border experts say the data accurately reflect the way drug cartels successfully smuggle narcotics into the country.** Gil Kerlikowske, who headed CBP and the Office of National Drug Control Policy under President Barack Obama, said **intelligence received from arrested smugglers and law enforcement partners in Mexico indicate that cartels clearly prefer moving high-profit narcotics through the busy ports of entry because their chances of success are better there.**

**Warrant:** Cargo scanning surveillance technology could stop this problem.

“Feature Article: Securing Our Ports of Entry, One Scan (or Thousands) at a Time.”

United States Department of Homeland Security: Science and Technology, 26 Oct. 2023, <https://www.dhs.gov/science-and-technology/news/2023/10/26/feature-article-securing-our-ports-entry-one-scan-or-thousands-time>. Accessed August 9, 2024.

**S&T worked with industry partners to conceptualize, build and test five fixed, multi-energy drive-through prototypes consisting of a low-energy scan for occupied cabs and higher X-ray scan for cargo. As vehicles pass through, the MEP is used to detect possible trafficked people and contraband, including bulk currency and illicit drugs like**

**fantanyl.** The team also introduced a common viewer workstation to centralize command center operations, and this just the beginning. “This project increases the overall security of commercial shipments into the country,” said S&T POE Program Manager John Clemmensen. **“It allows for the scanning of all shipments coming into the country, which increases safety on many levels—from agricultural, to counterfeit products, to the fentanyl crisis.”**

**Warrant:** Cargo scanners have already been stopping drug trafficking

“CBP officers seize over \$1.5 million worth of methamphetamine, fentanyl and cocaine at the Santa Teresa port of entry.” United States Customs and Border Protection, 03 Aug. 2023, <https://www.cbp.gov/newsroom/local-media-release/cbp-officers-seize-over-15-million-worth-methamphetamine-fentanyl-and#:~:text=SANTA%20TERESA%2C%20N.M%20%2D%20U.S.%20Customs,two%20separate%20failed%20smuggling%20attempts>. Accessed August 9, 2024.

**U.S. Customs and Border Protection officers working at the Santa Teresa port of entry intercepted 602 pounds of methamphetamine, 27 pounds of cocaine and 5.5 pounds of fentanyl on two separate failed smuggling attempts.** “Our CBP officers remain focused on the narcotic interdiction mission while also facilitating legitimate trade and travel,” said acting CBP El Paso Director Field Operations Ray Provencio. “Disrupting the flow of illicit narcotics at our ports of entry is a significant part of our enduring mission priorities.” The first interception occurred July 31, when an individual arrived from Mexico via the vehicle lanes in a sports utility vehicle. The 36-year-old man was referred for a secondary inspection of the vehicle which included screening by a canine team and a non-intrusive inspection (x-ray). Following a thorough examination, CBP officers located mixed packages containing 27 pounds of cocaine and 5.5 pounds of fentanyl concealed within the vehicle. The narcotics and vehicle were seized by CBP and the individual was turned over to Homeland Security Investigations for prosecution. **The**

**second interception occurred August 2**, when an individual arrived from Mexico via the commercial cargo lot in a tractor trailer. **A secondary inspection was conducted utilizing non-intrusive technology, where anomalies were detected within the trailers roof panels. A systematic inspection led to the discovery of 360 bundles with a combined weight of 602 pounds of methamphetamine concealed within the roof panels.**

**Impact:** Violence increases in the US when drugs are involved.

Johnson, Nicole and Roman, Caterina, "Community correlates of change: A mixed-effects assessment of shooting dynamics during COVID-19." PLOS ONE, 23 Feb. 2022, <https://journals.plos.org/plosone/article/authors?id=10.1371/journal.pone.0263777>. Accessed August 9, 2024.

An additional important finding is that neighborhoods varied in the relative acceleration of their shooting rates following the onset of the pandemic. In fact, there were greater differences between neighborhoods after the COVID-19 onset than before, meaning that the overall average increase in shootings after the start of COVID-19 could have been driven by relatively few exceptionally high-rate neighborhoods. Indeed, Fig 2 highlights how clusters of tracts located in North, Northwest, and Southwest Philadelphia exhibited higher rates of shootings than the "average" tract in Philadelphia during the pandemic. **Of those measures tested, one of the only significant predictors of the differences in the evolution of shooting rates after COVID-19 was drug market status.** This echoed Campedelli and colleagues' finding in Chicago that neighborhoods experiencing reductions in assault were also likely to experience a significant reduction in drug crimes [7]. **Interestingly enough, neighborhoods with active drug markets had a steeper increase in shootings during the pandemic than non-drug market neighborhoods, despite not being significantly different at the start of COVID**

(March/April 2020). This finding lends credence to claims by some scholars [e.g. 20] and law enforcement officials [84] that drug markets are driving part of the increase in shootings post-COVID onset.

**Impact:** Illicit drugs kill thousands of Americans every year.

“DEA Releases 2024 National Drug Threat Assessment.” United States Drug Enforcement Agency, 9 May 2024, <https://www.dea.gov/press-releases/2024/05/09/dea-releases-2024-national-drug-threat-assessment>. Accessed August 9, 2024.

**Drug-related deaths claimed 107,941 American lives in 2022, according to the Centers for Disease Control and Prevention (CDC). Fentanyl and other synthetic opioids are responsible for approximately 70% of lives lost, while methamphetamine and other synthetic stimulants are responsible for approximately 30% of deaths.** Fentanyl is the nation’s greatest and most urgent drug threat. Two milligrams (mg) of fentanyl is considered a potentially fatal dose. Pills tested in DEA laboratories average 2.4 mg of fentanyl, but have ranged from 0.2 mg to as high as 9 mg. The advent of fentanyl mixtures to include other synthetic opioids, such as nitazenes, or the veterinary sedative xylazine have increased the harms associated with fentanyl.

**Analysis:** This will definitely be a stock argument for this topic as it is one of the easiest links into human lives for the topic. It also has a lot of versatility because teams can explore a bunch of different impacts whether it be community violence, organized crime, overdoses, etc. Teams just need to make sure they really explain the warranting with the cargo scanners in order to win this argument.

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## PRO: Surveillance infrastructure is more cost effective than other alternatives

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**Argument:** Physical border security such as fences, walls, and border patrol agents are expensive. Surveillance infrastructure is a much cheaper option.

**Warrant:** The border has increasingly been costing Americans more.

Statista Research Department. "Enacted border patrol program budget in the United States from 1990-2024." Statista, 5 July 2024, <https://www.statista.com/statistics/455587/enacted-border-patrol-program-budget-in-the-us/>. Accessed August 9, 2024.

**The enacted border patrol program budget in the United States has increased from 262.65 million U.S. dollars for the 1990 fiscal year to 4.9 billion U.S. dollars for the 2024 fiscal year.** However, the 2024 fiscal year budget request was less than the enacted budget in 2023, which was over 5.4 billion U.S. dollars

**Warrant:** Traditional methods of border security like walls are extremely expensive.

Burnett, John, "\$11 Billion And Counting: Trump's Border Wall Would Be The World's Most Costly." NPR, 19 Jan. 2020, <https://www.npr.org/2020/01/19/797319968/11-billion-and-counting-trumps-border-wall-would-be-the-world-s-most-costly>. Accessed August 9, 2024.

**The pricetag for President Trump's border wall has topped \$11 billion — or nearly \$20 million a mile — to become the most expensive wall of its kind anywhere in the world.** In a status report last week, U.S. Customs and Border Protection, which is overseeing



wall construction, reported that \$11 billion has been identified since Trump took office to construct 576 miles of a new "border wall system."

**Warrant:** Surveillance towers are comparatively much cheaper.

"U.S. Customs and Border Protection Budget Overview: Fiscal Year 2025 Congressional Justification." The Department of Homeland Security, 11 Mar. 2024, [https://www.dhs.gov/sites/default/files/2024-03/2024\\_0309\\_us\\_customs\\_and\\_border\\_protection\\_0.pdf](https://www.dhs.gov/sites/default/files/2024-03/2024_0309_us_customs_and_border_protection_0.pdf). Accessed August 9, 2024.

The IST Program consolidates program management of all USBP surveillance tower systems into a single unified program structure. As a Level I Major Investment, all prior year funding for legacy surveillance towers is consolidated and recorded together. **In FY 2023, \$68.0M was funded out of Border Security Technology to purchase 51 Autonomous Surveillance Towers (ASTs);** procure and install five flat panel maritime radars on commercial towers in Blaine Sector (in order to cover waterways in the Puget Sound); upgrade four legacy Remote Video Surveillance System (RVSS) towers in Swanton Sector (brought under the Northern Border Remote Video Surveillance System (NB-RVSS) configuration); complete a technical refresh of all Swanton Sector NB-RVSS towers; complete a technical refresh of three Buffalo Sector NB-RVSS towers; award the base Consolidated Tower and Surveillance Equipment (CTSE) contracts; and provide for the IST Program Management Support contract.

**Warrant:** Surveillance towers can cover a larger area than an individual agent.

Beaumont, Hilary. "Virtual wall: how the US plans to boost surveillance at the southern border." 3 Apr. 2023, The Guardian, <https://www.theguardian.com/us->

news/2023/apr/03/us-mexico-border-surveillance-towers-customs-border-protection. Accessed August 9, 2024.

Maass said he spent long hours searching through satellite images for the distinctive clover leaf shape of autonomous surveillance towers developed by the tech defence company Anduril – the newest type of tower being installed at the southern border. “The satellite image of Anduril is burned into my head,” he said. **The Anduril towers operate day and night and use AI to detect “objects of interest” such as humans or vehicles. The cameras pan 360 degrees and can detect people from 1.7 miles (2.8km) away. When they identify an object, the towers send a notification to border agents. CBP has described the towers as “a partner that never sleeps, never needs to take a coffee break, never even blinks”.** The towers are part of a web of systems meant to monitor and deter migration and smuggling across the US-Mexico border that includes drones, licence plate readers, checkpoints, ground sensors, and data and biometrics collection.

**Impact:** Cutting costs government spending will allow for a reduction of debt.

Thorndike, Joseph. “Worried About Federal Debt? Then Raise Taxes, Cut Spending, And Abolish The Debt Ceiling.’ Forbes, 17 Nov. 2022, <https://www.forbes.com/sites/taxnotes/2022/11/17/worried-about-federal-debt-then-raise-taxes-cut-spending-and-abolish-the-debt-ceiling/>. Accessed August 9, 2024.

Trying to keep the lid on federal borrowing with a statutory debt limit is like trying to manage your weight by refusing to buy bigger pants. Neither actually works because both are forms of performative discipline. Each involves an expression of hard-nosed determination, but neither involves any actual hard work. Ultimately, if you want to avoid packing on the pounds, you have to limit the doughnuts and maximize your time

at the gym. **And if you want to constrain federal debt, you have to limit government spending and increase tax revenues. There is no substitute for doing the work.**

**Impact:** Reducing debt is a must because too much debt is bad for Americans.

Amadeo, Kimberly. "The US National Debt and How It Affects You." The Balance, 17 Jan. 2023, <https://www.thebalancemoney.com/what-is-the-national-debt-4031393#toc-how-the-national-debt-affects-you>. Accessed August 9, 2024.

When the national debt is below the tipping point, government spending continues and contributes to a growing economy, which means more funding for programs that you can take advantage of. **But when the debt exceeds the tipping point, your standard of living could be impacted. Interest rates may increase and that could slow the economy. The stock market could react to a lack of investor confidence, which could mean lower returns on your investments. And a recession may even be possible.** This also puts downward pressure on a country's currency because its value is tied to the value of the country's bonds. As the currency's value declines, foreign bond holders' repayments are worth less. That further decreases demand and drives up interest rates. As the currency's value declines, goods and services may become more expensive and that contributes to inflation.

**Analysis:** This argument is good because it works on two levels. It can be used as a stand alone argument about the impact of cutting government spending. However, I believe that this argument could best be used as part of a greater narrative of why surveillance technology is better than traditional border protection methods.

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## PRO: Surveillance infrastructure is better than physical barriers for the environment

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**Argument:** A long and expansive border wall on the Southern border cuts straight through delicate ecosystems dividing them in half. Surveillance infrastructure is not nearly as environmentally detrimental.

**Warrant:** The Southwest is a diverse and delicate ecosystem.

Peters, Robert, et al. "Nature Divided, Scientists United: US–Mexico Border Wall Threatens Biodiversity and Binational Conservation." *BioScience*, 24 July 2018, <https://academic.oup.com/bioscience/article/68/10/740/5057517?login=false>. Accessed August 9, 2024.

**The US–Mexico borderlands traverse six ecoregions (figure 1) containing vegetation types that include desert scrub, temperate forests and woodlands, semidesert and plains grasslands, subtropical scrublands, freshwater wetlands, and salt marshes.** These environments span portions of a broad Nearctic–Neotropical transition zone and support extraordinary biological diversity. **Our analysis shows that the border bisects the geographic ranges of 1506 native terrestrial and freshwater animal ( $n = 1077$ ) and plant ( $n = 429$ ) species, including 62 species listed as Critically Endangered, Endangered, or Vulnerable by the International Union for Conservation of Nature (IUCN) Red List (supplemental appendix S1, supplemental table S1).** Five Borderlands Conservation Hotspots identified by Defenders of Wildlife represent top-priority areas of high biological diversity and -binational investment in conservation that are threatened by border wall construction (figure 1; Peters and Clark 2018).

**Warrant:** A border wall would devastate the environment.

Peters, Robert, et al. "Nature Divided, Scientists United: US–Mexico Border Wall Threatens Biodiversity and Binational Conservation." *BioScience*, 24 July 2018, <https://academic.oup.com/bioscience/article/68/10/740/5057517?login=false>. Accessed August 9, 2024.

**Like any large-scale development, construction of the wall and associated infrastructure, such as roads, lights, and operating bases, eliminates or degrades natural vegetation, kills animals directly or through habitat loss, fragments habitats (thereby subdividing populations into smaller, more vulnerable units), reduces habitat connectivity, erodes soils, changes fire regimes, and alters hydrological processes (e.g., by causing floods). As of 2017, the DHS had constructed 1050 kilometers of "primary" pedestrian and vehicle barriers serviced by 8000 kilometers of roads, as well as many thousands of kilometers of undesignated routes created by off-road patrol vehicles. Human activity, light, and noise associated with the wall further displace wildlife, making additional habitat unavailable. The border wall threatens some populations by degrading landscape connectivity. Physical barriers prevent or discourage animals from accessing food, water, mates, and other critical resources by disrupting annual or seasonal migration and dispersal routes.** For example, continuous walls could constrain endangered Peninsular bighorn sheep (*Ovis canadensis nelsoni*) from moving between California and Mexico to access water and birthing sites. It will be likely impossible for endangered animals such as the Mexican gray wolf (*Canis lupus baileyi*) and Sonoran pronghorn (*Antilocapra americana sonoriensis*) to disperse across the border to reestablish recently extirpated populations or bolster small existing populations.

**Warrant:** Species will go extinct.

Janetsky, Megan. "Border wall proposal threatens delicate wildlife habitats." Arizona Center for Investigative Reporting, 12 Jan. 2018,

<https://azcir.org/news/2018/01/12/trump-border-wall-threatens-delicate-wildlife-habitat/>. Accessed August 9, 2024.

**Because the current fencing was built without a full environmental analysis, researchers believe hundreds of smaller species – not just the endangered species and larger animals like the jaguar, black bear or ocelot, which have garnered national attention – may be wiped out.** Jesse Lasky, a biologist from Penn State University, led a 2011 study on the effects of border fences, and on what more “extensive barriers” would mean. “The attention of the public is focused on these large, charismatic species,” Lasky said. While scientists have studied the effect of barriers on specific species, like the bighorn sheep or the ferruginous pygmy owl, Lasky’s research considered the border in its entirety. **Lasky found that 369 species lived within 50 kilometers of the border: 179 reptiles, 134 mammals and 57 amphibians. At that time, 50 of those species and three subspecies were federally or globally threatened, he found. When the researchers examined the potential effects of “extensive barriers,” like a non-permeable border wall along the entire U.S.-Mexico border, the number of species put at risk in the Sky Islands increases dramatically relative to other parts of the border.** “If you cut (smaller species’) range in half along the border, which is what these barriers would do, they would have very small remaining distributions,” Lasky said. Wilbor and his team at the Sky Island Alliance want to know what species could face extinction without federal intervention, where they dwell and what effect a border wall would have. That’s why they set up new cameras in areas along the border, where they believe they’ll find and identify those animals. **“There are rare and threatened and endangered reptiles – snakes, lizards, tortoises – we know a lot less about because they’re not game species, they’re not large species that are easy to study,”** Wilbor said. **“There could be innumerable small species that go extinct without us even knowing.”**

**Warrant:** The border wall increases the potential of flooding.

Parket, Laura. "6 ways the border wall could disrupt the environment." National Geographic, 10 Jan. 2019, <https://www.nationalgeographic.com/environment/article/how-trump-us-mexico-border-wall-could-impact-environment-wildlife-water>. Accessed August 9, 2024.

**Flooding disasters occurred in Arizona after 700 miles of fencing was constructed during the George W. Bush administration. The barriers acted as dams during rainy season flash floods.** In 2008, at the Organ Pipe Cactus National Monument in southwest Arizona, a five-mile-long segment of 15-foot-high wire mesh fence trapped debris flowing through a natural wash during a 90-minute summer thunderstorm, causing water to pool two-to-seven feet high. **The same storm sent torrents into the city of Nogales, Arizona, a border town 66 miles south of Tucson, causing millions of dollars in property damage in Nogales, Sonora on the Mexican side.** In 2011, another deluge at Organ Pipe knocked over a segment of fence, and in 2014, the twin cities of Nogales flooded again after border barriers clogged with debris during a rainstorm.

**Warrant:** Surveillance infrastructure is much less invasive.

"'Smart walls' for Indian Borders." Civils Daily, 4 Feb. 2021, <https://www.civilsdaily.com/news/smart-walls-for-indian-borders/>. Accessed August 9, 2024.

A critical factor that must be considered to enable the usage of such a system along Indian borders is that the terrain in the region is rugged, and, furthermore, not even clearly defined. Hence, erecting fences, walls or any physical structures is extremely difficult. **A "smart" wall, however, makes use of systems that would be designed in such a way that they can operate even in rugged areas. Imperatively, in the US various**

**other benefits, such as cost-effectiveness, less damage to the environment, fewer land seizures, and speedier deployment are being noted.** This gives the concept an edge over traditional borders.

**Warrant:** Surveillance towers have a much smaller footprint.

“CBP’s Autonomous Surveillance Towers Declared a Program of Record along the Southwest Border.” US Customs and Border Protection, 03 Feb. 2021, <https://www.cbp.gov/newsroom/national-media-release/cbp-s-autonomous-surveillance-towers-declared-program-record-along>. Accessed August 9, 2024.

**Perfectly suited for remote and rural locations, the AST scans the environment with radar to detect movement, orients a camera to the location of the movement detected by the radar, and analyzes the imagery using algorithms to autonomously identify items of interest, such as people or vehicles.** Border Patrol agents are then alerted to this event and have the opportunity to make the final determination on what the item is and if it poses a threat. **These innovative towers operate completely off grid using 100 percent renewable energy, have a small geographic footprint, and minimize the impact to land owners and public lands to the maximum extent.** CBP personnel are able to re-locate a tower within two hours, providing frontline agents with a highly flexible, autonomous system that enhances situational awareness, agent effectiveness, and safety.

**Impact:** Replacing the border wall would restore the environment.

Reese, April. “Some Ecological Damage from Trump’s Rushed Border Wall Could Be Repaired.” The Scientific American, 25 Jan. 2021, <https://www.scientificamerican.com/article/some-ecological-damage-from-trumps-rushed-border-wall-could-be-repaired1/>. Accessed August 9, 2024.



Once parts of the wall come down, Burns says, “there’s a lot we can do to help the biological communities come back,” such as replacing roads with native plants. “Where water has been depleted, we’re going to have to work extra hard,” she adds. “We can help stop erosion, and hopefully we’ll get some rainfall” to replenish streams and ponds. **Simply removing the fence may be enough to improve some binational species’ prospects, Flesch says. “For species that are able to cross an open area, like jaguars, [they] can go right over that 60-meter [197-foot] swath of destruction,” he says. “For those species, removing the wall is going to very rapidly restore connectivity.”** But for other border species, such as the tiny owl he studies—which has lost federal habitat to fence projects dating back more than a decade—the remedy “could be more complicated,” he adds. “Everybody thinks birds just fly over, but they’re understory woodland birds. They’re not migratory.” Flesch says the vegetation they rely on for cover would need to be replanted.

**Analysis:** This is a strong argument because it can be used in a greater narrative of why surveillance is a better alternative than traditional methods of security. This argument will really come down to a team's effectiveness at weighing the importance of biodiversity and ability to convince the judge that the status quo just leads to more walls being built.

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## PRO: Increased surveillance infrastructure will decrease illegal activity in remote areas

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**Argument:** The US-Mexico border is huge and nearly impossible to maintain. Surveillance technology will allow the US to identify illegal activity in more remote areas.

**Warrant:** The US-Mexico border is huge and less than half of it is actually blocked off.

Mendoza, Mary. "America's Border Wall Is Bipartisan." Time, 30 Oct. 2023, <https://time.com/6324599/bidens-trump-history-border-wall/>. Accessed August 9, 2024.

As it stands, fences are piecemeal and violent. And historically, Republicans have been less inclined to build them than Democrats. **There are currently 700 miles of non-contiguous fences along the 1,951-mile border.** A Republican built most of those, but we cannot ignore that Democrats have also built and supported their fair share, showing bipartisan commitment to this symbol of illusory control. Biden has not made an about-face, he is simply continuing an interminable trend of border-building policies and now, like many who came before him, he has fallen into the same, familiar, repetitive pattern.

**Warrant:** Increasing surveillance infrastructure would allow these places to be watched.

"High-Tech Border Security: Current and Emerging Trends." IEEE Public Safety Technology. n.d. <https://publicsafety.ieee.org/topics/high-tech-border-security-current-and-emerging-trends>. Accessed August 9, 2024.

**Border patrol agents rely on various connected electronic surveillance technologies to identify and track people crossing the border in remote areas.** These devices include

fixed ground sensors. They are buried in the ground and use seismic, acoustic, or infrared technology to detect people or vehicles crossing the border. The US Department of Homeland Security (DHS) recently announced the deployment of sensor-equipped robot dogs at the southwest border to assist CBP personnel. **PROS: In-ground sensors allow a wide range of coverage and can be used in rugged terrain.** **CONS:** Sensors are susceptible to false positives (e.g., animals crossing the border); require maintenance and regular replacement of batteries; and are easily vandalized. **Other connected detection devices include fixed surveillance towers equipped with radar and high-resolution and infrared cameras to monitor up to a seven-mile radius.** **PROS: These technologies are highly effective in identifying people and vehicles from long distances and are relatively low-cost.** **CONS:** Terrain can block radar; highly visible and easily avoided by unauthorized border crossers. From the air, **border patrol agents also use a combination of planes and helicopters that carry advanced infrared cameras and night-vision equipment. On-board agents can detect and follow radar pings, alerting law enforcement on the ground.** **PROS: Planes and helicopters are highly effective in tracking border crossers and can quickly cover large areas.** **CONS:** Expensive to operate and maintain; limited by weather conditions. In recent years, unmanned aerial vehicles, commonly known as drones, have become an increasingly favored tool for border patrol agents. They've enabled them to improve their situational awareness and surveil vast stretches of rural borderland. Since 2006, thirty-six-foot-long Predator B drones, patrolling the border from nineteen thousand feet, have captured live video and detailed infrared and radar images of people on the ground on the US-Mexico border. Border agents have recently replaced these large and expensive military-grade models with smaller, nimbler ones. These can fit in the back of a patrol vehicle and be airborne within minutes. **PROS:** These drones can cover large areas quickly and effectively at a relatively low cost. **CONS:** Limited battery life and range; raise privacy concerns.

**Warrant:** Drug smuggling is increasingly taking place in remote areas along the US border.

Gutierrez, Gabe and Hankel, Al. “Fentanyl seizures at U.S. southern border rise dramatically.” NBC News, 29 June 2021, <https://www.nbcnews.com/politics/immigration/fentanyl-seizures-u-s-southern-border-rise-dramatically-n1272676>. Accessed August 9, 2024.

Federal agents in this section of the southern border say they’ve seen a staggering 4,000 percent increase in fentanyl seizures over the last three years. **Those busts are not at ports of entry, where most smuggled drugs are typically found. The Border Patrol says the rising amount of fentanyl is being found in the desert – transported by increasingly brazen smugglers who are exploiting stretched federal resources.** In 2018, the Border Patrol in the El Paso sector found just one pound of fentanyl outside ports of entry. In 2019, two pounds. In 2020, nine. **During the 2021 fiscal year, agents have found 41 pounds so far – a dramatic rise that experts attribute to the increasing role in drug cartels producing the illicit drug themselves with raw materials from China.** The sharp rise from 2018 to 2020 suggests the coronavirus pandemic did not artificially inflate the 2021 numbers.

**Impact:** Violence increases in the US when drugs are involved.

Johnson, Nicole and Roman, Caterina, “Community correlates of change: A mixed-effects assessment of shooting dynamics during COVID-19.” PLOS ONE, 23 Feb. 2022, <https://journals.plos.org/plosone/article/authors?id=10.1371/journal.pone.0263777>. Accessed August 9, 2024.

An additional important finding is that neighborhoods varied in the relative acceleration of their shooting rates following the onset of the pandemic. In fact, there were greater differences between neighborhoods after the COVID-19 onset than before, meaning that the overall average increase in shootings after the start of COVID-19 could have

been driven by relatively few exceptionally high-rate neighborhoods. Indeed, Fig 2 highlights how clusters of tracts located in North, Northwest, and Southwest Philadelphia exhibited higher rates of shootings than the “average” tract in Philadelphia during the pandemic. **Of those measures tested, one of the only significant predictors of the differences in the evolution of shooting rates after COVID-19 was drug market status.** This echoed Campedelli and colleagues’ finding in Chicago that neighborhoods experiencing reductions in assault were also likely to experience a significant reduction in drug crimes [7]. **Interestingly enough, neighborhoods with active drug markets had a steeper increase in shootings during the pandemic than non-drug market neighborhoods, despite not being significantly different at the start of COVID (March/April 2020). This finding lends credence to claims by some scholars [e.g. 20] and law enforcement officials [84] that drug markets are driving part of the increase in shootings post-COVID onset.**

**Impact:** Illicit drugs kill thousands of Americans every year.

“DEA Releases 2024 National Drug Threat Assessment.” United States Drug Enforcement Agency, 9 May 2024, <https://www.dea.gov/press-releases/2024/05/09/dea-releases-2024-national-drug-threat-assessment>. Accessed August 9, 2024.

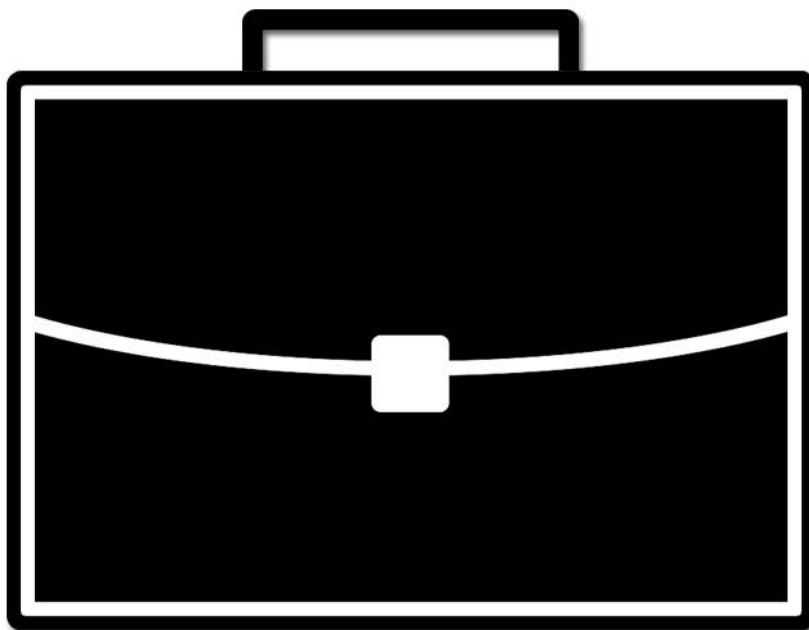
**Drug-related deaths claimed 107,941 American lives in 2022, according to the Centers for Disease Control and Prevention (CDC). Fentanyl and other synthetic opioids are responsible for approximately 70% of lives lost, while methamphetamine and other synthetic stimulants are responsible for approximately 30% of deaths.** Fentanyl is the nation’s greatest and most urgent drug threat. Two milligrams (mg) of fentanyl is considered a potentially fatal dose. Pills tested in DEA laboratories average 2.4 mg of fentanyl, but have ranged from 0.2 mg to as high as 9 mg. The advent of fentanyl mixtures to include other synthetic opioids, such as nitazenes, or the veterinary sedative xylazine have increased the harms associated with fentanyl.

**Analysis:** In order to win this argument teams need to prove that cartels are shifting their drug trafficking activity to the expanses of the desert. If they can do that, they will have a strong chance at winning this argument and probably the debate in general as this argument has a wide range of versatility of impacts. Teams can also use this argument as a base for a bigger anti-organized crime contention in general.

# Champion Briefs

Sept/Oct 2024

Public Forum Brief



Pro Responses to  
Con Arguments

## A/2: Increased surveillance would be circumvented and lead to more dangerous routes being taken

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**Response:** Innovation from the affirmative can address the funnel effect.

**TURN:** AI innovation can respond to shifting migrant routes

“Predicting migration flows with artificial intelligence – the European Union’s risky gamble.” Disclose. 26 July, 2022. <https://disclose.ngo/en/article/predicting-migration-flows-with-artificial-intelligence-the-european-unions-risky-gamble>

For several months the European Union has been **developing artificial intelligence software** that supposedly **predicts migration flows** in order **to improve the way migrants are dealt with** when they arrive on European soil. Yet according to several documents obtained by Disclose, the tool called ‘ITFLOWS’ could quickly become a formidable weapon for controlling and harassing people seeking refuge in Europe. It is software that would not look out of place in some fictional dystopian world. An artificial intelligence capable of compiling thousands of pieces of data in order to predict migration flows **and identify** the **risks of** tensions over the **arrival** of migrants **at** Europe’s **borders**. It is called ‘ITFLOWS’ which stands for ‘IT tools and methods for managing migration flows’. Funded to the tune of five million euros by the European Union and developed by a consortium made up of research institutes, a private company (Terracom) and charities, ITFLOWS is currently being tested and is due to enter service in August 2023. This is despite repeated warnings that its predictive capabilities could end up being misused to control and restrict the rights of refugees on European soil.

