

Debatetrack



US-Mexico Border

September 2024 Public Forum Topic

September 24: The United States federal government should substantially expand its surveillance infrastructure along its southern border.

Notes on Evidence

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Background

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History

Border Barriers: the US-Mexico border stretches for 2,000 miles, with 700 miles having some barriers like barbed wire or mesh fencing. Border enforcement was first meant to keep out Chinese immigrants, then cattle, then Mexican immigrants

Klein 18 – [Klein, Christopher. "Everything You Need to Know about the Mexico-United States Border." HISTORY. August 29, 2018. <https://www.history.com/news/everything-you-need-to-know-about-the-mexico-united-states-border>.] Elene.

[Christopher Klein is an author and writer specializing in history. He is the author of four books. He is a member of the Authors Guild, Biographers International Organization, Boston Authors Club, and Irish American Writers & Artists.]

The border between the United States and Mexico stretches for nearly 2,000 miles from the Gulf of Mexico to the Pacific Ocean and touches the states of California, Arizona, New Mexico and Texas. The Rio Grande runs along 1,254 miles of the border, but west of El Paso, Texas, the boundary lacks a natural geographic barrier except for a small stretch along the Colorado River.

Approximately 700 miles of barbed wire, chain link, post-and-rail and wire mesh fencing has been erected along the U.S.-Mexico border. The U.S. Border Patrol also utilizes thousands of cameras and underground sensors as well as aircraft, drones and boats to monitor the boundary.

After winning its independence from Spain in 1821, Mexico stretched as far north as the Oregon Territory. The secession of Texas in 1836, however, marked the beginning of the loss of Mexican territory that would become the present-day U.S. Southwest.

U.S. President James K. Polk captured the White House in 1844 on a pledge to fulfill America's "Manifest Destiny" to stretch from the Atlantic Ocean to the Pacific Ocean. Relations with Mexico deteriorated after the United States annexed Texas in 1845. When Mexico refused an American offer to purchase California and New Mexico for \$30 million, Polk dispatched 4,000 troops into land north of the Rio Grande and south of the Nueces River claimed by both countries.

Following a Mexican cavalry attack in the disputed territory on April 25, 1846, that left 16 American soldiers dead or wounded, the United States declared war on Mexico. After a series of bloody battles and sieges, American forces captured the Mexican capital in September 1847.

Under the 1848 Treaty of Guadalupe Hidalgo, Mexico formally recognized the American annexation of Texas and agreed to sell more than one-third of its territory. For \$15 million and the assumption of certain damage claims, the United States purchased more than a half million square miles that would encompass all or most of the future states of California, Arizona, New Mexico, Nevada and Utah as well as portions of present-day Colorado, Wyoming, Oklahoma and Kansas.

The Establishment of the U.S.-Mexico Border

The modern border took shape following the Mexican-American War. **While the Rio Grande formed the dividing line between Texas and Mexico, the border originally moved west from El Paso on a straight line to the Gila River and then on another straight line to the Pacific Ocean south of San Diego.** Following the Gadsden Purchase of 1853, the borders of Arizona and New Mexico moved further south from the Gila River.

A team of surveyors, soldiers and officials from both countries staked out the border from El Paso to Tijuana. According to Rachel St. John, an associate professor of history at UC Davis and author of *Line in the Sand: A History of the Western U.S.-Mexico Border*, the joint boundary commission underestimated the cost and time it would take to complete the project through such an inhospitable terrain of mountains, canyons and desert. Not until the late 1850s did the boundary commission complete its work.

There were no federal limits on immigration in the decades following the Mexican-American War as citizens from both countries passed freely across the border. **It was Chinese immigrants, not Mexicans, that American authorities and vigilante groups first sought to keep from illegally crossing its southern border after the**

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passage of the Chinese Exclusion Act of 1882. “One of the ways that immigrants from China would try to get across the border is to learn a few words of Spanish and disguise themselves as Mexican,” St. John says.

“Restrictions on the movement of Mexican citizens were not particularly enforced by the U.S. government until the decade of the Mexican Revolution in the 1910s when large numbers of refugees came to escape the war and there was a large demand for Mexican labor,” St. John says. Following Mexican revolutionary Pancho Villa’s deadly raid on Columbus, New Mexico, in 1916 and the subsequent publication of the Zimmerman Telegram proposing a World War I military alliance between Mexico and Germany, the United States tightened border security and deployed soldiers to patrol the boundary along with the Texas Rangers and government-sanctioned “home guards.”

According to St. John, the U.S. Bureau of Animal Industry erected the first fence along the frontier in 1909 to stop the trans-border movement of cattle. Border towns erected fences during the 1910s, but less as a physical barrier to entry than to denote the boundary line and channel people into designated crossing points. **The United States began the installation of border fences to restrict the movement of unlawful immigrants and drugs in 1993 when President Bill Clinton mandated the construction of a 14-mile barrier between San Diego and Tijuana.** The Secure Fence Act of 2006 authorized the construction of 700 miles of border fencing and vehicle barriers, which was completed in 2011.

Surveillance Towers: Surveillance Towers have been used on the Southern border since the 1930s – but legacy systems often didn’t work together. The IST/CTSE program will integrate existing technology for better monitoring.

Electric Frontier Foundation 24—[“SURVEILLANCE TECHNOLOGY U.S.-MEXICO BORDER at the a GUIDE from the ELECTRONIC FRONTIER FOUNDATION 2 3.” 2024. Accessed August 3. <https://www.eff.org/files/2024/05/06/borderzine-2024-5-6-en.pdf>.] Joel.

[The Electronic Frontier Foundation is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. EFF’s mission is to ensure that technology supports freedom, justice, and innovation for all people of the world.]

Surveillance towers have been part of U.S. border policy since the very early days of the U.S. Border Patrol, with the Work Progress Administration installing manned watchtowers along the border **in the 1930s.** Efforts to surveill the border remotely with camera technology began in the mid-1990s, but those programs largely failed, at a cost to taxpayers in the hundreds of millions. In 2011, the U.S. Department of Homeland Security, under significant pressure from Congress, cancelled the Secure Border Initiative SBI-net “virtual wall” project. But border officials didn’t abandon the concept, and the government has continued to install new surveillance towers and upgrade legacy ones. As a result, **the border is a patchwork of different cameras systems that historically were incompatible with each other.**

To address this, CBP/USBP is trying a new strategy—the Integrated Surveillance Tower (IST)/Consolidated Tower & Surveillance Equipment (CTSE) program. This will bring all the disparate systems under one umbrella. This coincides with a massive expansion of surveillance towers on both the Northern and Southern borders over the next decade. The above chart from a October 2022 “industry briefing” presentation reveals the proposed locations of new ISTs as well as upgrades to older surveillance towers.

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Politics

2025 Budget: The U.S. 2025 Budget includes \$849 million for cutting-edge detection technology at ports of entry, which aims to improve the capabilities of border security.

The White House 24 – [The White House. “FACT SHEET: The President’s Budget Secures Our Border, Combats Fentanyl Trafficking, and Calls on Congress to Enact Critical Immigration Reform.” The White House. March 11, 2024. <https://www.whitehouse.gov/briefing-room/statements-releases/2024/03/11/fact-sheet-the-presidents-budget-secures-our-border-combats-fentanyl-trafficking-and-calls-on-congress-to-enact-critical-immigration-reform/>.] Elene.

From his first day in office, President Biden has called on Congress to act to address our broken immigration system. Over the past three years, while waiting for Congress to act, the Administration has taken important steps to secure our border. **The President has secured more resources for border security than any President before him, and in October he requested even more funding to secure the border, build capacity to enforce immigration law, and counter illicit fentanyl.** The Administration has deployed the most agents and officers ever to address the situation at the southwest 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.

Just recently, the President led the way on achieving a bipartisan agreement for the toughest, fairest border reform legislation in decades. The President and his team reached a historic bipartisan agreement with Senate Democrats and Republicans on border policy reforms and funding in February that would provide a fairer and more efficient process for asylum claims. The agreement also provides for emergency authority for the President to shut down the border when the system is overwhelmed, additional immigrant visas for families and workers, expedited work permits for those already here, and significant funding for more immigration judges, asylum officers, and Border Patrol agents and officers to secure the border and combat illicit fentanyl. Congressional Republicans should stop stonewalling this historic deal and work to send the legislation to the President’s desk.

The President’s Budget builds on these measures by ensuring adequate base resources for border enforcement, while continuing to reiterate the need for Congress to pass legislation and provide meaningful reforms and supplemental funding to secure the border. The Budget includes a \$1.9 billion (7 percent) base budget increase for U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE), as well as funds to expand and improve the immigration courts, address the root causes of migration, and combat illicit fentanyl trafficking. The President’s FY25 Budget:

Reiterates the Administration’s Request for Immediate Funding to Secure the Border, Build Capacity to Enforce Immigration Law, and Counter Illicit Fentanyl. In October 2023, the Administration transmitted an emergency supplemental request to Congress for the southwest border and migration issues totaling \$13.6 billion. The Budget includes, and therefore reiterates the need for, the unmet needs from the October supplemental request. In addition to urgent requirements, **the request includes investments to build longer-term capacity in the areas of border security, immigration enforcement, and countering illicit fentanyl, totaling \$4.3 billion for the Department of Homeland Security (DHS) and the Department of Justice (DOJ). This amount includes \$405 million to hire 1,300 additional Border Patrol Agents to secure the border, \$239 million to hire 1,000 additional CBP Officers to stop illicit fentanyl and other contraband from entering the U.S.,** \$755 million to hire an additional 1,600 Asylum Officers and support staff to facilitate timely immigration dispositions, \$100 million for Homeland Security Investigations to investigate and disrupt transnational criminal organizations and drug traffickers, \$1.3 billion for the Executive Office for Immigration Review (EOIR) to fund the hiring of 375 new immigration judge teams to help reduce the immigration case backlog, and **\$849 million for cutting-edge detection technology at ports of entry.** Taken together, these long-term capacity building investments equip the Nation’s border security and immigration system to more effectively respond to challenges present along the border. In addition, the Administration appreciates the Senate’s bipartisan border legislation that would make additional investments in DHS and provide authorities to bolster the Department’s efforts to secure and manage the border.

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Bipartisanship: Both Republicans and Democrats have long supported building border fences, showing a shared commitment to increasing border security

Mendoza 23 - [Mendoza, Mary E. "Biden's Border Wall Is a Bipartisan Tradition." TIME. October 30, 2023. <https://time.com/6324599/bidens-trump-history-border-wall/>.] Elene.

[Mary E. Mendoza is an assistant professor of history and Latino/a Studies at Penn State University and an environmental historian of the U.S.-Mexico borderlands.]

In a seemingly stark policy reversal, President Biden announced his administration will build 20 miles of new fences along the U.S.-Mexico border. DHS Secretary Alejandro N. Mayorkas says Biden's hand has been forced, as Congress allocated funds for this fencing in 2019, which could not be repurposed. Moreover, Mayorkas argues that Biden has been under pressure from both parties to show decisive action at the border. In short, Biden officials claim that even though he may not want to build a wall, he must, or he will face serious political consequences.

But **new fences are not a reversal of the Democratic Party's agenda. They are part of an extensive history of both Democrats and Republicans selling Americans on the idea that they can stop border-crossings by simply starting a new program or building a big fence.** Politicians from both parties have consistently attempted to "close the border," as if doing so is actually possible, let alone desirable. Biden is not continuing construction on Trump's border wall; he is continuing to build America's border wall.

The first border fences built along the U.S.-Mexico border to curb immigration from Mexico began in earnest under Democrats Franklin Delano Roosevelt and Harry S. Truman. After building fences for decades to stop animals, the federal government shifted its focus when people began migrating in significant numbers from south to north in the 1940s and 1950s. In this transitional moment, both Mexico and the United States embraced the border's permeability. To fill labor gaps left by World War II, the nations agreed to a guest worker program, known as the Bracero Program. Not everyone qualified to participate, though, so thousands began migrating independently. Growers in the north yearned for affordable labor. Mexicans within and outside of the program provided it. Under pressure to control the flow of people, **the Roosevelt Administration began planning fence construction in urban areas to divert traffic to more isolated areas. By the end of the Truman Administration, most border cities were fenced.** Even as both nations facilitated Mexican migration, they looked to fences to aid them in filtering who could enter. The Bracero Program ended in 1964, and a year later, Democrat Lyndon B. Johnson signed the Immigration and Nationality Act which, for the first time, placed a cap on the number of people who could immigrate to the U.S. from Western Hemisphere countries like Mexico. This shift in regulation directed greater attention to the border.

Despite new laws and fences, immigrants kept coming. Lured by U.S. demand, smugglers brought drugs, too. In 1969, Republican Richard Nixon launched Operation Intercept. He tried to close the border for weeks to stop the movement of illicit drugs. The initiative increased security and surveillance—a virtual fence, not a material one—but it failed by its own measure.

Two years later, First Lady Pat Nixon established Friendship Park along the border near San Diego where people could celebrate cross-border culture. At the dedication ceremony, Nixon requested that her security detail cut strands of barbed wire there so that she could greet Mexicans across the borderline. "I hope there won't be a fence too long here," the Republican famously said. Nixon's administration never built significant barriers.

Facing economic distress and American angst with rising tides of labor migrations from Mexico, Democrat Jimmy Carter replaced the fence Nixon had cut with a bigger, stronger fence in 1979. A year before it went up, its design stirred controversy when the contractor stated it would "sever the toes" of anyone who dared to breach it. After public outcry, Carter's administration redesigned the fence to be plain, but tightly woven, wire mesh topped with barbed wire. Even if that fence did not sever toes, it did tear through Pat Nixon's bi-nationally spirited park.

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Republican Ronald Reagan also closed the border for a few weeks in 1985, repeating Operation Intercept. Despite his idea that he could close the border at his whim, Reagan, like First Lady Nixon, demonstrated hesitation about actual border fences. In a 1980 debate with future President George H.W. Bush, Reagan had said, “Rather than talking about putting up a fence, why don’t we work out some recognition of our mutual problems, make it possible for them to come here legally with a work permit and then while they’re working and earning here they pay taxes here.”

Reagan later signed the 1986 Immigration Reform and Control Act. The law provided legalization to over two million undocumented immigrants who had been working in the United States, increased the legal culpability for employers who hired undocumented people, and provided funding for more Border Patrol agents. **Although Reagan did not build fences, his administration did maintain the ones that existed, and he provided funds to increase border surveillance, as did George H.W. Bush.**

In the 1990s intense xenophobia and public debate about unauthorized immigration escalated in the United States, prompting both parties to move toward physically securing the border. Democrat Bill Clinton’s policies would not just tear through Pat Nixon’s park, they would effectively destroy it. In 1993 and 1994, **Clinton launched three separate border operations: Operation Hold the Line in Texas, Operation Safeguard in Arizona, and Operation Gatekeeper in Southern California.**

The fences were part of what Clinton referred to as a “get tough policy at our borders.” He used steel surplus military landing mats, which the Army Corps of Engineers welded together, to build an allegedly impassable wall. **In the middle of Friendship Park, the Immigration and Naturalization Service built three parallel fences.** Multiple fences, they argued, would allow agents to catch fence-jumpers in between them. Clinton’s barriers to humans went up alongside NAFTA, which opened the border to material goods, once again making the border more of a sieve than a seal.

Instead of stopping people from crossing, a more militarized border diverted them to dangerous landscapes, increasing migrant deaths exponentially. In the decade following Clinton’s fences, deaths along the border doubled.

Like his father, George W. Bush began his presidency hoping to build bridges with Mexico. He floated the idea of reviving and expanding a Bracero-style guest worker program to allow Mexicans to work in the United States legally. He made that recommendation consistently, even after the terrorist attacks of 2001. But reacting to those same attacks also led Bush and Congress to tighten border security and ultimately abandon his plan.

In 2006, Bush signed the Secure Fence Act, authorizing 700 miles of double-layered, reinforced fencing. When he left office, he had completed more than 500 miles. **Barack Obama continued the work, building 130 more miles of fencing.** He also famously funded the Border Patrol and deported more people than any president before him.

Although Donald Trump championed building his wall, his administration only built about 85 miles of new fences. Biden will now add 20 more.

Additional fencing will do what previous fencing has done: impose severe harm—on the environment, on borderland communities, livestock, and most of all on the human beings hoping to cross who will be diverted into costlier and deadlier routes. Fences have transformed the borderlands into a racialized graveyard, but they have not and will not stop people from migrating if doing so is a matter of survival. In a future where climate crises and political unrest is certain, so too are continued waves of migration

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Public Opinion

Disapproval: The American public disapproves of the government's handling of immigration across the US-Mexico border – both Democrats and Republicans are unhappy in the government's handling of Southern immigration

Dunn 23– [Beshay. 2023. “Americans Remain Critical of Government's Handling of Situation at U.S.-Mexico Border.” Pew Research Center. Pew Research Center. June 21. <https://www.pewresearch.org/short-reads/2023/06/21/americans-remain-critical-of-governments-handling-of-situation-at-us-mexico-border/>.] Joel.

[Amina Dunn is a former research analyst focusing on U.S. politics and policy at Pew Research Center.]

While the number of migrants illegally crossing into the United States at the U.S.-Mexico border has declined sharply in recent weeks, **Americans continue to give the U.S. government low ratings for its handling of the situation at the border**, according to a new Pew Research Center survey.

Just 23% of Americans say the government is doing a good job dealing with the large number of people seeking asylum at the border, while more than three times as many (73%) say it's doing a bad job.