**TURN:** Mobile infrastructure uses this data, solving the root cause of a funnel effect



Davis, John. "A Watchful Eye." U.S. Customs and Border Protection. No Publication Date.

<https://www.cbp.gov/frontline/watchful-eye>

"If they're armed, or if they're carrying dope, rather than just immigrants trying to get in, it's letting us know ahead of time – before we get to the group – what these guys are all about," Vargas said. "And that's a really big deal." Each of **the towers**, reaching 33 feet in height and capable of "seeing" an area approximately three miles in diameter, **fits in the back of three trucks and sets up in just a couple of hours, giving great mobility to the technology** so Border Patrol agents can more quickly respond to areas that need immediate attention. Using artificial intelligence, the towers continuously monitor wherever is needed, sorting out what are real concerns and what comes back as a false positive. They have day and night cameras that turn and "look" at the area where the item of interest originates.

**Analysis:** The funnel effect occurs because there are gaps in border surveillance which migrants choose to take over more heavily surveilled routes. Mobile surveillance infrastructure can be shifted to any route migrants choose to take, making all routes effectively surveilled at all times. This removes any incentive to choose on route over another, because all confer an equal risk of being detained.

**Response:** Upgrading physical infrastructure independently fills in the border even without improved technology.

**TURN:** Watch towers expand the amount of area border patrol can surveil, filling existing gaps.

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border." MIT Technology Review. 17 April, 2023.

<https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money->

surveillance-towers-southern-border/#:~:text=%E2%80%9CThese%20cameras%20are%20pointed%20at,in%20the%20next%20several%20years

According to EFF, the agency plans to triple the number of towers, from 135 today to 442, and upgrade existing towers with new technologies in the next several years. There are three different types of towers: integrated fixed towers, remote video **surveillance** systems, and autonomous surveillance **towers**. They all **focus on detecting people from afar, and** the makers of the first two types claim that sophisticated cameras, radar sensors, and lasers on the towers **can detect a person from over 7.5 miles away**. The autonomous surveillance towers are the newest of the group, and though they have shorter range—they can detect a person from 1.7 miles away—they are equipped with movement-detecting radar and detection AI that allows for imagery to be analyzed without human review.

**Analysis:** Even without the use of technology, increased physical infrastructure such as towers can fill gaps in the border, removing the incentive for migrants to take dangerous, currently un surveilled routes. This is because watchtowers have incredibly far visibility ranges.

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## A/2: Increased surveillance would alienate some voters in swing states, altering the 2024 election

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**Non-unique:** The Biden-Harris administration has already adopted tough-on-immigration policies, which would have already alienated the voters they discuss.

White House. "FACT SHEET: President Biden Announces New Actions to Secure the Border", 4 Jun. 2024. <https://www.whitehouse.gov/briefing-room/statements-releases/2024/06/04/fact-sheet-president-biden-announces-new-actions-to-secure-the-border/>

Over the past three years, while Congress has failed to act, **the President** has acted to secure our border. His Administration **has deployed the most agents and officers ever to address the situation at the Southern border, seized record levels of illicit fentanyl at our ports of entry**, and brought together world leaders on a framework to deal with changing migration patterns that are impacting the entire Western Hemisphere. Earlier this year, the President and his team reached a historic bipartisan agreement with Senate Democrats and Republicans to deliver the most consequential reforms of America's immigration laws in decades. This agreement would have added critical border and immigration personnel, invested in technology to catch illegal fentanyl, delivered sweeping reforms to the asylum system, and provided emergency authority for the President to shut down the border when the system is overwhelmed. But Republicans in Congress chose to put partisan politics ahead of our national security, twice voting against the toughest and fairest set of reforms in decades. **President Biden believes we must secure our border.** That is why today, he **announced executive actions to bar migrants who cross our Southern border unlawfully from receiving asylum.** These actions will be in effect when high levels of encounters at the Southern Border exceed our ability to deliver timely consequences, as is the case today. They will

make it easier for immigration officers to remove those without a lawful basis to remain and reduce the burden on our Border Patrol agents.

**Turn:** Swing voters likely to decide the 2024 election believe Biden-Harris are currently failing on immigration.

Arthur, Andrew. "Immigration, Border Are Key Issues in Swing-State Polling", Center for Immigration Studies, 12 Feb. 2024. <https://cis.org/Arthur/Immigration-Border-Are-Key-Issues-SwingState-Polling>

News outlet Bloomberg and opinion outfit Morning Consult have just released the results of a series of polls they conducted between January 16 and 24 in **seven so-called “swing” states that are likely to decide the 2024 presidential election: Arizona, Georgia, Michigan, Nevada, North Carolina, Pennsylvania, and Wisconsin.** Individually and collectively, the polls reveal that **“immigration” and the border are shaping up to be key — if not deciding — issues that could determine the presidential election in each. Those polls also show that voters overwhelmingly believe that illegal immigration “hurts” their biggest issue — the U.S. economy.** Morning Consult surveyed a total of 4,956 registered voters across the seven states, and the poll overall has a margin of error of +/- 1 percent — so you can probably take it to the bank. "How Important Is Immigration When Deciding How to Vote for President?" Respondents were asked “how important” various issues would be in determining how they’d cast their votes for president in the 2024 election. The topics ran the gamut from the economy, housing, and crime to abortion, guns, and the “Russia-Ukraine war”. One of the topics was “immigration”, which 57 percent of voters identified as a “very important” issue and an additional 27 percent said was a “somewhat important” one — meaning that **immigration is important to 84 percent of the voters combined in those states.** Independents were 10 points more likely than Democrats to identify immigration as a very important issue (54 percent to 44 percent), but also 18 points less likely than

Republicans (72 percent) to view it as such. One major surprise is that more than half of Hispanics (52 percent) prefer Trump to handle immigration over Biden (29 percent). If Biden's advisors are trying to appeal to that demographic, they're failing badly.

**Turn:** Expanding surveillance and signaling a stance that is tougher on immigration would shore up democratic support and help Harris win in November.

Arthur, Andrew. "Immigration, Border Are Key Issues in Swing-State Polling", Center for Immigration Studies, 12 Feb. 2024. <https://cis.org/Arthur/Immigration-Border-Are-Key-Issues-SwingState-Polling>

**Even registered Democrats were more likely to say that illegal immigration hurts (43 percent) rather than helps (42 percent) the U.S. economy.** And the significantly-hurts crowd had a five-point edge over the significantly-helps contingent (17 percent to 12 percent) among the president's fellow Democrats. The Center has long argued that unfettered immigration adversely impacts other issues of concern to the American people. This poll supports that position and reveals that illegal immigration is having serious deleterious impacts on the issue that all Americans are most concerned about. Implicit in the administration's border policies is a belief that the U.S. economy needs illegal migrant workers to fill jobs and to keep inflation in check. I'll note that my colleague Steven Camarota recently debunked that latter canard, but in any event American voters aren't buying any of it. Why is President Biden calling an unseen Senate border compromise bill (that probably doesn't exist) "the toughest and fairest set of reforms to secure the border we've ever had in our country"? Because he's desperate to distract key voters away from the failures of his feckless border policies. **The better way for the president to reverse this dire political narrative is to use the powers he already has to secure the border**

**Analysis:** There are two viable strategies to respond to the 2024 election disadvantage. The first is to argue that it is non-unique because the Biden-Harris administration have already taken action to be “tough-on-immigration” so if voters cared about their material actions they would have already changed their support. The second is the link turn that the majority of Americans in swing states desire a tough-on-immigration stance – and that affirming could signal such a shift, revitalizing democratic support come November.

## A/2: Increased surveillance contributes to and reinforces the surveillance-industrial complex

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**Response:** Police and other government institutions already have access to surveillance technology.

**Non-unique:** Police already have access to facial recognition technology.

Ozer, Nicole. "Grassroots Activists are Leading the Fight to Stop Face Recognition. It's Time for Congress to Step Up, Too." American Civil Liberties Union. 17 June, 2021. <https://www.aclu.org/news/privacy-technology/grassroots-activists-are-leading-the-fight-to-stop-face-recognition-its-time-for-congress-to-step-up-too>

Today, many ACLU affiliates are proud to join 70 grassroots partners from across the United States to call on Congress to support this movement, and act aggressively to prohibit the government's use of face recognition and other biometric surveillance systems. **People and communities from coast to coast are being harmed by face recognition surveillance. Police and other government agencies are using these systems to intimidate activists, target immigrants, wrongfully accuse people of crimes, and impede access to needed public resources such as unemployment relief and housing. Face recognition supercharges the government's power to surveil people** of color and other marginalized groups and impacts our core constitutional rights. We cannot freely organize, seek reproductive health care, or attend a place of worship if we fear that our identities and locations will automatically be recorded and placed on a watchlist. Face recognition surveillance expands the reach of our society's most violent and unjust systems that activists have been fighting to dismantle for decades. All across the country, people are banding together to stop their governments from using these harmful systems. In the last two years, local coalitions and ACLU affiliates have passed

bans on government face recognition in 20 cities and counties, starting in San Francisco and leading up to this month's unanimous approval of a ban in King County, Washington — right in the backyard of Amazon and Microsoft.

**Non-unique:** Government Agencies have a litany of surveillance tools at their disposal to monitor citizens, including drones.

Denney, Joseph. "How Digital Surveillance Deters Protest Participation." The University of Texas at Austin. 9 March, 2022. <https://mediaengagement.org/blogs/how-digital-surveillance-deters-protest-participation/>.

This piece provides insights into the ways in which protests are surveilled and outlines two main issues with the practices: (1) general problems with the collection of personal data at protests, and (2) the problematic ways in which protest coverage is used toward political ends. We argue that a lack of certainty regarding protest surveillance creates apprehension among some protesters, which is reinforced if protests are led by members of historically marginalized groups. Finally, we provide recommendations for ways to mitigate the fears linked to protest surveillance and to provide more transparency into the ways in which personal information is collected and stored in order to guarantee that non-violent protests remain a safe and secure option for all communities in the U.S. General problems with collection of personal data at protests **The use of protester surveillance has been well-documented** going back to the 1960s. For example, government surveillance programs, such as the FBI's "COINTELPRO", targeted Black Americans fighting against segregation and structural racism in the 1950s and 60s, also by surveilling participation in protests. In the summer of 2020, police surveillance of protestors was deployed across the country in cities like Portland, Minneapolis, Chicago, and New York City, amongst them Black Lives Matters (BLM) organizers. In 2021, **the FBI was found to have specifically targeted protesters** affiliated with BLM in an attempt to disrupt protest organization. **Body-worn and**



security cameras, drones, text message interception, cellphone geo-tracking via Bluetooth, license plate scanners, and facial recognition were all in use across these protests. There is uncertainty about what happens with collected data after the protests. This uncertainty also includes the agents of surveillance, as not all technology they use is necessarily well-understood.<sup>1</sup> Tracing and understanding the extent to which data is gathered by law enforcement at protests is a difficult endeavor: First, a person must have evidence of the surveillance. Second, even if a protester is confident that their personal information has been collected through surveillance, ascertaining the exact nature of that information is extremely difficult. Without the assistance of counsel, an individual may never find out the extent to which they have been surveilled. Third, existing requests are often by stalled by law enforcement. Accessing this data often requires legal assistance, meaning that only those with the adequate resources and finances to retain counsel will be provided some form of recourse once the surveillance has happened. These issues are most likely to impact marginalized and low-income protesters. Without a clear sense of what information is being learned, synthesized, and stored about a protester, the preventive actions taken by protesters becomes more apprehensive and clandestine.

**Analysis:** Even without technology developed at the border, police and government agencies already have access to a litany of surveillance technologies. There are many reasons for this. Most importantly, other parts of the government such as the military can sell technology to other government agencies so there is no reason why the border is unique to this issue. Additionally, there's no reason why ICE/CBP must first contract this technology to be created. If police forces want better drones, there is nothing stopping them from doing the same.

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## A/2: Increased surveillance strengthens a problematic institution

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**Response:** Surveillance reduces the prevalence of profiling and discrimination by limiting human bias and error through algorithms.

**Turn:** Facial Recognition Technology is 99.9% effective at identifying individual faces.

Parker, Jake. Ray, David. "What Science Really Says About Facial Recognition Accuracy and Bias Concerns." SIA, 23 Jul. 2022.

<https://www.securityindustry.org/2022/07/23/what-science-really-says-about-facial-recognition-accuracy-and-bias-concerns/>

The 2019 NIST demographic report provided a moment-in-time snapshot of facial recognition algorithm performance, now two years old. What does scientific research say about the performance of facial recognition technology today? NIST's FRVT Ongoing series releases up-to-date analysis on a monthly basis, which surprisingly contradicts the 2019 demographic report. In fact, accuracy among subdemographics is very closely balanced, and if anything, the white male subdemographic shows the lowest accuracy, not the highest. **According to data from the most recent evaluation from June 28, each of the top 150 algorithms are over 99% accurate across Black male, white male, Black female and white female demographics.** For the top 20 algorithms, accuracy of the highest performing demographic versus the lowest varies **only between 99.7% and 99.8%**. Unexpectedly, white male is the lowest performing of the four demographic groups for the top 20 algorithms. For 17 of these algorithms, accuracy for white female, Black male and Black female are nearly identical at 99.8%, while they are least accurate for the white male demographic at 99.7%. (See data beginning with figure 105 of page 154. For simplicity, accuracy is stated here as the true accept rate (TAR) at a set 0.01% false accept rate (FAR), the scientific measurement of biometric performance on the

ability of the software to successfully match photos. Note TAR/FAR is the inverse of false nonmatch rate and false match rate.)

**Turn:** Expanded surveillance trades off with more biased human alternatives, culminating in on-net less discrimination.

Bambauer, Jane. "Facial Recognition as a Less Bad Option." National Security, Technology, and Law, 2021.

<https://s3.documentcloud.org/documents/21098548/facial-recognition-as-a-less-bad-option.pdf>

Of course, licit details will be revealed anytime facial recognition falsely identifies a suspect who is then subjected to an arrest or probable cause-based search. Much like the drug-sniffing dog, **facial recognition is far from infallible**, and the false match error will lead to privacy invasions. **But no investigation tool is free from error, and facial recognition outperforms the accuracy rates of eyewitnesses and PC-based warranted searches by a large margin.**<sup>29</sup> The same is true for racial differences in error rates: while some facial recognition technologies are more likely to produce false matches for photographs of Black faces,<sup>30</sup> the gap in false match error is likely to be reduced over time, and in any event may already be less bad than the difference in false match error from human systems of suspect identification.<sup>31</sup> Moreover, unlike traditional policing methods, facial recognition technology can be calibrated to only produce a match when the risk of a false match is below a certain threshold (ensuring equal false positive rates across race).<sup>32</sup> Facial recognition surveillance also differs in important respects from suspect-driven investigations. In suspect-driven investigations, police have developed suspicion (or a hunch) around a particular individual and focus their observations on the suspect in order to develop a case. Suspect-driven investigations are propelled by the theories of police officers and proceed at their discretion. By contrast, police have less control over the results of facial recognition investigations that stem from evidence at a

crime scene.<sup>33</sup> If facial recognition identifies a wealthy or politically connected individual as the suspect of a crime, it will be much more difficult for police to fail to pursue that lead than in a case where the police use informants or witnesses as the main source of identification.

**Turn:** Empirical studies have shown that alternatives to surveillance – like traditional methods of officer investigation – are far less accurate at identifying faces. Expanded surveillance can thus function to reduce false arrests and limit discrimination.

Parker, Jake. "Facial Recognition Success Stories Showcase Positive Use Cases of the Technology." SIA. 16 Jul. 2020.

<https://www.securityindustry.org/2020/07/16/facial-recognition-success-stories-showcase-positive-use-cases-of-the-technology/>

**For well over a decade, federal, state and local law enforcement have successfully used facial recognition technology as an effective tool in thousands of investigations.**

Many public safety officials feel that this technology is becoming a game-changer for keeping our communities safe, pointing to instances where crimes would have never been solved or prevented without it. Facial recognition helps investigators narrow searches for suspects more quickly, find missing children, rescue human trafficking victims, exonerate the innocent, achieve justice for victims, identify the deceased and benefit our communities in many other ways. In U.S. law enforcement, the technology serves as a tool to assist human analysts, who ultimately must use other means to verify an identity. The technology does not make a positive identification, establish probable cause for an arrest or otherwise make automated decisions. **Under traditional methods, police seek to identify an unknown person of interest during an investigation by manually looking through hundreds of mugshots with victims**, canvassing areas with photos or searching a database using vague suspect descriptions or names that could easily be criminal aliases or fraudulent identities. **Facial recognition technology**

**automates and improves the first step of identifying potentially matching photos from a database. Beyond improving an otherwise manual process, facial recognition contributes to more accurate identification.** The National Institute of Science and Technology has found that forensic examiners performed best when supported by facial recognition technology and the most accurate performance resulted when these efforts are combined. **Proper use of this technology is critical to protecting the innocent, as eyewitness identifications in criminal investigations are notoriously prone to error. According to the Innocence Project, mistaken eyewitness identifications have been the key factor in 71 percent of wrongful convictions in the U.S. later overturned.**

**Analysis:** Surveillance must be understood in the context of the alternative. Even if surveillance is slightly biased, it would likely be used in the place of human alternatives – like border control agents – who are more biased than algorithms. Thus, expanding surveillance would actually make the identification of immigrants more accurate, culminating in fewer false arrest and on-net less discrimination.

## A/2: Increased surveillance is unnecessary because biographic detection is already sufficiently effective

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**Response:** Biometrics can be paired with biographics to improve border efficiency.

**TURN:** Biometrics can reduce backlogs at the border.

“Biometrics Solutions For Customs and Borders: iProov. No Date.

<https://www.iproov.com/industries/customs-and-borders#:~:text=iProov%20biometric%20solutions%20enable%20agencies,fewer%20delays%2C%20and%20reduced%20backlogs.>

Border agencies must protect national security while mitigating backlogs and delays. iProov **biometric solutions enable agencies to verify travelers** remotely – before they arrive at the border – **improving security and expediting border crossings**. This means **lower risk, fewer delays, and reduced backlogs**. Risk Mitigation Failure to verify the identity of travelers can have repercussions on a national security scale. iProov biometric solutions are trusted by the US Department of Homeland Security to provide national-security-grade identity verification and authentication at borders. Increased Efficiency Delays and backlogs slow global traffic and trade, causing wide-scale disruptions. iProov solutions mitigate long and error-prone manual identity verification and authentication processes, accelerating the flow of people and goods. Enhanced Accuracy Maintaining accurate records, monitoring the volume of travelers, and identifying overstayers are fundamental to border integrity. iProov biometric technology removes human error, improving data accuracy. The solutions also decrease reliance on border protection staff in physical booth locations, making border protection more possible in remote locations.

**TURN:** Backlogs are devastating for migrants' economic outcomes.

Chishti, Muzaffar and Julia Gelatt. "Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes." Migration Policy Institute. 23 February, 2022.  
<https://www.migrationpolicy.org/article/us-immigration-backlogs-swelling-undermine-biden>

**Case backlogs can trap individuals in limbo for months or years, with enormous implications** for themselves, their families, employers, and the U.S. immigration system writ large, which suffers when it lacks transparency and predictability. **Would-be migrants** abroad waiting for State Department interviews may **remain separated from U.S.-based family members, lose out on job offers, or miss chances to enroll in educational institutions**. Given the delays in approving work authorization documents, many **immigrants** living in the United States **have been locked out of** or forced to leave their **jobs** even as the country is facing a high demand for workers. And long waits for immigration court hearings delay protections for vulnerable populations while creating a magnet for those who may not be eligible for asylum yet apply for protection knowing resolution of their case may be years off. The average immigration case completed in January 2022 had been pending for about two and a half years, with some courts seeing average waits in excess of three years. Beyond harming the effectiveness of the immigration system, the backlogs have the potential to dull the impact of the Biden administration's immigration ambitions. Since taking office last year, the administration has expanded Temporary Protected Status (TPS) to certain nationals of Myanmar and Venezuela already in the United States, and extended existing protections for U.S. residents from Haiti, Somalia, Syria, and Yemen, providing work authorization and relief from deportation for an estimated 427,000 additional people. Recipients' protections and work authorization can only be granted for up to 18 months at a time, meaning efficient processing is crucial.

**Analysis:** Installing biometrics doesn't necessitate removing biographics. Biometrics have unique advantages such as reducing backlogs and speeding up the asylum process which improves our border and conditions for migrants.

**Response:** Biometrics have and will continue to improve.

**De-Link:** Biometric accuracy has improved which will make them more useful on the border.

Baker, Stewart A. "The Flawed Claims About Bias in Facial Recognition. " Lawfare. 2 February, 2022. <https://www.lawfareblog.com/flawed-claims-about-bias-facial-recognition>

But **face recognition algorithms are just tools**. They may be accurate or not. The inaccuracies may be more common for some groups than others. But, like any tool, and especially like any new technology, **improvements are likely**. Treating face recognition differentials as an opportunity to explore society's inherent racism, in contrast, doesn't lead us to expect technical improvements. **And that**, it turns out, is why the "racism" framework is wrong. **Recent improvements** in face recognition **show that disparities** previously chalked up to bias **are largely the result of** a couple of **technical issues**. The first is data. To be accurate, machine learning needs a big dataset. **The more data you put in, the more accuracy you get out**. Since minorities are by definition less well represented in the population than the majority, a lack of data may explain much of the "bias" in face recognition systems. That's what tests suggest; algorithms developed in East Asia have done better than Western systems at identifying Asian faces—probably because they had more Asian faces to learn from. Luckily, this technical problem has a technical solution. Simply expanding the training set should improve accuracy and reduce differential error rates. A second technical issue is how the images in question are captured. It's obvious that good lighting improves face recognition. And, as camera makers already recognize, the wrong lighting or exposure can easily produce



photographs that don't do justice to people with darker skin. So simply improving the lighting and exposures used to capture images should improve accuracy and reduce race and gender differences. In fact, that's what more recent studies show. When it examined face recognition **in 2018, the National Institute of Standards and Technology (NIST) found "massive gains in accuracy" since 2012, with error rates that fell below 0.2 percent with good lighting,** exposures, focus and other conditions. In other words, used properly, the best algorithms got the right answer 99.8 percent of the time, and most of the remaining error was down not to race or gender but to aging and injuries that occurred between the first photo and the second.

**Analysis:** Even if biometrics are flawed now or have been in the past, improvements in technology are likely as it develops and gets more data. Technology being less than perfect in the past is not a reason to fully reject it today.

## A/2: Creating infrastructure for border surveillance damages delicate ecosystems

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**Response:** Using new surveillance technology can replace more harmful alternatives.

**Turn:** A virtual barrier will be used in place of a physical barrier

Ghaffary, Shirin. “The “smarter” wall: How drones, sensors, and AI are patrolling the border” *Vox*, February 7, 2020,  
<https://www.vox.com/recode/2019/5/16/18511583/smart-border-wall-drones-sensors-ai>. Accessed August 10, 2024.

There is another kind of border wall increasingly being talked about — one that proponents pitch as being less costly, less disruptive, and less politically controversial than a physical barrier: a so-called “smart wall.” **The vision, as laid out by its bipartisan political supporters, is to build an ocean-to-ocean technological barrier made up of a patchwork of tools like drones and sensors to help surveil and identify unauthorized individuals crossing the border, specifically in remote stretches of land between established ports of entry.**

**Turn:** A physical barrier is more harmful to the ecosystem

Main, Douglas. “The U.S. border wall is tearing through wilderness, right under our noses” *National Geographic*, November 2, 2020,  
<https://www.nationalgeographic.com/environment/article/border-wall-construction-continues-unabated>. Accessed August 10, 2024.

**The first obvious problem the wall creates is that it blocks the movement of wildlife. The fencing prevents animals from foraging and finding food, migrating, and spreading their genes, which could lead to regional extinctions of various species,** says Aaron Fleisch, a researcher at the University of Arizona who’s studied the impact of walls on animal movement.

**Turn:** Preventing migrants from crossing the border stops human disturbance of the ecosystem

“Earth Day Message: Mass Migration Harms the Environment” *Immigration Reform Law Institute*, April 21, 2019, <https://irli.org/earth-day-message-mass-migration-harms-the-environment/>. Accessed August 10, 2024.

**The environmental damage from mass migration extends beyond just increased CO2 output. The land around our southern border is riddled with trash, and it is directly proportional to the numbers of those who make the perilous journey to enter our country illegally. According to the Arizona Department of Environmental Quality, in fiscal years 2011 and 2012, when Arizona was experiencing over 120,000 border apprehensions, over 65,000 pounds of border trash was being collected annually. That’s more than 32 tons of garbage—plastic water bottles, abandoned vehicles, human waste, medical products and much more—on the ground.** In the following years, as apprehensions fell as low as 70,000, border trash collections dropped as well – reaching a low of just 19,000 pounds in fiscal year 2015 before jumping back up in 2016. This is only one of our four southern border states, and not even the largest.

**Turn:** AI can reduce border wait time

Covarrubias, Daniel. “Smart Borders: The Key to More Resilient International Trade and Cross-Border Transportation” *TCBEED Working Paper Series*, April 2023,

<http://texascenter.tamtu.edu/PDF/WPS/txcwp-2023-001.pdf>. Accessed August 10, 2024.

**Exponential technologies such as AI, predictive analytics, robotics, and automation can reduce the costs of handling and inspecting goods and people at land ports of entry (Covarrubias 2021). Optimization models generated through predictive analytics, and AI can minimize wait times while ensuring complete security screening processes.**

Smart borders refer to the use of technology and data to facilitate the movement of people and goods across borders while ensuring security. These initiatives include electronic customs systems, automated border control systems, and risk assessment tools.

**Turn:** Reducing border wait times helps reduce emissions

“Our Border Environment: Water and Air Pollution” *Atlantic Council*, February 27, 2023, [https://www.atlanticcouncil.org/wp-content/uploads/2023/02/Our\\_Border\\_Environment\\_Water\\_-and\\_-Air\\_Pollution.pdf](https://www.atlanticcouncil.org/wp-content/uploads/2023/02/Our_Border_Environment_Water_-and_-Air_Pollution.pdf). Accessed August 10, 2024.

New environmental stressors imposed on border communities also increase the difficulty of attaining and maintaining air pollution standards set forth by the United States Environmental Protection Agency (EPA). **The DoT’s Federal Highway Administration suggests that implementing emission reduction strategies on the border may help border regions attain the national standards set by the EPA. For instance, a joint cargo inspection initiative funded by the Border 2020 program at the Nogales-Mariposa port of entry found that reducing crossing times for northbound commercial vehicles reduced carbon dioxide and other particulate (PM10 and PM2.5) emissions by nearly 85 percent.**

**Analysis:** This block shows how using surveillance infrastructure can help to avoid other alternatives of preventing illegal migration that is more harmful for the environment, and how this infrastructure can reduce border emissions by reducing wait times.

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## A/2: Increased surveillance infrastructure increases migrant injuries and border related trauma.

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**Response:** Surveillance infrastructure can make crossing safer and reduce border patrol interactions.

**Turn:** Surveillance allows border patrol to see when migrants are in danger

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border" *MIT Technology Review*, April 17, 2023  
<https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 10, 2024.

**The towers are equipped with long-range cameras, radar, and laser illuminators, which generate images and other data that the agency's algorithms process in an attempt to identify people and objects.** The agency has indicated that the expanded program will fill gaps in the surveillance infrastructure at the border left by the planned termination of its blimp surveillance program.

**Turn:** Border patrol can save more lives if they can identify who is in danger

Copeland, Melissa et. al. "cbp-makes-lifesaving-rescues" *U.S Customs and Border Protection*, July 5, 2024 <https://www.cbp.gov/frontline/cbp-makes-lifesaving-rescues>. Accessed August 10, 2024.

**United States Border Patrol and Air and Marine Operations agents saved more than 5,000 people and conducted 1,400 search and rescue operations in fiscal year 2020. Since Oct. 1, 2014, agents have rescued more than 25,000 people along the Southwest**

**border.** An Arizona Department of Public Safety officer, above left, assists a Border Patrol agent with a medical extraction in the Arizona desert. CBP photo

**Turn:** More surveillance technology will allow border patrol to be more hands off

Madan, Monique “The Future of Border Patrol: AI Is Always Watching” *The Markup*, March 22, 2024 <https://themarkup.org/news/2024/03/22/the-future-of-border-patrol-ai-is-always-watching>. Accessed August 10, 2024.

**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.

**Turn:** Dealing with border patrol is traumatic for migrants

Cordero, Maria et. al. “The Harms of Border Patrol on Daily Life Along the Texas Border” *ACLU Texas*, February 21, 2023, <https://www.aclutx.org/en/publications/harms-border-patrol-daily-life-along-texas-border>. Accessed August 10, 2024.

Border Patrol is present at a wide range of locations throughout the community: schools, hospitals, grocery stores, community centers, polling places, and outdoor public spaces like parks. **One parent saw them following their child’s school bus. About 82% of interviewees reported they had seen Border Patrol in at least one of those places, and**

**69% had seen them at more than one. When Border Patrol agents are present, many people, including U.S. citizens, avoid the area. In fact, 61% of interviewees stated that they avoided going to one or more of these essential locations due to a fear of Border Patrol presence.**

**Turn:** Deterring migrant smugglers will lead to safer crossings

Jordan, Miriam “Smuggling Migrants at the Border Now a Billion-Dollar Business” *The New York Times*, July 25, 2022

<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

Accessed August 10, 2024.

**While migrants have long faced kidnappings and extortion in Mexican border cities, such incidents have been on the rise on the U.S. side, according to federal authorities. More than 5,046 people were arrested and charged with human smuggling last year, up from 2,762 in 2014.** Over the past year, federal agents have raided stash houses holding dozens of migrants on nearly a daily basis. Title 42, the public health order introduced by the Trump administration at the beginning of the coronavirus pandemic, has authorized the immediate expulsion of those caught crossing the border illegally, allowing migrants to cross repeatedly in the hope of eventually succeeding.

**Analysis:** This argument shows how border crossings are currently dangerous and border patrol helps to save migrants in danger, as well as avoiding border patrols harmful dangerous habits.



## A/2: Increased surveillance infrastructure will increase surveillance of innocent citizens.

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**Response:** Border surveillance won't significantly increase data collection of innocent citizens.

**Non Unique:** Other government agencies have more data on US citizens anyways

Taitz, Sarah "Five Things to Know About NSA Mass Surveillance and the Coming Fight in Congress" *ACLU*, April 11, 2023 <https://www.aclu.org/news/national-security/five-things-to-know-about-nsa-mass-surveillance-and-the-coming-fight-in-congress>. Accessed August 10, 2024.

**Indeed, the government reported that in 2011, Section 702 surveillance resulted in the retention of more than 250 million internet communications (a number that does not reflect the far larger quantity of communications whose contents the NSA searched before discarding them).** Given the rate at which the number of Section 702 targets is growing, it's likely that the government today collects over a billion communications under Section 702 each year.

**Mitigate:** Surveillance towers can avoid detecting citizens

Contreras, Russell "U.S. deploys AI in "virtual border wall"" *Axios*, November 11, 2023 <https://www.axios.com/2023/12/12/border-patrol-ai-us-mexico-wall-surveillance-virtual>. Accessed August 10, 2024.

**Autonomous surveillance towers contain 360-degree pan radars and sensors that can scan for miles. The towers are outfitted with AI software that distinguishes people from desert animals. Towers can be programmed to block off sections of surveillance**

areas, like homes on private ranches, so they don't monitor those regions. Images are fed back to Border Patrol personnel who can deploy agents to the area where activity was detected. The towers are solar-powered and can be erected in a matter of hours without drilling holes or requiring concrete, which means they can also be moved with ease.

**Non Unique:** Data on US citizens is being gathered by ICE at places other than the border

Ng, Alfred. "ICE Uses Database That Tracks License Plates, Raising Privacy Concerns"  
*CNET*, March 13, 2019 <https://www.cnet.com/news/politics/ice-uses-a-massive-database-tracking-driver-location-data-to-target-immigrants/>. Accessed August 10, 2024.

**US Immigration and Customs Enforcement has been using powerful technology to track where people are driving, documents released on Wednesday show. The documents were obtained and released by the American Civil Liberties Union and show that more than 9,200 ICE employees have been using a database of info from automated license plate readers across the US.** Agencies like ICE are continuing to rely on surveillance technology, and a federal spending bill looks to provide \$100 million to fund border surveillance tech. Companies like Amazon and Microsoft have also offered products such as facial recognition to ICE.

**Turn:** Modern AI will need less data, disincentivizing data collection.

Hao, Karen "A radical new technique lets AI learn with practically no data" *MIT Technology Review*, October 16, 2020  
<https://www.technologyreview.com/2020/10/16/1010566/ai-machine-learning-with-tiny-data/>. Accessed August 10, 2024.

Ryan Khurana, a researcher at the Montreal AI Ethics Institute, echoes this sentiment: “Most significantly, ‘less than one’-shot learning would radically reduce data requirements for getting a functioning model built.” **This could make AI more accessible to companies and industries that have thus far been hampered by the field’s data requirements. It could also improve data privacy, because less information would have to be extracted from individuals to train useful models.**

**Mitigate:** Border surveillance is not primarily aimed at US citizens

Ryan-Mosley, Tate. “The US is pouring money into surveillance tech at the southern border” *MIT Technology Review*, April 17, 2023  
<https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 10, 2024.

**Some of the findings were surprising, like the fact that the towers, which are on US soil, are concentrated around densely populated Mexican cities rather than more remote routes near the desert, which might have fewer patrols.** “These cameras are pointed at Mexican neighborhoods,” says Dave Maass, the lead investigator on the project.

**Analysis:** This block explains how the increased data collection at the border will be negligible in the face of the data collection that is already happening, and advancing surveillance tech such as AI could reduce the amount of data needed.

## **A/2: Increased surveillance infrastructure will increase racial discrimination.**

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**Response:** Modern surveillance infrastructure can protect migrants from existing discrimination.

**Turn:** Modern surveillance will use AI

Madan, Monique “The Future of Border Patrol: AI Is Always Watching” *The Markup*, March 22, 2024 <https://themarkup.org/news/2024/03/22/the-future-of-border-patrol-ai-is-always-watching>. Accessed August 10, 2024.

**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.”

**Turn:** AI can be trained to not be racist

Moschella, David “AI Bias Is Correctable. Human Bias? Not So Much” *Information Technology and Innovation Foundation*, April 25, 2022 <https://itif.org/publications/2022/04/25/ai-bias-correctable-human-bias-not-so-much/>. Accessed August 10, 2024.

The good news is that just as survey professionals strive to design random samples and ask neutral questions, so can AI developers take steps to assure the quality of their underlying data. Systems can, for example, be tested for bias by isolating criteria such as race, gender, location and other factors. Facial recognition weaknesses can and have been corrected through better data. These and similar techniques will only improve over time, as business practices mature and as the volume of relevant data steadily increases.

**Turn:** Surveillance infrastructure will reduce the need for border patrol to interact with migrants

Madan, Monique “The Future of Border Patrol: AI Is Always Watching” The Markup, March 22, 2024 <https://themarkup.org/news/2024/03/22/the-future-of-border-patrol-ai-is-always-watching>. Accessed August 10, 2024.

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.

**Turn:** Border patrol has a history of racism

Murdza, Katy “The Border Patrol’s Culture of Racism Impacts Every Facet of the Agency Today” *Immigration Impact*, February 11, 2021

<https://immigrationimpact.com/2021/02/11/border-patrol-racism-history/>.  
Accessed August 10, 2024.

**The Border Patrol has committed many acts of sexual and physical violence against people of color. Decades of growth and militarization have increased the scope of this violence. In the last decade, over 100 people have been killed by Border Patrol agents. None of these agents have been held meaningfully accountable.** The American Immigration Council found that 2,178 complaints of misconduct were filed against the Border Patrol between 2012 and 2015. 95.9% of the cases for which an outcome was reported resulted in “no action” taken against the accused agent.

**Turn:** Surveillance reduces law enforcement misconduct

Corley, Cheryl “Study: Body-Worn Camera Research Shows Drop In Police Use Of Force” *NPR*, April 26, 2021 <https://www.npr.org/2021/04/26/982391187/study-body-worn-camera-research-shows-drop-in-police-use-of-force>. Accessed August 10, 2024.

Even so, New York University Professor Morgan Williams Jr. says “integrating the technology into policing practices can be an important step towards making policing fairer and more accountable.” **In 2013, about a third of local law enforcement agencies, used some form of body-worn camera technology. By 2016, the number had grown to nearly 50%. While law enforcement often cites finances as a barrier to adopting body-worn cameras, the researchers say the benefits to society and police departments outweigh the costs of the cameras.**

**Analysis:** This block shows how increased surveillance infrastructure can decrease the amount of discriminatory encounters with border patrol by making them more hands off and increasing their accountability.

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**A/2: Increased surveillance infrastructure will harm native tribes**

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**Response:** Increased surveillance will make tribal border communities safer.

**Turn:** Tribes want more border security.

Ingram, Paul "Tucson Sector sees 140% spike in migrants at border, despite overall national decrease" *Tucson Sentinel*, November 15, 2023  
[https://www.tucsonsentinel.com/local/report/111523\\_bp\\_encounters/tucson-sector-sees-140-spike-migrants-border-despite-overall-national-decrease/](https://www.tucsonsentinel.com/local/report/111523_bp_encounters/tucson-sector-sees-140-spike-migrants-border-despite-overall-national-decrease/).  
Accessed August 10, 2024.

**"The Tohono O'odham Nation is requesting that CBP react with manpower and resources with the same speed and flexibility that those moving large numbers of migrants are doing along the U.S. southern border," he said. "This latest humanitarian situation is the result of failed federal immigration policies across multiple U.S. administrations. The impact of those failed policies, including building wasteful and ineffective walls, continues to affect the nation and communities all along the border."**

**Turn:** Migrants damage native land.

Filzen, Andrea "Clash on the Border of the Tohomo O'odham Nation" *Pulitzer Center*, February 22, 2023 <https://pulitzercenter.org/education/clash-border-tohomo-oodham-nation>. Accessed August 10, 2024.

**Some well- intentioned migrants, out of desperation, steal food, water, and trucks, leave their trash on the land, and use medical resources when passing through the O'odham nation. Employees like Gary Olson, manager of waste maintenance for the**

**O'odham government, reduce the negative effects of migration by cleaning up litter.**

"Some of my employees have had their homes broken into. Migrants raid their fridges because they're starving after a long journey. Trashing homes and leaving dirty clothes behind negatively impacts the environment," Olson expresses.

**Turn:** Surveillance infrastructure prevents the need for a physical barrier.

Cuellar, Henry "The answer to border security is technology, not wall" *CNN*, January 11, 2018 <https://edition.cnn.com/2018/01/11/opinions/trump-border-wall-ineffective-opinion-cuellar/index.html>. Accessed August 10, 2024.

**Instead of a wall, we should increase the use of modern technology, including cameras, fixed towers and aerial and underground sensors. Violent drug cartels are using more modern technology to breach our border than we are using to secure it. We can't double down on a 14th century solution to a 21st century challenge if we want a viable long-term solution.** A physical barrier also doesn't address the illicit trafficking of people and narcotics or the issues surrounding visa overstays. The majority of illicit narcotics enter the United States via our land ports of entry, according to the Drug Enforcement Administration's 2016 National Drug Threat Assessment Summary.

**Turn:** Tribes don't want a physical barrier through their land.

Montiel, Anya "The Tohono O'odham and the Border Wall" *American Indian Magazine*, Summer 2017 <https://www.americanindianmagazine.org/story/tohono-oodham-and-border-wall>. Accessed August 10, 2024.

**The Tohono O'odham Legislative Council issued a resolution on February 7 in opposition to the wall on its border. Nation Vice-chairman Verlon Jose emphasized that a wall "is not the answer to securing America...we believe that what is effective is**



**cooperation, continued cooperation and working together.** When you talk about homeland protection, homeland security, these are our homelands and we want to protect [and] secure them."

**Turn:** A physical barrier would divide native border communities.

Santos, Fernanda "Border Wall Tribe" *The New York Times*, February 20, 2017

<https://www.nytimes.com/2017/02/20/us/border-wall-tribe.html>. Accessed August 10, 2024.

Verlon M. Jose, vice chairman of the Tohono O'odham Nation, whose reservation extends along 62 miles of the border, heard from people he knew and those he had never heard of. **All of them were outraged and offered to throw their bodies, Standing Rock-style, in the way of any construction that would separate the tribe's people on the north side of the border and the south side, where they live in six villages within the boundaries of the group's ancestral lands.**

**Analysis:** This block shows that migrants are a threat to native tribes who want increased surveillance infrastructure to help their communities which are struggling with the danger and environmental impact. It also provides a much better alternative than splitting their tribe with physical barriers.

## A/2: Increased surveillance infrastructure reinforces classist divides in international mobility

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**Response:** Surveillance is an effective tool and it is continuing to improve

**Warrant:** Increased spending is necessary

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border." MIT Technology Review, 17 April 2023, <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>.

"Late last year, the agency responsible for policing the border, **US Customs and Border Protection (CBP)**, began asking for proposals for a \$200 million upgrade and expansion of a network of surveillance towers that pepper a trail from San Diego, California, to near Port Isabel, Florida. **CBP claims that these towers help agents monitor border crossings, intercept human trafficking and drug smuggling, and provide an essential service in a time of crisis**, and the program has cost over a billion dollars since 2005. The towers are equipped with long-range cameras, radar, and laser illuminators, which generate images and other data that the agency's algorithms process in an attempt to identify people and objects. The agency has indicated that the **expanded program will fill gaps in the surveillance infrastructure at the border** left by the planned termination of its blimp surveillance program."

**Warrant:** Technology and individuals work in conjunction to be effective

Beaumont, Hilary. "Virtual wall: how the US plans to boost surveillance at the southern border." 3 Apr. 2023, The Guardian, <https://www.theguardian.com/us->

news/2023/apr/03/us-mexico-border-surveillance-towers-customs-border-protection. Accessed August 9, 2024.

Maass said he spent long hours searching through satellite images for the distinctive clover leaf shape of autonomous surveillance towers developed by the tech defence company Anduril – the newest type of tower being installed at the southern border. “The satellite image of Anduril is burned into my head,” he said. **The Anduril towers operate day and night and use AI to detect “objects of interest” such as humans or vehicles. The cameras pan 360 degrees and can detect people from 1.7 miles (2.8km) away. When they identify an object, the towers send a notification to border agents. CBP has described the towers as “a partner that never sleeps, never needs to take a coffee break, never even blinks”.** The towers are part of a web of systems meant to monitor and deter migration and smuggling across the US-Mexico border that includes drones, licence plate readers, checkpoints, ground sensors, and data and biometrics collection.

**Warrant:** Continued surveillance helps prevent further crime at the border

Asmann, Parker and Dudley, Steven. “Human Trafficking on the US-Mexico Border: Family Clans, Coyotes, or ‘Cartels’?” InSight Crime, 30 Aug. 2023, <https://insightcrime.org/investigations/clans-coyotes-cartels-human-trafficking-us-mexico-border/>. Accessed August 9, 2024.

**Policymakers seeking to deal with human trafficking would do better to push for further research and increased resources for data collection and analysis.** There is a serious dearth of data related to this crime on both sides of the US-Mexico border, which contributes to uncertainty about where to target resources. **Without systematic data collection on both victims and victimizers, it is difficult to understand the true**

nature of human trafficking in this space and thus focus resources towards mitigating its impact.

**Warrant:** Better surveillance at the border would reduce crossings that may become violent

“The role of technology in securing the nation’s borders.” Military+Aerospace Electronics, October 1, 2018, <https://www.militaryaerospace.com/uncrewed/article/16707261/the-role-of-technology-in-securing-the-nations-borders>. Accessed August 11, 2024.

The days of monitoring these areas by human eyes alone, attempting to use sometimes-out-of-date paper to identify repeat offenders and known criminals, are over (although still a vital part of the effort). Today, the nation’s borders and coastlines are under constant surveillance from satellites and sensor-packed unmanned aerial vehicles (UAVs), aerostats, manned aircraft, boats, and ground vehicles. **The fast-growing need for interdiction, the large variety of sensors and platforms now being used or planned for in the future, and the dozens of local, state, and federal agencies involved also has increased the need for shared intelligence at all levels through real-time networks, advanced communications systems, and artificial intelligence (AI).** The technologies employed and being developed vary from agency to agency, depending on the task for which each is responsible.

**Impact:** Reducing violent crime reduces costs on society

Pallin, Rory, et al. "The Economic Benefits of Reducing Violent Crime." Center for American Progress, 27 July 2023, <https://www.americanprogress.org/article/the-economic-benefits-of-reducing-violent-crime/>.

**“Violent crimes are costly. Murders, rapes, assaults, and robberies impose concrete economic costs on the victims who survive as well as the families of those who lose their lives, in the loss of earnings and their physical and emotional tolls. Violent crimes also impose large costs on communities through lower property values, higher insurance premiums, and reduced investment in high-crime areas.** In addition, violent crimes impose significant costs on taxpayers, who bear the financial burden of maintaining the police personnel and operations, courts, jails, and prisons directed toward these crimes and their perpetrators.”

Analysis: The argument to make here is that surveillance is effective in reducing crime, and that reducing crime then helps to prevent the furtherance of classist divides that surveillance may cause. Crime is costly in and of itself. If surveillance helps to prevent it, then maybe it also helps to prevent further economic inequality.

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## A/2: Increased surveillance infrastructure leads to more reliance on smugglers

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**Turn:** Surveillance infrastructure is used to catch human smugglers.

**Warrant:** Surveillance infrastructure is used to catch human smugglers.

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border." MIT Technology Review, 17 April 2023, <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 14, 2024.

Late last year, the agency responsible for policing the border, US Customs and Border Protection (CBP), began asking for proposals for a \$200 million upgrade and expansion of a network of surveillance towers that pepper a trail from San Diego, California, to near Port Isabel, Florida. **CBP claims that these towers help agents monitor border crossings, intercept human trafficking and drug smuggling, and provide an essential service in a time of crisis, and the program has cost over a billion dollars since 2005.** The towers are equipped with long-range cameras, radar, and laser illuminators, which generate images and other data that the agency's algorithms process in an attempt to identify people and objects. **The agency has indicated that the expanded program will fill gaps in the surveillance infrastructure at the border left by the planned termination of its blimp surveillance program.**

**Warrant:** Apprehension of human smugglers is up.

"Department of Homeland Security-led effort makes 5,000th smuggler arrest in less than 6 months." ABC 13 Houston, 12 Oct. 2022, <https://abc13.com/human->

smuggling- biden-administrations-counter-smuggler-us-border-patrol-department-of-justice/12320504/. Accessed August 14, 2024.

**The U.S. Department of Homeland Security has reported that it has seen a 500 percent increase in smuggler arrests. The Biden Administration's "Counter Human Smuggler" campaign has made more than 5,000 arrests since launching in April 2022, DHS announced.** The Counter Human Smuggler campaign focuses on disrupting key aspects of their criminal operations, including their territory, activities, financial assets, and ability to travel and conduct commerce. In addition to the arrests, 5,549 disruptions of human smuggler infrastructure have also been carried out. Officials claim that increased law enforcement efforts have caused human smuggling organizations to change their tactics and shift their routes -- even going as far as moving their stash houses to locations where they hold people being smuggled or stash illicit weapons further away from the border.

**Impact:** Apprehending smugglers is important because smuggling leads to the death of migrants.

Rose, Joel and Peñaloza, Marisa. "Migrant deaths at the U.S.-Mexico border hit a record high, in part due to drownings." NPR, 29 Sep. 2022, <https://www.npr.org/2022/09/29/1125638107/migrant-deaths-us-mexico-border-record-drownings>. Accessed August 14, 2024.

**It's the second year in a row that migrant deaths near the border have climbed sharply. More than 560 migrants died in FY 2021, according to internal government figures, setting the previous record for a single year. Immigration authorities say the criminal organizations that smuggle migrants over the border are largely to blame.** "Smuggling organizations are abandoning migrants in remote and dangerous areas, leading to a rise in the number of rescues but also tragically a rise in the number of

deaths," a spokesman for U.S. Customs and Border Protection said in a statement, noting that the number of rescues performed by CBP officers and agents at the border climbed to more than 20,000 this year.

**Delink:** It's the broken immigration system, not the surveillance infrastructure, that leads to a reliance on human smuggling.

**Warrant:** The immigration system on the Southern border is broken.

Narea, Nicole. "What's really going on at the border, explained." Vox, 7 Feb. 2024, <https://www.vox.com/2024/2/7/24064001/border-crisis-immigration-reality-explained-mayorkas-impeachment>. Accessed August 14, 2024.

**Migrants have a legal right, enshrined in US and international law, to seek asylum and are entitled to a fair hearing, the same as any citizen. But the legal system for evaluating whether migrants arriving at the border qualify for asylum or other humanitarian protections is deeply broken. The immigration courts, which evaluate asylum and humanitarian claims, are chronically underfunded and have a backlog of more than 2 million cases. In 2023, resolving those cases took more than two years on average, during which time migrants may be detained or released into the US. This reality doesn't just arguably incentivize more migrants to seek to cross the border. It also shirks the US's legal and moral obligations to asylum seekers. Many migrants are forced to navigate the process themselves: Unlike in the criminal court system, there is no guarantee of legal representation, even though immigration law is notorious for being second in complexity only to the US tax code, and some migrants may not even speak English. This is untenable. But as I recently argued, the bill under consideration in the Senate doesn't meaningfully address those problems, instead relying on a broad authority to turn away migrants at times of high demand. Any reforms would have to balance the US's commitment to ensuring that migrants are not sent away to danger, as**



is required by law, with streamlining the process. To start, the government could surge resources to the various steps of this process in the interest of speeding it up.

**Warrant:** People turn to human smugglers because of the difficulties in the immigration system.

“Smuggling of migrants: the harsh search for a better life.” The United Nations Office on Drugs and Crime, n.d., <https://www.unodc.org/toc/en/crimes/migrant-smuggling.html>. Accessed August 14, 2024.

The smuggling of migrants is a truly global concern, with a large number of countries affected by it as origin, transit or destination points. Profit-seeking criminals smuggle migrants across borders and between continents. Assessing the real size of this crime is a complex matter, owing to its underground nature and the difficulty of identifying when irregular migration is being facilitated by smugglers. **Smugglers take advantage of the large number of migrants willing to take risks in search of a better life when they cannot access legal channels of migration. Smuggled migrants are vulnerable to abuse and exploitation. Their safety and even their lives are often put at risk: they may suffocate in containers, perish in deserts or drown at sea while being smuggled by profit-seeking criminals who treat them as goods. As the crime is a clandestine one, accurate global figures are difficult to come by.** Nevertheless, it is estimated that two of the principal smuggling routes - leading from East, North and West Africa to Europe and from South America to North America - generate about \$6.75 billion a year for criminals. The global figure is likely to be much higher.

**Analysis:** These are strong responses as they basically take the fact that surveillance would be a problem for human trafficking. Teams should be careful exactly how they use these arguments because they border on mutually exclusivity. Also, be careful on the delink because teams could exploit the delink as a turn by saying the excess funds that are going toward surveillance could be used to improve the immigration system thus solving for the smuggling problems.

## A/2: Increased surveillance infrastructure leads to data overload

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**Response:** The solution to information overload exists in the status quo

**Alternative Solution:** Data isn't the problem, human reliance on it is

Zoldan, Ari. "More Data, More Problems: Is Big Data Always Right?" *Wired*, May 10, 2013,  
<https://web.archive.org/web/20140428221758/http://www.wired.com/2013/05/more-data-more-problems-is-big-data-always-right/>. Accessed August 14, 2024.

How do we fight the problems of big data? First, we need to approach every data set with skepticism. You have to assume that the data has inherent flaws, and that just because something seems statistically right, doesn't mean it is. **Second, you need to realize that data is a tool, not a course of action. Would you ask your hammer how to build a house? Of course not! You can't let the data do the thinking for you, and can never sacrifice common sense. And third, having a lot of data is good, but what we need are the means to analyze and interpret it for use.**

**Delink:** Automated data analysis solves information overload

Rosenbach, Marcel, Holger Stark, and Jonathan Stock. "Data Surveillance with Global Implications." *Spiegel*, June 10, 2013,  
<https://www.spiegel.de/international/world/prism-leak-inside-the-controversial-us-data-surveillance-program-a-904761.html>. Accessed August 14, 2024.

**The goal, according to Petraeus, is for big data to "lead to automated discovery, rather than depending on the right analyst asking the right question." Algorithms pick out**

connections automatically from the unstructured sea of data they trawl. "The CIA and our intelligence community partners must be able to swim in the ocean of 'Big Data.' Indeed, we must be world class swimmers -- the best, in fact," the CIA director continued. The value of big data analysis for US intelligence agencies can be seen in the amount the NSA and CIA are investing in it. Not only does this include multimillion-dollar contracts with providers specializing in data mining services, but the CIA also invests directly, through its subsidiary company In-Q-Tel, in several big data start-ups.

**Delink:** The algorithms to sift through data have existed for over a decade

Segal, Mark. "Guest Editor's Column." The Next Wave, November 28, 2014, <https://www.nsa.gov/research/tnw/tnw204/article1.shtml>. Accessed August 14, 2024.

According to a 2012 study by the International Data Corporation, there will be approximately 1022 bytes of data stored in all of the computers on Earth by 2015 [3]. To put that number in perspective, that's more than the estimated  $7.5 \times 10^{18}$  grains of sand on all of the beaches of the Earth, and almost as much as the estimated 1022 to 1024 stars in the Universe. **Let's harness the tools and algorithms currently being used to process Big Data to solve some of our planet's most critical problems. We hope you find this issue of TNW interesting, informative, and thought-provoking.**

**Delink:** Cloud computing solves information overload

Burkhardt, Paul. "An overview of Big Data." The Next Wave, November 28, 2014, <https://www.nsa.gov/research/tnw/tnw204/article2.shtml>. Accessed August 14, 2024.

The volume and velocity of Big Data is exceeding our rate of physical storage and computing capacity, creating scalability demands that far outpace hardware innovations. Just as multicore chips were designed in response to the limits of clock speeds imposed by Moore's Law, cloud technologies have surfaced to address the impending tidal wave of information. **The new cloud architectures pioneered by Google and Amazon extended distributed computing from its roots in high-performance computing and grid computing, where hardware was expensive and purpose-built, to large clusters made from low-cost commodity computers, ushering the paradigm of "warehouse" computing. These new cloud data centers containing thousands of computer cabinets are patrolled by administrators on motorized carts to pull and replace failed components.**

**Analysis:** These responses essentially say that we have all the tools we need to fight information overload already. Teams could strengthen this argument by pointing to how surveillance infrastructure is often tied to requests for increased staffing.

## A/2: Increased surveillance infrastructure leads to crackdowns on migrant justice organizers

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**Response:** Increased federal oversight ensures this doesn't happen

**Non-unique:** In the status quo, unauthorized teams cover up critical incidents without federal oversight

Riggins, Alex. "Federal watchdog: Border Patrol critical incident teams operated in San Diego and beyond without oversight." The San Diego Union-Tribune, May 17, 2024, <https://www.sandiegouniontribune.com/2024/05/17/federal-watchdog-border-patrol-critical-incident-teams-operated-in-san-diego-and-beyond-without-oversight/>. Accessed August 7, 2024.

**Seven of nine U.S. Border Patrol sectors along the U.S.-Mexico border operated "homegrown" teams to investigate critical incidents with no oversight from Border Patrol headquarters, including the San Diego Sector, which created the first such unauthorized unit more than 35 years ago, according to a report released this week by the U.S. Government Accountability Office.** The Southern Border Communities Coalition, which first shed light on such units in a 2021 letter to Congress that described them as "cover-up teams" and "shadow police," said the new report "points to widespread and ongoing abuse of power at the nation's largest law enforcement agency."

**Turn:** Congressional pressure exists to unify Border Patrol efforts in the status quo

Riggins, Alex. "San Diego Congress members seek more answers about Border Patrol units that operated without oversight." The San Diego Union-Tribune, May 31,

2024, <https://www.sandiegouniontribune.com/2024/05/29/san-diego-congress-members-seek-more-answers-about-border-patrol-units-that-operated-without-oversight/>. Accessed August 7, 2024.

**A trio of San Diego Congress members led by Rep. Juan Vargas are calling on two federal agencies to provide more answers about how seven Border Patrol sectors along the U.S.-Mexico boundary were allowed to operate “homegrown” critical incident teams for decades without oversight.** The letter to Border Patrol’s parent agencies — signed Vargas, Rep. Sara Jacobs, Rep. Scott Peters and Texas Rep. Joaquin Castro — comes in response to a report published earlier this month by the U.S. Government Accountability Office that documented the use of unregulated critical incident teams in all but two of the nine sectors along the Mexican border. The report revealed that the first such team began in the San Diego Sector more than 35 years ago and that it and subsequent units operated with no oversight from Border Patrol headquarters.

**Turn:** Increased border surveillance efforts come at a federal level

Roy, Diana, Amelia Cheatham, and Claire Klobucista. “How the U.S. Patrols Its Borders.” Council on Foreign Relations, June 18, 2024, <https://www.cfr.org/backgrounder/how-us-patrols-its-borders>. Accessed August 7, 2024.

**Securing the borders primarily falls to U.S. Customs and Border Protection (CBP), a branch of DHS. Alongside agencies such as the Transportation Security Administration and Drug Enforcement Administration (DEA), CBP is responsible for overseeing and enforcing laws related to trade and travel in and out of the country. Its duties include preventing criminals, would-be terrorists, and contraband from entry.** CBP inspects immigrants and cargo at 328 official ports of entry, patrols thousands of miles of border

to the country's north and south, and helps investigate criminal networks, among other responsibilities [PDF]. Of CBP's more than sixty thousand employees, some one-third are Border Patrol agents, who exclusively work between ports of entry.

**Turn:** Border reform efforts come with new federal oversight and executive powers

“An Analysis of the Senate Border Bill.” American Immigration Council, February 8, 2024, <https://www.americanimmigrationcouncil.org/research/analysis-senate-border-bill>. Accessed August 7, 2024.

**The bill gives the federal government significant discretion over exactly when to implement this new emergency summary-deportation process and does not require it to be publicly announced.** The upshot is this: on any given day, a would-be asylum seeker would have no idea whether they would be allowed to seek asylum in the U.S. or not. The government would be allowed to opt people out of summary removal for a variety of reasons, including operational constraints such as overcrowding. Non-Mexican unaccompanied children would also be exempted.

**Analysis:** This response essentially says that any crackdown on migrant justice organizers could be stopped through federal oversight. Teams might look at coupling this response with a politics argument that says keeping Democrats in the White House would happen through increased border surveillance.

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## A/2: Increased surveillance infrastructure threatens Social Security

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**Response:** Deportations would not significantly impact social security negatively

**Turn:** Immigrants receive a higher rate of return on social security than U.S. natives

“Immigrants Enjoy Better Social Security Returns than U.S. Natives.” National Bureau of Economic Research, September 1, 1998, <https://www.nber.org/digest/sep98/immigrants-enjoy-better-social-security-returns-us-natives>. Accessed August 14, 2024.

This means that each dollar of payroll tax contributions generates higher benefits for foreign born than U.S. natives. Gustman and Steinmeier compute Social Security benefits for both groups at representative ages and for comparable earnings. Much of their work is based on a sample of the population of those born between 1932 and 1941 -- and thus close to retirement -- from the Health and Retirement Study (HRS). **The paper applies a series of money's-worth tests to show that the benefits formula replaces a higher fraction of total earnings for immigrants than for the native born. Taking those aged 51 to 61 years in 1992, foreign born men at retirement will have paid on average 76 percent of the taxes paid by U.S. born. But they and their family will receive 83 percent of the benefits.**

**Delink:** There is plenty of time to fix social security's funding

“Policy Basics: Understanding the Social Security Trust Funds.” Center on Budget and Policy Priorities, July 25, 2024, <https://www.cbpp.org/research/social-security/understanding-the-social-security-trust-funds-0>. Accessed August 14, 2024.



Few budgetary concepts generate as much unintended confusion and deliberate misinformation as the Social Security trust funds. The trust funds are invested in Treasury securities that are just as sound as all other U.S. government securities, held by investors around the globe and regarded as being among the world's safest investments. Starting in 2021, Social Security began drawing down trust fund reserves to help pay for benefits. **Although Social Security has a long-term financial shortfall that must be closed, the program's combined trust funds will not be depleted until around 2035, which gives policymakers time to develop a carefully crafted financing plan.**

**Delink:** Bipartisan legislation has historically fixed social security budget shortfalls

Paul, Trina. "Will Social Security run out? Here's what could happen to your benefits." CNBC, May 9, 2024, <https://www.cnbc.com/select/will-social-security-run-out-heres-what-you-need-to-know/>. Accessed August 14, 2024.