The new survey also finds:

- **Nearly half of Americans (47%) rate illegal immigration as a very big problem in the country**, up from 38% last year.
- The public's views of possible actions to deal with the situation at the border have not changed much in recent years. About half (52%) say it is very important to require people seeking asylum in the U.S. to apply before they travel to the border. And **49% say it is very important to increase staffing and resources for patrolling and policing the border.**

Americans have expressed negative views of the government's handling of the border situation for the past few years.

Only 29% gave the government positive ratings in April 2021, during Joe Biden's first year in office. And in 2019, when Donald Trump was president, just a third said the government was doing a good job at the border.

Both of those surveys asked about the “increased number” of people seeking asylum, while the question in the Center's latest survey asks about the “large number” of asylum seekers.

Just 35% of Democrats and Democratic-leaning independents and 11% of Republicans and Republican leaners currently rate the government's performance positively.

Public perceptions of illegal immigration as a major national problem, which declined somewhat last year, have rebounded to 2021 levels.

Republicans continue to be far more likely than Democrats (70% vs. 25%) to rate illegal immigration as a very big national problem. In both parties, somewhat larger shares now say illegal immigration is a major problem than did so last year.

When asked generally which party they agree with more on immigration policy, more Americans say they agree with policies from the Republican Party (41%) than the Democratic Party (31%). About a

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quarter (26%) say they don't agree with either party on this issue. [For more on Americans' agreements with the parties on issues, see our accompanying report.]

About half of Americans (51%) say they have been at least somewhat closely following news about the number of people seeking asylum at the U.S.-Mexico border. Republicans are more likely than Democrats (60% vs. 46%) to say this.

When asked about some possible government actions the U.S. should consider to address the large number of asylum seekers at the border, about half of Americans (52%) say it is very important for the U.S. to require people to apply for asylum before they travel to the U.S.-Mexico border.

Other priorities include increasing staffing and resources available to patrol and police the border (49% say this is very important); reducing the number of asylum seekers (45%); and providing safe and sanitary conditions for asylum seekers once they arrive (43%).

Fewer Americans say it is very important to make it more difficult for asylum seekers to be granted legal status in the U.S., to boost aid to Central America, or to prevent people from seeking asylum in this country.

There are both common ground and disagreement when it comes to partisans' views on what the U.S. should prioritize to deal with the number of asylum seekers at the U.S.-Mexico border.

Large majorities of both Republicans and Democrats agree that several immigration goals are at least somewhat important.

For example, 92% of Republicans and 73% of Democrats say it is very or somewhat important to increase staffing at the border, though far more Republicans view this as *very* important.

Majorities in both parties also say it is important to require people to apply for asylum before traveling to the border and to reduce the number of asylum seekers.

However, Democrats are far more likely than Republicans to say it is important to increase aid to the Central American countries where many asylum seekers are coming from. And Republicans are twice as likely as Democrats to say it is important not to allow people to seek asylum in the United States.

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Latinos: 75% of U.S. Hispanics see the influx of migrants at the Southern border as a major problem or a crisis

Noe-Bustamante 24 [Beshay. 2024. "Latinos' Views on the Migrant Situation at the U.S.-Mexico Border." Pew Research Center. Pew Research Center. March 4. <https://www.pewresearch.org/race-and-ethnicity/2024/03/04/latinos-views-on-the-migrant-situation-at-the-us-mexico-border/>] Joel.

[Luis Noe-Bustamante is a research associate who studies race and ethnicity, Hispanic trends and migration/immigration at Pew Research Center.]

A majority of U.S. Hispanics (75%) describe the recent increase in the number of migrants seeking to enter the United States at its border with Mexico as a major problem or a crisis. A majority (74%) are also critical of the way the U.S. government is handling the situation at the southern border.

But Hispanics are less likely than non-Hispanics to describe the migrant situation at the border as a crisis or to say it is leading to more crime. Both groups also disagree on the possible effects of several policy proposals on the migrant border situation.

Yet Latinos are just as likely as other Americans to follow the news about the migrant situation at the border, according to a survey of U.S. adults conducted Jan. 16-21 by Pew Research Center.

In December 2023, the number of encounters with migrants crossing into the United States from Mexico reached its highest monthly total on record, according to government statistics. This peak is part of a broader growth in migrant encounters at the border in recent years.

Historically, a vast majority of these encounters have involved people migrating from countries in Latin America. But more recently, migrants from all over the world, including Russia, India and China, have made up a growing share of those crossing the border.

The survey also found that 51% of Hispanics say dealing with immigration should be a top priority for the president and Congress to address this year, though other areas like strengthening the economy (75%), improving the education system (66%) and improving the jobs situation (65%) are higher up on their list.

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Statistics

December 2023: The US Border Patrol had 250,000 encounters in December 2023—an all-time record

Gramlich 24—[Gramlich, John. 2024. “Migrant Encounters at the U.S.-Mexico Border Hit a Record High at the End of 2023.” Pew Research Center. Pew Research Center. February 15. <https://www.pewresearch.org/short-reads/2024/02/15/migrant-encounters-at-the-us-mexico-border-hit-a-record-high-at-the-end-of-2023/>.] Joel.

[John Gramlich is an associate director at Pew Research Center, where he oversees the organization’s data journalism blog. His research and writing focuses on criminal justice, legal affairs, immigration and other issues. Before joining the Center, he was a researcher at The Pew Charitable Trusts, where he focused on the U.S. correctional system. Earlier in his career, he was a journalist at news organizations including CQ Roll Call, Stateline.org and The Baltimore Sun, covering criminal justice and other subjects. He has a master’s degree in journalism and public affairs from American University and a bachelor’s degree in English from Pennsylvania State University.]

The U.S. Border Patrol had nearly 250,000 encounters with migrants crossing into the United States from Mexico in December 2023, according to government statistics. **That was the highest monthly total on record,** easily eclipsing the previous peak of about 224,000 encounters in May 2022.

The monthly number of encounters has soared since 2020, when the coronavirus pandemic temporarily forced the U.S.-Mexico border to close and slowed migration across much of the world. In April 2020, the Border Patrol recorded around 16,000 encounters – among the lowest monthly totals in decades.

Since then, **the monthly number of migrant encounters at the U.S.-Mexico border has surpassed 200,000 on 10 separate occasions.** That threshold previously hadn’t been reached since March 2000, when there were about 220,000 encounters.

It’s not clear whether the recent high numbers of encounters at the border will persist in 2024. In January, encounters fell to around 124,000, according to the latest available statistics.

The term “encounters” refers to two distinct types of events:

- **Apprehensions:** Migrants are taken into custody in the U.S., at least temporarily, to await a decision on whether they can remain in the country legally, such as by being granted asylum. Apprehensions are carried out under Title 8 of the U.S. code, which deals with immigration law.
- **Expulsions:** Migrants are immediately expelled to their home country or last country of transit without being held in U.S. custody. Expulsions are carried out under Title 42 of the U.S. code, a previously rarely used section of the law that the Trump administration invoked during the early stages of the COVID-19 pandemic. The law empowers federal health authorities to stop migrants from entering the country if it is determined that barring them could prevent the spread of contagious diseases.

In the early months of the pandemic in the U.S., the Border Patrol relied heavily on Title 42 to expel most of the migrants it encountered at the border. **The Biden administration stopped the use of Title 42 in May 2023, when the federal government declared an end to the COVID-19 public health emergency. Since then, the Border Patrol has been apprehending migrants within the U.S. instead of expelling them from the country.**

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2024 Reduction: Illegal crossings at the U.S.-Mexico border have significantly decreased by over 50% since December, due to both U.S. and Mexican government measures.

Montoya-Galvez 24 — [Montoya-Galvez, Camilo. "Migrant Crossings at U.S.-Mexico Border Plunge 54% from Record Highs, Internal Figures Show - CBS News." Www.cbsnews.com. May 23, 2024. <https://www.cbsnews.com/news/immigration-us-mexico-border-crossings-mayorkas-may-2024/#>.] Elene.

[Camilo Montoya-Galvez is the immigration reporter at CBS News. Based in Washington, he covers U.S. immigration policy and politics.]

Illegal crossings along the U.S.-Mexico border in May are down by more than 50% compared to the record highs reported in December, giving the Biden administration an unexpected reprieve during a time when migration has historically surged, according to internal government data obtained by CBS News.

During the first 21 days of May, U.S. Border Patrol agents recorded a daily average of approximately 3,700 apprehensions of migrants between official ports of entry. That represents a 54% decrease from the 8,000 daily average in December, when illegal entries soared to a quarter of a million, an all-time high.

May is also on track to see the third consecutive month-over-month drop in unlawful border crossings, the preliminary U.S. Department of Homeland Security statistics show. In March and April, illegal crossings along the southern border dropped to 137,000 and 129,000, respectively, according to public government data. If the trend continues, Border Patrol is on pace to record between 110,000 and 120,000 apprehensions in May.

Border Patrol apprehensions don't include the number of migrants processed at official border crossings, where the Biden administration is admitting roughly 1,500 asylum-seekers on a daily basis.

While still elevated compared to pre-pandemic levels, the drop in migration this year has been unusual, bucking the trend in recent years of migrant crossings soaring in the spring. Senior U.S. officials have partially attributed the lower-than-expected levels of unlawful crossings to an aggressive crackdown on U.S.-bound migrants by the Mexican government.

In an interview with CBS News in El Paso on Thursday, Homeland Security Secretary Alejandro Mayorkas also credited Biden administration efforts for the downward trend.

"We have driven down the number of encounters at our southern border rather dramatically," Mayorkas told CBS News.

Mayorkas cited a "number of actions that we have taken, not only strengthening our enforcement, not only attacking the smugglers, but also building lawful pathways that enable people who qualify for relief to reach the United States in a safe, orderly and legal way."

The sustained drop in migrant crossings is welcome news politically for President Biden, who has faced withering criticism from two directions: Republicans and moderate Democrats who believe his immigration agenda is too lenient, and progressives who argue his administration has embraced some Trump-era border policies. Immigration has also emerged as a top concern for American voters ahead of November's presidential election.

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Status Quo

Agent shortage: there's currently shortage of 5,000 agents on the Southern US border – advanced technologies can help to fill some of this gap helping agents to work more efficiently

Correa 24— [“FOR IMMEDIATE RELEASE Joint Hearing Statement of Border Security & Enforcement Subcommittee Ranking Member Lou Correa (D-CA) Smart Investments: Technology’s Role in a Multi-Layered Border Security Strategy.” 2024. https://democrats-homeland.house.gov/imo/media/doc/correa_opening_statement_070924.pdf.] Joel.

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I've been pleased to see the Biden administration prioritize integrating advanced technologies like artificial intelligence into homeland security initiatives, while still ensuring the protection of civil rights and civil liberties.

As I am sure we will hear more today, **advanced technologies can help CBP officers and agents work more efficiently and effectively to keep the American people safe.** At San Ysidro in San Diego alone, over 70,000 vehicles and 20,000 pedestrians enter the U.S. every day. There, our customs officers – the blue uniforms – scan vehicles using AI-powered machines to detect and interdict drugs and other dangerous substances before they enter our communities. These systems not only allow for better targeting, but also for quicker inspections than intrusive manual inspections. Facilitating the timely flow of trade and travel helps keep our economy strong.

Looking nationwide, last year CBP used over 370 non-intrusive inspection scanners to examine 9.2 million conveyances, resulting in the seizure of more than 127,000 pounds of narcotics and the identification of 124 undeclared passengers. The scale of the challenge is clearly immense.

More technology is needed. More scanners mean less fentanyl on the street. More investments in cameras and ground-based sensors means more data that our officers and agents can use to stop human smugglers and human traffickers.

But technology isn't enough. In fact, well-trained personnel are still the Department's greatest resource. Technology helps them do their jobs, but the men and women on our frontlines who staff our ports of entry and work between ports of entry are absolutely critical. And unfortunately, **our ports of entry need over 5,000 more CBP officers to do all of the work ask them to do. Border Patrol is also facing a shortfall.** Even the best technology cannot fill these gaps.

We should also remember that border security does not start or end at our border. America alone cannot solve our border security challenges. The right technology and personnel can help, but we need cooperation across our hemisphere to tackle the big problems. We need to be working with Mexico to counter drones and go after smugglers and traffickers.

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Agent hiring: It's difficult to hire new border patrol agents – and this problem will only continue to get worse

Kamarck 24— [Kamarck, Elaine. 2024. "Fixing the Border: Four Reasons the Immigration Crisis Isn't Going Away." Brookings. February 29. <https://www.brookings.edu/articles/fixing-the-border-four-reasons-the-immigration-crisis-isnt-going-away/>.] Joel.

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The compromise bill that came out of the Senate provides \$584,116,000 designated for the hiring of CBP personnel and \$139,000,000 designated for overtime costs for the U.S. Border Patrol. This should allow them to hire 1,500 more border patrol agents. But **you can't hire border patrol agents overnight. All border patrol agents must undergo extensive background checks and for good reason.** The leader of a terrorist cell or the leader of a drug cartel would like nothing better than to have a few of their own people manning the border! But **background checks take months**, sometimes years. **In addition to the security background checks, border patrol agents must pass demanding physical tests.**

Second, Customs and Border Patrol must compete with other federal law enforcement organizations to fill their positions. The southwestern border jobs are in geographically remote places, consisting of miles and miles of isolated deserts and small towns. Not surprisingly, people who might have the appropriate law enforcement or military background to do this kind of work may not want to move there and bring their families down to the border. To counter this, CBP now offers a \$10,000 bonus for people willing to live in remote locations. The difficulties in hiring led former INS commissioner Doris Meissner to estimate that approximately 27 candidates are needed to hire one Border Patrol officer.

Another reason it takes so long to hire agents is that individuals who apply to Border Patrol agent positions must take a polygraph (lie detector) test, but data shows that 65% of applicants fail the test, a rate that is far higher than in other federal law enforcement agencies. In an effort to expedite hiring, the bill passed in the Senate would give CBP a three-year waiver from conducting polygraph tests for any applicant who received one in the previous 10 years for any other law enforcement agency — which is a step in the right direction.¹ Another attempt to hire more quickly has been a recent offer by the government to pay \$20,000 bonuses for new Border Patrol agents as an incentive to new hires.

Daunting as they are, the hiring problems at the border are likely to get worse. The Inspector General of the Department of Homeland Security is warning of an upcoming surge in retirements in the next few years — which will only add to the manpower problems.

Because CBP has struggled for years to fill Border Patrol positions, lawmakers have raised concerns about how practical the proposed hiring surges are, especially considering the previous administration's challenges. The last time this was tried was in President Trump's first year in office. Then, as now, one of Trump's first goals was to try and dramatically reduce immigration — especially at the southwest border. He asked for and got authority to expand the size of the U.S. Border Patrol by hiring 7,500 new agents. Knowing that this ramp up would be difficult to do with their current workforce, in 2017, CBP awarded a \$297 million contract to Accenture to help carry out the hiring. The effort was a bust. The contract was terminated after the company had only completed processing 58 applicants. And out of those 58 applicants, only 22 had made it onto the payroll about a year after the company was hired.

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Drones: more than 1000 drones cross the Southern border each month—mostly to help with smuggling reconnaissance for drug & human traffickers

Olay 24—["NORAD Commander: Incursions by Unmanned Aircraft Systems on Southern Border Likely Exceed." 2024. U.S. Department of Defense. <https://www.defense.gov/News/News-Stories/Article/Article/3707785/norad-commander-incursions-by-unmanned-aircraft-systems-on-southern-border-like>] Joel.

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There are likely more than 1,000 incursions by unmanned aircraft systems along the U.S.-Mexico border each month, said the U.S. Northern Command's top general during testimony today at a Senate Armed Services Committee posture hearing.

"I don't know the actual number — I don't think anybody does — but it's in the thousands," said Air Force Gen. Gregory M. Guillot in response to one senator's query.

When asked about the period of time that it takes to reach that number of incursions, Guillot responded, "I would say in probably over a month. We... probably have over 1,000 a month."

Though the exact number of UAS incursions along the border remains unknown, Guillot, who took over as commander of Northcom and the North American Aerospace Defense Command on Feb. 5, said he learned the approximate number recently while talking to officials with U.S. Customs and Border Protection and the Department of Justice.

"The number of incursions was something that was alarming to me as I took command last month," Guillot said. When asked if such incursions present a defense threat to the homeland, Guillot said he hasn't seen any of the incursions "manifest in a threat to the level of national defense," but he said he does "see the potential only growing."

In recent years, members of Congress have shown a growing, bipartisan concern about dangerous UAS activity, including activity linked to drug and human traffickers who have used UAS technology to facilitate their illegal operations.

As a command being primarily tasked with continuously providing "worldwide detection, validation and warning of a ballistic missile attack on North America," NORAD is also charged with providing "continental detection, validation, warning and aerospace control" of airborne threats to North America, including unmanned aircraft systems, according to the NORAD website.

Committee members also asked Guillot if DOD has a system in place for base commanders to deal with UAS incursions over U.S. military installations.

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Border Infrastructure: AI

Automated AI-detection systems can help identify illegal crossings by taking the burden off of border-patrol agents who otherwise work long hours – these automated systems can also reduce the humanitarian burden on migrants across the border

Madan 24 – [Madan, Monique O. 2024. “The Future of Border Patrol: AI Is Always Watching.” Government Executive. The Markup. March 22. <https://www.govexec.com/technology/2024/03/future-border-patrol-ai-always-watching/395167/>.] Joel.