Changes to Social Security benefits and revenue sources need to come from Congress. There are different strategies but most involve one or more of the following: Cutting benefits, Increasing the payroll tax (or the income limit), Increasing the age at which taxpayers can claim benefits. **The last time Social Security faced a reserve deficit was in 1983. Bipartisan legislation increased the full retirement age from 65 to 67 and charged income tax on Social Security benefits.**

**Delink:** Higher taxes solve social security and have public support

Miller, Mark. "The Social Security fix no one is talking about." Reuters, May 7, 2024, <https://www.reuters.com/business/finance/social-security-fix-no-one-is-talking-about-2024-05-07/>. Accessed August 14, 2024.

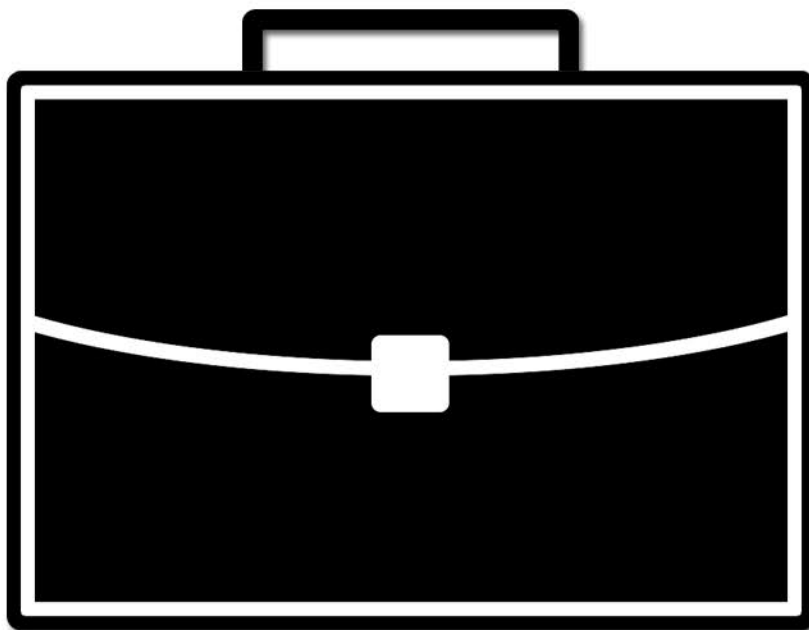
But the closer we get to insolvency, benefit reductions cannot be implemented in a way that solves the immediate problem. And a revenue solution gets more challenging - at least, if the goal is to meet Social Security's legal requirement to forecast solvency over a 75-year period. The payroll tax hikes required at the point of insolvency to meet that goal would be so large that they likely would not be politically feasible. **Polling has long indicated that the public supports higher taxes as a way to keep Social Security solvent and maintain benefit levels.**

**Analysis:** This response essentially says that there is no reason to worry about social security funding, either because the solutions are publicly supported or because we have plenty of time to fix any funding issues.

# Champion Briefs

Sept/Oct 2024

Public Forum Brief



Con Arguments

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## CON: Increased surveillance would be circumvented and lead to more dangerous routes being taken

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**Argument:** Increased surveillance would be circumvented and lead to more dangerous routes being taken.

**Warrant:** Surveillance pushes migrants towards more dangerous routes.

Soto, Gabriella. "The Border Enforcement Funnel Effect: A Material Culture Approach to Border Security on the Arizona-Sonora Border, 2000-Present." The University of Arizona, 2018. Accessed 8 August, 2024.  
<https://repository.arizona.edu/handle/10150/626749>

Nearly two decades have passed since the strategic border security paradigm known as "prevention through deterrence" (PTD) took root in the landscape of Southern Arizona. **The aim of PTD was to deter illicit migration by strategically amassing border security, forces to funnel migrants into increasingly remote and treacherous territory where they would face increased risk. Indeed, risk was to be the prime factor of deterrence. Thousands of undocumented migrants died attempting to overcome those risks in an outcome known as the "funnel effect," wherein migration patterns shifted to bypass and overcome border security.** When speaking about PTD taking root in southern Arizona, I mean that this geography is the locus of the funnel effect and has been since 2001. Southern Arizona represents the longest stretch of border walling in the United States and the highest concentrations of border security personnel and undocumented migration activity since the early 2000s.

**Warrant:** Historically, this 'funneling' to more dangerous routes has occurred when the US has increased border security.

Del Valle, Gabby. "Surveillance Has a Body Count." The Verge, 20 Mar. 2024.

<https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>.

The vast surveillance apparatus at the border is driving desperate people into more dangerous terrain, resulting in a 57 percent increase in recorded deaths at the US-Mexico border. **Customs and Border Protection (CBP) just released updated data on migrant deaths at the US-Mexico border, and the results are staggering. At least 895 people died at the border during the 2022 fiscal year — a 57 percent increase from the previous fiscal year.** This grim statistic makes 2022 the deadliest year on record for migrants attempting to come to the US, and it's possible that the figure is an undercount. For years, CBP has blamed the persistent rise in deaths on three factors: the summer heat, the ruggedness of the desert terrain, and the cruelty of smugglers who leave migrants to die there. Climate change has indeed made summers hotter and drier, which means migrants who spend days or weeks trekking through remote stretches of the desert are more likely to become dehydrated and, if out in the sun for long enough, to succumb to exposure. **But rising temperatures don't explain why migrants are crossing through such perilous parts of the borderlands in the first place, often dying in the process. The real culprit is the vast surveillance apparatus that funnels migrants — including people seeking asylum — into what CBP itself calls "hostile terrain."**

**Warrant:** Empirical evidence proves this relationship to be true. Numerous studies conclude that increased surveillance increases the rate of migrant death.

Tyler, Hannah. "The Increasing Use of Artificial Intelligence in Border Zones Prompts Privacy Questions." Migration Policy, 2022.

<https://www.migrationpolicy.org/article/artificial-intelligence-border-zones-privacy>

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.

**Analysis:** Immigrants are coming to the US for reasons surveillance cannot address. Even if we improve surveillance infrastructure, migrants will still try to enter the US but now through more dangerous and remote routes not covered by surveillance. This has historically increased migrant deaths at the border.

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## CON: Increased surveillance would alienate some voters in swing states, altering the 2024 election

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**Argument:** Increased surveillance would alienate voters in swing states, impacting the result of the 2024 election.

**Warrant:** Kamala Harris is experiencing a prolonged rebound and has surpassed Trump.

Kilgore, Ed. 8 August, 2024. "Harris vs. Trump Polls: Kamala's Gains Are Now a Trend, Not Just a Bounce." *Intelligencer* <https://nymag.com/intelligencer/article/harris-vs-trump-polls-kamalas-gains-are-now-a-trend.html>

It has now been nearly three weeks since Joe Biden withdrew from the 2024 presidential race and endorsed Kamala Harris as his presumptive replacement as Democratic nominee. **Unsurprisingly, Harris got a quick bounce in the polls as the new, younger, and fresher rival to Donald Trump. But now it's becoming clear this is a trend, not just a momentary bounce. According to the FiveThirtyEight national polling averages, Harris is leading Trump by 2.3 percent (45.8 to 43.4 percent), with Robert F. Kennedy Jr. at 5.1 percent. When Biden dropped out, he was trailing in the same averages by 3.2 percent.** In a contest as static as the 2024 presidential race had been, that's a big swing, though it should be noted that Harris's lead is just a bit more than the popular vote margin Hillary Clinton achieved in her losing effort against Trump in 2016. The trend lines in national polls also reflect a pro-Democratic shift.

**Warrant:** Increasing border scrutiny will only anger and alienate Democratic voters.

Sherman-Stokes, Sarah. "Being 'anti-immigrant' is not a winning strategy for Biden in 2024." *WBU Radio*. 8 May, 2023.

<https://www.wbur.org/cognoscenti/2023/05/08/biden-2024-campaign-immigration-policy-sarah-sherman-stokes>

**In this transitional political moment, the president has the chance to, once and for all, meaningfully distance himself from the hateful, unlawful policies of his predecessor by making bold moves on immigration.** Dasling Sanchez, 28, holds her sleeping sons as they rest next to a gas station in downtown Brownsville, Texas, on May 6, 2023. (Photo by Moisés Avila / AFP via Getty Images) Dasling Sanchez, 28, holds her sleeping sons as they rest next to a gas station in downtown Brownsville, Texas, on May 6, 2023. (Photo by Moisés Avila / AFP via Getty Images) First, he can take steps to greatly reduce, or even end, the mass incarceration of noncitizens — a blight on our standing in the world that has yielded pervasive, horrifying abuses, and that also cost taxpayers \$2.9 billion in 2023. Immigration detention is dangerous, expensive and unnecessary. Immigration proceedings are a civil process, not a criminal sentence. And yet, nearly 25,000 people remain incarcerated in immigration jails and prisons under this administration. Biden can also halt any further construction on a border wall. We know that the wall is not only a symbol of racism and xenophobia, but wholly ineffective; rather than preventing migration, the wall drives migrants to take more dangerous routes, risking their lives. Finally, the president can urge Congress to pass the recently reintroduced New Way Forward Act, a bill that offers another vision of what our immigration system might look like. The Act restores vital due process protections that will help keep families and communities together. The bill also ends the harmful practice of local police collaboration with federal immigration officials, ensuring that victims and witnesses — regardless of their immigration status — feel safe to report crime. Broadly speaking, the bill aims to remedy the criminalization and racial profiling that has been a hallmark of our immigration system, instead advancing values of compassion, fairness and due process for all. Whoever the Republican candidate is in November, **immigration** — along with its bedfellows, **racism** and **xenophobia** — will also be **on the ballot**. Make no mistake, **anti-immigrant zealots will never support President Biden. He hasn't won their votes by continuing construction on the border wall, maintaining illegal Title 42 restrictions at the border or massively expanding the surveillance of noncitizens.**



**Politically, Biden stands to gain little, if anything, by continuing his mov[ing] to the right on immigration; if he further panders to the anti-immigrant agenda in 2024, he risks losing both Democratic votes, and his integrity.**

**Warrant:** In Europe, the left lost progressive voters and did not improve its standing among conservatives.

Henley, Jon. "Adopting rightwing policies 'does not help centre-left win votes: Study of European electoral data suggests social democratic parties alienate supporters by moving towards the political centre.'" The Guardian, 10 January, 2024.<https://www.theguardian.com/politics/2024/jan/10/adopting-rightwing-policies-does-not-help-centre-left-win-votes>

**Adopting rightwing policies on issues such as immigration and the economy does not help centre-left parties win votes, according to new analysis of European electoral and polling data. Faced with a 20-year decline in their vote share, accompanied by rising support for the right, far right and sometimes the far left, social democratic parties across Europe have increasingly sought salvation by moving towards the political centre. However, the analysis, published on Wednesday, shows that centre-left parties promising, for example, to be tough on immigration or public spending are unlikely to attract potential voters on the right, and risk alienating existing progressive supporters. "Voters tend to prefer the original to the copy," said Tarik Abou-Chadi, an associate professor of European politics at the University of Oxford and the co-founder of the Progressive Politics Research Network (PPRNet), which launched on Wednesday.**

**Analysis:** The 2024 election is right around the corner, and immigration is a central issue on the ballot. Expanding border surveillance could have profound impacts on the outcome of the election.

## CON: Increased surveillance contributes to and reinforces the surveillance-industrial complex

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**Argument:** Increased surveillance contributes to and reinforces the surveillance-industrial complex.

**Warrant:** Surveillance systems deployed at borders are consistently co-opted for use in broader society.

Tyler, Hannah. "The Increasing Use of Artificial Intelligence in Border Zones Prompts Privacy Questions." Migration Policy Institute, 2 Feb. 2022.  
<https://www.migrationpolicy.org/article/artificial-intelligence-border-zones-privacy>

But these types of systems have also raised concerns, most notably about individuals' privacy. **Critics have warned of the possibility of technology creep, in which systems pioneered for border zones slowly make their ways into mainstream society, where they could be used to surveil the public at large.** For instance, China, which has deployed artificial intelligence tools as part of its "zero-COVID" policy against the coronavirus, has faced increasing scrutiny over its surveillance and monitoring practices that are likely to outlast the pandemic. Generally speaking, it has been unclear at times whether travelers have consented to giving biometric and other information to government authorities, or what rights individuals have in their still-evolving relationships with AI technologies.

**Warrant:** New surveillance infrastructure can be used in non-border patrol operations by state agencies.

Matthew, Bier. Feeney, David. "Drones on the Border: Efficacy and Privacy Implications." Cato Institute, 1 May, 2018. <https://www.cato.org/immigration-research-policy-brief/drones-border-efficacy-privacy-implications>

Facial recognition programs are prone to errors.<sup>44</sup> A May 2016 Government Accountability Office report revealed that, although the FBI did not rigorously test the accuracy of NGI-IPS prior to deployment, what testing did take place found that the software failed 14 percent of the time to include the correct person in a 50-person list.<sup>45</sup> Research on a number of facial recognition systems has found that their error rates are not evenly distributed among races and genders.<sup>46</sup> If CBP's small drones begin to use facial recognition technology, law enforcement agencies run the increased risk of detaining law-abiding people as suspected border crossers. **Non-Border Patrol Uses of Border Drones** **CBP often uses its aircraft to assist non-Border Patrol operations.**<sup>47</sup> From 2010 to 2012, CBP operators flew 687 missions on behalf of other agencies.<sup>48</sup> From 2013 to 2016, only about half of CBP drone flight hours were actually in support of Border Patrol.<sup>49</sup> Furthermore, CBP reports that 20 percent of all Predator B flights were not in coastal or border areas.<sup>50</sup> The cooperation between CBP and other federal agencies means that Americans living near the border aren't the only ones who risk having their privacy infringed by CBP drones. **State and local agencies also often request CBP drone assistance for routine law enforcement matters.** From 2013 to 2016, CBP drones flew 416 flight hours for state and local police, often failing to record which police departments were requesting CBP drone assistance.<sup>51</sup> The first reported case of a drone aiding a domestic arrest occurred in 2011 when CBP deployed a drone without a warrant in North Dakota to determine whether suspects that local police were seeking to arrest were armed.<sup>52</sup> A district judge rejected one of the suspect's motion to suppress the warrantless drone surveillance, writing that "there was no improper use of an unmanned aerial vehicle."<sup>53</sup> DHS does not indicate whether CBP adheres to state warrant requirements when assisting local law enforcement agencies.<sup>54</sup> For instance, **Texas requires local police to obtain warrants to conduct searches with drones,**

whereas the other three southwest border states do not.<sup>55</sup> Thus, CBP drones could be a loophole allowing local police to evade local democratic scrutiny of drone use or the requirement for a search warrant. Unfortunately, CBP fails to release sufficient data on local support operations to identify exactly how they are used.

**Warrant:** Loopholes in technology allow for fast social change where function creep perpetuates within society

Dekkers, Tim. "Technology driven crimmigration? Function creep and mission creep in Dutch migration control." *Journal of Ethnic and Migration Studies*, 2019.  
<https://www.tandfonline.com/doi/full/10.1080/1369183X.2019.1674134>.

**Technologies can create their own momentum, setting limitations and barriers to future decision-making which can result in the technology perpetuating itself** (Hughes 1993; Dafoe 2015). Investments have been made, protocols implemented and frames established, making it difficult to take a different course without costly implications. Technologies can also have unintended consequences and side-effects. Although they may be implemented with certain effects in mind, in practice other previously unthought-of effects may materialise due to 'the lack of foresight or concern by the designer, or the sheer unpredictability or complex sociotechnical processes' (Dafoe 2015, 1054). The above creates an interesting issue on the relation between technology and societal developments such as crimmigration. **Function creep** and technical determinism **indicate that technology can initiate changes to the social environment or changes in the social environment initiate changes to the technology**. In the context of this article, **this raises the issue of technological change creates crimmigration** or crimmigration creates technological change, which we will address further by using the Amigo-boras case study. Empirical data will show what the assumptions, expectations and rationales behind the technological change in migration control are, allowing for new insights into the connection between crimmigration and technology.

**Analysis:** Border surveillance could be weaponized by law-enforcement agencies to circumvent the need for warrants and institutional checkbacks. With less accountability, law enforcement agencies will have more power to limit protests and social change.

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**CON: Increased surveillance strengthens a problematic institution**

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**Argument:** Strengthens a potentially racist institution

**Warrant:** Border control by definition is a racist practice, designed to keep out non-white 'undesirables' while maintaining white majority and supremacy.

Porotsky, Sophia. M.A. in International Relations from the University of St. Andrews.

"Rotten to the Core: Racism, Xenophobia, and the Border and Immigration Agencies." Georgetown Law Journal.

<https://www.law.georgetown.edu/immigration-law-journal/in-print/volume-36-number-1-fall-2021/rotten-to-the-core-racism-xenophobia-and-the-border-and-immigration-agencies/>

**Racism and xenophobia animating border and immigration policy have deep roots in the United States**, and DHS is merely the **current enforcement mechanism** taking up the **white supremacist mantle**. In reality, **surveillance, subjugation, and control** of Black, indigenous, and other people of color **can be traced from** the country's founding to the present day. The United States Constitution, written by white men who expounded a vision for a **homogenous white nation**, treats Black people as **subhuman** and presumes that **many** in this country **will not enjoy the privileges** and immunities of **full citizenship**. The first piece of legislation addressing pathways to citizenship, the **1790 Naturalization Act**, specifically **excluded any** person who was **not** a "free **white person**." The Chinese **Exclusion Act**, Japanese **Internment** via Executive Order, "Operation **Wetback**," and the recent **Muslim Ban** are just some of the egregious examples of **the white majority's hostility towards non-white immigration and presence within U.S. borders**. Many of these **discriminatory policies** were cloaked in **national security justifications**. **Consequently, immigration policy has been conflated**

**with national security, and its racist and xenophobic motivations have been obscured.**

When the U.S. government invokes national security or identifies specific groups as existential threats to the American people, facilitates the suspension of legal norms and concomitant civil and human rights abuses. An examination of DHS, specifically the history of CBP and ICE and its antecedents, reveals how these law enforcement agencies effectuate policies steeped in racism and xenophobia behind the veil of national security rationales. These false justifications enable and legitimize civil and human rights violations, which have predominantly affected vulnerable communities of color. The conflation of immigration policy and homeland security requires conscious, intentional disentanglement. One important step forward is to dismantle DHS and start afresh. Halfway changes and modifications are insufficient. As abolitionist scholars in the criminal justice context have revealed, reform of an existing institution that is inextricably intertwined with racism and injustice is futile. Implicit bias trainings, diverse hires, and other reforms have ultimately failed to successfully reform the criminal justice system, and the border and immigration agencies would be no different. Thus, meaningful change requires dismantlement and the accompanying reckoning with white supremacy, de-securitization, de-militarization, and de-criminalization of the border and immigration agencies and the vulnerable populations these agencies interact with on a daily basis. The U.S. government must acknowledge that **immigration policy, from the country's founding until now, is tinged with racism and efforts to preserve white dominion.** Next, de-securitizing migrants and nonwhite "alien others," as well as immigration policy and enforcement is necessary. The U.S. government has used a veil of national security to justify the inhumane treatment of vulnerable populations, who are predominantly communities of color. De-securitization goes hand-in-hand with de-militarization. The War on Terror paradigm legitimized the use of excessive force and military-grade equipment at the border, justified by the threat of potential terrorists crossing the border. Twenty years after 9/11, we know that threat was unsubstantiated. Moreover, there is no valid justification for the permeation of military culture and weapons within a federal law enforcement agency, and it is necessary to deblur the line

between military and civilian agencies. Finally, immigration status-related offenses should be decriminalized. **The concept of illegal immigration stems from white supremacist policies and reinforces the dangerous “alien other” narrative, which makes immigrants vulnerable, ever-present targets** for public safety campaigns. Justice Louis D. Brandeis said, “[s]unlight is said to be the best of disinfectants,”<sup>350</sup> and the time to disinfect is long overdue.

**Warrant:** Expanded surveillance makes the institution of immigration control even more powerful, reproducing its ultimately oppressive goals.

Sherman-Stokes, Sarah. “Immigration Detention Abolition and the Violence of Digital Cages.” University of Colorado Law Review, 2024.  
<https://scholar.law.colorado.edu/lawreview/vol95/iss1/5/>

As with incarceration, **the immigration system’s shift toward** monitoring and electronic **surveillance** has taken cues from the criminal legal system. With prisons and jails past capacity from decades of mass incarceration, electronic monitoring was also touted as an effective solution in the criminal enforcement space. But as with electronic monitoring in the immigration space, in the criminal space, electronic monitoring **has resulted in (1) a dramatic increase in the number of people surveilled and (2) very few rights for those under surveillance.**<sup>122</sup> In short, **this dramatic expansion of surveillance** and monitoring **has become yet another** tech-savvy “enactment of **structural racism, and another method of criminalizing and policing poverty** – rather than addressing its social roots.”<sup>123</sup> Put another way, the dramatic and swift expansion of immigration surveillance can be seen as another form of what Shoshana Zuboff calls “surveillance capitalism”<sup>124</sup>—a way to capture and commodify the private human experience of living and translate it into valuable data that the state, private companies, and law enforcement can wield for profit, power, and social control. II. DIGITAL CAGES  
In this Part, I look at one specific example of violence in the rapidly growing immigration



surveillance space<sup>125</sup>: digital cages. Here, I discuss how many **moderates, liberals, and even progressives** have **pushed for an expansion of alternatives to detention**, specifically ankle shackles, as an effort to curtail immigration detention while ensuring compliance with court attendance, an oft-stated justification for civil immigration detention.<sup>126</sup> I show how **such discourse—often deemed “progressive”** as, on its face, it diverges from the physical building of more jails and detention centers—**is profoundly harmful**. Indeed, **this kind of surveillance and monitoring expansion renders the violence of detention and enforcement less visible to those not impacted, and therefore more dangerous**. These shifts toward surveillance “rather than detention” are, to use the term coined by philosopher André Gorz and made popular by abolitionist Ruth Wilson Gilmore, “reformist reforms.”<sup>127</sup> That is, **rather than work toward the end of immigration detention, these changes neither reduce the scale nor scope of the immigration carceral state and instead, and more insidiously, work to legitimize and expand it.**<sup>128</sup>

**Analysis:** Immigration control at a fundamental level is designed to keep people out of the United States. With a critical perspective, it is apparent that such a goal could likely be interpreted as racist and reproducing “us” vs. “them” divides that reinforce the imagined community of America.

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## CON: Increased surveillance is unnecessary because biographic detection is already sufficiently effective

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**Argument:** Biographic data solves better

**Warrant:** Biographic data is highly effective and matches 97% of arrivals to their records. Biometrics will not improve security and haven't in the past.

The National Immigration Forum. "Biometrics at the Border." 3 March, 2022.

<https://immigrationforum.org/article/biometrics-at-the-border/#legislative-floor-calendar>

The report noted that CBP did not properly inform people about the use or scope of the technology, and that it was not adequately auditing its commercial partners to ensure they were abiding by privacy requirements that had been set out.[39] Concern about lack of safeguards on the government's collection of biometric data were reinforced in June 2019 when CBP suffered a massive data breach in which approximately 184,000 traveler images and license plate images were stolen from the computer network of a subcontractor.[40] These costs loom particularly large when many of the benefits associated with effective biometric entry-exit tracking may not be as large as once thought. **Biographic-only** exit data collection has **proven effective** for **matching 97% of arrival records**. [41] Also, **given ICE's limited capacity, it is** unlikely that a comprehensive **biometric system would result in a significant** number of **additional ICE arrests** of current visa overstayers. Currently, ICE only investigates a **small fraction** of leads provided by ADIS.[42] Additionally, **biometric tracking** may be useful to identify overstays, but it **does nothing** to enhance the agency's ability to locate those individuals.V. Recommendations The benefits of an improved, comprehensive entry-exit system remain clear, but additional action should be targeted to maximize those

benefits while minimizing the costs and privacy concerns associated with some pilot programs. **Additional actions should include:** Improve funding mechanism and expand funding for entry-exit systems. Use of USCIS processing fees to fund entry-exit programs diverts funding from USCIS — an already under-resourced agency that faces significant deficits and backlogs across multiple departments. This funding stream also has proven to be inadequate to fully support to entry-exit programs, with revenue from the fees falling far short of projections. Rather than continuing to rely on these revenue streams for comprehensive entry-exit programs, Congress should appropriate separate funds that allow DHS confidence and flexibility to implement entry-exit programs. Improve overstay enforcement functions and capabilities. A system that effectively identifies overstays will not be useful unless we create better systems for enforcing overstays and preventing overstays from occurring in the first place. A special enforcement unit within DHS could improve information sharing about overstays posing particular risks to public safety. This could include focusing additional resources on effectively communicating with individuals about their impending lack of legal status — encouraging them to remedy their status or leave the country before physical enforcement is required. Programs already exist to notify international students and VWP participants as they approach the end of their status.[43] Invest in pilot programs at land ports of entry. Ports of entry along our land borders are already in major need of reform and modernization. The multiple **ongoing infrastructure projects aimed at upgrading land ports** of entry present an opportunity to improve biometric **and biographic screening** of arriving and exiting individuals. Ongoing and planned pilot programs should continue at air and seaports, but additional programming for land exits is a particular need and should receive particular emphasis.

**Warrant:** Biometrics have proven incredibly hard to implement. Technical problems, bureaucratic inefficiencies, and processing delays have meant few individuals actually get processed.

The National Immigration Forum. "Biometrics at the Border." 3 March, 2022.

<https://immigrationforum.org/article/biometrics-at-the-border/#legislative-floor-calendar>

**In the 26 years since [biometrics]** an entry-exit was first required, CBP has **faced** — and **continues** to face — **numerous challenges** with implementation. These challenges include **inadequate infrastructure, logistical roadblocks, technical difficulties,** [and] **bureaucratic inefficiencies,** and a lack of funding. The government has **repeatedly encountered a lack of sufficient infrastructure** to facilitate the implementation of a comprehensive entry-exit system. A 2017 Government Accountability Office (GAO) audit of years of CBP pilot programs found that longstanding infrastructure problems needed to be addressed before a biometric exit system was realistic.[21] Most ports of entry and exit are simply not built to facilitate a comprehensive tracking system, limitations which are most evident at land ports. Persons entering and exiting by land are traveling using various modes of transportation, including trains, buses, cars, and on foot. CBP does not receive advance notice of many land arrivals and departures, as they might from air or sea carriers, because most land border crossers are using their own vehicle or traveling on foot. Severe processing delays already exist at land ports, driving a need for efficiency that does not comport with a comprehensive tracking system. These factors have contributed significantly to CBP's inability to effectively implement a system that adequately tracks land exits. But these infrastructure challenges are not limited to land entries and exits. A September 2018 DHS Office of Inspector General report assessed CBP's ability to implement a biometric air exit program at the top 20 U.S. airports for all foreign departures. Through 2017, the report found that daily airline operations played a key role in preventing CBP from reaching its targets. One problem encountered during a 2017 pilot was compressed boarding schedules when an airplane arrived late to its gate or when there was an unexpected gate change. In these cases, airline personnel would dispense with collection of biometric data and allow passengers to board without confirmation through the CBP process. The alternative was customers

missing connecting flights or departures, which would disrupt and inconvenience the public and generate significant costs for the airlines. In addition to these infrastructure and logistical roadblocks, CBP has also for decades run into several technical difficulties implementing the new tracking technologies. For example, a 2006 GAO report found that an early attempt at biometric tracking at land ports called US-VISIT faced **rampant computer processing delays and technical problems**.<sup>[22]</sup> In another example, a **2018 OIG report** on a biometric air exit tracking pilot program **revealed similar challenges**. That report found that problems with the system frequently resulted in passengers being bypassed for biometric data collection. At the end of the pilot program, due to these **technical shortcomings**, CBP had conducted biometric **process[ed]** for **only 22% of the target 2 million passengers**.<sup>[23]</sup> CBP has **repeatedly** faced **these types of technological challenges** in the 26 years since Congress first mandated biometric entry-exit system.

**Analysis:** Increased border surveillance in the form of new technologies like biometrics are ineffective and have proven to identify very few of the migrants crossing the border. Experts recommend we keep the current state of the border, allowing existing biographic expansion projects to continue.

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## CON: Creating infrastructure for border surveillance damages delicate ecosystems

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**Argument:** Creating infrastructure for border surveillance damages delicate ecosystems and threatens endangered species.

**Warrant:** Installing sensor networks, communication networks, lighting and video infrastructure for border security leads to flooding and other ecological harms.

“Environmental Quality and Border Security: A 10-Year Retrospective” EPA, 2017,  
<https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P100STQO.txt>. Accessed August 8,  
2024.

The Board’s 10th Report and December 2009 advice letter detailed concerns about the unintended environmental consequences of the hurried-pace construction of border security infrastructure that included primary and secondary fencing, access roads, sensor networks, communication networks, and lighting and video installations. **Environmental impacts included altered hydrology in some areas, producing flooding and sedimentation, damage to cultural and natural resources, habitat fragmentation, and barriers to migration of endangered or threatened animal species.**

**Warrant: Drones used in conservation areas can harm endangered species**

Rebolo-Ifrán, Natalia, Maricel Graña Grilli, and Sergio A Lambertucci, “Drones as a Threat to Wildlife: YouTube Complements Science in Providing Evidence about Their Effect.” *Environmental Conservation*, 14 June 2019,  
<https://www.cambridge.org/core/journals/environmental-conservation/article/drones-as-a-threat-to-wildlife-youtube-complements->

science-in-providing-evidence-about-their-effect/E433B815520AE5EE10C9168A5CEEEFA. Accessed August 8, 2024

Their users should carefully consider the secondary effects drones might have on wildlife, as they can exacerbate existing threats. **We found that 26% of the species disturbed in the videos are at least considered ‘Near Threatened’ by IUCN, which implies that such a conflict exists and requires urgent regulation.**

#### **Warrant: Surveillance infrastructure pushes migrants to more fragile ecosystems**

Garbus, Marshal. “Environmental Impact of Border Security Infrastructure: How Department of Homeland Security’s Waiver of Environmental Regulations Threatens Environmental Interests Along the U.S.-Mexico Border”, *Tule Environmental Law Journal*, Summer 2018, <https://journals.tulane.edu/elj/article/download/2406/2232>. Accessed August 8, 2024.

**The construction of border security infrastructure in densely populated areas has pushed the avenues for unauthorized entry into more rural regions. The movement of unauthorized immigration and illegal activity on the border has shifted the environmental impact onto the fragile ecosystems of the rural borderlands.** With increased enforcement efforts following new routes of unauthorized immigration, “habitat fragmentation, water pollution, soil damage and compaction, destruction of vegetation, and wildlife disturbance” parallel the movement of border crossing activity.

#### **Warrant: Installation projects ignore EPA regulations**

“Judge Rules Homeland Security Failed to Consider Environmental Harm of Ramping Up Border Militarization”, Center for Biological Diversity, August 23, 2021,

<https://biologicaldiversity.org/w/news/press-releases/judge-rules-homeland-security-failed-to-consider-environmental-harm-of-ramping-up-border-militarization-2021-08-23/>. Accessed August 9, 2024.

**A federal judge ruled today that the U.S. Department of Homeland Security and U.S. Customs and Border Protection violated federal law by failing to analyze potential environmental harms from escalating militarization along the U.S.-Mexico border. “This is a win for wildlife and communities along the border, where the government has behaved as if the laws don’t apply,” said Brian Segee, endangered species legal director at the Center. “This victory follows years of federal officials neglecting the environment and the health and wellbeing of borderland communities. We’re disappointed the court stopped short of ordering a new environmental impact statement, but we hope the Biden administration takes a long overdue look at the wanton environmental destruction from border militarization.”** The border enforcement program includes off-road vehicle patrols, installation of high-intensity lighting, construction of base camps and checkpoints, wall construction and other activities.

**Impact:** This harms endangered species

Herzl, Rina. “Endangered species and habitats threatened by US-Mexico border wall”, Mongabay, 14 Feb 2017, <https://news.mongabay.com/2017/02/endangered-species-and-habitats-threatened-by-us-mexico-border-wall/>. Accessed August 9, 2024.

According to the U.S. Fish and Wildlife Service **an impregnable wall running across the entire 2,000-mile border between the two countries would “potentially impact” more than 111 endangered species, 108 migratory bird species, four wildlife refuges and fish hatcheries, and an unknown number of protected wetlands.**



**Impact:** Loss of biodiversity could cost human life

**Biodiversity loss and ecosystem collapse is among the top five risks facing the world over the next 10 years, according to the World Economic Forum’s Global Risks Report 2023, with environmental risks making up six of the top 10 long-term risks. Around one in 10 of the World Health Organization’s (WHO) list of “basic” and “essential” drugs originated in flowering plants alone, with more than 40% of pharmaceutical formulations derived from nature. Some 70% of all cancer drugs are natural or “bioinspired” products, while Parkinson’s disease, Alzheimer’s and malaria are also among the conditions treated by medicines that include chemicals discovered in plants.**

**Analysis:** This argument can be used to show that both the installation of new Surveillance infrastructure, and the expected result of driving more migrants into more fragile rural areas along the border can lead to loss of biodiversity and potential loss of human life.

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## CON: Increased surveillance infrastructure increases migrant injuries and border related trauma

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**Argument:** Increased surveillance infrastructure increases migrant injuries and border related trauma.

**Warrant:** Increasing border security to force migrants through dangerous routes has led to a significant loss of life.

“US: Border Deterrence Leads to Deaths, Disappearances”, Human Rights Watch, June 26, 2024, <https://www.hrw.org/news/2024/06/26/us-border-deterrence-leads-deaths-disappearances>. Accessed August 9, 2024

**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.

**Warrant:** Increasing border security increases use of paid guides

Massey, Douglas S. “The Counterproductive Consequences of Border Enforcement”, Cato Journal, Fall 2017, <https://www.cato.org/cato-journal/fall-2017/counterproductive-consequences-border-enforcement#>. Accessed August 9, 2024

**As migrants were diverted away from relatively safe and well-trod urban pathways into remote, isolated, and inhospitable sectors along the border, the crossings grew increasingly difficult and hazardous, while the share relying on the services of a guide, which was already high, steadily rose.** The solid line in Figure 3 shows the observed trend in the percentage of undocumented migrants crossing with a paid guide, or coyote, from 1970 to 2010 (from Massey, Durand, and Pren 2016). **Starting from usage levels around 70 percent in the early 1970s, the utilization of coyotes increased steadily over time to reach 100 percent by 2010.**

**Warrant:** Illegal border crossing guides sexually abuse women and have men do forced labor

“Violence against smuggled migrants widespread, but justice is lacking: UN report”, UN News, 28 June 2021, <https://news.un.org/en/story/2021/06/1094932>. Accessed August 9, 2024

**“Our research showed that violence is used by the smugglers or other perpetrators as a form of punishment, intimidation or coercion, and often inflicted with no apparent reason”, said Morgane Nicot, who coordinated the development of the report. “We found that male migrants are primarily subjected to forced labour and physical violence while women are more exposed to sexual violence, leading to unwanted pregnancies and abortions. All genders can suffer from inhuman and degrading treatment.”** Migrant smuggling is a profitable criminal activity, UNODC said, with desperate people paying to cross borders to escape natural disaster, conflict or persecution, or to seek employment, education or the chance to reunite with family members.

**Warrant:** Illegal border crossing feeds into gangs and organized crime

“Cartels, Human Smuggling, and Unlawful Immigration”, Law Enforcement Immigration Task Force, June 22, 2023, <https://leitf.org/2023/06/cartels-human-smuggling-and-unlawful-immigration/>. Accessed August 9, 2024

**These enforcement policies have resulted in dramatic changes in the human smuggling industry, leading less-violent and less-developed organizations to be co-opted by transnational criminal networks, who were better able to adapt. In short, increased border enforcement has led human smuggling to become more sophisticated and profitable. This increasing militarization of the border and along with more extensive efforts by Mexican authorities to crack down on cartels resulted in a major increase in violence related to drug trafficking.** As a result, irregular migration became profitable for many transnational criminal organizations. These organizations exploit the fact that migrants rarely report aggressions that they suffer, and most fleeing migrants have capital that allows them to migrate.

**Impact:** Significant loss of life has already occurred.

“US: Border Deterrence Leads to Deaths, Disappearances”, Human Rights Watch, June 26, 2024, <https://www.hrw.org/news/2024/06/26/us-border-deterrence-leads-deaths-disappearances>. Accessed August 9, 2024

**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.”.

**Impact:** Increased use of migrant smugglers to deal with the difficulty of crossing the border leads to abuse of the migrants by criminal organizations.

“Cartels, Human Smuggling, and Unlawful Immigration”, Law Enforcement Immigration Task Force, June 22, 2023, <https://leitf.org/2023/06/cartels-human-smuggling-and-unlawful-immigration/>. Accessed August 9, 2024

Human smuggling is no longer dominated by individual “coyotes” guiding immigrants across the border. **Over the last ten years, migrant smuggling has transformed into a “multi-billion-dollar international business controlled by organized crime,” with less-violent and less-organized smuggling entities being co-opted by larger, more dangerous transnational networks.** Over 20,000 migrants are kidnapped per year.

**Analysis:** This argument shows that by increasing border surveillance infrastructure, more migrants choose to either take a more dangerous path across the border, or to use a guide which feeds into organized crime and can lead to sexual abuse, forced labor, and kidnappings.

## **CON: Increased surveillance infrastructure will increase surveillance of innocent citizens**

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**Argument:** Increased surveillance infrastructure will increase surveillance of innocent citizens.

**Warrant:** ICE uses broad data collection methods that collect US data.

Ng, Alfred. "ICE Uses Database That Tracks License Plates, Raising Privacy Concerns", CNET, March 13, 2019, <https://www.cnet.com/news/politics/ice-uses-a-massive-database-tracking-driver-location-data-to-target-immigrants/>, Accessed August 9, 2024

**The database used by ICE contains more than 5 billion points of location data, collected by license plate readers in parking lots, on roads, at toll booths and in police cars, the ACLU said. This data is collected on every license plate that passes a reader -- meaning innocent people traveling on their daily commutes have their movements captured and viewed by ICE on a regular basis. An additional 1.5 billion license plate data points came from over 80 local police departments in dozens of states, the documents show. The ACLU said this mass surveillance violates local privacy laws. "Storing that much location information is both a significant invasion of privacy and entirely unnecessary to find someone's current location," Vasudha Talla, staff attorney with the ACLU of Northern California, said in a post on Wednesday. The database adds an additional 150 million to 200 million new license plate scans every month, according to documents the ACLU obtained. These automated license plate readers can photograph thousands of plates a minute.**

**Warrant:** ICE bypasses privacy laws

“ICE Spies on Majority of Americans, Despite Privacy Laws”, Boundless, May 26, 2022, <https://www.boundless.com/blog/ice-spies-on-majority-of-americans/>. Accessed August 9, 2024

A new investigation published earlier this month found that Immigration and Customs Enforcement, or ICE, uses a sophisticated and highly invasive dragnet surveillance system to spy on the majority of Americans, even in states with strict laws to protect the privacy of their residents. **The findings are the result of a two year investigation by the Georgetown Law Center on Privacy and Technology, and report that ICE has created a large-scale surveillance system that reaches into the lives of millions of ordinary people living in the U.S., from undocumented immigrants to U.S. citizens alike. According to the report, ICE has driver’s license data for 3 out of 4 adults living in the U.S., and has scanned at least 1 in 3 of all adults’ driver’s licenses with controversial face recognition technology.**

**Warrant:** Increasing surveillance infrastructure will give untrustworthy organizations more data on citizens.

Harrigan, Fiona. “The Government Is Turning Border Surveillance on Everyday Americans”, Reason, March 28th, 2023, <https://reason.com/2023/03/28/the-government-is-turning-border-surveillance-on-everyday-americans/>. Accessed August 9, 2024.

Border security is becoming increasingly stealthy and high-tech as the government erects a "virtual wall"—a fortification not made of steel and concrete, but drones, surveillance towers, and artificial intelligence. **Proponents of a harsher border say this virtual wall is a more humane and efficient way of keeping undocumented immigrants out of the country and a more effective means of intercepting traffickers. But in reality, the virtual wall has a lot of the problems that other border technologies and tactics do: It's been**

**expensive, broadly expanded the surveillance abilities of unaccountable government agencies, and forced migrants into taking more dangerous journeys rather than keeping them out.**

**Warrant:** ICE and CBP use secretive practices to prevent themselves from being held accountable

Ramirez, Alexia. "ICE Records Confirm that Immigration Enforcement Agencies are Using Invasive Cell Phone Surveillance Devices", ACLU, May 27, 2020, <https://www.aclu.org/news/immigrants-rights/ice-records-confirm-that-immigration-enforcement-agencies-are-using-invasive-cell-phone-surveillance-devices>. Accessed August 9, 2024.

**CBP maintains that it can't find a single page dealing with cell site simulators, despite public evidence that the agency has spent millions on them. On Friday, we filed a motion asking the court to compel CBP to live up to its legal obligations regarding transparency under the FOIA. We also continue to know virtually nothing about CBP's use of this technology.** CBP has stated that it searched for records three times in response to our FOIA request and has not identified a single responsive record. But the agency's no-records response is impossible to square with publicly available information as well as the documents we received from ICE.

**Impact:** Increased surveillance of citizens prevents them from accessing necessary resources.

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border." MIT Technology Review, April 17, 2023, <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 10, 2024.



Some of the findings were surprising, like the fact that the towers, which are on US soil, are concentrated around densely populated Mexican cities rather than more remote routes near the desert, which might have fewer patrols. “These cameras are pointed at Mexican neighborhoods,” says Dave Maass, the lead investigator on the project. All the surveillance is disrupting the daily lives of those communities, and a recent report by the ACLU of Texas showed that the mental health of residents was significantly affected by surveillance, whether assumed or real. David Donatti, a staff attorney with the group, says the research showed that “a majority of people avoided going to essential locations like grocery stores, hospitals, polling places, and community centers because they were afraid of encountering border patrol.”

**Impact:** Increased data collection increases the risk from data breaches.

“Immigration agency leaks data on more than 6,000 detainees.” Associated Press, November 30, 2022, <https://www.yahoo.com/news/immigration-agency-leaks-data-more-010735595.html>. Accessed August 10, 2024.

**U.S. Immigration and Customs Enforcement said Wednesday that personal information of more than 6,000 people in its custody was inadvertently posted to its website for about five hours. The information included names, nationalities, detention centers where the people were held and unique numbers used to identify them in government records, according to Human Rights First, an advocacy group that discovered the leak on Monday.** All 6,252 people whose identities were exposed expressed fear of persecution if courts denied their bids to remain in the United States and were returned home, according to Human Rights First.

**Analysis:** This argument shows how ICE and CBP are untrustworthy organizations, secretly amassing data on immigrants and citizens alike, regardless of local privacy laws or civil rights. Increasing the amount of surveillance infrastructure will both increase the impact of inevitable data leaks and also create more fear which impacts border community member’s daily lives.

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## CON: Increased surveillance infrastructure will increase racial discrimination

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**Argument:** Increased surveillance infrastructure will increase racial discrimination.

**Warrant:** New surveillance infrastructure will use AI, which comes with civil rights concerns.

Madan, Monique O. "The Future of Border Patrol: AI Is Always Watching", The Markup, March 22, 2024, <https://themarkup.org/news/2024/03/22/the-future-of-border-patrol-ai-is-always-watching>. Accessed August 9, 2024.

**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. "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."**

**Warrant:** AI inherits human biases

Buolamwini, Joy. "Artificial Intelligence Has a Problem With Gender and Racial Bias. Here's How to Solve It", Time, February 7, 2019,

<https://time.com/5520558/artificial-intelligence-racial-gender-bias/>. Accessed August 9, 2024.

**There's no shortage of headlines highlighting tales of failed machine learning systems that amplify, rather than rectify, sexist hiring practices, racist criminal justice procedures, predatory advertising, and the spread of false information. Though these research findings can be discouraging, at least we're paying attention now.** This gives us the opportunity to highlight issues early and prevent pervasive damage down the line. Computer vision experts, the ACLU, and the Algorithmic Justice League, which I founded in 2016, have all uncovered racial bias in facial analysis and recognition technology.

**Warrant:** Further training of AI makes its racism more difficult to identify

Sasani, Ava. "As AI tools get smarter, they're growing more covertly racist, experts find", The Guardian, March 16, 2024, <https://www.theguardian.com/technology/2024/mar/16/ai-racism-chatgpt-gemini-bias>. Accessed August 9, 2024.

Hoffman and his colleagues found that, as language models grow, covert racism increases. Ethical guardrails, they learned, simply teach language models to be more discreet about their racial biases. **"It doesn't eliminate the underlying problem; the guardrails seem to emulate what educated people in the United States do,"** said Avijit Ghosh, an AI ethics researcher at Hugging Face, whose work focuses on the intersection of public policy and technology. Portrait of Timnit Gebru, founder and executive director of the Distributed Artificial Intelligence Research Institute, taken in downtown Palo Alto. **"Once people cross a certain educational threshold, they won't call you a slur to your face, but the racism is still there. It's a similar thing in language models: garbage in, garbage out. These models don't unlearn problematic things, they just get better at hiding it."**

**Warrant:** Training AI to not discriminate doesn't work.

Hsu, Jeremy "AI chatbots use racist stereotypes even after anti-racism training", NewScientist, March 7, 2024, <https://www.newscientist.com/article/2421067-ai-chatbots-use-racist-stereotypes-even-after-anti-racism-training/>. Accessed August 9, 2024.

**The experiments raise serious questions about the effectiveness of AI safety training, where large language models receive human feedback to refine their responses and remove problems like bias. Such training may superficially reduce overt signs of racial prejudice without eliminating "covert biases when identity terms are not mentioned",** says Yong Zheng-Xin at Brown University in Rhode Island, who was not involved in the study. "It uncovers the limitations of current safety evaluation of large language models before their public release by the companies," he says.

**Warrant:** Border patrol has a history of racism

Drake, Shaw and Kate Huddleston, "Addressing Racialized Violence Against Migrants Requires a Complete Overhaul of Customs and Border Protection", ACLU, September 24, 2021, <https://www.aclu.org/news/immigrants-rights/addressing-racialized-violence-against-migrants-requires-a-complete-overhaul-of-customs-and-border-protection>. Accessed August 9, 2024.

**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.

**Impact:** Giving ICE access to more data through more surveillance leads to greater potential to discriminate.

Cruz, Melissa. “ICE May Have Deported as Many as 70 US Citizens in the Last Five Years.” Eagle Pass Business Journal, n.d., <https://www.epbusinessjournal.com/2021/08/ice-may-have-deported-as-many-as-70-us-citizens-in-the-last-five-years/>. Accessed August 10, 2024.

All told, available data shows that ICE arrested 674 potential U.S. citizens, detained 121, and deported 70 during the time frame the government watchdog analyzed. **Data analyzed by the Transactional Records Access Clearinghouse, however, found that ICE wrongly identified at least 2,840 U.S. citizens as potentially eligible for removal between 2002 and 2017. At least 214 were then taken into custody for a period of time.**

**Impact:** Discrimination in AI will leave no one accountable.

Burt, Andrew and Elanor Runde. “Anti-discrimination laws are faltering in the face of artificial intelligence; here’s what to do about it.” American Bar Association, January 24, 2023, <https://www.americanbar.org/groups/journal/articles/2023/anti-discrimination-laws-are-faltering-in-the-face-of-artificial-intelligence-heres-what-to-do-about-it/>. Accessed August 10, 2024.

**As artificial intelligence systems automate more analyses, it is all too easy for decisions to become less transparent and decision-makers less accountable. Some conscientious developers are improving AI systems' technical transparency.** But those advances are not universal, and they do not necessarily explain the processes behind those systems' outputs to the public or the courts.

**Analysis:** This argument provides that increasing border surveillance infrastructure will increase the racism that already exists at the border. Many innocent people are already being accused due to racial profiling, and the use of more technology will increase this by increasing the amount of people ICE and CBP have data on and also through removing accountability for the discrimination by using AI which also discriminates.

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**CON: Increased surveillance infrastructure will harm native tribes**

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**Argument:** Increased surveillance infrastructure will harm native tribes

**Warrant:** Surveillance infrastructure on the border would be encroaching on native land.

“The High Cost and Diminishing Returns of a Border Wall”, American Immigration Council, September 6, 2019, <https://www.americanimmigrationcouncil.org/research/cost-of-border-wall>. Accessed August 9, 2024.

The Tohono O’odam Nation runs along 75 miles of the southwest border, and members of the tribe have already stated they will not allow a border wall to be built on their reservation. **A wall would effectively cut the reservation in half and make movement across the border, and within the reservation, difficult. It would separate families and make it difficult for tribe members to care for burial sites located in Mexico. Additionally, federal law requires the federal government to consult with tribal governments before constructing on the land. Without the tribe’s support, the federal government could resort to condemning the land and removing it from the trust of the Tohono O’odam Nation.**

**Warrant:** Increased surveillance will decrease quality of life for native communities on the border

“Deserted border lands: Mapping surveillance along the Tohono O’odham Nation”, The Architectural League NY, February 8, 2016, <https://archleague.org/article/deserted-border-lands-mapping-surveillance-along-tohono-oodham-nation/>, Accessed August 9, 2024

**By claiming the tribal “common” land of the reservation as the space of surveillance and militarization—as property of the federal government and within its sovereign territory—border patrol forces tribal members into a space that they can easily define as private property of their own: the house.** By forcing tribal members into a lifestyle centered around private property, border surveillance not only has immediate consequences in terms physical and psychological well-being, it also ruptures intergenerational ties and spiritual knowledge and results in cultural disconnection to the land for its inhabitants.

**Warrant:** Pushing for increased surveillance infrastructure on the border could threaten Native Sovereignty.

Madsen, Kenneth D. “Indigenous sovereignty and Tohono O’odham efforts to impact U.S.-Mexico border security”, *Latin American and Caribbean Ethnic Studies*, 19(1), 44–68., August 13, 2023, <https://doi.org/10.1080/17442222.2023.2227023>. Accessed August 9, 2024

**While direct financial costs may be covered nationally, local communities also experience indirect social costs. In order that others may feel more secure, border residents are more heavily policed, endure more extensive surveillance. While tribal government political sovereignty is limited, it still pits CBP against a very different set of circumstances than elsewhere along the border.** Leza argues that DHS authority outpaces tribal sovereignty (Citation2019, 119), and I concur that it is theoretically possible for CBP to bypass tribal governments in ways done elsewhere along the border.

**Warrant:** Increased surveillance infrastructure forces more migrants through tribal land, bringing danger.



Hu, Caitlin, David Culver, Norma Galeana, and Evelio Contreras. "How the US-Mexico border brought trouble to the Tohono O'odham Nation." CNN, June 24, 2024, <https://www.cnn.com/2024/06/24/americas/migration-us-mexico-border-tohono-oodham-intl-latam/index.html>. Accessed August 9, 2024.

**In a recently published memoir, "What Side Are You On?" Wilson blames a US border policy of deterrence – blocking irregular migration at urban crossing points – for driving asylum seekers into Tohono O'odham lands and the most perilous parts of the desert.**

The strategy, which originated in the 1990s, included a calculation that deaths resulting from the dangerous trek would deter future migrants. The number of illegal border crossings has risen since then.

**Impact:** Danger for tribal members is increased by surveillance

Eckholm, Erik. "In Drug War, Tribe Feels Invaded by Both Sides." The New York Times, Jan. 24, 2010, <https://www.nytimes.com/2010/01/25/us/25border.html>. Accessed August 9, 2024.

**An eerie hush settles in at sundown on the Tohono O'odham Nation, which straddles 75 miles of border with Mexico. Few residents leave their homes. The roads crawl with the trucks of Border Patrol agents, who stop unfamiliar vehicles, scrutinize back roads for footprints and hike into the desert wilds to intercept smugglers carrying marijuana on their backs and droves of migrants trying to make it north. By the bad luck of geography, the only large Indian reservation on the embattled border is caught in the middle, emerging as a major transit point for drugs as well as people.** Hundreds of tribal members have been prosecuted in federal, state or tribal courts for smuggling drugs or humans, taking offers that reach \$5,000 for storing marijuana or transporting it across the reservation. In a few families, both parents have been sent to prison, leaving grandparents to raise the children.

**Impact:** Increased surveillance threatens tribal sovereignty

Miller, Todd. "How Border Patrol Occupied the Tohono O'odham Nation." In *These Times*, June 12, 2019, <https://inthesetimes.com/article/us-mexico-border-surveillance-tohono-oodham-nation-border-patrol>. Accessed August 9, 2024.

**Tohono O'odham Nation Chairman Edward Manuel testified that when he came back to the Nation in 2009 after six years living off-reservation, it had become "a military state." Border Patrol has jurisdiction 100 miles inland from U.S. borders, giving it access to the entirety of the reservation. Drones fly overhead, and motion sensors track foot traffic.** Vehicle barriers and surveillance cameras and trucks appeared near burial grounds and on hilltops amid ancient saguaro forests, which are sacred to the Tohono O'odham. "Imagine a bulldozer parking on your family graveyard, turning up bones," then-Tohono O'odham Nation Chairman Ned Norris Jr. testified to Congress in 2008. "This is our reality."

**Analysis:** This argument shows how increasing border surveillance disproportionately affects native tribes in border communities, as more migrants, drug smugglers, and cartel members are forced through their land to avoid stricter surveillance infrastructure in other areas. This leads to an increase of surveillance in these communities, turning them into police states and creating more crime in the area.

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## CON: Increased surveillance infrastructure reinforces classist divides in international mobility

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**Argument:** Increased surveillance infrastructure reinforces classist divides in international mobility

**Warrant:** The cost of compliance for surveillance infrastructure is high

Executive Summary: The Costs of War in Surveillance. Watson Institute for International and

Public Affairs, Brown University, 2023,

<https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/Executive%20Summary%20-%20Surveillance.pdf>.

“The Bottom Line: Since the 9/11 attacks, the United States has witnessed an unprecedented expansion of mass surveillance, built upon older legacies of institutionalized racism, yet much different in scale and technology from what existed before. Today, our ever-expanding surveillance systems may seem inevitable, but they must be understood as policy choices driven by the fear, Islamophobia, xenophobia, weakened civil liberties protections, and exponentially increased funding of the post-9/11 era. While mass surveillance affects all Americans, it has particularly impacted Muslims, immigrants, and protesters for racial and labor justice. **Surveillance programs have cost untold taxpayer dollars, normalized an erosion of privacy, and entrenched an expanding surveillance infrastructure that grows ever more difficult to track and control.**”

**Warrant:** Surveillance infrastructure is discriminatory even with modern technology

"Global: New Technology and AI Used at Borders Increases Inequalities and Undermines

Human Rights of Migrants." Amnesty International, 10 May 2024,

<https://www.amnesty.org/en/latest/news/2024/05/global-new-technology-and-ai-used-at-borders-increases-inequalities-and-undermines-human-rights-of-migrants/>.

“The briefing, *The Digital Border: Migration, Technology, and Inequality*, outlines how **the use of new technologies by both state and non-state actors in migration systems across the world increases the likelihood that the human rights of people on the move—including the rights to privacy, non-discrimination, equality, and to seek asylum—will be violated.** “The protection of human rights must not be sacrificed for the sake of private profit,” said Eliza Aspen, fellow with Amnesty International. “States don’t have an obligation to private companies, but they do have an obligation to ensure that state and non-state actors alike respect the human rights of people on the move.” **The technologies also exacerbate underlying racial, economic, and social inequalities at borders and beyond. Migrant workers and others with insecure citizenship status are often subject to the same forms of digitally enabled surveillance, monitoring, and exploitation as asylum seekers and refugees, and are similarly targeted by these technologies because of their inability to opt out or seek redress from harm.** According to the briefing, many of the digital tools being used in the processing of movement of persons are developed, sold, and deployed by private companies, whose business models are often rooted in the extraction and accumulation of data for profit.”

**Warrant:** Surveillance infrastructure perpetuates discriminatory surveillance

Executive Summary: *The Costs of War in Surveillance*. Watson Institute for International and Public Affairs, Brown University, 2023,

<https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/Executive%20Summary%20-%20Surveillance.pdf>.

“The Bottom Line: Since the 9/11 attacks, **the United States has witnessed an unprecedented expansion of mass surveillance, built upon older legacies of institutionalized racism**, yet much different in scale and technology from what existed before. Today, our ever-expanding **surveillance systems may seem inevitable, but they must be understood as policy choices driven by the fear, Islamophobia, xenophobia, weakened civil liberties protections, and exponentially increased funding of the post-9/11 era**. While **mass surveillance** affects all Americans, it **has particularly impacted Muslims, immigrants, and protesters for racial and labor justice**. Surveillance programs have cost untold taxpayer dollars, normalized an erosion of privacy, and entrenched an expanding surveillance infrastructure that grows ever more difficult to track and control.”

**Impact:** Surveillance infrastructure perpetuates classist divides in mobility as opposed to economic integration

"Chapter 4: Barriers to Migration." Global Risks Report 2022, World Economic Forum, 2022, <https://www.weforum.org/publications/global-risks-report-2022/in-full/chapter-4-barriers-to-migration/>.

“**At a time of global divergence, migration could foster economic integration. International mobility could narrow inequality within and between countries** by matching job seekers in origin countries with unfulfilled vacancies abroad in growth industries—such as healthcare, renewable energy and transportation.<sup>52</sup> **More efficient and orderly channels for migration—including coherent legal and policy frameworks, cross-border cooperation and alignment and better enforcement against smuggling operations—could prompt closer political ties between countries and encourage**

**collaboration on issues of mutual concern such as shared infrastructure for cross-border financial flows.** The global community could also build goodwill across geopolitical divisions by strengthening collaboration mechanisms for refugee intake. Migration offers opportunities but also entails challenges for origin, corridor and destination countries. Leaders have the chance to jointly identify where new bridges can be built for mutual benefit.”

**Impact:** Increased surveillance violates human rights of migrants

"Global: New Technology and AI Used at Borders Increases Inequalities and Undermines Human Rights of Migrants." Amnesty International, 10 May 2024, <https://www.amnesty.org/en/latest/news/2024/05/global-new-technology-and-ai-used-at-borders-increases-inequalities-and-undermines-human-rights-of-migrants/>.

**“The invasive nature of these technologies has serious ramifications for the wellbeing of people crossing borders to seek safety and the ability to exercise their right to seek asylum. Data intensive technologies used at and around borders, such as military-grade biometric sensors and drone surveillance, can perpetuate further harm for displaced populations, who are already at high risk of exploitation and marginalization as a result of crossing borders to escape dangerous circumstances at home.**

“Governments around the world must work to rein in unregulated development and deployment of harmful technologies and fulfil their obligations under international human rights law to protect the rights of refugees and migrants,” Aspen said.

“Companies that develop these technologies must incorporate safeguards into their use and conduct human rights due diligence and data impact assessments in advance of their deployment, not after abuses have already been committed.”

**Analysis:** The argument here is that increased surveillance reinforces classist divides in international mobility in that it makes crossing the border more difficult, violates the rights of migrants and prevents allowing migrants to become integrated economically in a new country. Migration is especially difficult for because frequently, migrants are escaping conflict from elsewhere to migrate. The argument demonstrates that there may be inequality in migration as well.

## CON: Increased surveillance infrastructure leads to more reliance on smugglers

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**Argument:** Because surveillance infrastructure will make it harder for migrants to cross the border, more people will rely on dangerous human smugglers.

**Warrant:** Human smuggling is a lucrative business on the Southern border.

Jordan, Miriam. "Smuggling Migrants at the Border Now a Billion-Dollar Business." The New York Times, 25 July 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>. Accessed August 14, 2024.

That began to change around 2019, Patrick Lechleitner, the acting deputy director at U.S. Immigration and Customs Enforcement, told Congress last year. **The sheer number of people seeking to cross made migrant smuggling an irresistible moneymaker for some cartels, he said. The enterprises have teams specializing in logistics, transportation, surveillance, stash houses and accounting — all supporting an industry whose revenues have soared to an estimated \$13 billion today from \$500 million in 2018, according to Homeland Security Investigations, the federal agency that investigates such cases.**

Migrants are moved by plane, bus and private vehicles. In some border regions, such as the Mexican state of Tamaulipas, smugglers affix color-coded bands to the wrists of migrants to designate that they belong to them and what services they are receiving

**Warrant:** Surveillance infrastructure will make it harder for immigrants to cross the border in easy places.



Chambers, Samuel et al. "Mortality, Surveillance and the Tertiary 'Funnel Effect' on the U.S.-Mexico Border: A Geospatial Modeling of the Geography of Deterrence." *The Journal of Borderlands Studies*, 31 Jan. 2019, <https://www.tandfonline.com/doi/abs/10.1080/08865655.2019.1570861>. Accessed August 14, 2024.