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US. Customs and Border Protection is trying to build AI-powered border surveillance systems that automate the process of scanning people trying to cross into the U.S., an effort that experts say could push migrants to take more perilous routes and clog the U.S. immigration court and detention pipeline.

To achieve full autonomy across the borderlands, CBP held a virtual “Industry Day” in late January, where **officials annually brief contractors on the department’s security programs and technology “capability gaps.”**

One of the main shortcomings: Too many missed border crossing detections because border agents spend long work shifts in front of computers.

Presentations and other materials shared at Industry Day are public record, but they are geared toward third-party contractors—and often go unnoticed. The Markup is the first to report on the details of CBP's plans. If all goes as hoped, then U.S. Border Patrol “operators would need only to periodically monitor the system for accountability and compliance,” officials wrote, according to meeting documents.

Currently deployed surveillance technology relies on human staff to observe and relay information received from those technologies. Investing in tech that’s not AI-driven would increase the number of people required to monitor them around the clock, officials wrote in a 2022 document that was shared at the event, adding, **“New autonomous solutions and enhancements to existing systems are therefore preferable and are expected to reduce the number of personnel required to monitor surveillance systems.”**

Some of CBP’s goals include:

- Creating one unified central operating system for all land, air, and subterranean surveillance technology
- Upgrading fleets of mobile surveillance trucks
- Integrating persistent, real-time surveillance in remote locations
- Reducing costs and human operator dependence
- Minimizing margin of error and missed detections
- Maximizing use of AI to flag illegal border crossings in real-time
- Investing in technology that would navigate terrain and surveil moving “items” or people
- Fully autonomizing surveillance so that more agents can be placed in the field to apprehend, transport and detain border crossers

Currently, only one out of 12 components of CBP’s Command, Control, and Communications Engineering Center– the technological hub for everything the agency does along the border– is autonomous, records show. Once the department reaches its goal, nine out of 12 would be automated, according to an analysis by The Markup.

The main goal is to hand off surveillance decision-making to AI, largely eliminating the human element from the point a person crosses the border until they're intercepted and incarcerated.

Since at least 2019, DHS has been gradually and increasingly integrating AI and other advanced machine learning into its operations, including border security, cybersecurity, threat detection, and disaster response, according to the department’s AI Inventory. Some specific uses include image generation and detection, geospatial imagery, identity verification, border trade tracking, biometrics, asylum fraud detection, mobile device data extractions, development of risk assessments, in addition to more than four dozen other tools.

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“For 20-plus years, there was this idea that unattended ground sensors were going to trigger an RVSS camera to point in that direction, but the technology never seemed to work,” Dave Maass, Director of Investigations at the Electronic Frontier Foundation, an international nonprofit digital rights and research group, told The Markup. “More recently, Anduril [a mega technology company] came in with ‘autonomous surveillance towers’ that were controlled by an AI system that would not only point the camera but also use computer vision to detect, identify, and track objects. All the other vendors have been trying to catch up with similar capabilities,” Maass added, referencing how the slide shows an unattended ground sensor going off and alerting a tower, then **the tower AI does all the work of identifying, classifying and tracking the system, before handing it off to humans.**

“To realize this increased level of autonomy throughout all surveillance and intelligence systems, USBP must leverage advances in AI, machine learning, and commercial sensors designed for an ever-evolving, autonomous world.” CBP said in a presentation, led by Julie Koo, CBP’s industry partnership and outreach program director.

But using AI and machine learning may come with ethical, legal, privacy, and human rights implications, experts say. Among the main concerns: the perpetuation of biases that may lead to discriminatory outcomes.

Eliza Aspen, researcher on technology and inequality with Amnesty International, said advocates are “gravely concerned” about the proliferation of AI-enabled police and surveillance technologies at borders around the world, and the potential impact on borderland communities and asylum seekers.

“These technologies are vulnerable to bias and errors, and may lead to the storage, collection, and use of information that threatens the right to privacy, non-discrimination, and other human rights,” Aspen said. “We’ve called on states to conduct human rights impact assessments and data impact assessments in the deployment of digital technologies at the border, including AI-enabled tools, as well as for states to address the risk that these tools may facilitate discrimination and other human rights violations against racial minorities, people living in poverty, and other marginalized populations.”

Mizue Aizeki, Executive Director of The Surveillance Resistance Lab, said it’s important to digest the role that tech and AI is playing “in depriving rights and making it more difficult for people to access the very little rights that they have.”

“One of the things that we’re very concerned about is how ... the nature of the ability to give consent to give all this data is ... almost meaningless because your ability to be seen as a person or to access any level of rights requires that you give up so much of your information,” Aizeki said.

“One of the things that becomes extremely difficult when you have these systems that are so obscured is how we can challenge them legally, especially in the context when people’s rights, the rights of people on the move, and people migrating become increasingly limited.”

USBP had nearly 250,000 encounters with migrants crossing into the United States from Mexico in December 2023, the most recent month for which data is available. That was the highest monthly total on record, easily eclipsing the previous peak of about 224,000 encounters in May 2022.

Colleen Putzel-Kavanaugh, an associate policy analyst at the Migration Policy Institute, a research organization, called the growing tech arena “a double-edged sword.”

“On the one hand, **advances in automation are really helpful for certain aspects of what happens at the southern border. I think it’s been extremely helpful, especially when migrants are stuck in perilous situations, if they’ve been hurt, if a member of their group is dehydrated or ill or something like that, there are different ways that, whether it’s via a cell phone or via some sort of remote tower or via something, Border Patrol has been able to do search and rescue missions,**” she said.

“But there are still similar problems that Border Patrol has been facing for the last several years, like what happens after someone is apprehended and processed. That requires resources. It’s unclear if automation will provide that piece,” she said.

Though migration patterns have historically shifted as technology has advanced, Putzel-Kavanaugh said it’s too soon to tell if fully-automated surveillance would scare migrants into taking on more-dangerous journeys.

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Border Infrastructure: Drones

Surveillance drones offer many advantages over other technologies, providing cheap, safe, and real-time monitoring of large border areas to combat trafficking, smuggling and illegal border crossings. They can also be used for humanitarian assistance, such as search & rescue operations.

JOUAV –[“Border Patrol Drone: How Are Drones Used for Border Security?” 2023. JOUAV. December 14. <https://www.jouav.com/blog/border-patrol-drone.html>] Joel.

[JOUAV is a Chinese drone manufacturing company. Since 2010, JOUAV focused on the R&D, production, sales, and service of industrial drones, leading and promoting the application of the VTOL fixed-wing UAVs.]

Border patrol drones bring a host of advantages that transform the game in ensuring border security.

Rapid Coverage of Vast Areas

Drones have transformed border patrol and customs enforcement with their remarkable ability to swiftly cover vast areas.

Unlike traditional methods such as manned aircraft and ground vehicles, **drones offer a quick deployment that proves essential in monitoring remote and challenging terrains.**

This agility ensures border patrol agents can detect and respond promptly to potential threats.

Advanced Sensors and High-Resolution Imaging

Equipped with advanced sensors and high-resolution cameras, drones provide authorities with invaluable real-time data.

This capability is instrumental in tracking the movements of criminals, including smugglers and human traffickers, attempting illegal border crossings.

The incorporation of thermal imaging further enhances border patrol efforts.

Drones equipped with thermal cameras can detect heat signatures even in complete darkness, a critical advantage for operations in low-light conditions.

This feature facilitates the identification and apprehension of suspects, particularly in challenging environments.

Cost-Effective Operations

Moreover, the cost-effectiveness of drones is a game-changer.

Unlike manned aircraft, which demand substantial fuel, maintenance, and trained pilots, drones are relatively inexpensive to purchase and maintain.

Operated remotely, they not only reduce the financial burden on law enforcement agencies but also minimize risks to human life during potentially dangerous missions.

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Deterrence and Enhanced Security

Beyond cost considerations, the constant aerial presence of drones acts as a deterrent to criminals contemplating illegal border crossings.

The mere presence of drones serves as a proactive measure, discouraging illicit activities.

In the unfortunate event of a breach, the real-time data provided by drones enables law enforcement agencies to respond swiftly and effectively, increasing the likelihood of apprehending perpetrators and preventing further illegal activities.

How Are Drones Used in Border Security?

Drones are increasingly being utilized in border security for a variety of purposes. Their versatility and ability to cover vast areas quickly make them valuable tools for border control and surveillance.

General Border Surveillance

Programmed with predefined flight paths or equipped with autonomous navigation systems, these unmanned aerial vehicles systematically cover specific routes without constant manual control.

Their advanced features, including obstacle avoidance and high-resolution cameras, enable them to adapt to diverse terrains and weather conditions.

Real-time data transmission and integration with artificial intelligence algorithms further enhance surveillance, allowing for swift threat detection and informed decision-making.

Drug Trafficking and Smuggling Prevention

ISR Drones, equipped with advanced sensors and high-resolution cameras, provide a comprehensive aerial view, aiding authorities in detecting suspicious activities, uncovering hidden pathways, and identifying potential routes of drug smuggling.

Their nimble nature allows dynamic tracking of suspicious vehicles or individuals, offering real-time intelligence to ground units for swift responses and heightened situational awareness.

Additionally, **drones act as vigilant eyes in the sky, preemptively identifying and disrupting smuggling attempts, keeping authorities one step ahead of traffickers and making evasion more challenging.**

Anti-Illegal Immigration and Terrorism

Advanced drones, equipped with thermal imaging and facial recognition, operate seamlessly in challenging terrains and adverse weather.

They detect heat signatures to pinpoint individuals, ensuring the safety of enforcement personnel and minimizing the risk of overlooking threats.

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Facial recognition adds an extra layer of security, rapidly identifying individuals with a history of illegal border crossings or known connections to terrorism. Real-time data is transmitted to central command centers for swift decision-making.

Search and Rescue Operations

Drones, armed with thermal cameras and GPS, are transforming search and rescue operations.

These unmanned aerial vehicles cover expansive and rugged terrains swiftly, detecting heat signatures through thermal imaging and providing real-time, accurate location data.

This technology significantly enhances the efficiency of rescue teams, reducing response times and increasing the likelihood of successful outcomes, particularly in remote border areas.

Border Infrastructure Inspection

Drones with high-definition cameras surpass human capabilities, capturing detailed images crucial for assessing border infrastructure.

These visuals, enhanced by advanced algorithms, reveal subtle signs of wear or damage, aiding border security.

LiDAR sensors complement inspections by creating detailed 3D maps of the border terrain. By employing laser beams, LiDAR measures distances, identifies physical vulnerabilities, and provides insights into the environment, enabling strategic fortification of border defenses.

Incidence Response and Crowd Monitoring

Drones are invaluable in monitoring protests, gatherings, and border events, providing real-time video feeds for heightened situational awareness.

By soaring above crowds, these aerial devices offer a bird's-eye view, enabling authorities to detect patterns, anticipate issues, and respond with precision.

Drones' adaptability is emphasized by their ability to be equipped with multifunctional tools, including advanced communication systems like loudspeakers.

This facilitates effective real-time communication with crowds, allowing authorities to disseminate crucial information, issue warnings, or give instructions.

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Surveillance drones can be wirelessly powered, thus drastically increasing flight times

Kim & Lim 18 –[Kim, Seon Jin, and Gino J. Lim. 2018. “Drone-Aided Border Surveillance with an Electrification Line Battery Charging System.” *Journal of Intelligent & Robotic Systems* 92 (3-4): 657–70. doi:<https://doi.org/10.1007/s10846-017-0767-3>.] Joel.

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This paper proposes to develop a drone-aided border surveillance system with electrification line battery charging systems (DABS-E). Currently, mobile and fixed border surveillance systems such as truck-mounted video recording units, agent portable surveillance units, aerostats, and fixed towers are often used to enhance the comprehensive situational awareness along the U.S. border lines. However, a few drawbacks of the existing systems include limited operating capability, blind spots, physical fatigue of field agents, and lack of fast-responding situational awareness capability. **The use of drones and mobile technologies are an ideal way to overcome these issues in border patrol activities.** Even though drones bring numerous technical advantages (i.e., short response time, being able to access dangerous areas, and no on-board pilot required) for the border patrol mission, a relatively short flight duration is the main concern for the full implementation for patrol at this time. Therefore, **this paper proposes a new concept that is built on electrification line (E-line) systems to wirelessly charge drones during the flight to extend flight duration.** As a result, **extra power can be provided for drones without the need of landing, stopping or returning back to ground control centers.** To accomplish our goal, this paper proposes an optimization model and algorithm to schedule drone flights for a DABS-E. Through a numerical example, this paper shows the feasibility of our proposed method and corresponding economic benefits.

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Border Infrastructure: Personnel

Agents from CBP, the National Guard, and the US Military provide direct or indirect surveillance of the Southern border

Roy, Cheatham & Klobucista 21 – [Roy, Diana, Cheatham, Amelia & Klobucista, Claire.. “How the U.S. Patrols Its Borders.” Council on Foreign Relations. April 12, 2021. <https://www.cfr.org/background/how-us-patrols-its-borders>.] Elene.

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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.**

The National Guard, a reserve military force deployed for a wide range of missions at home and abroad, has been called on by U.S. presidents several times over the past two decades to assist border agents with unauthorized immigration and drug trafficking. National Guard soldiers can be called to action by either a state governor or, in some cases, the president. The George W. Bush administration deployed roughly 6,000 National Guard troops to the border, and the Barack Obama administration sent about 1,200 before trimming down the force.

In 2018, guard members were deployed along the southern border as part of a joint operation with CBP known as Guardian Support. Their mission was to assist border agents with logistics, administrative duties, surveillance, and intelligence analysis, as well as provide aerial and mechanical support. By August 2020, the Pentagon had sent more than 2,500 National Guard members[PDF] to aid CBP in the border states of Arizona, California, New Mexico, and Texas. The Trump administration kept National Guard troops there through 2020, even as apprehensions of migrants plummeted and other National Guard personnel were deployed to assist with the pandemic response. In mid-2021, the Biden administration announced that as many as three thousand military personnel would assist CBP and DHS until September 2022.

Since 2021, Texas Governor Greg Abbott has implemented Operation Lone Star, a \$4 billion border enforcement program that aims to curb illegal border crossings with the help of the Texas National Guard and state troopers. Part of the plan includes deploying floating barriers in the Rio Grande to dissuade migrants from crossing. It also called for the installation of razor wire along the Texas-Mexico border, a move that the Supreme Court later ruled against. Operation Lone Star has so far resulted in nearly five hundred thousand apprehensions and more than thirty-eight thousand criminal arrests, while the program’s price tag has exceeded \$11 billion. The program has received support from more than a dozen Republican governors, most notably Florida’s Ron DeSantis, who have deployed their states’ National Guard troops and law enforcement officers to the Texas border to assist the operation.

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It has historically been rare for active-duty U.S. military forces to be sent to the border. **In recent decades, soldiers have at times coordinated with border authorities to provide high-tech surveillance and other reconnaissance.**

In late 2018, the Pentagon sent more than five thousand troops to “harden the southern border,” employing them for efforts such as laying razor wire. Critics called the move a political stunt amid a midterm election cycle in which Trump made immigration a central issue.

Since then, the number of active-duty troops assigned to the southern border has varied. **In April 2020, the Pentagon sent roughly 540 additional active-duty personnel to provide surveillance and prevent migrants from entering the United States amid the pandemic.** And in May 2023, ahead of the expiration of a pandemic-era health restriction known as Title 42, the Biden administration temporarily deployed an additional 1,500 active-duty troops to the border to relieve pressure on CBP agents.

The 1878 Posse Comitatus Act [PDF] 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 [PDF], 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.

The Trump administration repeatedly framed border enforcement as a national security priority. It warned of Central American gang members and would-be South Asian and Middle Eastern terrorists joining caravans of migrants to infiltrate the United States. In response to growing migration, Trump declared a national emergency in 2019—which he extended in 2020—that allowed him to redirect some \$10 billion from the military budget to fund construction of a wall along the U.S.-Mexico border, which he argued would keep out criminals and halt the flow of illegal drugs. However, while DHS later reported steep drops in apprehensions in areas where border wall sections were added, experts say migrants have long bypassed such barriers.

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Border Infrastructure: Towers

Effectiveness: The U.S. is enhancing new high-tech surveillance towers with AI at the southern border to detect unauthorized migration and drug smuggling – they'll be tasked with the same job border agents currently do, just better

Contreras 23— [Contreras, Russell. "U.S. Deploys AI in 'Virtual Border Wall.'" Axios.com. December 12, 2023. <https://www.axios.com/2023/12/12/border-patrol-ai-us-mexico-wall-surveillance-virtual>.] Elene.

[Russell Contreras is the Justice and Race reporter at Axios covering the policies and agencies at the heart of the administration of justice. Russell covers a wide range of topics including racial progress, indigenous rights, immigration, and cultural trends.]

The U.S. government is building a "virtual wall" at the southern border by erecting hundreds of high-tech surveillance towers — some of which use artificial intelligence — to detect people in an effort to reduce drug smuggling and sky-high unauthorized migration.

Why it matters: **A record-high number of people have entered the U.S. through the southern border this year**, resulting in multiple crises and exacerbating U.S. Customs and Border protection staffing shortages. But the new surveillance technology is giving rise to concerns over civil liberties, digital watchdogs say.