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.**

**Warrant:** Arrest records show that human smuggling has significantly increased at the border.

Jordan, Miriam. "Smuggling Migrants at the Border Now a Billion-Dollar Business." *The New York Times*, 25 July 2022,

<https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

Accessed August 14, 2024.

The deaths of 53 migrants in San Antonio last month who were packed in the back of a suffocating tractor-trailer without air conditioning — the deadliest smuggling incident in the country to date — came as tightened **U.S. border restrictions, exacerbated by a pandemic-related public health rule, have encouraged more migrants to turn to smugglers. While migrants have long faced kidnappings and extortion in Mexican border cities, such incidents have been on the rise on the U.S. side, according to federal authorities. More than 5,046 people were arrested and charged with human smuggling last year, up from 2,762 in 2014. Over the past year, federal agents have raided stash houses holding dozens of migrants on nearly a daily basis.** Title 42, the public health order introduced by the Trump administration at the beginning of the coronavirus pandemic, has authorized the immediate expulsion of those caught crossing the border illegally, allowing migrants to cross repeatedly in the hope of eventually succeeding. This has led to a substantial escalation in the number of migrant encounters on the border — 1.7 million in fiscal 2021 — and brisk business for smugglers.

**Warrant:** People often rely on human smugglers who know how to get around this surveillance.

Del Valle, Gaby. “Surveillance has a body count.” The Verge, 20 March 2024,

<https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 14, 2024.

A 2019 study by researchers at the University of Arizona found 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.”

**Migrants don’t always know about the tools CBP uses to track them through the desert, but smugglers certainly do — and so they encourage migrants to enter the US**

**via remote, dangerous routes where they're less likely to be intercepted by Border Patrol agents but far more likely to die.** Title 42, a pandemic-era policy that let CBP expel migrants back to Mexico without a hearing, may have also had a compounding effect that exacerbated the massive 2022 death toll. The policy was ostensibly introduced to limit the spread of covid-19 but was, for both the Trump and Biden administrations, a de facto anti-immigration deterrence strategy.

**Impact:** People die as a result of smuggling.

Rose, Joel and Peñaloza, Marisa. "Migrant deaths at the U.S.-Mexico border hit a record high, in part due to drownings." NPR, 29 Sep. 2022, <https://www.npr.org/2022/09/29/1125638107/migrant-deaths-us-mexico-border-record-drownings>. Accessed August 14, 2024.

**It's the second year in a row that migrant deaths near the border have climbed sharply. More than 560 migrants died in FY 2021, according to internal government figures, setting the previous record for a single year. Immigration authorities say the criminal organizations that smuggle migrants over the border are largely to blame.** "Smuggling organizations are abandoning migrants in remote and dangerous areas, leading to a rise in the number of rescues but also tragically a rise in the number of deaths," a spokesman for U.S. Customs and Border Protection said in a statement, noting that the number of rescues performed by CBP officers and agents at the border climbed to more than 20,000 this year.

**Impact:** Increased surveillance has made this human smuggling more technical and dangerous.

"Cartels, Human Smuggling, and Unlawful Immigration." Law Enforcement Immigration Task Force, 22 June 2023, <https://leitf.org/2023/06/cartels-human-smuggling-and-unlawful-immigration/>. Accessed August 14, 2024.

**Increased border enforcement and militarization have led human smuggling to become more sophisticated and profitable. Border policies across multiple administrations have made the kidnapping of migrants a highly lucrative business for transnational criminal organizations and cartels.** Coyotes and other human smugglers have adapted by leaving the human smuggling business and/or formally agreeing to work directly under the cartels causing significant increases in rates of violence as well as smuggling fees. To weaken transnational criminal organizations' activities at our border and beyond, it is fundamental to reform the asylum system and expand legal pathways to migrants.

**Analysis:** This argument is good because it serves as a rebuttal to the claim that surveillance infrastructure will solve for things like human smuggling and human trafficking. It only makes those things worse for struggling migrants. Teams can mix-and-match cards from this argument to form a larger argument on how dangerous surveillance can make border crossings.

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**CON: Increased surveillance infrastructure leads to data overload**

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**Argument:** Increased surveillance infrastructure leads to data overload

**Warrant:** New surveillance infrastructure takes the form of AI-powered surveillance

Graham, Edward. "AI can enhance border security but won't close workforce gap, lawmakers say." *NextGovFCW*, July 10, 2024, <https://www.nextgov.com/artificial-intelligence/2024/07/ai-can-enhance-border-security-wont-close-workforce-gap-lawmakers-say/397943/>. August 7, 2024.

**Dan Bishop, R-N.C. — chair of the Subcommittee on Oversight, Investigations and Accountability — said "using artificial intelligence can help alleviate the manpower issue" and added that these tools are bolstering border security as "cartel tactics and use of technology have become increasingly advanced." Federal officials have touted the benefits of enhanced tools and their ability to identify more illicit contraband. CBP said its use of non-intrusive inspection systems in fiscal year 2022, for instance, resulted in "the interdiction of more than 100,000 pounds of narcotics, approximately \$2 million of undeclared U.S. currency and the identification of 86 illegal travelers."**

**Warrant:** AI-powered surveillance relies on massive amounts of data to function

Banerjee, Sandipan et. al. "On Hallucinating Context and Background Pixels from a Face Mask using Multi-scale GANs." arXiv, January 12, 2020, <https://arxiv.org/abs/1811.07104>. Accessed August 14, 2024.

**To evaluate if our model can be used to augment existing face image datasets, we perform a recognition experiment using the CASIA-WebFace (CW) dataset. CW**

contains 494,414 face images of 10,575 real identities collected from the web. We align, mask and resize all the face images from CW using the same pre-processing steps as our training data. These masked images are then fed to our trained cascaded model to hallucinate synthetic context and background pixels.

**Warrant:** Mass data collection results in information overload

Young, Alex. "Too Much Information: Ineffective Intelligence Collection." Harvard International Review, August 18, 2019, <https://hir.harvard.edu/too-much-information/>. Accessed August 14, 2024.

The United States, in particular, has become a global epicenter of intelligence work—4.2 million US citizens, more than 10% of the country's population, have some form of security clearance. **However, this aggressive intelligence gathering does not make for better-informed government agencies or higher quality security policy. Instead, excessive information collection leads to information overload on both the individual and institutional levels, impairing the US intelligence community's ability to do its job.** What's more, US government agencies do not use this information effectively, due to overclassification problems. These inefficiencies in intelligence ultimately sow instability in the international system and increase the likelihood of conflict between states.

**Warrant:** AI alone cannot solve information overload

Obis, Anastasia. "Army faces data overload by LLMs are not the answer." Federal News Network, July 3, 2024, <https://federalnewsnetwork.com/army/2024/07/army-faces-data-overload-but-llms-are-not-the-answer/?readmore=1>. Accessed August 14, 2024.

“Do you really need LLMs and SLMs at the edge? No. If you use that and overlay a knowledge graph, I think that’s a much better practical implementation of things. Because we can’t afford all the computing resources that we’re going to need to process all that or do the training on it or even the retraining or the inference at the edge,” said Bang. **But the concern is that malicious actors can potentially overload existing data sets with misinformation, which would lead to a shift in what’s considered a commonly accepted truth or knowledge. Riley said that’s why it’s important to have humans in the loop. “We cannot abdicate human reasoning to the machines.”**

**Impact:** Information overload prevents effective intelligence work

Maass, Peter. “Inside NSA, Officials Privately Criticize ‘Collect It All’ Surveillance.” *The Intercept*, May 28, 2015, <https://theintercept.com/2015/05/28/nsa-officials-privately-criticize-collect-it-all-surveillance/>. Accessed August 14, 2024.

As members of Congress struggle to agree on which surveillance programs to reauthorize before the Patriot Act expires, they might consider the unusual advice of an intelligence analyst at the National Security Agency who warned about the danger of collecting too much data. Imagine, the analyst wrote in a leaked document, that you are standing in a shopping aisle trying to decide between jam, jelly or fruit spread, which size, sugar-free or not, generic or Smucker’s. It can be paralyzing. **“We in the agency are at risk of a similar, collective paralysis in the face of a dizzying array of choices every single day,”** the analyst wrote in 2011. **“‘Analysis paralysis’ isn’t only a cute rhyme. It’s the term for what happens when you spend so much time analyzing a situation that you ultimately stymie any outcome .... It’s what happens in SIGINT [signals intelligence] when we have access to endless possibilities, but we struggle to prioritize, narrow, and exploit the best ones.”**

**Impact:** Too much data prevents bad actors from being singled out

Maass, Peter. "Inside NSA, Officials Privately Criticize 'Collect It All' Surveillance." The Intercept, May 28, 2015, <https://theintercept.com/2015/05/28/nsa-officials-privately-criticize-collect-it-all-surveillance/>. Accessed August 14, 2024.

The opposing viewpoint was voiced earlier this month by Snowden, who noted in an interview with the Guardian that **the men who committed recent terrorist attacks in France, Canada and Australia were under surveillance—their data was in the haystack yet they weren't singled out. "It wasn't the fact that we weren't watching people or not," Snowden said. "It was the fact that we were watching people so much that we did not understand what we had.** The problem is that when you collect it all, when you monitor everyone, you understand nothing."

**Analysis:** This argument states that new surveillance systems, especially ones powered by AI tools, will collect data indiscriminately and create more work for border patrol. It could be strengthened by coupling it with an argument about border patrol's staffing or funding issues.



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## CON: Increased surveillance infrastructure leads to crackdowns on migrant justice organizers

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**Argument:** Increased surveillance infrastructure leads to crackdowns on migrant justice organizers

**Warrant:** New surveillance infrastructure takes the form of AI-powered surveillance

Graham, Edward. "AI can enhance border security but won't close workforce gap, lawmakers say." *NextGovFCW*, July 10, 2024, <https://www.nextgov.com/artificial-intelligence/2024/07/ai-can-enhance-border-security-wont-close-workforce-gap-lawmakers-say/397943/>. August 7, 2024.

**Dan Bishop, R-N.C. — chair of the Subcommittee on Oversight, Investigations and Accountability — said "using artificial intelligence can help alleviate the manpower issue" and added that these tools are bolstering border security as "cartel tactics and use of technology have become increasingly advanced." Federal officials have touted the benefits of enhanced tools and their ability to identify more illicit contraband.** CBP said its use of non-intrusive inspection systems in fiscal year 2022, for instance, resulted in "the interdiction of more than 100,000 pounds of narcotics, approximately \$2 million of undeclared U.S. currency and the identification of 86 illegal travelers."

**Warrant:** This surveillance relies on a database made up of US data

Ng, Alfred. "ICE Uses Database That Tracks License Plates, Raising Privacy Concerns", CNET, March 13, 2019, <https://www.cnet.com/news/politics/ice-uses-a-massive-database-tracking-driver-location-data-to-target-immigrants/>, Accessed August 9, 2024

The database used by ICE contains more than 5 billion points of location data, collected by license plate readers in parking lots, on roads, at toll booths and in police cars, the ACLU said. **This data is collected on every license plate that passes a reader -- meaning innocent people traveling on their daily commutes have their movements captured and viewed by ICE on a regular basis. An additional 1.5 billion license plate data points came from over 80 local police departments in dozens of states, the documents show. The ACLU said this mass surveillance violates local privacy laws. "Storing that much location information is both a significant invasion of privacy and entirely unnecessary to find someone's current location,"** Vasudha Talla, staff attorney with the ACLU of Northern California, said in a post on Wednesday. The database adds an additional 150 million to 200 million new license plate scans every month, according to documents the ACLU obtained. These automated license plate readers can photograph thousands of plates a minute.

**Warrant:** Immigration enforcement uses facial recognition technology on photos of citizens

"ICE Spies on Majority of Americans, Despite Privacy Laws", Boundless, May 26, 2022, <https://www.boundless.com/blog/ice-spies-on-majority-of-americans/>. Accessed August 9, 2024

A new investigation published earlier this month found that Immigration and Customs Enforcement, or ICE, uses a sophisticated and highly invasive dragnet surveillance system to spy on the majority of Americans, even in states with strict laws to protect the privacy of their residents. **The findings are the result of a two year investigation by the Georgetown Law Center on Privacy and Technology, and report that ICE has created a large-scale surveillance system that reaches into the lives of millions of ordinary people living in the U.S., from undocumented immigrants to U.S. citizens alike.**

**According to the report, ICE has driver's license data for 3 out of 4 adults living in the**

**U.S., and has scanned at least 1 in 3 of all adults' driver's licenses with controversial face recognition technology.**

**Warrant:** Border patrol agents target activists, even far inside the US' borders

Klippenstein, Ken. "The Border Patrol Was Responsible for an Arrest in Portland." *The Nation*, July 17, 2020, <https://www.thenation.com/article/society/border-patrol-portland-arrest/>. Accessed August 14, 2024.

**The Portland arrest of Mark Pettibone, first reported by Oregon Public Broadcasting, followed several similar arrests involving officers from a Border Patrol Tactical Unit (BORTAC)—CBP's equivalent of a SWAT team—as well as the US Marshals Special Operations Group. A CBP spokesman confirmed to The Nation that CBP agents were responsible for the arrest, pointing to authorities under the Protecting American Communities Task Force. "Violent anarchists have organized events in Portland over the last several weeks with willful intent to damage and destroy federal property, as well as injure federal officers and agents," said the CBP spokesman. "These criminal actions will not be tolerated."**

**Impact:** Facial recognition technology used by border patrol is racist

Villar, Ashley Del and Myaisha Hayes. "How Face Recognition Fuels Racist Systems of Policing and Immigration – And Why Congress Must Act Now." *ACLU*, July 22, 2021, <https://www.aclu.org/news/privacy-technology/how-face-recognition-fuels-racist-systems-of-policing-and-immigration-and-why-congress-must-act-now>. Accessed August 14, 2024.

Face recognition technology, which was created by those with the most power in society, will only exacerbate this legacy and pattern of state-sanctioned violence against

our communities. **We're already seeing this dynamic at work. In Detroit, police use of face recognition led to the wrongful arrest of Robert Williams, a Black man who was arrested at his home in front of his family. Face recognition's proven track record of inaccuracy when used against people of color makes us even more likely to be targeted, arrested, or detained.** But even if this technology was perfectly accurate, it would still harm communities of color by facilitating systems that are already racist.

**Impact:** Activists trying to save migrant lives are targeted by surveillance and arrest

Villar, Ashley Del and Myaisha Hayes. "How Face Recognition Fuels Racist Systems of Policing and Immigration – And Why Congress Must Act Now." ACLU, July 22, 2021, <https://www.aclu.org/news/privacy-technology/how-face-recognition-fuels-racist-systems-of-policing-and-immigration-and-why-congress-must-act-now>. Accessed August 14, 2024.

**Last week, the Tucson, Arizona-based organization published a report presenting what it described as evidence of Border Patrol agents' systematic destruction of water jugs left for migrants in the desert, as well as "months of increasing surveillance and harassment" by the agency beginning last year. Hours after the report was published, one of the group's organizers was arrested in a remote area of Arizona, along with two undocumented immigrants, and hit with felony charges.** According to a complaint filed Thursday in U.S. District Court in Arizona, Border Patrol agents conducting surveillance in the town of Ajo observed Scott Warren, 35, and two undocumented immigrants entering a building — referred to as "the Barn" — on January 17, 2018, the same day the humanitarian group's report was published. The migrants reportedly learned of the Barn's address, and the sanctuary it was said to provide, through online research.

**Analysis:** This argument states that any kind of surveillance technology will eventually be deployed against US citizens, especially activists trying to save migrant lives. Teams could strengthen it by adding more specific examples or by quantifying how technologies are deployed on the border before moving inland.

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**CON: Increased surveillance infrastructure threatens Social Security**

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**Argument:** Increased surveillance infrastructure threatens Social Security

**Warrant:** Millions of undocumented immigrants have jobs and contribute to the US economy

“RELEASE: Millions of Undocumented Immigrants Are Essential to America’s Recovery, New Report Shows.” Center for American Progress, December 2, 2020, <https://www.americanprogress.org/press/release-millions-undocumented-immigrants-essential-americas-recovery-new-report-shows/>. Accessed August 14, 2024.

A new report released today by the Center for American Progress highlights the important contributions of 10.4 million undocumented immigrants in the country today, including the work of an estimated 5 million undocumented essential workers helping to fight the coronavirus pandemic and keep the country moving. **An estimated 7 million undocumented immigrants are helping to lift up major sectors of the workforce, 5 million of whom are serving alongside their fellow Americans on the front lines of the coronavirus pandemic response as farmworkers, construction laborers, custodial staff, home health or personal care aides, and more.**

**Warrant:** Proposed border reforms come with new deportation powers

“An Analysis of the Senate Border Bill.” *American Immigration Council*, February 8, 2024, <https://www.americanimmigrationcouncil.org/research/analysis-senate-border-bill>. Accessed August 7, 2024.

**The bill gives the federal government significant discretion over exactly when to implement this new emergency summary-deportation process and does not require it to be publicly announced.** The upshot is this: on any given day, a would-be asylum seeker would have no idea whether they would be allowed to seek asylum in the U.S. or not. The government would be allowed to opt people out of summary removal for a variety of reasons, including operational constraints such as overcrowding. Non-Mexican unaccompanied children would also be exempted.

**Warrant:** Employed undocumented immigrants pay into the social security program

Richwine, Jason. "The Impact of Immigration on Social Security and Medicare: A Conceptual Primer." Center for Immigration Studies, April 11, 2023, <https://cis.org/Report/Impact-Immigration-Social-Security-and-Medicare-Conceptual-Primer>. Accessed August 14, 2024.

**Illegal immigration improves the finances of Social Security and Medicare for a simple reason: Although illegal immigrants are generally not eligible to collect Social Security and Medicare benefits, many still pay taxes into the system. These taxes function as free contributions to the trust funds, as long as the illegal immigrants remain ineligible for benefits.** (See the "Amnesty" section below.) How do illegal immigrants who are ineligible for benefits still contribute payroll taxes? They do so with a Social Security Number (SSN) acquired one of several ways. They may have received a valid SSN via a temporary work permit but have since overstayed their visa or otherwise lost their status; they may have faked their identity to use someone else's SSN or to acquire their own fraudulently; or they may use an entirely fake SSN.

**Warrant:** 53% of immigrant earnings are from social-security covered jobs

Burtless, Gary and Audrey Singer. "The Earnings and Social Security Contributions of Documented and Undocumented Mexican Immigrants." Brookings, December 7, 2010, <https://www.brookings.edu/articles/the-earnings-and-social-security-contributions-of-documented-and-undocumented-mexican-immigrants/>. Accessed August 14, 2024.

Based on annual earnings reports in the March CPS we estimate that about 1.4% of all U.S. wages, or \$87 billion, were earned by Mexican immigrant heads of household. Our estimates imply that about 52% of this total was earned in social-security-covered jobs while the remainder, about \$41 billion, was earned in jobs not covered by social security. **If our estimates can be extended to a broader immigrant population that includes Central American as well as Mexican heads of household, total immigrant earnings would account for 1.8% of all U.S. wages, or \$112 billion. Of this total we estimate that 53% was earned in social-security-covered employment and 47% in jobs not covered by the social security system.**

**Impact:** Social security funding is going to be gone by 2033

Folger, Jean. "Why Is Social Security Running Out of Money?" Investopedia, May 8, 2024, <https://www.investopedia.com/ask/answers/071514/why-social-security-running-out-money.asp>. Accessed August 14, 2024.

Social Security was created as a contributory old-age insurance plan with limited and phased-in benefits for retirees in 1935. The program extended benefits to survivors of beneficiaries by 1939, to farm and domestic workers and the self-employed in 1950, and to disabled workers in 1957. Congress postponed planned payroll tax increases during the program's early years. **The pattern of favoring political expediency over the system's long-term solvency persists. With payroll taxes no longer fully covering the benefits paid out, Social Security's cash reserves are projected to run out by 2033.**

**Benefits will have to be reduced by more than 20% at that point unless Congress enacts a legislative fix.**

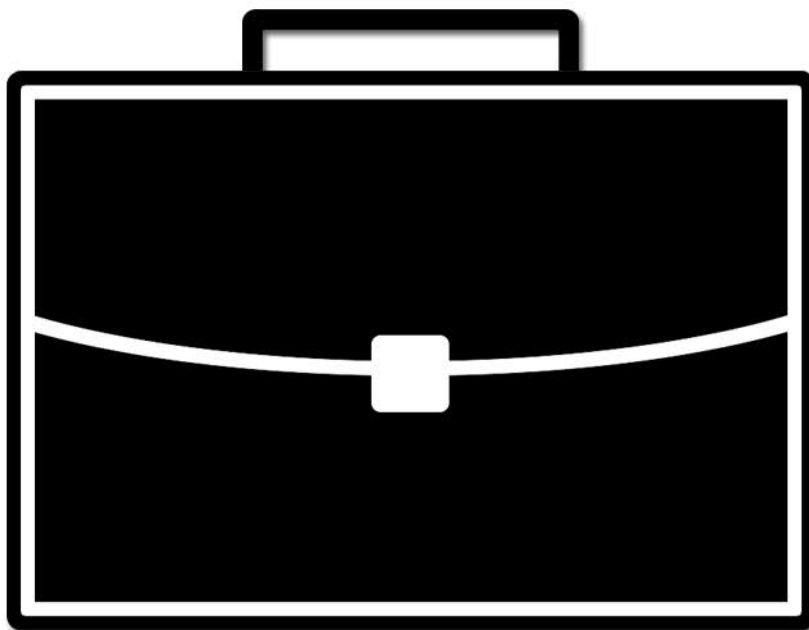
**Analysis:** This argument says that immigrants, undocumented or otherwise, are firm contributors to the American economy and social security system. If deportations increase, that means social security contributions decrease as well. Teams could strengthen this argument by pointing to specific programs or groups of people that rely on social security funding.



# Champion Briefs

Sept/Oct 2024

Public Forum Brief



Con Responses to  
Pro Arguments

## A/2: Increased surveillance infrastructure will prevent future pandemics

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**Response:** The US-Mexico border is not uniquely a cause of pandemics

**Nonunique:** H5N1 risks spreading across the Canadian border

Pelley, Lauren. "Scientists warn Canada 'way behind the virus' as bird flu explodes among U.S. dairy cattle." *CBC*, April 30, 2024, <https://www.cbc.ca/news/health/bird-flu-canada-1.7188779>. Accessed August 8, 2024.

So far, dozens of herds across various U.S. states have been infected with this form of influenza A. While it appears to cause milder infections in cows, H5N1 has also been linked to stunning death rates of 50 per cent or more in other species, including various birds, cats and even humans, though more data and research is needed to fully understand the risks. **"I think we're way behind the virus," warned Matthew Miller, an immunologist and vaccine developer with McMaster University, who's among the Canadians working on H5N1 research. Without a "robust national surveillance program, there's no way to know if there are infections here or not."**

**Mitigate:** International border closures had a minimal impact on the spread of COVID-19

Shiraef, Mary et. al. "Did border closures slow SARS-CoV-2?" *Scientific Reports*, February 1, 2022, <https://www.nature.com/articles/s41598-022-05482-7>. Accessed August 8, 2024.

**We found no evidence that the international border closures recorded in the COBAP database contributed to a reduction in SARS-CoV-2 spread. We found, rather, that**

**domestic lockdowns corresponded with a decrease in new cases. Without more data, little inference can be drawn, but we believe these null results are worth reporting given the widespread and long-term impact of border closures on millions of people.**

This is line with recent studies that have highlighted their negative socioeconomic impacts, such as their threat to border integration in Europe, revival of territorial conflicts, xenophobia, and the often enduring negative emotional experiences of those who encounter them.

**Non-unique:** COVID-19 originated in China, not Mexico

Ke, Ruian, et. al. “Fast spread of COVID-19 in Europe and the US suggests the necessity of early, strong and comprehensive interventions.” *National Library of Medicine*, April 15, 2020, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7276046/>. Accessed August 8, 2024.

**COVID-19 originated in Wuhan China in Dec, 2019. It has spread rapidly and caused a global pandemic within a short period of time. As of March 31, 2020, the global pandemic lead to more than 800,000 total confirmed cases and 40,000 deaths.**

Estimation of the rate of early epidemic spread in Wuhan, China, lead to different conclusions. Initially, it was suggested that the epidemic grew at 0.1–0.14/day, leading to an epidemic doubling time of 5–7 days. However, using domestic travel data and two distinct approaches, we estimated that the epidemic in Wuhan grew much faster than initially estimated, and the growth rate is likely to be between 0.21–0.3/day, translating to a doubling time between 2.3 to 3.3 days, and an R0 approximately at 5.7 with a large confidence interval.

**Alternative Cause:** COVID-19 spread in the Southern United States from domestic travel and superspreader events, not migrants

Keller, Mark et. al. "Emergence of an early SARS-CoV-2 epidemic in the United States." *National Library of Medicine*, February 8, 2021, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7872376/>. Accessed August 8, 2024.

To understand the early emergence of SARS-CoV-2 in Louisiana, we investigated epidemiological, genomic, and travel data of SARS-CoV-2 during the first wave of the epidemic (March 9th - May 15th). **We found that SARS-CoV-2 in Louisiana displayed little genetic diversity compared to other states and was likely introduced from a domestic source. Using aggregated parish-level COVID-19 case data<sup>14</sup>, we analyzed reported cases and deaths during the first wave of the epidemic in Louisiana. The first reported case of COVID-19 in Louisiana was detected on March 9th 2020 and the epidemic rapidly increased with reported cases reaching a peak on April 4th (Figure 1A). While COVID-19 cases were reported throughout Louisiana during the first wave, the New Orleans-Metairie metropolitan statistical area (MSA; henceforth referred to as New Orleans) accounted for more than 54.9% of all deaths in the period up until May 1st (Figure S1) and was the focal point of the epidemic in Louisiana.**

**Turn:** Pandemic surveillance systems are often implemented quickly, without democratic discussion

Suleymanova, Radmilla. "Pandemic exploited to normalise mass surveillance, watchdog warns." *Al Jazeera*, December 9, 2021, <https://www.aljazeera.com/economy/2021/12/9/pandemic-exploited-to-adopt-mass-surveillance-watchdog-warns>. Accessed August 8, 2024.

DM-based responses did help tackle COVID-19, but questions still remain over whether DCT apps, DCC schemes, AI and other algorithms helped nations respond effectively, the report noted. **Future ADM deployments must be evidence-based, transparent, clearly**

limited in scope and duration, and more democratically discussed,” Chiusi stresses. The report offers recommendations, including eliminating opaque impositions, and it says the pandemic cannot be used as an excuse to implement “vague and undefined” exceptions to principles of European Union law and international human rights law.

**Analysis:** This response is straightforward, arguing that the US-Mexico border is not such a unique spot for disease transmission that it warrants increased surveillance. Teams can couple this with specific examples of pandemics entering through other locations to add historical precedent to their response.

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**A/2: Increased surveillance infrastructure reduces opioid overdoses**

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**Response:** Increased surveillance infrastructure increases cartel power

**Turn:** Cartels raise money by smuggling people over the border

Rivers, Matt. "Inside a Cartel's Human-Smuggling Operation." *ABC News*, June 10, 2024, <https://abcnews.go.com/International/abc-news-exclusive-inside-cartels-human-smuggling-operation/story?id=110919861>. Accessed August 8, 2024.

**This amount of people arriving to the border would not be [im]possible without this level of involvement by transnational organized crime," said Gerardo Rodríguez Sánchez Lara, an international security expert who has studied organized crime for decades. Human smuggling is not new, but it has been transformed in the last few years into an industrial operation. Cartels have quickly figured out that facilitating the flow of migrants to the U.S. border can be remarkably lucrative.** Different organized crime groups control sections of the border, called plazas, with each controlling what happens inside its own territory. In order to get to the border these days, migrants almost always have to pay.

**Turn:** Increased surveillance increases deportations, which are exploited by cartels

Isacson, Adam. "U.S. Migration Policy is Enriching Cartels at the Busiest, and Most Dangerous, part of the U.S.-Mexico Border." *Washington Office on Latin America*, April 5, 2022, <https://www.wola.org/2022/04/u-s-migration-policy-is-enriching-cartels-at-the-busiest-and-most-dangerous-part-of-the-u-s-mexico-border/>. Accessed August 8, 2024.

In Nuevo Laredo, groups of kidnappers circulate in vehicles near the bridges from the United States, looking for recently removed migrants lacking the right “passwords,” whom they then kidnap. In Matamoros, I asked whether “maybe 20 percent” of migrants waiting there had been kidnapped before. “Oh, it’s higher than that,” a humanitarian worker replied. And every day, though the Department of Homeland Security (DHS) is aware of the dangers and the consequences, the U.S. government delivers more victims to the criminals. The “Title 42” pandemic policy, which the Trump administration launched in March 2020 and the Biden administration is prolonging until May 23, has expelled non-Mexican migrants into Tamaulipas roughly 250,000 times since Joe Biden’s inauguration, without giving them a chance to ask for asylum in the United States. Mexican citizens were expelled into Tamaulipas 160,000 times during that period.

**Turn:** Increased cartel funding increases narco-sub

Collman, Patrick. “Subs, Swarms, and Stricken Infrastructure: The Vulnerability of the United States to Non-Traditional Terrorist Threats.” *John Hopkins University*, May 2017, <https://jscholarship.library.jhu.edu/server/api/core/bitstreams/a585006a-86e3-464b-a22e-44f014466856/content>. Accessed August 8, 2024.

Furthermore, cartels are designing and coating narco-sub with materials to aid in reducing their signatures on both sonar and MAD (Magnetic Anomaly Detection), stealth improvements which make them even more difficult to detect. The subs are also cheap for the cartels to produce, costing only a couple million dollars each – cheap enough that the cartel crews often scuttle them at the end of their journeys, instead of attempting to return them. The shrinking price tag also means that smaller cartels and less formal operations will be able to construct and operate their own drug subs. This will result in more drug subs in the water, and complicate interdiction efforts

**Impact:** Mexico is a major, growing producer of opioids that enter the United States

“Fentanyl Flow to the United States.” *Drug Enforcement Agency*, January 2020, [https://www.dea.gov/sites/default/files/2020-03/DEA\\_GOV\\_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States\\_0.pdf](https://www.dea.gov/sites/default/files/2020-03/DEA_GOV_DIR-008-20%20Fentanyl%20Flow%20in%20the%20United%20States_0.pdf). Accessed August 7, 2024.

**Mexican TCOs are likely poised to take a larger role in both the production and the supply of fentanyl and fentanyl-containing illicit pills to the United States, especially if China’s proposed regulations and enforcement protocols are implemented effectively.** Fentanyl production and precursor chemical sourcing may also expand beyond the currently identified countries as fentanyl lacks the geographic source boundaries of heroin and cocaine as these must be produced from plant-based materials.

**Impact:** Over 80,000 Americans die every year from opioid overdoses

“Drug Overdose Death Rates.” *National Institute on Drug Abuse*, May 14, 2024, <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates>. Accessed August 7, 2024.

Figure 3. National Overdose Deaths Involving Any Opioid—Number Among All Ages, by Sex, 1999-2022. The figure is a bar and line graph showing the total number of U.S. overdose deaths involving any opioid from 1999 to 2022. **Any opioid includes prescription opioids (natural and semi-synthetic opioids and methadone), heroin, and synthetic opioids other than methadone (primarily fentanyl). Opioid-involved overdose deaths rose from 49,860 in 2019 to 81,806 in 2022.** The bars are overlaid by lines showing the number of deaths by sex from 1999 to 2022 (Source: CDC WONDER).



**Analysis:** This response is a straight turn, arguing that increased surveillance causes increased deportations, which lead to increased revenue for cartels. The benefit of using this response is that it uses the same impacts and evidence from the AFF, but argues that cartels fuel opioid overdoses regardless.

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## A/2: Increased surveillance infrastructure can leverage artificial intelligence

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**Response:** AI-technologies on the border exacerbate biases instead of replacing them

**Turn:** AI systems have been consistently proven to display racial bias

“Shedding light on AI bias with real world examples.” *IBM*, October 16, 2023,  
<https://www.ibm.com/blog/shedding-light-on-ai-bias-with-real-world-examples/>.  
Accessed August 8, 2024.

Image generation—Academic research found bias in the generative AI art generation application Midjourney. When asked to create images of people in specialized professions, it showed both younger and older people, but the older people were always men, reinforcing gendered bias of the role of women in the workplace. **Predictive policing tools—AI-powered predictive policing tools used by some organizations in the criminal justice system are supposed to identify areas where crime is likely to occur. However, they often rely on historical arrest data, which can reinforce existing patterns of racial profiling and disproportionate targeting of minority communities.**

**Turn:** Humans using biased AI become more biased as a result

Leffer, Lauren. “Humans Absorb Bias from AI – And Keep It after They Stop Using the Algorithm.” *Scientific American*, October 26, 2023,  
<https://www.scientificamerican.com/article/humans-absorb-bias-from-ai-and-keep-it-after-they-stop-using-the-algorithm/>. Accessed August 8, 2024.

The control group received a series of unlabeled dot images to assess. In contrast, the experimental groups received a series of dot images labeled with “positive” or “negative” assessments from the fake AI. In most instances, the label was correct, but in cases where the number of dots of each color was similar, the researchers introduced intentional skew with incorrect answers. In one experimental group, the AI labels tended toward offering false negatives. In a second experimental group, the slant was reversed toward false positives. **The researchers found that the participants who received the fake AI suggestions went on to incorporate the same bias into their future decisions, even after the guidance was no longer offered. For example, if a participant interacted with the false positive suggestions, they tended to continue to make false positive errors when given new images to assess. This observation held true despite the fact that the control groups demonstrated the task was easy to complete correctly without the AI guidance—and despite 80 percent of participants in one of the experiments noticing that the fictional “AI” made mistakes.**

**Turn:** Automated software at European borders can be biased

Brouwer, Evelien. “Challenging Bias and Discrimination in Automated Border Decisions.” *Verfassungsblog*, May 11, 2023, <https://verfassungsblog.de/pnr-border/>. Accessed August 8, 2024.

This judgment, in which the CJEU emphasizes the necessity of effective judicial protection, is therefore of particular importance for non-EU citizens, who are increasingly confronted with the use of automated border decisions, on the basis of the use of large-scale databases and risk assessments, as for example provided in the more recent ETIAS Regulation. **While the PNR Directive and the ETIAS Regulation, as has been highlighted in the report Artificial Intelligence at EU borders, prohibit the use of criteria which entail a high risk of discrimination for risk indicators (ethnicity, race, religious beliefs),**

these characteristics can also be correlated with or inferred from other types of data. This may result in (prohibited) indirect discrimination.

**Turn:** Border surveillance systems are used to track migrants inside U.S. territory as well

Morley, Priya. "AI at the Border: Racialized Impacts and Implications." *Just Security*, June 28, 2024, <https://www.justsecurity.org/97172/ai-at-the-border/>. Accessed August 8, 2024.

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.

**Impact:** Expanded surveillance forces migrants into more dangerous paths

Valle, Gaby Del. "Surveillance has a body count." *The Verge*, March 20, 2024, <https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 8, 2024.

**Migrants don't always know about the tools CBP uses to track them through the desert, but smugglers certainly do — and so they encourage migrants to enter the US via remote, dangerous routes where they're less likely to be intercepted by Border Patrol agents but far more likely to die.** Title 42, a pandemic-era policy that let CBP expel migrants back to Mexico without a hearing, may have also had a compounding effect that exacerbated the massive 2022 death toll. The policy was ostensibly introduced to limit the spread of covid-19 but was, for both the Trump and Biden administrations, a de facto anti-immigration deterrence strategy.

**Analysis:** This response has multiple avenues, arguing that artificial intelligence technology either replicates human biases, enhances them, or forces migrants into danger. It would be best used in conjunction with a structural violence framework or an analytical argument explaining why impacts relating to marginalized people should be preferred by the judge.

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**A/2: Increased surveillance infrastructure increases immigrant safety**

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**Response:** Increased surveillance infrastructure makes migrants less safe

**Turn:** Expanded surveillance forces migrants into more dangerous paths

Valle, Gaby Del. "Surveillance has a body count." *The Verge*, March 20, 2024, <https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 8, 2024.

**Migrants don't always know about the tools CBP uses to track them through the desert, but smugglers certainly do — and so they encourage migrants to enter the US via remote, dangerous routes where they're less likely to be intercepted by Border Patrol agents but far more likely to die.** Title 42, a pandemic-era policy that let CBP expel migrants back to Mexico without a hearing, may have also had a compounding effect that exacerbated the massive 2022 death toll. The policy was ostensibly introduced to limit the spread of covid-19 but was, for both the Trump and Biden administrations, a de facto anti-immigration deterrence strategy.

**Turn:** This surveillance has led to a massive increase in migrant deaths

Valle, Gaby Del. "Surveillance has a body count." *The Verge*, March 20, 2024, <https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 8, 2024.

**Customs and Border Protection (CBP) just released updated data on migrant deaths at the US-Mexico border, and the results are staggering. At least 895 people died at the border during the 2022 fiscal year — a 57 percent increase from the previous fiscal**

year. This grim statistic makes 2022 the deadliest year on record for migrants attempting to come to the US, and it's possible that the figure is an undercount.

**Mitigate:** International border closures had a minimal impact on the spread of COVID-19

Shiraef, Mary et. al. "Did border closures slow SARS-CoV-2?" *Scientific Reports*, February 1, 2022, <https://www.nature.com/articles/s41598-022-05482-7>. Accessed August 8, 2024.

**We found no evidence that the international border closures recorded in the COBAP database contributed to a reduction in SARS-CoV-2 spread. We found, rather, that domestic lockdowns corresponded with a decrease in new cases. Without more data, little inference can be drawn, but we believe these null results are worth reporting given the widespread and long-term impact of border closures on millions of people.**

This is line with recent studies that have highlighted their negative socioeconomic impacts, such as their threat to border integration in Europe, revival of territorial conflicts, xenophobia, and the often enduring negative emotional experiences of those who encounter them.

**Turn:** The border is used as a testing zone for technologies that will be deployed inland

D'Annunzio, Francesca. "Tech Doesn't Just Stay at the Border: Petra Molnar on Surveillance's Long Reach." *Texas Observer*, July 11, 2024, <https://www.texasobserver.org/border-surveillance-artificial-intelligence-tech/>. Accessed August 8, 2024.

This is the kind of zone where new technologies of surveillance are being tested without public scrutiny, accountability, or even knowledge. We're talking about traditional surveillance, like drones, cameras, sensors in the ground, but also draconian projects like

the robot dogs that were announced in 2022 by the Department of Homeland Security that are now kind of joining the global arsenal of migration management tech. **What happens at the border is this kind of laboratory where things are tested out and then it proliferates into other spaces—even with these robot dogs. A year after they were announced, the New York City Police Department proudly unveiled that they’re going to be using robo-dogs on the streets of New York. One even had black spots on it, like a Dalmatian.**

**Turn:** Expanded surveillance is not typically coupled with enhanced regulations

D’Annunzio, Francesca. “Tech Doesn’t Just Stay at the Border: Petra Molnar on Surveillance’s Long Reach.” *Texas Observer*, July 11, 2024, <https://www.texasobserver.org/border-surveillance-artificial-intelligence-tech/>. Accessed August 8, 2024.

I’ll give you the pessimistic answer first, and then the optimistic one. **I think the trend is more surveillance, sharper technology, insufficient regulation. This past time period was a really crucial one. For example, the European Union put out its big AI Act to regulate artificial intelligence. There’s talks about regulation at the U.S. level, Canada, other countries—but a lot of these instruments are very weak. When it comes to border surveillance, some of us were hoping that there would be some really strict guidelines and maybe even bans or moratoria on some of the really draconian technology. But unfortunately, that’s not the case.** There’s a lot of money to be made. The likelihood is that there’s no incentive to regulate. The incentive is to create more technology, more algorithms, more AI.

**Analysis:** This response is similar to the response to artificial intelligence, arguing that expanded surveillance forces migrants to take more dangerous paths. There is also a domestic component, arguing that migrant safety trades off with the safety of domestic communities.



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## A/2: Increased surveillance infrastructure improves federal oversight of the border

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**Response:** Increased infrastructure trades off with other needed funding

**Delink:** CBP officers under federal oversight still discriminate – Michigan proves

Davidson, Joe. “Black officers say CBP forced them to profile. A study in one state backs them up.” *The Washington Post*, July 22, 2021, [https://www.washingtonpost.com/politics/cbp-racial-profiling-aclu-study-michigan/2021/07/21/ee354918-e723-11eb-934f-7e6c1927f261\\_story.html](https://www.washingtonpost.com/politics/cbp-racial-profiling-aclu-study-michigan/2021/07/21/ee354918-e723-11eb-934f-7e6c1927f261_story.html). Accessed August 8, 2024.

The ACLU, along with the Michigan Immigrant Rights Center, Geoffrey Alan Boyce of Earlham College and Elizabeth Oglesby of the University of Arizona, obtained thousands of pages of documents through a 2015 Freedom of Information Act request, followed by years of litigation. Among the documents were 13,239 Detroit-sector daily apprehension logs from 2012 to 2018. **Researchers found that 85 percent of noncitizens apprehended by the Border Patrol in Michigan in that period were from Latin America — even though more than 70 percent of those arrested in the state attempting to enter the United States without authorization from Canada were Canadian citizens or originally from Europe.**

**Turn:** The risk of pandemics is increasing in the status quo

Galey, Patrick. “Nature loss means deadlier future pandemics, UN warns.” *Phys*, October 29, 2020, <https://phys.org/news/2020-10-nature-loss-deadlier-future-pandemics.html>. Accessed August 8, 2024.

**Future pandemics will happen more often, kill more people and wreak even worse damage to the global economy than Covid-19 without a fundamental shift in how humans treat nature, the United Nations' biodiversity panel said Thursday.** Warning that there are up to 850,000 viruses which, like the novel coronavirus, exist in animals and may be able to infect people, the panel known as IPBES said pandemics represented an "existential threat" to humanity.

**Turn:** Consistent funding to the National Biodefense Strategy is key to preventing pandemics

Irving, Michael. "Current and Future Challenges to U.S. Biosecurity Strategy." *Center for Global Security Research*, n.d., <https://cgsr.llnl.gov/content/assets/docs/Current-and-Future-Challenges-to-U.S.-Biosecurity.pdf>. Accessed August 8, 2024.

To fully implement the forthcoming 2022 U.S. National Biodefense Strategy, the U.S. must continue to improve interagency biodefense preparedness by strengthening the implementing powers of the Department of Homeland Security (DHS) National Biosurveillance Integration Center (NBIC). **The level of funding sustained improvements will require can be weighed against the potential \$1 trillion cost of a bioterror event and be expected to realize tangential socioeconomic benefits. Shortcomings in the response to COVID-19 by international institutions, including NATO, underscore the need to improve biosecurity at the global level. Modernization of early warning systems and expansion of access to diagnostics and therapeutics are crucial to mitigating biological threats, irrespective of their origin.**

**Turn:** Increased border policies trades off with other crucial policies at DHS

Katz, Eric. "DHS to slash operations, reshuffle workforce without additional funds, agency warns." *Government Executive*, February 14, 2024,

<https://www.govexec.com/management/2024/02/dhs-slash-operations-and-reshuffle-workforce-without-additional-funds-agency-warns/394190>. Accessed August 8, 2024.

“The administration has repeatedly requested additional resources for DHS’ vital missions on the southwest border and Congress has chronically underfunded them,” a department spokesperson said. **“Most recently, Congress rejected the bipartisan national security bill out of hand, which will put at risk DHS’s current removal operations, put further strain on our already overtaxed workforce and make it harder to catch fentanyl at ports of entry.”** The Senate rejected the bipartisan measure that took months to negotiate after former President Trump and House Republicans put pressure on the lawmakers to vote against the restrictive immigration reform and border security bill. The measure included \$18 billion for components throughout DHS, including for the hiring of thousands of new employees. **“Without adequate funding for CBP, ICE and USCIS, the department will have to reprogram or pull resources from other efforts,”** the DHS spokesperson said. U.S. Citizenship and Immigration Services would have to reassign hundreds of personnel from their normal duties to conduct initial screenings of new migrant arrivals, the spokesperson added.

**Impact:** The next pandemic will kill 50 million people

Lodhi, Areesha. “What is Disease X and how will pandemic preparations help the world?” *Al Jazeera*, January 18, 2024, <https://www.aljazeera.com/news/2024/1/18/what-is-disease-x-and-how-will-pandemic-preparations-help-the-world>. Accessed August 7, 2024.

The WHO has warned that Disease X could result in 20 times more fatalities than COVID-19. COVID-19 has killed approximately seven million people around the world. **In 2023,**

healthcare professionals warned that any new pandemic could be even deadlier – killing an estimated 50 million people worldwide.

**Analysis:** This response utilizes evidence from the pandemics argument, stating that any increase in federal oversight increases CBP workloads and requires tradeoffs with anti-disease programs at DHS.

## A/2: Increased surveillance infrastructure will conserve immigration enforcement resources

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**Response:** Increased surveillance infrastructure will not significantly reduce risks.

**Delink:** Live border patrol will continue to be necessary and risky

**Warrant:** Much of surveillance is not unmanned

Berkowitz, Bonnie, Tan, Shelley and Uhrmacher, Kevin. "Beyond the wall: Dogs, blimps and other things used to secure the border." *Washington Post*, February 8, 2019, <https://www.washingtonpost.com/graphics/2019/national/what-is-border-security/>. Accessed August 11, 2024.

The U.S.-Mexico border has 47 land ports of entry through which about a half-million commercial trucks, cars and pedestrians enter the United States every day. **U.S. Customs and Border Protection officers have the difficult job of expediting traffic while keeping an eye out for illegal crossers and cargo. Everyone and everything undergoes a primary inspection, in which license plates are scanned and passports are checked against Homeland Security data, said Blas Nuñez-Neto, a researcher at Rand Corporation and former senior advisor to the CBP commissioner. Between ports of entry, Border Patrol agents may be stationed miles apart, so they depend on various types of electronic surveillance to detect and track suspicious activity until they get there. If people move out of surveillance range, agents use classic tracking methods such as following footprints from the last known location.**

**Analysis:** This response negates the assumption that more surveillance will actually reduce the involvement of human agents in immigration enforcement.

**Turn:** Unmanned technologies will only take over the less risky aspects of immigration enforcement

**Warrant:** Surveillance tools capture crossings, but agents still have to apprehend them

Ventura, Jorge, and Arnold, Jeff. "US Border Patrol agents face growing violent acts: CBP." NewsNation, May 28, 2024, <https://www.newsnationnow.com/us-news/immigration/border-coverage/us-border-patrol-agents-face-growing-violent-acts-cbp/#:~:text=The%20data%20shows%20that%20the,other%20vessels%2C%20CBP%20data%20shows>. Accessed August 11, 2024.

**In fiscal year 2023, CBP reported 571 assaults on border agents. However, between October and April, 207 assaults on agents have already taken place, the agency reports. Of those assaults, 49 have taken place in the El Paso Sector, Texas, while 32 have taken place in Tucson, Ariz., and an additional 30 have taken place along the border in San Diego.** The data shows that the majority of the assaults on border agents are physical in nature with 77 reported incidents taking place. In another 40 cases, rocks or other projectiles have been thrown at agents while 22 other assaults have taken place using a vehicle or other vessels, CBP data shows.

**Analysis:** This response emphasizes that just because there is more surveillance being used, that does not mean live agents are steered clear of the riskier parts of immigration enforcement.

## A/2: Increased surveillance infrastructure will reduce violent encounters at the border

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**Response:** Increased surveillance infrastructure will not significantly change the nature of violent encounters

**Delink:** Surveillance is not a substitute for holistic immigration enforcement

**Warrant:** Surveillance tools capture crossings, but agents still have to apprehend them

Ventura, Jorge, and Arnold, Jeff. "US Border Patrol agents face growing violent acts: CBP." NewsNation, May 28, 2024, <https://www.newsnationnow.com/us-news/immigration/border-coverage/us-border-patrol-agents-face-growing-violent-acts-cbp/#:~:text=The%20data%20shows%20that%20the,other%20vessels%2C%20CBP%20data%20shows>. Accessed August 11, 2024.

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**Warrant:** More investment in surveillance could reduce focus on training agents to apprehend migrants safely and handle their humanitarian needs

“Beyond A Border Solution.” *American Immigration Council*, May 3, 2023,

[https://www.americanimmigrationcouncil.org/sites/default/files/research/02.23\\_border\\_whitepaper\\_v6.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/02.23_border_whitepaper_v6.pdf). Accessed August 11, 2024.

**Over the last decade, the Border Patrol has consistently failed to process high numbers of asylum seekers in a humane manner while simultaneously carrying out the agency’s law enforcement mission without disruption. This situation has proven unacceptable to all sides of the debate. Those who focus on the Border Patrol’s duty to process arriving asylum seekers highlight Border Patrol’s failure to process applicants for humanitarian protection in a humane and orderly fashion. For example, overcrowding and mistreatment of asylum seekers in Border Patrol facilities has been common for years, leading to multiple children dying in Border Patrol custody in 2019. Until the late 2010s, nearly all individuals held in Border Patrol custody were routinely denied access to basic hygienic needs such as soap and toothbrushes and often forced to sleep in crowded cells nicknamed hieleras (iceboxes) or perreras (dog kennels).**

**Analysis:** This response focuses on the fact that better surveillance does not lead to lower utilization of live immigration agents.

**Delink:** Greater surveillance at the US-Mexico border will push migrants to cross using riskier methods to avoid detection

**Warrant:** Migrants will use riskier methods to avoid detection by surveillance tools

Asher-Schapiro, Avi. “Surveillance tech makes U.S.-Mexico border even deadlier.”

*Context*, November 23, 2022,

<https://www.context.news/surveillance/surveillance-tech-makes-us-mexico-border-even-deadlier>. Accessed August 11, 2024.



"Out here, surveillance equals death," said Sam Chambers, a geographer at the University of Arizona who studies surveillance infrastructure and migration. **"The more cameras you put up, the more migrants are forced to take longer, riskier routes to avoid them - putting their bodies under stress and their lives in danger," he told Context.** The growing assemblage of cameras, sensors, drones, and aerial surveillance is especially visible along the Arizona border zone known as the Tucson Sector, one of the busiest and deadliest crossing points for migrants from Mexico. Since the 1990s, U.S. border forces have attempted to block migrants from crossing into urban areas, Chambers said, with traditional checkpoints gradually superseded by technology that monitors huge tracts of land. Chambers builds intricate models that show how camera towers push migrants away from safer, more direct routes to circuitous paths through hard-to-monitor mountainous zones and deserts where scores die from thirst and exposure to extreme weather. **He has calculated that the routes which migrants take to avoid detection often require more water than they can carry and more exertion than the traditional ones - with deadly results. Using data from the coroner's office, Chambers has mapped how the locations of corpses found in the desert have changed in response to the surveillance push, with more bodies now being uncovered in remote areas outside the towers' range.**

**Warrant:** Crossing the border by water is riskier

Isacson, Adam. "Texas' plan to make crossing the Rio Grande more dangerous is inhumane." *MSNBC*, July 19, 2023, <https://www.msnbc.com/opinion/msnbc-opinion/texas-mexico-border-rio-grande-immigration-abbott-rcna95020>. Accessed August 11, 2024.

Between Eagle Pass and Piedras Negras, Mexico, though, the Rio Grande is especially dangerous. On Sept. 1 last year, 13 migrants drowned there. Earlier in 2022, authorities

had recovered 12 bodies from the river in a single day. On the first day of this month, authorities recovered the bodies of a Guatemalan woman and her infant daughter. **A normal country, and state, would act to prevent such deaths by making the crossing safer, or even making crossing a dangerous river unnecessary. But Texas, which has strung miles of razor-sharp coils of concertina wire along the riverbank and shallows, and is building a 1,000-foot floating “wall” of buoys in the middle of the river in front of downtown Eagle Pass, is deliberately making the Rio Grande more dangerous to cross.**

**Analysis:** This is a good response because it turns the argument toward focusing on the unexpected consequences of better surveillance, in particular the cost to migrant safety.

## A/2: Increased surveillance infrastructure will reduce automobile congestion at the border

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**Response:** Increased surveillance infrastructure will not fix this minor issue

**Turn:** This technology will slow down border crossing times.

**Warrant:** The implementation of cargo scanners will slow down border crossings

Fry, Wendy. "Scanning Every Vehicle Could Cause Border Backups." *Transport Topics News*, February, 16, 2021, <https://www.ttnews.com/articles/scanning-every-vehicle-could-cause-border-backups>. Accessed August 9, 2024.

**A new U.S. law signed Jan. 5 requires every vehicle, truck and freight train that crosses into the United States from Mexico or Canada to be scanned and inspected at ports of entry with X-ray or similar technology. If enforced, the new scanning requirements could cause major traffic congestion at the San Ysidro Port of Entry, and cost Otay Mesa cargo importers millions of dollars a day.** In recent years, border agents have been increasingly using X-ray technology to detect illegal drugs and weapons. For example, Customs and Border Protection officers used an X-ray machine in June 2019 to detect 254 pounds of deadly fentanyl hidden in a tractor-trailer of cucumbers at the Nogales border-crossing in Arizona.

**Warrant:** More deployment of surveillance technologies without commensurate increases in live agents leads to slowdowns at the border

Graham, Edward, "AI can enhance border security but won't close workforce gap, lawmakers say." *NextGov*, July 10, 2024, <https://www.nextgov.com/artificial->

intelligence/2024/07/ai-can-enhance-border-security-wont-close-workforce-gap-lawmakers-say/397943/. Accessed August 11, 2024.

**The use of artificial intelligence along the U.S.-Mexico border will help agents better secure the crossing and combat the flow of illicit drugs into the country but will not make up for a continuing manpower shortage, according to lawmakers. During a joint hearing between the House Homeland Security Subcommittee on Border Security and Enforcement and Subcommittee on Oversight, Investigations and Accountability on Tuesday, both Democrats and Republicans said the use of more advanced scanning and detection tools along the southern border was a force multiplier for agents but warned that better technology alone was not a viable security solution.** Rep. Lou Correa, D-Calif. — ranking member of the Subcommittee on Border Security and Enforcement — noted “advanced technologies will help [Customs and Border Protection] officers and agents work more efficiently and effectively to keep the American people safe,” but warned that “technology isn't enough.” Correa said 5,000 additional CBP personnel are needed at the southern border and that the Border Patrol is also facing “a major shortfall” in personnel, a problem that cannot simply be addressed through new AI capabilities. “Even the best technology cannot fill these gaps,” he said.

**Warrant:** Investment in technology distracts from filling staffing shortages and addressing other issues that lead to congestion at the border

Meissner, Doris. “The U.S.-Mexico Border Problem Will Not Be “Solved” Until All Parts of the Border Enforcement System Are Properly Resourced.” *Migration Policy Institute*, November 2023, <https://www.migrationpolicy.org/news/border-supplemental-spending-bill>. Accessed August 11, 2024.

**Asylum officers are screening about 514 cases daily, the highest number ever. Yet 5,000 people on average now cross the border daily without authorization. The most recent**

**data show that the rate of those passing the initial screening of possible eligibility for asylum has dropped from 85 percent to 59 percent. This is a sign that new policies governing asylum seeking between ports of entry may be beginning to take hold. Nevertheless, the majority of crossers seeking asylum are not being screened for asylum eligibility at all.** Further, the government lacks staffing to implement a rule it published in March 2022 that would significantly streamline the asylum process. The rule authorizes asylum officers to complete the adjudication of border asylum cases, a function that immigration judges have performed to date. Such a move would reduce pressure on a court docket that exceeds 2.7 million cases, with the all-time high in backlogs resulting in delays that now extend out for years.

**Analysis:** This response centers on the possible contributors to congestion despite of or even because of better surveillance and screening tools.

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## A/2: Increased surveillance infrastructure will speed up the legal immigration system

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**Turn:** Better border surveillance will increase border apprehensions and direct more resources to addressing the flow of undocumented immigrants

**Warrant:** Investment in border surveillance leads to better detection

“How U.S. Border Patrol is improving safety with security drones.” Skydio, May 16, 2024, <https://www.skydio.com/blog/enhancing-security-with-aerial-robots>. Accessed August 11, 2024.

Drones, in particular, have emerged as key assets in overcoming the logistical challenges of traditional perimeter monitoring methods, offering a swift, reliable means to enhance operational capabilities. **Having eyes in the sky that are relaying real-time information to the operator(s) about what is happening on the ground (description/number of people, what they are carrying, direction of travel, etc) makes agents more aware of situations before they approach, gives them time to formulate a safe plan to have that encounter on their terms, and makes them safer.**

**Warrant:** That better detection leads to more apprehensions

Greenfield, Carlyn. “As Governments Build Advanced Surveillance Systems to Push Borders Out, Will Travel and Migration Become Unequal for Some Groups?” *Migration Policy Institute*, March 11, 2020, <https://www.migrationpolicy.org/article/governments-build-advanced-surveillance-systems>. Accessed August 11, 2024.

Global mobility has been on the rise for decades. However, securitizing mobility took a sharp turn after September 11, 2001. There was a sudden realization that the systems in place were not fit for purpose and there was an explicit need for higher security in travel. A comprehensive border management system that integrated databases, physical security, and data tracking, as well as communication across relevant government bodies was lacking. This was especially visible in air travel, where physical screening was increased, and agencies such as the U.S. Transportation Security Administration (TSA) were created. **As authorities recognized that they could not tackle the issue on their own, new programs and security efforts proliferated across continents, with information-sharing countries becoming a cornerstone of travel securitization. Emerging technologies have been key tools in this endeavor. Data gathering and risk analysis have been enhanced and enlarged with new automation. These technologies have also allowed governments to apply security mechanisms more discerningly and discreetly—they may pick and choose which travelers or migrants should receive extra screening. As vigilance has decreased on certain travelers, it has increased on others. Furthermore, as more countries share data, a visa rejection decision in one country could doom a person’s travel plans to another—all happening in a behind-the-scenes process that does not allow for input, or challenge, by the individual.**

**Analysis:** This response shows how investment in these tools will not lead directly to a better enforcement system for illegal immigration. The effect is that the legal immigration system might be in much the same place that it is now.

**Delink:** Undocumented migrants at the US-Mexico border want to take advantage of a legal immigration process: asylum.

**Warrant:** Seeking asylum and escaping from persecution require migrants to show up at the border.

Bier, David. "Why Legal Immigration Is Nearly Impossible." Cato Institute, June 13, 2023, <https://www.cato.org/policy-analysis/why-legal-immigration-nearly-impossible>. Accessed August 11, 2024.

**The vast majority of immigrants coming to the U.S.-Mexico border clearly want the opportunity to enter a legal process, and many of them are accessing the only legal process available to them: asylum and related procedures.** While U.S. law permits the fast removal of any noncitizen stopped at the border without documents, this rule has two exceptions. The exceptions apply to asylum seekers and their minor children who demonstrate a credible fear of persecution in their home country and to unaccompanied children arriving without their parents. Moreover, the government has also released parents who arrive with minor children (i.e., families) without screening them for asylum when it has run out of space to hold them for asylum interviews.

**Analysis:** This response problematizes the legal-illegal distinction as applied to undocumented immigrants at the US-Mexico border.



## A/2: Increased surveillance infrastructure will reduce the federal deficit

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**Delink:** Cost-savings from surveillance investments will not make a dent in the defense budget

**Warrant:** Even with better surveillance, the agencies that work on immigration will still spend hundreds of billions of dollars due to surges in crossings.

“Effects of the Immigration Surge on the Federal Budget and the Economy.”

*Congressional Budget Office, July 2024,*

<https://www.cbo.gov/publication/60569#:~:text=Funding%20for%20certain%20discretionary%20activities,requested%20additional%20funding%20for%202024.>

Accessed August 11, 2024.

**In this report, CBO describes how that 2021–2026 surge in immigration affects its baseline budget and economic projections for the 2024–2034 period. That is, this report looks at the incremental impact of the immigration surge and not at the effects of all people who immigrated in those years or who previously immigrated and were already residing in the United States. In addition, only the surge’s effects on federal revenues, mandatory spending, and interest on the debt are examined in detail. The report provides a broad assessment of possible effects on federal discretionary funding; it does not include estimates of the surge’s effects on state and local budgets.** To isolate the effects of the increase in immigration in its baseline budget projections and the economic forecast that underlies them, CBO constructed a counterfactual scenario in which that increase does not occur; instead, from 2021 to 2034, the net immigration of people in the other-foreign-national category totals 200,000 people per year (which, from 2027 on, is the same as in the baseline projections).

**Warrant:** Much of what those agencies spend on has nothing to do with US-Mexico border surveillance

“How Much Does the Government Spend on International Affairs?” *Peter G. Petersen Foundation*, April 26, 2024, <https://www.pgpf.org/blog/2024/04/how-much-does-the-government-spend-on-international-affairs>. Accessed August 11, 2024.