Details: **Although there have been surveillance towers at the border for several years, the new autonomous towers can better detect abnormal activity.** The U.S. has installed about 300 different types of surveillance towers from the California coast to the tip of Texas, according to the Electronic Frontier Foundation, a nonprofit that monitors civil liberties in the digital world.

Using public records, satellite imagery, road trips, and virtual reality, the nonprofit mapped the presence of surveillance towers along the border in remote and highly populated areas.

U.S. Customs and Border Protection officials have praised the autonomous technology as a great asset that helps agents do their jobs, and it has bipartisan support. CBP has said more are coming. The agency has not responded to repeated requests for comment.

How they work: **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.

In 2011, then-Secretary of Homeland Security Janet Napolitano pulled the plug on President George W. Bush's \$1 billion initiative to build a 700-mile "virtual border fence" because of problems with the technology and how it was deployed.

Zoom in: Defense contractors such as Anduril Industries and Elbit Systems of America, a subsidiary of Israeli-based Elbit Systems, are among those who have recently built new towers on the border.

They sit on public, private and tribal land. Many are located where there are few border agents.

What they're saying: "This is a perfect solution in terms of a way to protect the border. **They are better than a wall or just having officers patrolling on horseback,**" Jorge Guajardo, a partner at Dentons Global Advisors, tells Axios.

"I think this is a solution that is very beneficial to the United States and also one that Mexico can work with and be agreeable to."

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Security: The border surveillance system uses high-resolution cameras and radar to boost security and monitor illegal activities, covering large areas efficiently.

Hellerstein 21 – [Hellerstein, Erica. “On the US-Mexico Border, a Corridor of Surveillance Becomes Lethal.” Coda Story. July 14, 2021. <https://www.codastory.com/authoritarian-tech/us-border-surveillance/>.] Elene.

[Erica Hellerstein is an award-winning journalist and a reporter for The Mercury News and The California Divide project covering poverty and inequality in the Bay Area. She has covered human rights issues throughout the United States as well as in Colombia, Honduras, Argentina, Mexico, and Chile.]

The silhouettes moved so quickly they blurred out of focus in seconds. Squinting, I could barely make them out from where I sat, in a border patrol truck in Nogales, Arizona, overlooking a stretch of hills in Mexico. The Sonoran desert unfurled in front of us; burnt orange and cracked open.

My guide, a Nogales native and agent with U.S. Customs and Border Protection, scanned the ridge. Cartel scouts, he guessed. The hills serve as their home base. The scouts survey the desert, watching out for border patrols during drug and migrant-smuggling operations. Local reports describe them being equipped with semiautomatic rifles, encrypted radios, cellphones and binoculars. “They’re constantly monitoring our movements in order to get people across without getting detected,” the agent told me.

Nearby, a surveillance tower pierced the cloud-streaked sky. **The tower is one of roughly 48 spread out across the 1,950-mile southwestern border between the United States and Mexico.** Stretching up to 160 feet tall, **the structures are outfitted with high-resolution infrared and daytime cameras, and radar sensors with a seven-mile range, which transmit video and location data to border patrol agents.**

The towers are part of a web of surveillance that blankets the frontier with Mexico, a decades-old U.S. government effort to fortify the southern border whose origins can be traced to the jungles of Vietnam. In 2020, border patrol apprehended nearly 460,000 people at the southwest border. In 2021, nearly 930,900 have been apprehended, with over 180,000 in May alone.

This matrix of technology stretches the border from California to Texas as part of a U.S. attempt to curb illegal immigration. It’s made up of stationary and mobile surveillance towers, hidden underground sensors that send alerts to border patrol agents when they detect motion, radar-equipped aerostat blimps operating from 15,000 feet in the air, Predator B drones enabled with video and radar sensors, facial recognition cameras at pedestrian border crossings and license plate readers at U.S.-Mexico ports of entry and internal checkpoints.

Data from the sensors, towers, and cameras is sent to a control room in Nogales where agents monitor computers for alerts. Steering his truck on a dirt path near the border wall, the agent told me the technologies free up agents to patrol wide swaths of territory, and form one of three core elements of border security: Infrastructure, technology, and manpower.

“It helps us a lot to have this technology,” he said. “The scouts — they know it’s up. They try to adjust to our improvements. And they’re constantly monitoring our cameras, our agents. **The technology is an extra person out there, basically.**”

The steady march toward a smart border has lavished private companies with hundreds of millions of dollars in government contracts and earned the support of lawmakers on both sides of the aisle. Among those at the forefront of the “smart” approach to border policing is President Joe Biden, who, despite ceasing funding for Donald Trump’s physical border wall in his administration’s proposed 2022 budget, is asking for more than \$1 billion in funding for “border infrastructure” and “investments in modern border security technology and assets.”

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Cost

The border crisis has cost more than \$150 billion—this has mostly affected local and state governments, which are forced to raise taxes or cut services to citizens

House Budget Committee 24— [“The Cost of the Border Crisis: \$150.7 Billion and Counting | the U.S. House Committee on the Budget - House Budget Committee.” 2024. House.gov. May 13. <https://budget.house.gov/press-release/the-cost-of-the-border-crisis-1507-billion-and-counting>] Joel.

[The United States House Committee on the Budget, commonly known as the House Budget Committee, is a standing committee of the United States House of Representatives. Its responsibilities include legislative oversight of the federal budget process, reviewing all bills and resolutions on the budget, and monitoring agencies and programs funded outside of the budgetary process.]

Yesterday, the House Budget Committee held a hearing entitled “*The Cost of the Border Crisis*” to highlight the importance of border security and the fiscal implications of President Biden’s failed border policies. Witnesses from the Federation for American Immigration Reform (FAIR), Texas Public Policy Foundation’s “*Secure and Sovereign Texas*” Initiative, and Kinney County, Texas, testified before the committee to show the impacts of the border crisis, particularly the southern border, on a local, state, and federal level.

Some key moments from the hearing:

Chairman Arrington (R-TX):

“The greatest national security threat to the American people is posed by these open borders. The social cost has consistently been well in front of the American people. But **I don't think we've talked enough about the financial burden to taxpayers and the fiscal impact.**”

The Federation for American Immigration Reform (FAIR) has done a great job. Studies suggest this cost is upwards of \$400 billion, but their cost estimate is \$150 billion. **The lion's share of that cost is borne by state and local governments.** State and local governments can't borrow or print money like the federal government, so **they have to balance their budgets by either absorbing this cost through raising taxes or they have to cut services to their citizens.**”

Budget Process Reform Chair Rep. Rudy Yakym (R-IN):

“President Biden created this crisis on day one when he signed his first actions that have undermined border security and encouraged illegal immigration. Despite the unprecedented surge in illegal immigration, **the Biden administration chose to deny that there was any problem at all.** As a matter of fact, just 11 months in they called it quote cyclical or seasonal. They continue to insist that the border is secure at about the 28-month mark.”

Rep. Lloyd Smucker (R-PA):

“We are allowing the flow of drugs, we are allowing the flow of criminals into the country. I’m from Lancaster County, 2000 miles from the border. We have hundreds of fentanyl deaths in our region. **It’s a**”

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real problem that we have in every single city, every single area of the country really has been affected by the Biden Administration's policy on the border."

Rep. Tom McClintock (R-CA):

"Opposition to illegal immigration is not opposition to legal immigration. In fact, the people I find who are the angriest about illegal immigration are the legal immigrants who have played by the rules, waited patiently in line, and are now watching millions of illegal migrants cut in line in front of them. And if we're going to encourage and reward illegal immigration, which is a clear and consistent policy of the Democrats today, then there's no point in legal immigration."

Rep. Chip Roy (R-TX):

"This notion that people flowing across the border, I heard one of my colleagues on either side of the aisle talk about the benefits of parole, that somehow that was fixing the system. Is that not in fact, a backdoor way to dump more people into the United States rather than having them visibly come across the border, enraging the American people rightfully, and rather fly them into the United States **to the tune of 400,000 people last year**, including the State of Texas and the state of Florida, and fly them into the country under parole when the law requires a case by case analysis."

Rep. Lisa McClain (R-MI):

"The federal government spent over **\$66 billion on illegal immigrants in 2023**. According to FAIR, does anyone here want to guess how much we've spent on homeless veterans in 2023? Anybody want to guess? **\$66 billion on illegals and \$3 billion on people who have laid down their lives for this country.**"

Oversight Task Force Chair Rep. Jack Bergman (R-MI):

"The cartels are operating as brokers and playing all sides against the middle to create the environment that, because of their use of drones because of their use of different submersibles, because of all the things they use, that there are probably things that we don't see that are tied together for the benefit of those against us."

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Crime

Smuggling: Counter-surveillance technology can detect Drug Cartel Surveillance Drones and Tunnels

Taylor & Laje 23— [“New Tools Protect Increasingly Complicated Border.” 2023. AFCEA International. March. <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border>.] Joel.

[Diego Laje is a Technology, defense policy and international defense reporter & Emmy award winner. His expertise in artificial intelligence (AI) and editorial content is leveraged to explore defense reporting intricacies and media strategies. Diego holds an MA in Journalism from the University of Hong Kong, and a BS in Comparative Media Law from the University of Oxford.]

During a recent demonstration in El Paso, Texas, Powell relayed a discussion he’d had with border officials, and the company was faced with a real-world situation.

“**The [drug] cartel is using 250-gram drones to ISR (Intelligence Surveillance Reconnaissance) to death. The cartel knows everything that’s happening on the U.S. southern border, in key areas, by using these small drones with 4K cameras. The drones are the size of a typical cellphone,**” Powell quoted, reminiscing about a conversation with officials.

“We’ve got all these radars that we’ve tested ... we’re not detecting these [small drones], and we can’t mitigate this threat, and it’s a serious threat because they can see everything,” Powell added.

New radars can detect high-velocity small threats like those described, giving law enforcement an advantage when potential criminals are conducting ISR to find the best roads into the United States.

Towers, conceived by the company along the Gaza-Israel border, include an array of sensors. Another tool is video, coupled with AI and machine learning (ML) algorithms.

“**Video is the most popular, and the capabilities that exist within AI/ML,**” Powell said. “We have advanced AI-ML organization ... it is crazy powerful for taking all this data and finding a signal out of the noise.”

Powell explained that **Elbit’s ground and tower sensors can detect movement at precise locations to later acknowledge individuals or groups migrating near the border.** Those areas may have lawful traffic, which amounts to most of what the algorithms must separate from potential law offenders.

These sensors can be included in a mobile unit, and the CBP is looking toward procuring these systems from many suppliers and deploying 500 of these units along the border.

Similar to Israel, underground tunnels continue to pose a serious threat to the U.S. border. Elbit Systems, an Israeli-originated company, refers to underground tunnel detection as being paramount to Israel’s security. “That technology has to work, and it does work,” Powell said. “**And we’ve delivered technology that was developed for that purpose to address human and drug trafficking across the U.S. southern border.** ... Team awareness kits, also known as TAK devices, much like Android phones, give agents a common operating picture for them to be able to assess and dispatch to given coordinates,” Powell explained.

“**We’re working very closely with the organizations that are setting the requirements for meeting the future threats of counter drone, both air, ground and surface.** We’re being encouraged to work with industry.” Powell explained that the CBP tries to incentivize cooperation among competitors to produce the most robust system with multiple capabilities.

Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world.

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Drugs

Surveillance technology is crucial in decreasing the flow of fentanyl and other deadly drugs into the country

Higgins & Bishop 24— [“CHAIRMEN HIGGINS, BISHOP OPEN JOINT HEARING: BORDER SECURITY TECHNOLOGIES “PLAY A CRITICAL ROLE” IN COUNTERING THREATS, MASS ILLEGAL IMMIGRATION” July 9, 2024. Accessed August 1. <https://homeland.house.gov/2024/07/09/chairmen-higgins-bishop-open-joint-hearing-border-security-technologies-play-a-critical-role-in-countering-threats-mass-illegal-immigration/>] Sophia.

[Clay Higgins is chairman of the House Homeland Security Subcommittee on Border Security and Enforcement. He is the US representative for the third congressional district in Louisiana and is a reserve law enforcement officer.

Dan Bishop is chairman of the Subcommittee on Oversight, Investigations, and Accountability. Bishop is an attorney and the representative for the eighth congressional district in North Carolina.]

Good afternoon and welcome to the Subcommittee on Border Security and Enforcement and the Subcommittee on Oversight, Investigations, and Accountability joint hearing on technology’s role in enhancing our border security.

The crisis at our southern border poses an existential risk to our nation. To combat this threat, emerging border security technologies play a critical role in deterring criminal activity and the mass illegal immigration that we have witnessed under the Biden administration.

Illegal immigration has surged to an unprecedented level with approximately 9.7 million illegal aliens who have crossed our borders since President Biden took office. This is more than double the entire population of my home state of Louisiana.

The influx of fentanyl and other deadly drugs is destroying American families and communities. The latest data shows that in the past year, approximately 13,000 pounds of fentanyl have been seized at the Southwest border. **Cutting-edge technology is crucial in interdicting these dangerous substances and apprehending drug traffickers.**

Furthermore, dangerous cartels continually exploit vulnerabilities in our border security. DHS’s partnership with the private sector is crucial in leveraging the most advanced technologies available to identify, track, and respond to these threats on land, air, and sea.

We have a responsibility to our nation to use every tool and technology at our disposal to protect our homeland from these threats.

DHS’s deployment of emerging technologies is necessary to combat the illegal movement of aliens, drugs, weapons, and other illicit commodities from crossing the United States border.

As transnational criminal organizations and terrorists constantly seek new methods to penetrate the vulnerable border, **these innovative technologies are essential in countering these evolving threats, including the use of cartel drones and coyote smuggling operations.**

The commercial security industry has always played a vital role in protecting America’s homeland. Private sector investments in new technologies have enabled components such as Customs and Border Protection (CBP) to strategically deploy personnel and technology to maximize the agency’s effectiveness and fulfill its mission.

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I would like to express my gratitude to our witnesses for appearing before the Committee today to discuss how DHS works with industry to provide advanced solutions to our law enforcement personnel on the ground, emblematic of the many private partners working with DHS to secure our homeland.

Border security technology will never replace frontline agents and officers. However, **technology can be a critical tool to aid law enforcement personnel carry out their mission.** The need for advanced technology will continue to grow, as well as the need for personnel readiness to defend our nation.

With that, I yield back the balance of my time and look forward to hearing from our witnesses.

As prepared for delivery:

Good afternoon and thank you to our witnesses for joining us today to share insights on how the Department of Homeland Security can partner with the private sector for technological solutions to enhance border security.

As Chairman of the Subcommittee on Oversight, Investigations, and Accountability, I have no doubt of the critical need for DHS to take advantage of technologies to increase the operational effectiveness of the agents responsible for securing our nation's borders.

These technologies act as a force multiplier for CBP agents in the field, providing them with greater situational awareness and enabling more efficient use of CBP resources.

For example, the deployment of autonomous surveillance towers, unmanned aerial systems, and other surveillance technology along the border facilitates real-time monitoring for potential threats, especially in remote areas that are more difficult for Border Patrol agents to cover.

We know that there have been more than 1.8 million gotaways at the border since January 2021, including 194,000 since October, 2023. That's a major national security crisis. Using technology to detect and prevent these threats must be a critical priority.

In a 2021 report, however, the DHS Inspector General found that CBP lacked sufficient personnel to fully leverage surveillance technology advances.

Using artificial intelligence can help alleviate the manpower issue. **Enabling surveillance and processing tools to operate with greater autonomy can reserve time for agents to review the most imminent threats.**

Automating previously labor-intensive tasks also helps free Border Patrol agents to be back out in the field to safeguard the homeland.

Similarly, the use of non-intrusive screening equipment and facial recognition technology at land ports of entry plays a critical role in protecting the homeland while facilitating lawful trade and travel.

A recent Inspector General report also found that because of limitations in camera technology, CBP had only a 76 percent success rate in capturing images of vehicle passengers at ports of entry. And, of those captured, only 81 percent were of sufficient quality to conduct adequate screenings.

Staying on the cutting edge of technology is vital to national security and defending our border, particularly as cartel tactics and use of technology have become increasingly advanced.

In recent years, we've seen cartels routinely deploy sophisticated and widely available drones to conduct countersurveillance on Border Patrol to advance their smuggling operations.

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In February of last year, Chief Sector Patrol Agent Chavez testified that the Rio Grande Valley sector had experienced over 10,000 drone incursions in a single year. It is not hard to imagine that cartels have increased the frequency of incursions since then.

In transcribed interviews with the Committee, multiple Sector Chiefs affirmed that cartels seek to exploit any perceived vulnerabilities to facilitate human and drug smuggling across the border between ports of entry. CBP's adoption and implementation of advanced C-UAS technology is crucial to denying cartels the ability to freely operate drones across the border.

The House majority emphasized the importance of border technology when it passed the border security bill, H.R. 2, requiring CBP to present a 5-year strategic technology investment plan that lists security technology priorities needed to address risks and capability gaps. The bill also requires CBP to provide clear goals and timelines for implementing their technology priorities.

H.R. 2, also requires CBP to take steps to streamline the acquisition process and increase partnerships and consultation with the private sector to ensure that CBP is well-informed on technological advances and innovations relevant to the border security mission.

The CBP Innovation Team has legislative authority to fast-track technology projects up to \$25 million dollars. As CBP considers and pilots new technologies, it is important to define success and identify performance metrics to ensure that money is spent efficiently and effectively.

According to the Government Accountability Office, as of July 2022, the CBP Innovation Team invested more than \$120 million in 73 cutting-edge technology pilot projects. At the time of the report, however, the team had not clearly derived strategic-level goals or quantified performance goals to assess progress.

In an environment as fast-paced and crucial to homeland security as the southern border, it is imperative to identify metrics for success in implementing new technologies. It is my hope that our witnesses can help identify these metrics and performance goals so Congress can conduct meaningful oversight over CBP's technology investments.

Of course, technology can't replace the need for Border Patrol agents, a border wall, and the basic will to enforce our immigration laws. **It's not a silver bullet to solve the border crisis, but it can help the men and women of Border Patrol to be more effective in carrying out their mission of securing America's borders.**

Today's hearing is about how DHS can work with the private sector to deliver smarter security and ensure that taxpayer dollars are being used for the greatest effect. I look forward to an informative hearing with our witnesses.

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Economy

Adopting new technologies, including surveillance systems that detect illegal activities allows for more efficient management, can lead to tens of millions of dollars in economic benefit

Rodríguez et al. 22 - [Rodríguez, Alejandro Brugués. “The Economic Impact of a More Efficient US-Mexico Border: How Reducing Wait Times at Land Ports of Entry Would Promote Commerce, Resilience, and Job Creation.” Atlantic Council. September 27, 2022. <https://www.atlanticcouncil.org/in-depth-research-reports/report/the-economic-impact-of-a-more-efficient-us-mexico-border/>.] Elene.

[Brugués Rodríguez specializes in Regional Economics, Economic Development, and Urban Economics. He is a researcher and professor at El Colegio de la Frontera Norte, A.C, and a member of the National System of Researchers in Mexico.]

Improvements in border management and the adoption of new technologies at the US-Mexico border have the potential to enhance security and generate economic benefits for the United States and Mexico through expedited flows of goods and people. Reduced border wait times would lead to more traffic entering the United States from Mexico, both in terms of commercial trucks loaded with goods for US consumers and shoppers ready to buy US goods. This report quantifies the economic impact of this additional commerce and cross-border spending, which would lead to further economic prosperity in the two countries.

Research shows that a 10-minute reduction in wait times could lead to an additional \$26 million worth of cargo entering the United States each month via commercial vehicles. This translates to more than \$312 million in further commerce from Mexico into the United States annually. The extra inventory of finished and intermediate goods would drive down US domestic prices, creating increased economic well-being for US citizens.

This report also finds that reducing border wait times by 10 minutes has a positive annual impact of \$5.4 million on the US economy due to purchases by additional families and individuals entering the United States from Mexico. While the immediate effect of these purchases is most evident in border communities, economic benefits would spread to the continental United States due to the economic linkages between local economies, with approximately 25 percent of the total impact reaching non-border states.

Beyond the \$312 million in added commerce from Mexico into the United States, **a 10-minute reduction in border wait times would promote the creation of nearly 18,700 direct and indirect jobs in Mexico,** increase labor income per sector by an average of \$17,474, and boost growth for various Mexican economic sectors, particularly manufacturing, wholesale trade, and mining.

More specifically, a one-minute reduction in border wait times would increase the average production (or output) per sector—for Mexico’s top ten sectors exporting to the United States—by 2 percent, adding an average of \$41.5 million per sector to the Mexican economy. This reduction in border wait times would also lead to an average sectoral growth in intermediate sales and final demand of 2.4 percent and 1.7 percent, respectively.

These findings illustrate the economic benefits of prioritizing investments at the US-Mexico border to reduce commercial and noncommercial wait times. They are understood as the lower range of the potential national-level economic benefits of deepened US-Mexico collaboration to create a more efficient and secure border. A forthcoming second study will build on these findings, disaggregating the economic impact of reduced wait times for US and Mexican states and counties at the border and beyond.

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Effectiveness

Past Success: Increased border security deters migration

Roberts et al 10—[Roberts, Bryan, Gordon Hanson, Derekh Cornwell, and Scott Borger. n.d. “Office of Immigration Statistics an Analysis of Migrant Smuggling Costs along the Southwest Border.” <https://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf>.] Apollin.

[Bryan Roberts' activities encompass many funded research projects, most currently a Ford Foundation funded research and training project on Self-sustaining Community Development in Argentina, Chile, Colombia and Peru and two projects on Urbanization in Latin America funded by the Andrew W. Mellon Foundation. Bryan Roberts also serves as the Director of the Mexican Center, Teresa Lozano Long Institute of Latin American Studies as well as Director of The Mexican Center.]

During the period **between 1993 and 1999, border enforcement activities were intensified** significantly. New infrastructure was constructed **and new technologies were introduced**. Figure 1 shows that border patrol enforcement hours in the Southwest border sectors also increased dramatically: linewatch hours grew by 300% during 1992 to 2001. **The enforcement buildup led to a significant reduction in illegal crossings** in areas where enforcement became particularly intense and induced a shift to crossings in border areas with less enforcement. This shift from more-preferred to less-preferred crossing areas induced by increased enforcement should have led to a general increase in the cost of illegally crossing the border. Figure 1 also shows that enforcement intensified substantially during 2006 to 2008 as productive hours rose by 36%. This period has also seen a substantial increase in construction of fencing and other infrastructure on the Southwest border as well as deployment of new technologies.

Data on smuggling costs charged to illegal immigrants crossing the Southwest border are available from the Mexican Migration Project (MMP), the Mexican Migration Field Research and Training Program survey (MMFRP), the Encuesta sobre Migración en la Frontera Norte de México survey (EMIF), and DHS administrative apprehension records. These sources cover different populations of migrants but ask similar questions regarding smuggling costs, and trends in the average value of the smuggling costs reported to these sources can be compared. Figure 2 graphs the average smuggling cost in inflation-adjusted terms for the four sources, for available years during 1993 to 2007. Table 1 provides summary growth measures for the series. All sources show significant positive upward trends in inflation-adjusted smuggling cost since 1993. The migrant survey sources suggest that annual growth in the inflation-adjusted smuggling cost was quite strong during 1993 to 2000, when border enforcement activity intensified significantly. The migrant survey sources also suggest that the growth rate fell significantly between 1999 and 2006, in contrast to the DHS series, which suggests that the inflation-adjusted smuggling cost continued to rise at a rapid rate. It should be noted that the surveys have few observations in the period 2006–2008, and that the MMP and MMFRP results on the growth in average smuggling cost may change as new observations are added over time.

The impact that smuggling costs have on the decision to migrate and the deterrent effect of enforcement is relevant to the degree that illegal migrants make use of smugglers. Evidence suggests that a majority of illegal crossers hired smugglers as early as the 1970s, and that the rate of use of smugglers has risen since then, particularly in the 1990s. The MMP survey indicates that 95% of firsttime crossers in its sample used smugglers in 2006, and the MMFRP survey shows that 80% to 93% of illegal crossers in its sample used smugglers during the 2000s. In the 1990s and 2000s, available evidence suggests that the smuggling market on the Southwest border was quite “thick” in the sense that a majority of crossers used smugglers, thus making them more sensitive to and possibly influenced by fluctuations in cost.

Figure 2 depicts a consistently higher average smuggling cost reported in the MMP and the MMFRP surveys than average smuggling cost reported in the DHS administrative data and the EMIF survey. This may be due to differences in the populations captured by the surveys and DHS administrative data. First, DHS values, by definition, are reported by those who have been caught by the Border Patrol, whereas the surveys include a cross-section of unauthorized migrants regardless of apprehension. If smugglers who tend to be caught more frequently also tend to charge lower smuggling costs, then the differential between the DHS series and the MMP and

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MMFRP series could be explained at least in part by the fact that the latter include more values for higher-quality smugglers. Second, the MMP and MMFRP surveys have a greater percent of their sample populations crossing the border in the San Diego sector. The smuggling costs in San Diego are reported as higher than other crossing locations and therefore could account for the difference between the reported smuggling cost series. Third, there may be systematic differences in the nature of smuggling services whose price is reported to DHS versus the surveys.

The sustained rise in the inflation-adjusted smuggling cost over the past 15 years and the increased rate of smuggler use is suggestive that border enforcement activity has increased the cost of illegally crossing into the United States and thus potentially deterred illegal immigration. However, smuggling costs may have risen due to increased demand for smugglers resulting from a rapidly rising flow of illegal crossers. Given this possibility, it is necessary to analyze the impact of enforcement on smuggling costs in the context of supply of and demand for smuggling services in order to accurately estimate an elasticity of smuggling cost with respect to enforcement.

Previous **research suggests** that **intensified border enforcement** as captured by Border Patrol linewatch hours **has significant impacts on apprehensions** and smuggling costs, **and** may have **had a deterrence impact on the inflow of illegal immigrants**. Hanson and Spilimbergo (1999) analyze the level of apprehensions on the Southwest border during 1963 to 1996 and find that apprehensions are significantly influenced by both economic and enforcement variables. A 10% reduction in Mexican wages relative to U.S. wages results in a 6% increase in border apprehensions. Angelucci (2005) uses data on individual illegal migration experiences from the Mexican Migration Project (MMP) for the period 1972 to 1993 and analyzes the relationship between inflows and outflows of illegal migrants and economic and enforcement variables. She finds that both economic and enforcement variables have statistically and quantitatively significant impacts on illegal migration inflow. She also finds that increased enforcement reduced outflow of illegal migrants and increased the duration of stay in the United States, so that the net stock of illegal immigrants resident in the United States may have risen. Orrenius and Zavodny (2005) analyze the likelihood of a male Mexican national making an illegal trip to the United States during 1965 to 1996 using MMP data and find that enforcement intensification has a negative but statistically insignificant impact on the decision to migrate illegally. These studies do not explicitly analyze smuggling costs, how they are affected by enforcement, and how these costs affect the migration decision.

Other recent works address smuggling costs directly. Orrenius (1999) uses MMP data on individual migration experiences of male Mexican household heads for the period 1965 to 1994 to evaluate the relationship between the decision to migrate, economic variables, and variables that affect the cost of migrating (smuggling costs and network effects). She finds that an increase in smuggling costs significantly negatively affects the likelihood of migration, thus producing a deterrent effect. Gathmann (2008) explicitly models the illegal migration decision including the possibility of hiring a smuggler and uses MMP data on individual migration experiences for the period 1972 to 2003 to estimate the smuggling cost elasticity with respect to enforcement, and the migration decision elasticity with respect to enforcement. She finds that the elasticity of smuggling costs with respect to enforcement was statistically significant and equal to 0.25, so that a 10% increase in enforcement hours resulted in a 2.5% increase in smuggling costs.¹⁶ She also finds that increased enforcement has a negative but statistically insignificant impact on the decision to migrate illegally.¹⁷ Carrion-Flores and Sorenson (2006) use MMP data to estimate a model of choice by an illegal crosser that captures both deterrence and diversion impacts of enforcement and find that both impacts were significant.

We contribute to this literature on the deterrence impact of border enforcement activities by using DHS apprehension record data to estimate the impact of enforcement as proxied by Border Patrol enforcement hours on smuggling costs. Before moving to our estimation strategy and results, it will be useful to review what is known about the nature of the migrant smuggling industry on the Southwest border.

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Technology mix: Surveillance infrastructure is an important part of effective deterrence along the border

CBP (United States Customs and Border Protection) n.d - [CBP. "Walls Work | U.S. Customs and Border Protection." Www.cbp.gov. <https://www.cbp.gov/frontline/walls-work>.] Elene.

[United States Customs and Border Protection (CBP) is the largest federal law enforcement agency of the United States Department of Homeland Security. It is the country's primary border control organization.]

Chief Patrol Agent Rodney Scott remembers the chaos. His first assignment as a new Border Patrol agent in 1992 was along the U.S.-Mexico border near San Diego, a place where thousands of illegal immigrants lined up and rushed the border en masse, their numbers overwhelming the handful of agents trying to stop them. "On day one when I showed up to work, I saw hundreds of people running up the median of Interstate 5, helicopters buzzing around, and I thought there was some kind of big incident or crisis that day," Scott said, who now runs the San Diego sector for the U.S. Border Patrol. But he quickly found out it was just a normal day.

Meanwhile, Border Patrol Agent Fidel Baca peers out from the flat expanse of the New Mexico desert along a section of low wall, being met by a new 18-foot tall, steel bollard-style fence replacing the three-foot tall vehicle barrier. **While the low barrier was built to keep vehicles from running drugs across the border, it is practically useless in stopping the foot traffic that has increased in recent years.**

"This higher barrier will give us more time to react," Baca said. **"The new fence is making it harder for illegal aliens to enter."**

In Arizona, CBP law enforcement personnel are testing the latest technology – such as unmanned aerial vehicles and new radio and surveillance systems – aimed at shoring up the U.S. southern border by augmenting the skills already employed by Border Patrol agents on the ground in conjunction with the wall. The three elements – the wall, the technology and the Border Patrol agents – used in different proportions depending on the location provide for an effective deterrence.

"We see the tools we're testing as force multipliers," said Stephen Spencer, assistant chief patrol agent in Tucson. **"Just like any other technology we've seen throughout the years, these items will help make sure we're able to respond quickly, while not wasting time responding to false positives, such as a cow or horse wandering into the border area."**

These three represent how the border wall has been and continues to be a vital part of defending America – yesterday, today and tomorrow.

Yesterday

That initial chaos Scott described was part of the illegal aliens' and smugglers' coordinated plan.

"We were just so outnumbered, they knew you couldn't catch them all," he said. "So they would just try to stay out of arm's length. They didn't run away unless you were chasing them. All they had to do was outrun the guy next to them; they didn't have to outrun us."

Scott said they caught more than half a million illegal crossers in 1993. But by their own estimates at the time, they only got one out of every 10 who tried.

"We would be on the ground with 20 or 30, and another mob of people would just run right past you," he said. "The smugglers and coordinators watched what you did. As soon as you tied down one group, they would send the rest of them. My theory was the real bad guys were in the group that went past you the second time."

The following year saw the launch of "Operation Gatekeeper," when Border Patrol did what it could to establish

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law and order. One of the first priorities was recycle old military steel landing mats for helicopters and put up the first real border wall just a few feet inside of the U.S. side of the border near San Diego. At about 8-10 feet high, Scott said it slowed the flow a bit.

“It delineated the border again,” Scott said. Also in the early 1990s and more than 700 miles to the east in the desert near El Paso, Texas, “Operation Hold the Line” deployed more agents and technology in known high-traffic border areas. This enhanced presence along the border contributed to the drop in apprehensions from nearly 300,000 annually to just under 80,000 in one year.

Today

Wall, agents and technology have since proven most effective when used in the right combination to improve border security. Today, the area along the border near San Diego has a second layer of woven wire fence about 100 to 200 yards from that first fence to provide an enforcement zone for agents patrolling the border. **With lighting, a state-of-the-art surveillance system, and a paved road that gives access to Border Patrol vehicles, agents respond more quickly and the flow of illegal aliens decreased even more. The same sector that annually caught more than 500,000 illegal aliens now apprehends about 27,000 illegal aliens each year.** Similar efforts along the Arizona-Mexico border in the last 18 years saw corresponding success rates of cutting illegal crossings by 90-plus percent.

“We have proven that a wall system – that actually has impedance and denial, physical barriers, combined with access roads so agents can move east and west, laterally along the border, and the latest technology and personnel – can secure the border,” said Scott.

With such a high success rate – along with a much lower volume even trying to cross illegally – some might ask why a new border wall is needed. Scott said **while the barriers are effective, the latest designs will be engineered make them harder for bad actors to damage or defeat. The proliferation of battery powered tools allow smugglers to cut holes through the current secondary fence in a matter of seconds, faster than Border Patrol agents can respond to that location, even with the improved roads.** Too many of those getting through these days are bringing deadly drugs, such as opioids, into American communities.

“We have proven [the concept of having a primary and secondary fence, along with the infrastructure and high-tech surveillance equipment] works, now it’s time to upgrade it with sustaining and enduring materials,” he said. “We need to replace that old, dilapidated, dated material with something that matches the threat of 2018.” Construction crews have shovels in the ground today to replace old fences and barriers in locations across the nearly 2,000 miles of the U.S.-Mexico border, including a 20-mile stretch of New Mexico desert west of El Paso where vehicle barrier is being replaced with new border wall. Baca, who recently served at a Border Patrol station a short distance away and is now assigned to the main sector office in El Paso, compared the old three-foot-tall vehicle barrier – better known as a Normandy barrier – with the new 18-foot high steel bollard-style pedestrian wall replacing it.

“This Normandy barrier does exactly what it’s supposed to do: stop vehicle intrusions,” Baca said, noting that while very effective, there’s plenty of room for improvement. “Is it 100 percent? No. The smugglers sometimes drag it to the side or even ramp over it. Will they be able to do that with the bollard-style wall? I don’t think so.”

Baca knows there will still be those who will try to scale the bollard wall. “I foresee this will significantly slow down foot traffic,” he said. “I think the alien smuggling operations will try to adapt and get people through. But the typical Joe who tries to come in by himself, he won’t be able to.”

Baca said the new wall also extends well underground to deter any burrowing under it. The foundations of the wall reach six feet into the ground, making it much harder to tunnel under the barrier.