**Federal spending for international affairs, which supports American diplomacy and development aid, is a small portion of the U.S. budget. It covers agencies such as the State Department, the United States Agency for International Development (USAID), and the Peace Corps, which are all non-military initiatives that work to improve international relations. In fiscal year 2023, the government spent \$1.7 trillion on discretionary programs, of which \$84 billion — or nearly 5 percent — was for international affairs.** When viewed relative to the entire budget, including mandatory programs and interest payments, spending on international affairs is an even smaller share — comprising about 1 percent of total spending in 2023. Most of the spending in this budget category falls into two categories: International development and humanitarian assistance is allocated to global health programs that help fight HIV/AIDS, tuberculosis, and malaria as well as programs related to maternal and children’s health in other countries

**Analysis:** This response minimizes the import of any cost savings that come from surveillance, arguing that the problem will still be substantial and that spending on immigration is much bigger than just investments in surveillance at the border.

**No impact:** Reducing federal spending on immigration enforcement has little political impact

**Warrant:** Policy priorities on both sides of the political aisle require annual deficit spending

Gleckman, Howard. "Watch Congress Spend And Cut Taxes More, Despite Its Deficit Hang-Wringing." *Tax Policy Center*,  
<https://www.taxpolicycenter.org/taxvox/watch-congress-spend-and-cut-taxes-more-despite-its-deficit-hang-wringing>. Accessed August 11, 2024.

**Want to know why the budget deficit is enormous and growing? One reason is that when one political party in Congress proposes new tax cuts or new spending, the other party offers its own deal in return: We'll accept your tax cuts and new spending but only if you agree to ours.** And neither side tries to offset the costs with new revenues or spending cuts.

**Analysis:** This response is good because it undercuts the notion that the federal deficit is a meaningful priority in this debate.

## A/2: Increased surveillance infrastructure will reduce human trafficking

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**Delink:** Surveillance in remote areas won't stop trafficking from Mexico

**Warrant:** Most trafficking victims coming from Mexico come through legal points of entry.

Gates, Jamie, et al. "Human Trafficking and The Southern Border." NPR. 29 June 2019, <https://www.npr.org/2019/06/29/737268821/human-trafficking-and-the-southern-border>. Accessed August 9, 2024.

Unfortunately, those of us who work on the ground every day, every month, every week - **we're a little exasperated by the mischaracterization of trafficking and the causes and the kinds of trafficking by the administration at the moment.** The images of people being bound and gagged and dragged across the border in rural areas just is so far out of the norm. **What we mostly find is people are coming across in legal means through ports of entry if they are being trafficked across the border and by coercion, by psychological coercion.** By far, the most common form of trafficking in our area is somebody being manipulated and wooed into being a victim of sex trafficking, for example.

**Delink:** Mexico is not the main concern for human trafficking.

**Warrant:** Canada is a very common source for human smuggling

Barrera, Jorge. "Human smuggling from Canada to U.S. a 'lucrative market' attracting organized crime: RCMP." Canadian Broadcasting Corporation, 08 Dec. 2023,

<https://www.cbc.ca/news/canada/human-smuggling-canada-rcmp-organized-crime-1.7051961>. Accessed August 9, 2024.

**A lucrative and growing cross-border human smuggling market is attracting domestic and international criminal organizations looking to cash in on moving "vulnerable" people from Canada into the United States**, according to the senior RCMP officer who oversees border policing. Chief Supt. Mathieu Bertrand, head of Serious and Organized Crime and Border Integrity at RCMP Federal Policing, said the force has recently recorded an "immense amount of intercepts" of cross-border smuggling attempts headed south, particularly across the Ontario-Quebec border with New York state and Vermont. "There's a lot of money to be made to smuggle individuals across our borders," Bertrand said. "There are multiple organized crime groups that are seeking participation in the lucrative market, both internationally based groups and domestic groups." **U.S. border authority numbers show a substantial rise over the past year in the number of people smuggled from Canada primarily through a stretch of forested and rural borderlands, where eastern Ontario and Quebec meet the U.S. This area is known as the Swanton Sector. Between October 2022 and September 2023, U.S. Border Patrol agents working in the Swanton Sector recorded 6,925 apprehensions of people from 79 countries, all crossing irregularly from Canada — a 550 per cent year-over-year increase**, according to U.S. Customs and Border Protection data. U.S. Border Patrol said it detained 71 people crossing illegally from Canada through this region over the last weekend of November alone. Nearly half of all apprehensions involve Mexican nationals, with Indian nationals comprising about 14 percent of the total.

**Warrant:** Most human trafficking in the United States is domestic.

Gates, Jamie, et al. "Human Trafficking and The Southern Border." NPR. 29 June 2019, <https://www.npr.org/2019/06/29/737268821/human-trafficking-and-the-southern-border>. Accessed August 9, 2024.

MCCAMMON: To take a closer look at these claims, we've called Jamie Gates. **He directs the Center for Justice and Reconciliation at Point Loma Nazarene University in San Diego and has spent years studying human trafficking near the U.S.-Mexico border.** He joins us now. Welcome, professor Gates. JAMIE GATES: Thank you, Sarah. MCCAMMON: What do we know, broadly, about how many survivors of trafficking are being brought across the U.S.-Mexico border? GATES: **So our research shows that the trafficking problem in San Diego County is, by far, more local, domestic than it is across the border. In our study, we found 80% of the survivors, 450 survivors that we interviewed, were born and raised in the United States. And of those 20% that were born outside the United States, very few of them were actually trafficked across the border.** We know that trafficking does happen across the border. Unfortunately, people conflate smuggling and trafficking all the time. Human trafficking is very specific to having been forced through fraud or coercion - been brought across the border, not by getting someone's help to come across the border.

**Turn:** Surveillance technology will lead to more people being detained and trapped at the border.

**Warrant:** Asylum seekers stuck at the border are more likely to experience violence.

Gates, Jamie, et al. "Human Trafficking and The Southern Border." NPR. 29 June 2019, <https://www.npr.org/2019/06/29/737268821/human-trafficking-and-the-southern-border>. Accessed August 9, 2024.

MCCAMMON: I mean, we are hearing and seeing these reports of people trying to seek asylum at U.S. ports of entry and often having to wait a very long time to be able to do that. Then on the other side of the border, there are children and others in U.S. detention facilities. In either case, how big of a danger are they for being trafficked?

GATES: Absolutely. **We're really worried for the families that are forced to stay in Mexico while they're waiting for their cases to be heard in the United States. That puts them in significantly more danger than if they were kept with families here in the United States - by far more danger. There are far fewer resources and supports - the law enforcement there is far less trained than our law enforcement here to find**

**human trafficking cases. We just think that puts families so much more at risk.** It's a

very dangerous thing. MCCAMMON: And on the U.S. side of the border, where we have these detention facilities where people are being held, what about the people there?

GATES: We're really concerned about **the children being separated from their families** and then not being reunited with family members intentionally by the U.S. government, whether they are their parents or some other family members that they have in the United States, because that puts them not just in great psychological distress, but it **puts them in danger of others taking advantage of that situation who aren't family members.**

**Mitigate:** There's not enough data on human trafficking to fight it.

**Warrant:** More data is needed on human trafficking to understand how to stop human trafficking.

Asmann, Parker and Dudley, Steven. "Human Trafficking on the US-Mexico Border: Family Clans, Coyotes, or 'Cartels'?" InSight Crime, 30 Aug. 2023, <https://insightcrime.org/investigations/clans-coyotes-cartels-human-trafficking-us-mexico-border/>. Accessed August 9, 2024.

**Policymakers seeking to deal with human trafficking would do better to push for further research and increased resources for data collection and analysis.** There is a serious dearth of data related to this crime on both sides of the US-Mexico border, which contributes to uncertainty about where to target resources. **Without systematic**

**data collection on both victims and victimizers, it is difficult to understand the true nature of human trafficking in this space and thus focus resources towards mitigating its impact.**

**Analysis:** There's a bunch of different paths that teams can take when responding to this argument. Teams just need to make sure that they choose the right responses that fit best with their narrative. Also be careful because many of the delinks are mutually exclusive with the turn; however, I think either one will be a sufficient response to the argument. Teams should also push the Pro to explain exactly how surveillance will stop this trafficking when most victims come across legal points of entry.



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## A/2: Increased surveillance infrastructure will curb the drug trade at legal border crossings

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**Turn:** This technology will slow down border crossing times.

**Warrant:** The implementation of cargo scanners will slow down border crossings and cost millions.

Fry, Wendy. "Scanning Every Vehicle Could Cause Border Backups." Transport Topics News, 16 Feb. 2021, <https://www.ttnews.com/articles/scanning-every-vehicle-could-cause-border-backups>. Accessed August 9, 2024.

**A new U.S. law signed Jan. 5 requires every vehicle, truck and freight train that crosses into the United States from Mexico or Canada to be scanned and inspected at ports of entry with X-ray or similar technology. If enforced, the new scanning requirements could cause major traffic congestion at the San Ysidro Port of Entry, and cost Otay Mesa cargo importers millions of dollars a day.** In recent years, border agents have been increasingly using X-ray technology to detect illegal drugs and weapons. For example, Customs and Border Protection officers used an X-ray machine in June 2019 to detect 254 pounds of deadly fentanyl hidden in a tractor-trailer of cucumbers at the Nogales border-crossing in Arizona. **Currently, only about 1% of personal vehicles and 15% of cargo trucks entering through land ports are scanned, mostly at the U.S.-Mexico border, according to CBP.** The Securing America's Ports Act (H.R. 5273), signed into law by former President Donald Trump shortly before he left office, orders the Department of Homeland Security to develop and implement "a plan to expeditiously scan all commercial and passenger vehicles entering the United States at a land port of entry using large-scale nonintrusive inspection systems, such as X-ray and gamma-ray imaging systems, or similar technology," according to a summary of the bill.

**Delink:** Scanning cargo will not stop drugs from coming into the US.

**Warrant:** We've already seen cartels get more creative with hiding drugs.

Bradley, Ali and Smith, Katie. "Cartels find creative ways to smuggle drugs into the US."

Fox 8 Greensboro, 3 March 2023, <https://myfox8.com/news/cartels-find-creative-ways-to-smuggle-drugs-into-the-us/>. Accessed August 9, 2024.

Hiding drugs in car parts isn't a new strategy for drug cartels seeking to smuggle their product over the border, but it is one of their less avant-garde approaches. **Smugglers come up with new places to hide drugs year in and year out, leading to a proverbial game of whack-a-mole for border agents. In 2016, more than a ton of marijuana was found hidden inside a shipment of fake carrots. Then in 2020, agents found \$61 million worth of pot and methamphetamine inside crates of limes and nopales. That same year they found an additional \$1.4 million worth of meth in a shipment of green onions. Last August, agents removed 14,000 fentanyl pills from inside a set of crutches.** According to the Drug Enforcement Administration, officers have seen drugs smuggled in lollipops, furniture and wax candles. Items like lawn ornaments, produce and pet food have also been used as vehicles for drug trafficking. Officials in Yuma County, Arizona, say 52% of narcotics are seized by officers at ports of entry, but 48% are discovered only after they've been smuggled in.

**Warrant:** Cartels are already sending more illicit drugs through the desert.

Gutierrez, Gabe and Hankel, Al. "Fentanyl seizures at U.S. southern border rise dramatically." NBC News, 29 June 2021,

<https://www.nbcnews.com/politics/immigration/fentanyl-seizures-u-s-southern-border-rise-dramatically-n1272676>. Accessed August 9, 2024.

Federal agents in this section of the southern border say they've seen a staggering 4,000 percent increase in fentanyl seizures over the last three years. **Those busts are not at ports of entry, where most smuggled drugs are typically found. The Border Patrol says the rising amount of fentanyl is being found in the desert – transported by increasingly brazen smugglers who are exploiting stretched federal resources.** In 2018, the Border Patrol in the El Paso sector found just one pound of fentanyl outside ports of entry. In 2019, two pounds. In 2020, nine. **During the 2021 fiscal year, agents have found 41 pounds so far – a dramatic rise that experts attribute to the increasing role in drug cartels producing the illicit drug themselves with raw materials from China.** The sharp rise from 2018 to 2020 suggests the coronavirus pandemic did not artificially inflate the 2021 numbers.

**Delink:** Implantation of cargo scanners is too difficult.

**Warrant:** Bureaucratic processes make implementation difficult. This is exemplified by the scanners being left unused at the border.

Strickler, Laura et al. "Scanners that spot smuggled fentanyl at the border sit unused because Congress hasn't provided the cash to install them." NBC News, 5 March 2024, <https://www.nbcnews.com/politics/immigration/border-fentanyl-scanners-unused-congress-provided-no-money-rcna141432>. Accessed August 9, 2024.

The new technology, known as Non-Intrusive Inspection, or NII, lets CBP X-ray a percentage of cars and trucks as they pass through the massive U-shaped screeners, which look something like car washes. Drivers don't have to get out of their vehicles to be screened, which means traffic can keep flowing through border checkpoints with fewer interruptions. **But some of the equipment that has been purchased hasn't yet**

been put into use, because Congress hasn't allocated the funding needed to install it. The money to install the screeners was in the supplemental funding request Republicans blocked. "We do have technology that's in the warehouse that has been tested. But we need approximately \$300 million [to] actually put the technology in the ground," Miller said. "It's extremely frustrating." Exactly how much equipment is being stored and where is unknown. The contracts to buy the machines totaled in the tens of millions. A CBP official speaking on background said the Biden administration's "supplemental funding request would provide funding for civil works projects to allow for NII systems procured with previous-year funds to be installed."

**Warrant:** The cargo scanner technology is cumbersome and difficult to use.

"High-Tech Border Security: Current and Emerging Trends." IEEE Public Safety Technology. n.d. <https://publicsafety.ieee.org/topics/high-tech-border-security-current-and-emerging-trends>. Accessed August 9, 2024.

**Cargo Scanners** Most illegal drugs are smuggled through ports of entry, often mixed in with legal products and concealed in secret compartments, including vehicle gas tanks. Using modern sensors, border agents can detect contraband through minute changes in air pressure or the composition of gases emitted from a vehicle, container, or package. **PROS:** The latest generation of x-ray and gamma-ray scanners are highly effective in detecting contraband. **CONS: These scanners are expensive and require extensive training for border agents to use them effectively. They are also very large, so installing them at every port can halve the number of vehicle lanes.**

**Analysis:** These responses are strong because they show how the surveillance measures could end up being just one big waste of money with potential to even hurt international trade. It is essential for Con teams to force the Pro to try to explain how cartels won't circumvent these increased security measures.

## A/2: Surveillance infrastructure is more cost effective than other alternatives

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**Delink:** The costs aren't less because they're designed to be used with physical infrastructure; not in place of it.

**Warrant:** Surveillance is designed to complement physical infrastructure.

Goodman, Jennifer. "Feds look to high-tech towers to complement border wall Construction." Construction Dive, 19 Aug. 2020, <https://www.constructiondive.com/news/feds-look-to-high-tech-towers-to-complement-border-wall-construction/583633/>. Accessed August 9, 2024.

**CBP first piloted the use of radar-equipped surveillance towers in early 2018 with four towers in the San Diego Border Patrol Sector, and has since purchased 56 additional towers.** It plans to deploy 140 additional towers through 2022 to reach a total of 200 towers, it said. The Post article indicated that these are part of the Anduril contract. **Technology such as radar complements CBP's other initiatives to keeping the border safe, including barrier walls, CBP said,** noting the many benefits of these mobile towers, including that they can operate off grid, have a small geographic footprint and minimize the impact to land owners and public land. They can also be re-located within two hours, providing frontline agents with a flexible system that "enhances situational awareness, effectiveness and safety," the statement said.

**Warrant:** Focusing on vast stretches of open desert is an inefficient use of resources.

Schmidtke, Rachel. "Three Alternatives to a Wall That Will Strengthen the Southern U.S. Border." The Wilson Center, 15 Jan, 2019,

<https://www.wilsoncenter.org/article/three-alternatives-to-wall-will-strengthen-the-southern-us-border>. Accessed August 9, 2024.

**The wall would stretch across a vast expanse of desert between ports of entry. Yet, most security threats are at ports of entry rather than between.** About one-fifth of the number of gang members apprehended were at ports of entry (a significantly larger number than the six members who were apprehended between). The same goes for suspected terrorists. **The State Department estimated that exactly zero terrorists entered the United States from the U.S.-Mexico border. In fact, counties along the southern border are among the safest in the United States.** The Department of Homeland security stated, “Most of these individuals are trying to enter the U.S. by air,” meaning the wall would be largely ineffective in preventing a terrorist threat. In order to apprehend those who pose the greatest threat to our nation’s safety, it is important to focus our resources, technology and attention in the areas where dangerous people attempt to enter the United States. Furthermore, there has been a sizable increase in cross-border trafficking of drugs such as heroin, fentanyl, methamphetamine and cocaine in recent years. **According to Customs and Border Protection data, these drugs are almost entirely trafficked at the land ports of entry and at the 47 official border crossings.** Despite the increase in drug trafficking, reports have shown that shifting the priority to zero-tolerance immigration enforcement diverted resources from pursuing more serious crimes like drug and human trafficking. **Focusing attention on drug trafficking at ports of entry would likely result in an increase in drug seizures, which would make America safer by keeping out some of the most dangerous substances affecting our population today.**

**Turn:** The big cost of surveillance infrastructure is human life.

**Warrant:** Surveillance infrastructure caused migrants to take riskier paths when crossing the border.

Chambers, Samuel et al. "Mortality, Surveillance and the Tertiary 'Funnel Effect' on the U.S.-Mexico Border: A Geospatial Modeling of the Geography of Deterrence." *The Journal of Borderlands Studies*, 31 Jan. 2019, <https://www.tandfonline.com/doi/abs/10.1080/08865655.2019.1570861>. Accessed August 9, 2024.

**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.**

**Impact:** Immigrants are already dying.

Del Valle, Gaby. "Surveillance has a body count." The Verge, 20 March 2024, <https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 9, 2024.

Customs and Border Protection (CBP) just released updated data on migrant deaths at the US-Mexico border, and the results are staggering. **At least 895 people died at the border during the 2022 fiscal year — a 57 percent increase from the previous fiscal year. This grim statistic makes 2022 the deadliest year on record for migrants attempting to come to the US, and it's possible that the figure is an undercount.** For years, CBP has blamed the persistent rise in deaths on three factors: the summer heat, the ruggedness of the desert terrain, and the cruelty of smugglers who leave migrants to die there. Climate change has indeed made summers hotter and drier, which means migrants who spend days or weeks trekking through remote stretches of the desert are more likely to become dehydrated and, if out in the sun for long enough, to succumb to exposure. **But rising temperatures don't explain why migrants are crossing through such perilous parts of the borderlands in the first place, often dying in the process. The real culprit is the vast surveillance apparatus that funnels migrants — including people seeking asylum — into what CBP itself calls "hostile terrain."**

**Turn:** Surveillance infrastructure infringes on privacy and leads to bad mental health impacts.

**Impact:** Studies show that this surveillance makes innocent civilians scared.

Ryan-Mosley, Tate. "The US is pouring money into surveillance tech at the southern border." MIT Technology Review, 17 April 2023, <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>. Accessed August 9, 2024.



Maass says he found evidence of the US using surveillance towers at the border as early as 1930. But the risks of more advanced, more comprehensive, and more accurate technologies are real, especially when they target border communities. All the surveillance is disrupting the daily lives of those communities, and **a recent report by the ACLU of Texas showed that the mental health of residents was significantly affected by surveillance, whether assumed or real. David Donatti, a staff attorney with the group, says the research showed that “a majority of people avoided going to essential locations like grocery stores, hospitals, polling places, and community centers because they were afraid of encountering border patrol.”**

**Analysis:** This response is good because it allows you to connect back to the human element of the motion; installing surveillance infrastructure will lead to lives lost. It makes the Pro team seem like they care more about the bottom line than people’s lives. You could also probably pair these responses with the ineffectiveness of surveillance to tackle problems like drug trafficking to show the judge that these lives are being lost for very little gain.

## A/2: Surveillance infrastructure is better than physical barriers for the environment

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**Delink:** Surveillance infrastructure doesn't exist in a vacuum.

**Warrant:** Even if towers have less of an ecological impact, border walls are typically used in tandem with surveillance; they're not mutually exclusive. Accessed August 9, 2024.

Goodman, Jennifer. "Feds look to high-tech towers to complement border wall Construction." Construction Dive, 19 Aug. 2020, <https://www.constructiondive.com/news/feds-look-to-high-tech-towers-to-complement-border-wall-construction/583633/>.

**CBP first piloted the use of radar-equipped surveillance towers in early 2018 with four towers in the San Diego Border Patrol Sector, and has since purchased 56 additional towers.** It plans to deploy 140 additional towers through 2022 to reach a total of 200 towers, it said. The Post article indicated that these are part of the Anduril contract. **Technology such as radar complements CBP's other initiatives to keeping the border safe, including barrier walls, CBP said,** noting the many benefits of these mobile towers, including that they can operate off grid, have a small geographic footprint and minimize the impact to land owners and public land. They can also be re-located within two hours, providing frontline agents with a flexible system that "enhances situational awareness, effectiveness and safety," the statement said.

**Delink:** The border wall is up, and the damage has already been done.

**Warrant:** Much of the damage done by the wall is irreversible.

Snow, Anita. "Damage from border wall: blown-up mountains, toppled cactus." AP, 17 December 2020, <https://apnews.com/article/arizona-border-wall-damage-mountains-7986864266a6fc2764c671533957d958>. Accessed August 9, 2024.

Each blast in Guadalupe Canyon releases puffs of dust as workers level land to make way for 30-foot-tall (9-meter-tall) steel columns near the New Mexico line. Heavy machines crawl over roads gouged into rocky slopes while one tap-tap-taps open holes for posts on U.S. Bureau of Land Management property. **Trump has expedited border wall construction in his last year, mostly in wildlife refuges and Indigenous territory the government owns in Arizona and New Mexico, avoiding the legal fights over private land in busier crossing areas of Texas. The work has caused environmental damage, preventing animals from moving freely and scarring unique mountain and desert landscapes that conservationists fear could be irreversible. The administration says it's protecting national security, citing it to waive environmental laws in its drive to fulfill a signature immigration policy.** Customs and Border Protection said in a statement Friday that it has worked with the National Park Service and other agencies to minimize damage in construction areas, including not using groundwater within 5 miles (8 kilometers) of Quitobaquito Springs in Organ Pipe Cactus National Monument, home to endangered species like the Sonoyta mud turtle. The agency said it also has replanted salvageable cactuses and has identified 43 places for small wildlife corridors along the Arizona border, with installation of some underway.

**Warrant:** There's not enough political capital to take down the wall.

Reese, April. "Some Ecological Damage from Trump's Rushed Border Wall Could Be Repaired." The Scientific American, 25 Jan. 2021, <https://www.scientificamerican.com/article/some-ecological-damage-from-trumps-rushed-border-wall-could-be-repaired1/>. Accessed August 9, 2024.

Taking stock of what has been lost is crucial to figuring out which areas to prioritize for fence removal, Jordahl says. “It’s impossible to assess the damage until we send the construction teams packing and send scientists down to these sites where the environmental laws have been waived,” he says. What to Fix First. **The environmental coalition opposing the wall recognizes it is politically unfeasible to push for toppling the entire fence, so it has compiled a list of places where tearing down the barriers would do the most environmental good.** The groups (which include the Center for Biological Diversity, Defenders of Wildlife, the Sierra Club, the Southwest Environmental Center and others) plan to use the report to convince the Biden administration to remove what they view as the most problematic sections, including a migratory wildlife corridor in New Mexico that is important for jaguars and an international bison herd; the San Pedro River in Arizona, the last free-flowing river in the state until a wall was built across it last year; and the Quitobaquito Springs in Organ Pipe Cactus National Monument, home to the endangered Quitobaquito pupfish and an important cultural site to a dozen Native American groups.

**Warrant:** Taking down the wall would be costly.

Reese, April. “Some Ecological Damage from Trump’s Rushed Border Wall Could Be Repaired.” *The Scientific American*, 25 Jan. 2021, <https://www.scientificamerican.com/article/some-ecological-damage-from-trumps-rushed-border-wall-could-be-repaired1/>. Accessed August 9, 2024.

What Restoration Might Cost With fence construction halted, CBP and the Army Corp of Engineers, which jointly oversee fence construction, could end up turning right around to deconstruct projects now in progress. “For example, we could have already dug a trench and put rebar in it,” said Mark Morgan, then acting CBP commissioner under Trump, in a conference call with reporters on December 14. “We’re going to have to pay a contractor to go back in and remove the rebar and fill in the trench.” **Because billions**

of dollars' worth of wall-building contracts have already been awarded, Morgan added, the government agencies involved would need to go through a lengthy process to reach a settlement over canceled projects—costing taxpayers more money. Even so, Jordahl says, “the cost to tear it down will pale in comparison to what it cost to build it.” The money saved from walls left unbuilt could be used to help pay for restoration, he adds. Under a deal with the Department of the Interior in 2009, DHS allocated \$50 million for remediation of fence damage, but that amount was later cut in half, and little work has been done, Nicol says. At the time, the agencies discussed the possibility of a long-term environmental monitoring program, which never materialized.

**Analysis:** The first delink is the strongest response to this argument because it basically shuts down the environmental claim. Surveillance is a complement to physical barriers; it is not the barrier itself. Teams should push the pro on exactly how they are better for the environment if this is the case.

## A/2: Increased surveillance infrastructure will decrease illegal activity in remote areas

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**Delink:** Most drugs don't pass through remote areas.

**Warrant:** Most drug activity comes through legal points of entry.

Gomez, Alan. "Fact-checking Trump officials: Most drugs enter US through legal ports of entry, not vast, open border." USA Today, 16 Jan. 2019, <https://www.usatoday.com/story/news/politics/2019/01/16/fact-check-mike-pence-donald-trump-drugs-crossing-southern-border-wall/2591279002/>. Accessed August 9, 2024.

But an analysis of data from the southern border indicates that the vast majority of narcotics enters through U.S. ports of entry, not the wide swaths of border in between where additional barriers could be erected. **According to U.S. Customs and Border Protection statistics, 90 percent of heroin seized along the border, 88 percent of cocaine, 87 percent of methamphetamine, and 80 percent of fentanyl in the first 11 months of the 2018 fiscal year was caught trying to be smuggled in at legal crossing points. While those numbers deal only with drugs that are caught, border experts say the data accurately reflect the way drug cartels successfully smuggle narcotics into the country.** Gil Kerlikowske, who headed CBP and the Office of National Drug Control Policy under President Barack Obama, said **intelligence received from arrested smugglers and law enforcement partners in Mexico indicate that cartels clearly prefer moving high-profit narcotics through the busy ports of entry because their chances of success are better there.**

**Delink:** Drug cartels will adapt to go around these security measures.

**Warrant:** Drug cartels are very creative with how they smuggle drugs.

Bradley, Ali and Smith, Katie. "Cartels find creative ways to smuggle drugs into the US." Fox 8 Greensboro, 3 March 2023, <https://myfox8.com/news/cartels-find-creative-ways-to-smuggle-drugs-into-the-us/>. Accessed August 9, 2024.

Hiding drugs in car parts isn't a new strategy for drug cartels seeking to smuggle their product over the border, but it is one of their less avant-garde approaches. **Smugglers come up with new places to hide drugs year in and year out, leading to a proverbial game of whack-a-mole for border agents. In 2016, more than a ton of marijuana was found hidden inside a shipment of fake carrots. Then in 2020, agents found \$61 million worth of pot and methamphetamine inside crates of limes and nopales. That same year they found an additional \$1.4 million worth of meth in a shipment of green onions. Last August, agents removed 14,000 fentanyl pills from inside a set of crutches.** According to the Drug Enforcement Administration, officers have seen drugs smuggled in lollipops, furniture and wax candles. Items like lawn ornaments, produce and pet food have also been used as vehicles for drug trafficking. Officials in Yuma County, Arizona, say 52% of narcotics are seized by officers at ports of entry, but 48% are discovered only after they've been smuggled in.

**Warrant:** Drug cartels always adapt.

LaSusa, Mike. "5 Clever Ways Mexico Cartels Move Drugs Across US Border." InSight Crime, 4 Oct. 2016, <https://insightcrime.org/news/analysis/5-clever-ways-mexico-cartels-move-drugs-over-us-border/>. Accessed August 9, 2024.

**Every day, Mexico's cartels attempt to ship untold quantities of drugs across the US border.** And every day, Mexican and US authorities try to stop them. The drugs are usually hidden in commercial or passenger vehicles transiting official checkpoints. **But in recent years, crime groups have begun to experiment with a wide range of innovative methods for moving illicit cargo past one of the world's most heavily guarded borders and into the most lucrative drug market.** Below, InSight Crime looks at five of the most creative.

**Turn:** Surveillance infrastructure will only hurt migrants trying to cross the border.

**Warrant:** Surveillance infrastructure caused migrants to take riskier paths when crossing the border.

Chambers, Samuel et al. "Mortality, Surveillance and the Tertiary 'Funnel Effect' on the U.S.-Mexico Border: A Geospatial Modeling of the Geography of Deterrence." *The Journal of Borderlands Studies*, 31 Jan. 2019, <https://www.tandfonline.com/doi/abs/10.1080/08865655.2019.1570861>. Accessed August 9, 2024.

**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.

**Impact:** Immigrants are already dying.

Del Valle, Gaby. “Surveillance has a body count.” *The Verge*, 20 March 2024, <https://www.theverge.com/2024/3/20/24106098/cbp-migrant-deaths-border-surveillance>. Accessed August 9, 2024.

Customs and Border Protection (CBP) just released updated data on migrant deaths at the US-Mexico border, and the results are staggering. **At least 895 people died at the border during the 2022 fiscal year — a 57 percent increase from the previous fiscal year. This grim statistic makes 2022 the deadliest year on record for migrants attempting to come to the US, and it’s possible that the figure is an undercount.** For years, CBP has blamed the persistent rise in deaths on three factors: the summer heat, the ruggedness of the desert terrain, and the cruelty of smugglers who leave migrants to die there. Climate change has indeed made summers hotter and drier, which means migrants who spend days or weeks trekking through remote stretches of the desert are more likely to become dehydrated and, if out in the sun for long enough, to succumb to exposure. **But rising temperatures don’t explain why migrants are crossing through such perilous parts of the borderlands in the first place, often dying in the process. The real culprit is the vast surveillance apparatus that funnels migrants — including people seeking asylum — into what CBP itself calls “hostile terrain.”**

**Analysis:** These responses are good because they build a narrative that surveillance infrastructure is ineffective at stopping illegal activity. When paired with the turn, teams basically force the pro team to defend an ineffective system that kills struggling migrants that are just trying to get a better life.