Another key benefit of putting up the 18-foot bollard-style replacement wall is agent safety. Baca said **in**

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certain areas on the border, agents are required to use hardened vehicles because there is a significant threat of having rocks thrown at them, usually by juveniles. That’s actually a tactic employed by the smugglers often times to act as a diversion. The juveniles throw rocks and get agents to either chase or catch them, allowing smugglers to sneak across while Border Patrol agents are occupied. **The bollard wall not only provides protection for patrols, but allows agents to see what’s happening on the other side, whether it’s an attempted breach of the wall or an assault.** “We need to be able to see the threats [coming],” Baca said.

Following construction of eight border wall prototypes, CBP tested, assessed and evaluated the features and attributes of each prototype to identify which of them most effectively impede and deny illegal crossings. The assessment and evaluation included testing the prototypes, input from Border Patrol agents and an engineering analysis. The most effective features and attributes have been incorporated into Border Patrol’s wall toolkit and may be applied to future designs.

Border Wall + Surveillance: New border wall systems have significantly decreased illegal entries and smuggling activities – this increases the effectiveness of surveillance systems, which are set up in new areas that smugglers are re-routed to

Department of Homeland Security 20 – [Department of Homeland Security. “The Border Wall System Is Deployed, Effective, and Disrupting Criminals and Smugglers.” Department of Homeland Security. October 29, 2020. <https://www.dhs.gov/news/2020/10/29/border-wall-system-deployed-effective-and-disrupting-criminals-and-smugglers>.] Elene.

[The Department of Homeland Security (DHS) works to improve the security of the United States. The Department's work includes customs, border, and immigration enforcement, emergency response to natural and manmade disasters, antiterrorism work, and cybersecurity.]

The results speak for themselves: **illegal drug, border crossings, and human smuggling activities have decreased in areas where barriers are deployed.** For example:

San Diego Sector:

- In one short 12 mile section in the San Diego Sector, **the wall reduced Customs and Border Protection (CBP) manpower requirements by 150 agents every 24 hours. That is approximately a \$28 million return on investment per year in salaries and benefits.** These agents were redeployed to fill resource gaps in other areas of the border -- further improving our security.
- CBP’s San Diego Field Office continues to be a significant source of narcotics seizures. **From FY 19 to FY 20, seizures of fentanyl, marijuana, and methamphetamine all increased, with meth seizures jumping at alarming rates in the past several years – demonstrating that the border wall is forcing drug smugglers to where we are best prepared to catch them** – our ports of entry.

Yuma Sector:

- Illegal entries in areas with new border wall system plummeted over 87% in FY 20 compared to FY 19.
- In FY 19, CBP deployed a temporary barrier, which it has replaced with a permanent system, at the Sanchez Canal, which resulted in illegal entries decreasing in this area by more than 1,000 per month.
- In FY 19, in areas of older existing border fencing or barriers, Yuma Sector apprehended 12 large groups (over a 100 persons) compared to zero large groups in FY 20 with new border wall system.
- Family Unit entries have decreased over 95%
- FY 19: 51,961 vs. FY 20: 2,940

RGV Sector:

- In a section of RGV (Zone 1) apprehensions have decreased since the construction of the border wall system. This is a location that has never had any border infrastructure.
 - CBP has seen 79% decrease in apprehensions in this area (Zone 1) since the completion of border wall system.

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- CBP has seen a 26% decrease in narcotics seizures since the completion of border wall system in this area.
- In another section of RGV, prior to construction of the border wall system it was common to see illegal aliens running across a heavily traveled road, putting themselves and members of the community at risk.
 - **Smugglers are now forced to take their groups further west into areas that are less dense with brush and easier for CBP surveillance cameras to detect illicit activity.**

El Paso Sector:

- **El Paso Sector has experienced a significant reduction in drug and smuggling activities in areas where the new border wall system was built.**
 - Most notably, in Zones 14 and 15 of the Santa Teresa (STN) AOR where apprehensions have decreased by 60% and 81% respectively when comparing the last half of fiscal year FY 20 to the first half of FY 20.
- **El Paso Station has experienced similar results from the new border wall in Zones 20 – 23, with a reduction in apprehensions of 70% during the same timeframe.**

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Firearms

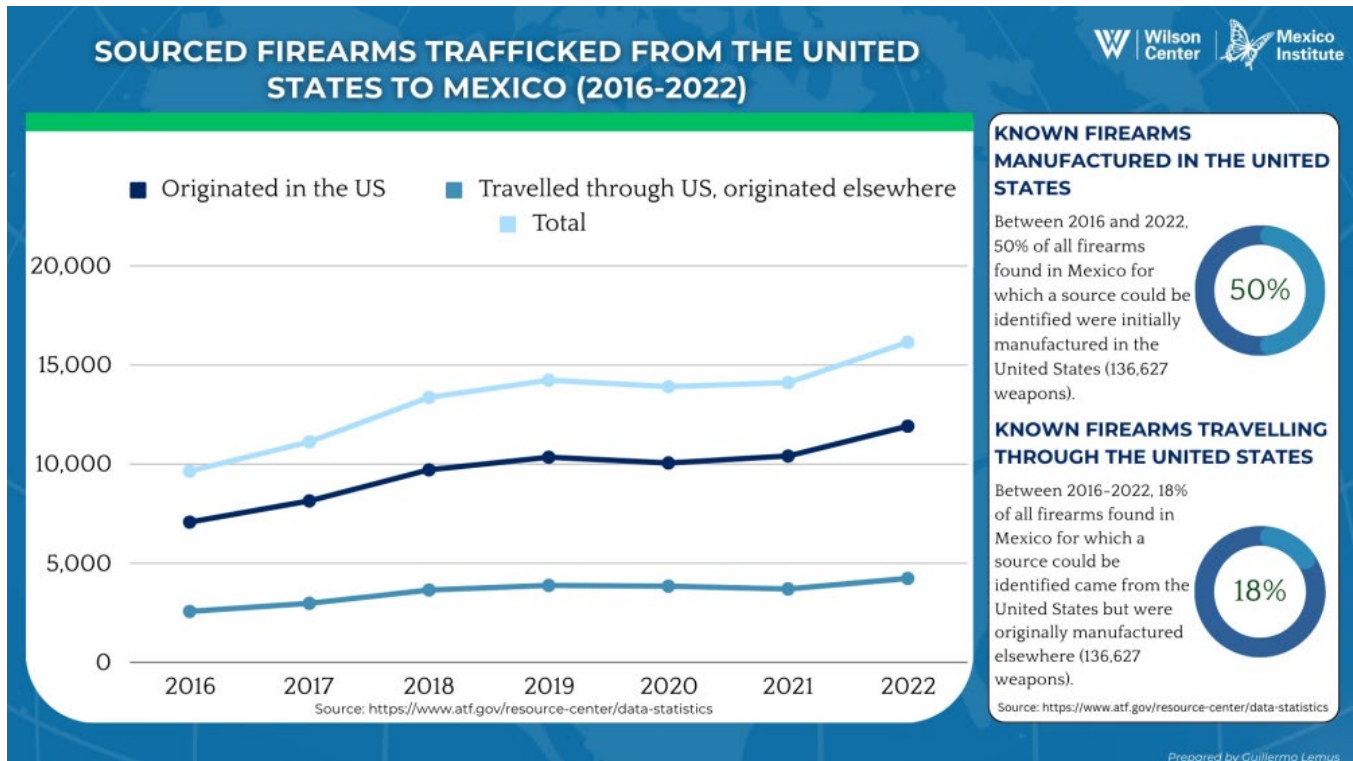
US-to-Mexico: Up to 90% of traced firearms in Mexico come from the US – and the number has drastically increased since 2016, with a 105% increase in US-origin rifles between 2016 and 2022

Lemus 24—[“Infographics | Arms Trafficking across the US-Mexico Border.” 2024. Wilson Center. <https://www.wilsoncenter.org/article/infographics-arms-trafficking-across-us-mexico-border>]. Joel

[Guillermo graduated in 2023 with a Bachelor of Arts in International Studies from BYU-Idaho, with an emphasis in Public Policy and Administration, before pursuing an Internship in D.C. with Congressman Correa’s Office.]

[The Mexico Institute seeks to improve understanding, communication, and cooperation between Mexico and the United States by promoting original research, encouraging public discussion, and proposing policy options for enhancing the bilateral relationship.]

The United States and Mexico have grappled with increasing arms and drug trafficking for several years. In response to recent surges in violence, the Mexican Attorney General of the Republic (FGR) and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) undertook a joint effort to trace the origin and number of firearms in Mexico coming from or through the United States. These infographics highlight the growth in the bilateral arms trade, with particular emphasis on the years 2016-2022.



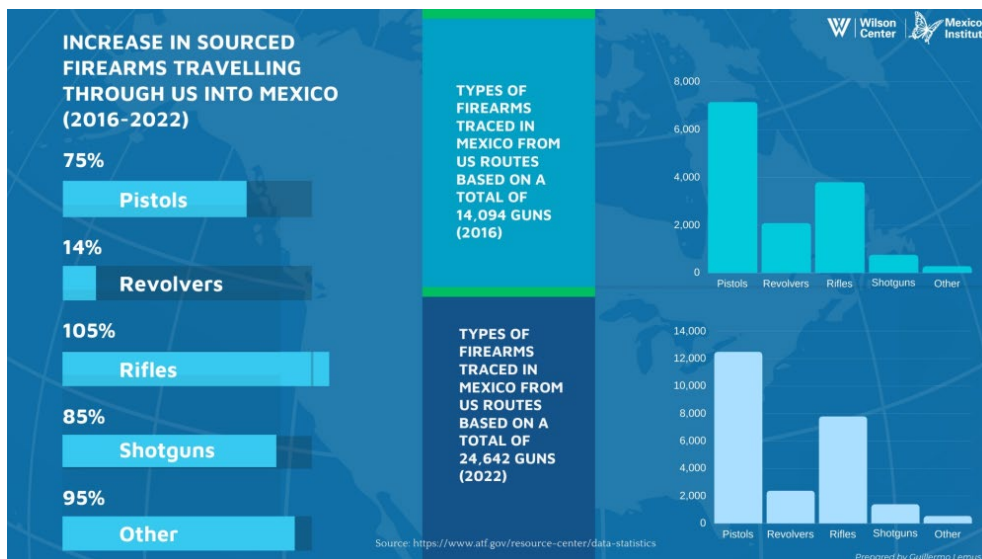
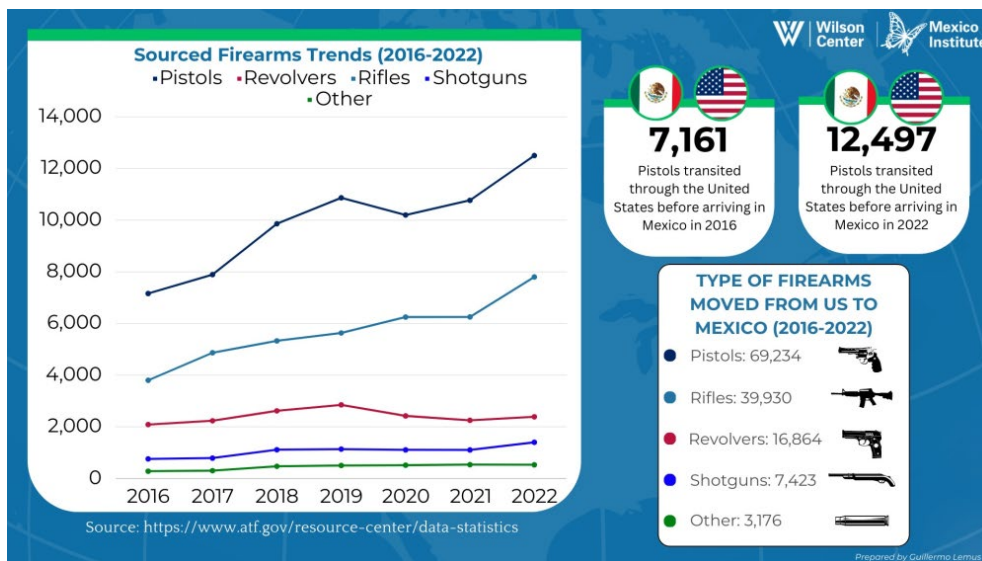
The United States and Mexico have grappled with increasing arms and drug trafficking for several years. In response to recent surges in violence, the Mexican Attorney General of the Republic (FGR) and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) undertook a joint effort to trace the origin and number of firearms in Mexico coming from or through the United States. **Mexico’s Secretariat of Foreign Relations found that 70-90% of traced firearms originated from and passed through the US.** ATF and the US Government Accountability Office (GAO) estimated a lower rate of 68%, comprising 50% domestically produced and 18% imported into the US, and ultimately found in Mexico.

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ATF's data unveils compelling insights. Although pistols consistently topped the list of firearms found by the ATF, **there was a 105% increase in rifles found in Mexico and reported from 2016 to 2022, meaning that cartels may be favoring this type of firearm.**

Specific US counties have been linked to weapons found across Mexican municipalities, spanning from the Pacific to the Atlantic Coasts, as highlighted by former Mexican Secretary of Foreign Affairs Marcelo Ebrard and the Office of the Attorney General of Mexico. Concurrently, the United Nations Office on Drugs and Crime (UNODC) has identified the presence of 'ant-trafficking,' the intentional diversion of firearms from legal channels, and straw purchases, where individuals buy guns on behalf of others, along these routes. These actions intensify the illegal transportation of firearms. The presence of guns in Mexico, as well as these two phenomena, demonstrate the connection of these trafficking routes, amplifying illegal firearm transportation. The increase in these practices necessitates enhanced collaborative efforts between the United States and Mexico to curb the unlawful flow of firearms.

These infographics highlight the growth in the bilateral arms trade, with particular emphasis on the years 2016-2022.



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Aff Blocks

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AT: Privacy

Note: this argument is a tad out-there

Neg Argument: surveillance technology will infringe on the right to privacy in US communities on the border

Turn: a border wall and better surveillance infrastructure can protect private property in border communities by reducing theft and burglary.

Dierker 18 – [Dierker, Benjamin R. “The Federalist.” The Federalist. June 22, 2018. <https://thefederalist.com/2018/06/20/3-benefits-border-wall-no-one-talking/>.] Elene.

[Benjamin Dierker is the Executive Director of Aii, specializing in economic, administrative, and legal aspects of American energy, transportation, infrastructure, and innovation. Benjamin’s goal is to analyze and explain the economic and legal realities underpinning public policy at the state and federal levels. He then earned his Juris Doctor from the Antonin Scalia Law School at George Mason University. Benjamin is a member of the District of Columbia Bar and the South Carolina Bar.]

Not every aspect of a border wall has to do with immigration. By only addressing immigration and to some extent covering smuggling, the media misses one of the most critical aspects of a wall: **Many communities are ravaged by theft and burglary.**

It is only rational to construct a barrier between dangerous places and safe ones.

In some locations, enterprising criminals run across the border only to grab what they can, including vehicles, and retreat to Mexico. These individuals have no plans to immigrate or even smuggle things into the country. **Repeat burglaries affect small towns and vulnerable residents.** Texas sheriffs have also reported home burglaries by criminals heading back south.

While typical analysis struggles to conjure crime statistics for immigrants relative to the natural-born population years after entering the country, attention should be paid directly to illegal criminal activity happening instantly upon entry. The wall is useful in both directions for these cases. It severely limits criminal mobility into the United States, and means they have to carry their stolen loot over a ladder on their way back, preventing automotive theft.

One Mexican state bordering the United States is subject to the strictest travel warnings the State Department issues, due to criminal activity and violence. Two Mexican border cities were ranked among the top most dangerous in the world. It is only rational to construct a barrier between dangerous places and safe ones. The wall would reduce the spillover of violence, drugs, and burglary that plague so many along the border.

The Left has made its opposition to the border wall clear, not only through direct commentary, but by what they leave out. Clear benefits of a border wall are being ignored. If these voices prevail and border infrastructure is not adequately addressed, the cost will be human lives, environmental damage, and loss of personal property.

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AT: Underreported deaths

While evidence of inaccurate reporting by the CBP was found in 2022, the CBP implemented the three recommendations made by the GAO, closing each case.

GAO 22— [“CBP Should Improve Data Collection, Reporting, and Evaluation for the Missing Migrant Program” April, 2024. Accessed August 1. <https://www.gao.gov/products/gao-22-105053>] Sophia.

[GAO, often called the "congressional watchdog," is an independent, non-partisan agency that works for Congress. GAO examines how taxpayer dollars are spent and provides Congress and federal agencies with objective, non-partisan, fact-based information to help the government save money and work more efficiently.]

Recommendations

GAO is making three recommendations to Border Patrol to take steps to ensure it collects and records available information on migrant deaths, including those identified by external entities; include known migrant deaths and any data limitations in public and Congressional reports; and develop a plan to evaluate the Missing Migrant Program. DHS concurred with the recommendations.

Recommendations for Executive Action

Agency Affected

- U.S. Border Patrol

Recommendation

- The Chief of Border Patrol should take steps to ensure that the agency collects and records available information on migrant deaths, including those identified by external entities, along the southwest border. (Recommendation 1)

Status

- Closed – Implemented
Border Patrol concurred with our recommendation and has taken several steps to address it, such as coordinating with external entities and meeting with sectors and reviewing their program reports. In 2023, Border Patrol held regional Missing Migrant Program meetings to connect with local external entities, including medical examiners, coroners, nongovernmental organizations, and consulates. According to Border Patrol, these engagements with external entities have helped them enhance the Missing Migrant Program's main objectives of preventing migrant deaths; locating and identifying migrant remains; and returning remains to migrants' families. Border Patrol has also continued to strengthen its internal coordination with sectors and to review sectors' weekly Missing Migrant Program reports. In October 2023, officials in Border Patrol headquarters told us that **they continue to maintain communication with sectors regarding data collection and entry** through email reminders and refresher trainings. In addition, these officials said that **they review weekly reports from the sectors, which include information on search, rescue, and recovery requests as well as requests for assistance in identifying migrant remains.** With these steps, Border Patrol has addressed our recommendation that it collect and record available information on migrant deaths, including those identified by external entities.

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Agency Affected

- U.S. Border Patrol

Recommendation

- The Chief of Border Patrol should include known migrant deaths, including those reported by external entities, and any data limitations in public agency reports and those to Congress. (Recommendation 2)

Status

- Closed – Implemented
Border Patrol concurred with this recommendation and has addressed it. **In its August 2023 report to Congress, Border Patrol provided data on migrant deaths broken down by several variables, such as sector, nationality, gender, age group, and whether the death was discovered by Border Patrol or an external entity.** Border Patrol's report provided useful information on migrant deaths, including data on cases when a death was discovered by an external entity. Further, **in its April 2024 report to Congress, Border Patrol included a discussion of data limitations, such as the infeasibility of locating all decedents in remote areas.** As such, Border Patrol has addressed the intent of our recommendation.

Agency Affected

- U.S. Border Patrol

Recommendations

- The Chief of Border Patrol should develop a plan with time frames to evaluate the Missing Migrant Program. (Recommendation 3)

Status

- Closed – Implemented
Border Patrol concurred with our recommendation and **in November 2023, issued a plan for evaluating the Missing Migrant Program. The plan includes goals such as increasing situational awareness, investing in innovative technology, and enhancing stakeholder engagement.** Within each goal, Border Patrol has objectives to define and monitor progress toward these goals and key performance indicators to provide action items to Missing Migrant Program personnel. The plan states that the program will be evaluated on a biannual basis. In addition, Border Patrol officials told us that they are utilizing various meetings, such as sector coordination meetings, regional summits, and sector visits to evaluate the program. These officials stated that they plan to evaluate the program goals, reporting procedures and data integrity at these meetings. These actions should help ensure that Border Patrol evaluates the Missing Migrant Program. As such, we consider this recommendation implemented.

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Neg

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Status Quo

2023-24: DHS has made massive improvements to surveillance infrastructure and border security over the past year

DHS 24— [“Fact Sheet: DHS Continues to Strengthen Border Security, Reduce Irregular Migration, and Mobilize International Partnerships | Homeland Security.” 2024. U.S. Department of Homeland Security. <https://www.dhs.gov/news/2024/06/04/fact-sheet-dhs-continues-strengthen-border-security-reduce-irregular-migration-and>.] Joel.

[DHS = Department of Homeland Security]

DHS has taken unprecedented actions to strengthen enforcement of our immigration laws and deter irregular migration, including referring record numbers of individuals into expedited removal. Over the past year, we have removed or returned more than three quarters of a million people, more than in any fiscal year since 2010:

- **Throughout the last three years, this Administration has carried out a whole-of-government response to irregular migration, increasing the number of Agents and Officers on the southwest border to over 24,000,** adding thousands of additional support personnel, surging thousands of law enforcement and other personnel from across the Department, and securing the first significant increase of Border Patrol agents in more than a decade.
- **DHS has also bolstered the technology along the border, including the deployment of autonomous surveillance towers and continuing to deploy new non-intrusive inspections systems at ports of entry (POEs) to better detect narcotics and other contraband.**
- **DHS has made significant infrastructure and process improvements aimed at enhancing our ability to deploy consequences for unlawful entries at the border.** These efforts include increasing border holding capacity by over a third since early 2021 through the construction of new facilities, modernizing processing systems, contracting support for transportation between sectors, and establishing processes to ensure that removals are accomplished fairly, efficiently, and quickly. As a result, we removed more people in the last year—more than 740,000—than any previous year since 2010.
- **In May 2023, DHS and DOJ implemented the Circumvention of Lawful Pathways rule to discourage irregular migration and incentivize the use of lawful pathways** by placing a commonsense condition on asylum ineligibility for certain noncitizens who fail to pursue the safe, orderly, and lawful processes for entry into the United States, or seek protection in another country through which they traveled.
- DHS has significantly expanded its capacity to conduct credible fear interviews needed to ultimately remove those processed for expedited removal without a legal basis to stay and provide protection to legitimate asylum seekers. Since May 12, 2023, DHS has conducted more than 152,000 credible fear interviews.
- USCIS issued revised guidance to Asylum Officers to consider whether an asylum seeker could reasonably relocate to another part of the country of feared persecution when assessing claims of future persecution in all credible fear cases. Internal relocation has always been a part of an analysis of future claims of harm, and this new guidance, consistent with the CLP rule, will ensure early identification and removal of individuals who would ultimately be found ineligible for protection because of their ability to remain safe by relocating elsewhere in the country from which they fled.
- DHS proposed a new rule that would allow statutory bars to asylum to be applied much earlier in the process, specifically those who have been convicted of a particularly serious crime, participated in the persecution of others, are inadmissible on national security or terrorism-related grounds, or for whom there are reasonable grounds to deem them a danger to the security of the United States.
 - DHS also updated its policy and procedures clarifying the circumstances in which classified information should be used immigration proceedings.

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Reduced crossings: these improvements have paid off, with illegal crossings reducing each month

Vock 24— [Vock, Daniel C. 2024. “Illegal Border Crossings Have Cooled, but the Rhetoric Is Heating Up.” Route Fifty. Route Fifty. August 2. <https://www.route-fifty.com/management/2024/08/illegal-border-crossings-have-cooled-rhetoric-heating/398545/>.] Joel.

[Dan Vock is a senior reporter at Route Fifty, where he focuses on transportation and infrastructure. He has covered state and local government for two decades, first as an Illinois statehouse reporter and later as a national reporter based in Washington, D.C. Dan has written stories about every state in the country, and has reported on the ground from half of them (so far). He won a Jesse H. Neal award for best profile and earned a fellowship from the Columbia Journalism School’s Ira A. Lipman Center for Journalism and Civil and Human Rights.]

Rhetoric over illegal crossings continues to heat up, even though **the number of people caught illegally crossing the U.S.-Mexico border has declined in recent months.**

The number of illegal crossings dropped for the fifth month in a row in July, with U.S. Border Patrol agents apprehending roughly 56,000 people last month. That’s the lowest number since September 2020. By comparison, agents caught some 250,000 people in December.

The lower numbers follow an executive order signed by President Joe Biden in June directing border agents to turn back migrants without giving them a chance to seek asylum whenever illegal border crossings exceed 2,500 people a day. Mexican officials in recent months have also stepped up efforts to block migrants coming to the U.S., and scorching heat could be deterring people from coming.

Even with the changing situation on the border, Massachusetts Gov. Maura Healy, a Democrat, announced new policies for the state’s migrant shelter system that took effect this week. Under the new rules, migrants are only allowed to stay at overflow shelter sites for five days.

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Border-Industrial Complex

Lage military contractors like Boeing, Raytheon and Lockheed Martin are paid billions in contracts from government agencies for border security – these contracts are awarded thanks to corruption, with the major companies also being major donors to the House Appropriation Committee, and with a revolving door that deeply entwines the Border-Industrial Complex with the US Government

Miller 19 –[Miller, Todd. “More than a Wall | Transnational Institute.” 2019. Transnational Institute. July 25. <https://www.tni.org/en/publication/more-than-a-wall-0>.] Joel.

[Todd Miller writes a weekly post for The Border Chronicle. He has researched and written about border issues for more than 15 years, the last eight as an independent journalist and writer. He resides in Tucson, Arizona, but also has spent many years living and working in Oaxaca, Mexico. His work has appeared in the New York Times, TomDispatch, The Nation, San Francisco Chronicle, In These Times, Guernica, and Al Jazeera English, among other places.]

The report begins by tracing the history of border control and militarization. It shows how **US budgets for border and immigration control massively increased from the mid-1980s, a trend that has been accelerating ever since. These budgets rose from \$350m in 1980 (then run by the Immigration and Naturalization Service (INS)) to \$1.2 billion in 1990; \$10.2 billion in 2005 and \$23.7 billion in 2018 (under two agencies, the Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE)). In other words, budgets have more than doubled in the last 13 years and increased by more than 6000% since 1980. This growth was matched by a similar growth in border patrol from 4,000 agents in 1994 to 21,000 today.** Under its parent CBP agency (which includes an Office of Air and Marine, investigative units, and the Office of Field Operations) there are 60,000 agents, the largest federal law- enforcement agency in the United States.

Importantly, it shows that **modern US border control involves much more than a wall. The physical barriers on which Trump focuses for campaign purposes are but one feature of an extensive technological border-control infrastructure that penetrates deep into the US interior and into the border regions of Mexico as well as countries in Central America and the Caribbean and beyond.** Since 1997, the US government has been steadily expanding the use of surveillance and monitoring technologies, including cameras, aircraft, motion sensors, drones, video surveillance and biometrics at the US–Mexico border. Border Patrol agent Felix Chavez, speaking at the Border Management Conference and Technology Expo in El Paso in 2012, acknowledged this border arsenal, saying that ‘in terms of technology, the capability we have acquired since 2004 is phenomenal’.

In line with the 1946 revisions to the Immigration and Nationality Act – and a 1957 decision by the Justice Department – **border-control measures extend 100 miles inland, thus expanding the market for the border industry to an area where more than 200 million people, two-thirds of the US population, reside.** This is reinforced by US Border Patrol strategies that emphasize a ‘multi-layered’ approach to patrolling the border. What is more, an active policy to externalize US border enforcement to prevent migrants getting anywhere near US borders – particularly since 9/11 – means there are both funding and active programs to train foreign border guards and transfer resources and infrastructure to other countries for border policing. Elaine Duke, Deputy Secretary of the Department of Homeland Security (DHS), has called these international programs ‘the away game of national security’.

This has created a seemingly limitless market for border-security corporations. For example, VisionGain argued in 2014 that the global border-security market was in an ‘unprecedented boom period’ due to three interlocking developments: ‘illegal immigration and terrorist infiltration’, more money for border policing in ‘developing countries’, and the ‘maturation’ of new technologies. **MarketAndMarkets projects that this will be a \$52.95 billion market by 2022.**

While this is a process taking place in many regions – see TNI’s Border Wars reports on border policies in the European Union (EU) – the US provides the single largest market for border-security corporations, which have reaped handsome rewards under Democrat and Republican administrations alike.

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The report unveils the scale of the revenues this border-security bonanza has provided, mainly to US corporations:

- ICE, CBP and Coast Guard together issued more than 344,000 contracts for border and immigration control services worth \$80.5 billion between 2006 and 2018. ICE issued more than 35,000 contracts (costing \$18.2 billion), CBP more than 64,000 (\$27 billion), and the Coast Guard more than 245,000 (\$35.3 billion). CBP contracts alone between 2006 and 2018 exceed the accumulated INS budgets from between 1975 and 1998 of approximately \$26.1 billion. They are also certainly less than the true figures, as reports by the US Office of the Inspector General (OIG) reports have consistently criticized these departments for their poor data transparency.
- Focusing in on CBP contracts – the largest government contractor in border and immigration control – **the report identifies 14 companies that are giants in the border security business.** These are Accenture, **Boeing**, Elbit, Flir Systems, G4S, General Atomics, **General Dynamics**, IBM, L3 Technologies, **Lockheed Martin**, **Northrop Grumman**, PAE, **Raytheon**, UNISYS, among several other top firms we list in the report that are receiving contracts. **They include technology and security firms, but are clearly dominated by the same global arms firms that reap rewards from high levels of US military spending.** In addition, it also profiles, private prison companies CoreCivic and Geo Group who along with G4S are major players in providing immigration detention services.
- The volume and value of CBP contracts has grown to the point that in 2009, Lockheed Martin landed a contract potentially worth more than \$945 million for maintenance and upkeep of 16 P-3 surveillance planes equipped with airborne and surface-to-radar systems. This one contract was equal to the total entire border and immigration enforcement budgets from 1975 to 1978 (around \$923 million). Similarly, the contract to the San Diego-based General Atomics, worth \$276 million in 2016 for the operational maintenance of the Predator B drone systems, almost exceeds any of the INS annual budgets in the 1970s.
- **The money paid out to corporations dwarfs that given to humanitarian groups supporting refugees. For example, in 2016 the Office for Refugee Resettlement designated \$14.9 million to nine non-profit agencies to help people resettle,** a tiny fraction of the total contracts given to corporations to stop, monitor, arrest, incarcerate and deport people.
- Ethical scandals involving some of the big ten border-security corporations have done little to slow down the revenue stream. UNISYS was found guilty in 2005 of over-billing taxpayers for almost 171,000 employee hours; Flir Systems was found guilty of bribery in 2015; G4S has faced charges for mistreatment and even the death of detainees in the US and UK.

Tracking US government contracts for border-security operations overseas is harder to calculate as they are disbursed by multiple agencies through more than 100 programs. The report shows, however, **that Raytheon is one of the most significant players – receiving over \$1 billion between 2004 and 2019 from the Defense Threat Reduction Agency** – which has included significant border-building operations in Jordan and the Philippines. According to Raytheon’s own sources, it has deployed border ‘solutions’ in more than 24 countries across Europe, the Middle East, Southeast Asia and the Americas, covering more than 10,000 kilometers of land and maritime borders. This included deploying more than 500 mobile surveillance systems, training more than 9,000 members of security forces, and building 15 ‘sustainment centers’.

Corporations have not been the only ones to benefit. Universities and research institutes have also cashed in through nine Centers of Excellence (COEs) on Borders, Trade, & Immigration that in 2017 received \$10 million directly, with another \$90 million dedicated to research and development (R&D). The University of Houston, University of Arizona, the University of Texas El Paso, University of Virginia, West Virginia University, University of North Carolina, University of Minnesota, Texas A&M, Rutgers University, American University,

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the Middlebury Institute of International Studies, and the Migration Policy Institute all receive DHS funding. According to the DHS, these COEs have developed more than 100 targeted tools, technologies, and knowledge products for use ‘across the homeland security enterprise’. The COEs have received \$330 million of additional investment from ‘external sources’, presumably the private sector, for homeland security research, development, and education. Other research corporations working with the COEs include MITRE, SAS and Voir Dire International, LLC.

The report shows that **corporations’ success in winning ever bigger contracts is not an unexpected bonanza, but has been engineered by the same corporations’ growing involvement in US politics. The main beneficiaries of border contracts are also the same companies making the most campaign contributions, doing the most lobbying, meeting most often with government officials, and entering government as advisors and staff in strategic positions of influence. In this way, they have shaped the border-militarization policies from which they have profited.**

With data from the opensecrets.org database – run by the Center for Responsive Politics – the report reveals that:

- **The border-security corporate giants are also the biggest campaign contributors to members of the House Appropriations Committee, the congressional body that regulates expenditures of the federal government,** or earmarks the money for potential contracts. Between 2006 and 2018, Lockheed Martin, General Dynamics, Northrop Grumman, Raytheon, Boeing contributed a total of \$27.6 million to members of the committee. During the 115th Congress (2017–2018), Northrop Grumman and Lockheed Martin were the top two contributors with \$866,194 and \$691,401 respectively offered to members of the Appropriations Committee, along with Raytheon, Boeing, Deloitte, and General Dynamics, all making donations of over \$500,000. While these were all companies winning military contracts and were also lobbying on military issues, they also received substantial contracts from CBP.
- **The top seven contributors to the House Appropriations Committee members (2017–2018) are all CBP contractors: Northrop Grumman, Lockheed Martin, Honeywell International, General Dynamics, Deloitte LLP, Boeing, and Raytheon.**
- The border-security corporations also make the biggest campaign contributions to members of the strategic House Homeland Security Committee, which handles legislation on border and immigration control. Between 2006 and 2018, Lockheed Martin, General Dynamics, Northrop Grumman, Raytheon, Boeing contributed a total of \$6.5 million to members of the committee. In the 115th Congress (2017–2018), Northrop Grumman donated \$293,324, General Dynamics \$150,000 and Lockheed Martin \$224,614.
- **Unsurprisingly, the positions of politicians on these committees frequently align with the interests of their corporate donors, regardless of party affiliation.** Texas Democrat Henry Cuellar, for example, was one of many Democrats in 2018 who argued in the media for technological solutions to border security. He failed to mention, however, that his largest campaign contributors came from GEO Group and CoreCivic (\$55,690), Northrop Grumman (\$13,000), Boeing Corporation (\$10,000), Caterpillar Inc (\$10,000) and Lockheed Martin (\$10,000) – all of which would benefit from government investment in border security.
- Lobbying on homeland security – of which border militarization is a significant part – has increased significantly in the last 17 years, involving many of the border-security corporations. In total, from 2002 to 2019 there were nearly 20,000 reported lobbying visits related to homeland security. In 2003 Northrop Grumman was the top lobbyist, reporting five lobbying visits where it was one of 385 clients with 637 reported visits. “Clients” refer to either the companies (such as Northrop Grumman) or separate firm that supplies a representative to one of those companies. “Visits” refer to the number of times that a client visit a congress member, a policy maker of some sort, to advocate or push for some sort of legislation or policy

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or the allocation of money in the annual budgets. In 2006, this more than doubled: 724 clients with 1,428 reported visits, led by Lockheed Martin, Accenture, Boeing, Raytheon, and Unisys. And in 2018, there were 677 clients with 2,841 visits listed: including top CBP and ICE contractors Geo Group, L3 Technologies, Accenture, Leidos, Boeing, CoreCivic, and also companies such as Facebook, Microsoft, and Visa.

- The extent of the lobbying can be seen in the efforts of the top CBP contractors for the 2018 Department of Homeland Security Appropriations Act (H.R. 3355). By the time, it was signed by the president on 23 March 2018, it would be the largest border and immigration budget in US history at more than \$23 billion (the sum total for CBP and ICE). In support of the bill, representatives of General Dynamics lobbied 44 times, Northrop Grumman 19, Lockheed Martin 41 and Raytheon 28, in addition to a number of other lobbyists representing these firms and other border-security giants including L3 Technologies, IBM and Palantir. The lobbying groups massively outstripped the few advocacy and civil society organizations (CSOs) such as the Lutheran Refugee Service. The result in 2018 was the approval of the Omnibus Appropriations bill, which increased border-control budgets everywhere: the DHS budget was up by 13% at \$55.6 billion, \$16.357 billion for CBP (a 15% increase), and \$7.452 billion for ICE. The latter included funding for 40,520 detention beds per day, up by 1,196 from FY 2017. In 2017, CoreCivic Inc. reported \$840,000 in total lobbying, through four different firms, mainly for federal budget and appropriations. Geo Group reported close to \$2 million in lobbying in 2017 through six different lobbying organizations.
- This gives only a partial picture as a great deal of lobbying also takes place behind closed doors, especially on issues that are controversial, such as immigration. It also includes other forms than the registered lobbying visits. For example, between 2000 and 2005, General Atomics spent around \$660,000 on 86 trips for legislators, aides, and their spouses to build support for its business.

Along with constant lobbying and campaign contributions, the border-security giants also build powerful and fruitful relationships through their constant interactions with government officials. One of the key arenas for this are the now annual Border Security Expos that since 2005 have brought together industry executives and top officials from the DHS, CBP, and ICE. The event currently includes a pre- Expo golf day where Homeland Security and industry executives can meet casually and discuss future prospects and possible contracts. As well as providing a place for border-security corporations to hawk their wares, and promote their latest technological ‘solutions’, their seminars also encourage a common perspective, language and policy approach. This is backed up by the personal networking at lunches, coffee breaks and dinners that will cement cooperation for years to come. Panels at the 2020 Expo in San Antonio include titles such as ‘Identify and address new and emerging border challenges and opportunities through technology, partnership, and innovation’, ‘Mass Migration and Unaccompanied Children: Financial and National Security Impacts’ and ‘Border: Wall – Ports – System(s) – Technology – Infrastructure – Integration – Modernization’. The US Expos are paralleled in similar events across the globe, such as the Expo de Seguridad in Mexico City, Milipol in Paris and ISDEF in Tel Aviv.

As if relations between industry and government were not close enough, **there is also a revolving door between corporations and government. Ex-government officials are often head-hunted by various corporations, or enter the lobbying industry – as not only lobbyists, but also as consultants and strategists.**

- Between 2006 and July 2019, **177 people have gone through the DHS revolving door and 34 have worked both for the House Homeland Security Committee and for a lobbying firm.**
- Between 2003 and 2017, at least four CBP commissioners and three DHS Secretaries went onto homeland security corporations or consulting companies after leaving government.
- Robert Bonner, for example, after his time as the first CBP commissioner (2003–2005), went on to join the Sentinel HS group, a Washington-based homeland security consulting firm. In 2010, CBP issued Sentinel HS a \$481,000 contract to do ‘strategic consulting’ over five years. This included facilitating

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‘discussions among senior Border Patrol leaders’ at forums and conferences near CBP headquarters in Washington.

The government–industry relation has become so tight and so blurred that some government officials no longer see any distinction. At a SBInet Industry Day in 2005, Michael Jackson, the Deputy Secretary of the DHS, who had previously been Lockheed Martin’s Chief Operating Officer, addressed a conference room full of would-be contract recipients: ‘this is an unusual invitation. I want to make sure you have it clearly, that we’re asking you to come back and tell us how to do our business. We’re asking you. We’re inviting you to tell us how to run our organization’.

It is no exaggeration to say that the US has a border–industrial complex as powerful as the military–industrial complex which President Eisenhower famously warned against in 1961. Indeed, many of the corporations are the same players, shaping not only military policy and procurement, but also increasingly border and migration policy. So, it is hardly surprising that a militarized and repressive approach to border and immigration control dominates US politics.

In this context, Trump’s election, with his deliberately polarizing rhetoric on immigration and his support for militarized borders, provides a definite boost to the industry – albeit offering no significantly new direction. Certainly, industry has openly welcomed the increase in budgets. CBP budgets have gone from \$14,439,714 in 2017 to \$16,690,317 in 2019, an increase of more than \$2 billion to spend on more contractors, both new and existing. ICE has also seen a nearly \$2 billion increase over the same period. As the report details, however, this growth largely follows a long trajectory of border militarization that has seen a constant ratcheting up of budgets and borders over many decades.

While the focus of this report is on the corporate profit made from the massive expansion of the border industrial complex, **the consequences are felt in human lives, most of all the widespread, and intentional crisis of death and disappearance in the borderlands.** In their introduction to the *Disappeared* report series, the border humanitarian organization, No More Deaths, which has co-sponsored this report writes, **“Over the past 20 years, the US has armored border cities with walls, cameras, sensors, personnel, and military-style infrastructure...As a result, border crossers now enter the US through remote rural areas,** fanning out across the backcountry region north of the border and carving a complex web of trail systems through mountain passes, rolling hills, desolate plains, and dense brushlands.”

The creation of an ever more deadly journey means that **“thousands of people have perished in the borderlands due to dehydration, heat-related illness, exposure, and other preventable environmental causes. Extreme heat and bitter cold, scarce and polluted water sources, treacherous topography, and near-total isolation from possible rescue are used as weapons of border enforcement.”**

So for concerned citizens, who have been rightly horrified by the policies pursued by the Trump administration towards migrants, it means that it is not enough to replace Donald Trump in order to establish more humane US policies on migration. The militarization of US borderlands has a long history which has been entrenched by the corporations that thrive from it. **The revenues and profits of extremely powerful business interests depend on an ever-expanding market for border control and militarization.** These border-security giants exercise strong influence on Republican and Democrat politicians in strategic positions in the executive and legislature as well as in key media positions. Any strategy to change the direction of US policy on migration will require confronting this border–industrial complex and removing its influence over politics and policy. For while those corporations who profit from the suffering of migrants remain embedded in positions of power within government and society, it will be a huge challenge to forge a new approach that puts the lives and dignity of migrants first.

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Dehydration and Death

Climate Change: With the ongoing climate crisis, environment conditions are getting harsher, leading to higher risks associated with crossing the border— yet, the number of attempts continues to increase.

Baptista & Sherfinski 22— ["Parched migrants gamble with lives as U.S.-Mexico border heats up," November 2, 2022. Accessed August 1. <https://www.context.news/climate-risks/parched-migrants-gamble-with-lives-as-us-mexico-border-heats-up>] Sophia.

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Undocumented immigrants already struggle to carry enough water on scorching desert routes. Now rising temperatures are making them more deadly yet

- Migrant crossing and fatalities spike on U.S. border
- Many struggle to carry enough water for desert trek
- Extreme heat threatens increase in deaths, say researchers

MEXICO CITY/WASHINGTON - Weighed down with four liters of water, Mexican Alfredo Cázares embarked on a risky, illegal journey across the U.S. border and into the sweltering Arizona desert beyond.

The construction worker was able to withstand the thirst during the two-day trip, but most of the others in his 15-person group became too dehydrated to keep walking.

"Those who couldn't continue were left behind in the middle of the road where they had to wait to be found by the border patrol," Cázares, 31, who was caught and deported, told Context by phone from the central Mexican city of Puebla.

As migrant crossings over the southern U.S. border increase, some academics and humanitarian groups are warning that rising temperatures could lead to more deaths on the perilous route.

The U.S. border patrol reported a record 2.2 million encounters with migrants along the border with Mexico in the fiscal year 2022, which ended in September. It was the first time the numbers exceeded two million per year.

Migrant deaths along the border also spiked to a high of 727 last year, according to data compiled by the International Organization for Migration (IOM), while more than 450 deaths were recorded in the first 10 months of 2022.

Exposure to harsh environmental conditions is the second most common cause of death on the border, the IOM found, second only to drowning.

Separate records held by Mexico on the deaths of 4,707 migrants on the border between 2009 to June 2022 found that dehydration was the most common cause of death.

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Not enough water

The migration wave on the U.S. border has been mainly driven by people fleeing economic and political turmoil in Venezuela, Cuba, and Nicaragua, and fuelled by a reduction in legal U.S. asylum options in recent years and promises of a "more humane" border policy under President Joe Biden.

Many attempt to cross from the Mexican border city of Nogales to Three Points in Arizona, a perilous journey across the arid Sonoran desert where temperatures often reach 118 degrees Fahrenheit (48 degrees Celsius).

On average, it takes them 48 hours, or longer if they get lost or take longer routes in an attempt to dodge border patrols.

But **most migrants do not have the strength to carry enough water to stay safe**, say researchers and humanitarian groups.

"You can't carry enough supplies ... even at nighttime, it's still around 100 degrees," said James Cordero, of humanitarian organization Border Kindness.

The last 21 years have been the warmest on record for Arizona, where temperatures have increased about 2.5F since the beginning of the 20th century, according to the 2022 State Climate Summary.

It added that "recent upward trends in average temperatures and extreme heat" are likely to continue.

"The desert just never has the time to cool off so people don't have time to cool their core body temperatures, and I believe that's having a greater impact all along the border," Cordero said of the recent spike in migrant deaths.

Border Kindness is one of several citizen-led initiatives that leave water and food in the desert for migrants.

Impossible burden

A first-of-its-kind study found **rising average surface temperatures on paths taken by migrants in the Arizona desert will lead to faster dehydration, and are likely to increase the number of fatalities.**

Researchers estimated how much water migrants need for a two-day crossing between Nogales and Three Points in temperatures of 91-104F (33-40C) - and how much if temperatures rose between 1.8-7F by 2050.

Migrants will be forced to carry about a third more drinking water to stay hydrated by 2050, found the research, published in the peer-reviewed Science journal in December.

"It's not trivial ... It's impossible to carry the amount of water you need," said Ryan Long, an associate professor of wildlife science at the University of Idaho who was one of the study authors.

"What that means is that more people are going to die."

Weaponized climate

Experts warned U.S. strategies to discourage undocumented migration are increasing the heat risks to migrants by pushing them away from direct roads and water stations.

Since 1994, the U.S. border control's Prevention Through Deterrence program has attempted to dissuade undocumented migrants from crossing by redirecting them into remote areas.

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"(Prevention Through Deterrence) is in a way weaponizing a combination of climate and topography, the remoteness of the desert, to keep people from crossing the border," said Long.

Rising heat under climate change should prompt a rollback of the program and a shift to prioritizing saving lives on the border, Human Rights Watch and other rights organizations said in an open letter to Biden last year.

The U.S. Customs and Border Protection force said the blame for deaths lay with people smugglers.

"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 spokesperson said.

Cázares said despite paying a smuggler to help him cross the border, his group was lost in the desert most of the time as they tried to avoid getting caught.

In two days, he only made it halfway to Three Points before he was discovered by a border patrol drone.

Despite the dangers, Cázares is saving to pay a smuggler for another attempt.

"I know something bad can happen on my way there, but I am determined to try again," said Cázares.

Surveillance Increases Risk: Surveillance technology at the border forces migrants into more dangerous and remote desert routes, increasing their risk of dehydration and death

Hellerstein 21 – [Hellerstein, Erica. "On the US-Mexico Border, a Corridor of Surveillance Becomes Lethal." Coda Story. July 14, 2021. <https://www.codastory.com/authoritarian-tech/us-border-surveillance/>.] Elene.

[Erica Hellerstein is an award-winning journalist and a reporter for The Mercury News and The California Divide project covering poverty and inequality in the Bay Area. She has covered human rights issues throughout the United States as well as in Colombia, Honduras, Argentina, Mexico, and Chile.]

Humanitarian and migrant rights groups have argued that the border's high-tech surveillance infrastructure funnels people into ever-deadlier corridors. The suite of technologies has also come under fire from critics, who say that the electronic perimeter raises significant privacy and civil liberty concerns. While there is little research on the intersection between border surveillance and migrant deaths, a 2019 peer-reviewed study by researchers from the University of Arizona and Earlham College found that **the surveillance matrix along southern Arizona's border — including towers and ground sensors — forced migrants to use more dangerous routes in the desert, exposing them to greater risk of dehydration and heat exposure.**

Geoffrey Alan Boyce, academic director of the Earlham College Border Studies Program in Tucson, Arizona, and a co-author of the report, disagrees with the idea of a humane "smart" border.

"Biden and the Democrats have really pushed the idea that this is a kind of more humane alternative to the border wall and family separation. I'm sure, from a marketing standpoint, they believe that this is like a convincing kind of framing. But the reality on the ground is that all of these technologies become integral, not only to the intensification of suffering and deaths for undocumented border crossers, but also this expansion of surveillance throughout the interior of the country."

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The U.S. government's use of surveillance technology in the border zone has military roots. As Boyce, whose research focuses on the evolution of U.S. border enforcement strategy, explained, the system's origins can be traced back to technological tools, including acoustic and heat sensors, used during the Vietnam War to track the Viet Cong.

After the war ended in 1975, the government installed 177 of the Pentagon's Vietnam-era ground sensors along the U.S.-Mexico border, laying the foundation for "the germinal elements of what's become a virtual fence," he said. By 2012, the number of ground sensors had expanded to 12,000 across the southern border. Today, there are some 20,000 ground sensors across the southwest border, according to U.S. Customs and Border Protection (CBP).

The investment in smart border technology continued under presidents Ronald Reagan and George H.W. Bush, and accelerated under Bill Clinton. In the early stages of Clinton's presidency, the government launched an automated biometric identification system that collected migrants' fingerprints, photographs, biographical data, and arrest records. Beginning in 1997, two surveillance programs were rolled out that placed cameras and ground sensors in urban border crossings in San Diego, Arizona, and Texas.

The U.S. has since expanded its efforts to monitor the border. From 2006 to 2011, the government appropriated roughly \$1.5 billion to establish a surveillance system made up of towers and ground sensors. The Department of Homeland Security nixed the program in 2011, pointing to its cost and problems with the technology, including ground sensors unable to distinguish between the footsteps of animals and humans. But just a few years later in 2014, the Obama administration awarded the Israeli defense contractor Elbit Systems — which built smart wall systems in Gaza and the West Bank in 2002 — a \$145 million contract with CBP to build a network of 50 surveillance towers across southern Arizona.

The U.S. government has directed hundreds of millions of dollars into this project in the past few years alone. From 2017 to 2020, Congress appropriated more than \$743 million to CBP to fund border security technology, according to a February 2021 report from the Department of Homeland Security's Office of Inspector General.

The technological approach has earned the support of leading Democrats, including U.S. president Joe Biden, House speaker Nancy Pelosi and Congressman James Clyburn. In addition to Biden's budget proposal, the president's proposed immigration bill, introduced by Congressional Democrats in February, calls for the Department of Homeland Security to deploy border surveillance infrastructure and technology, including "improvements to computer infrastructure and data management systems, secure communications technologies, non-intrusive inspection equipment, and radar and aerial surveillance equipment."

The government's investments in smart border innovation have created a cash cow for private companies and contractors. In July 2020, the Trump administration awarded the defense technology startup Anduril Industries a five-year contract, reportedly worth "several hundred million dollars," to deploy hundreds of surveillance towers outfitted with cameras and artificial intelligence technologies across the southwest border. The AI-driven system would be capable of differentiating between humans and animals, and then relay location data to the cell phones of border patrol agents.

César Ortigoza ambled down a sandy hill in Tijuana, Mexico, occasionally steadying himself in the dark against the border wall. A few feet to his right, a portion of the barrier separating the U.S. and Mexico jutted into the ocean, illuminated by a row of lights. The Pacific crashed against its edges.

Ortigoza wore an electric orange windbreaker emblazoned with the name of a humanitarian group he co-founded in 2018, "Armadillos Ni Un Migrante Menos." The volunteer group runs search and rescue missions into the California, Arizona, and Mexico deserts, looking for migrants who have vanished while attempting to enter the U.S.

In his decade of experience trawling through the desert — before Armadillos, he was part of a different California-based search and rescue group — Ortigoza has encountered corpses and armed criminal groups. Once, deep in the Sonoran desert of Mexico, about 70 miles from the border, a group of hooded men carrying AK-47s sprung from a vehicle and forced him to the ground, pressing a gun against his head. Ortigoza assured them he was doing humanitarian work, and eventually they let him go — but not before telling him, "If we come back and you are still here, we're going to kill you."

"It's really dangerous to do the work out there," he said.

According to a 2018 Border Patrol presentation, **surveillance technology in the San Diego region includes mobile cameras mounted on trucks that feed information back to border patrol agents, two surveillance towers and 41 remote cameras attached to poles, towers and buildings.**

In addition to the threats that criminal groups pose to migrants, Ortigoza's treks have shown him the routes people take to avoid both immigration authorities and a virtual system including cameras and motion detectors. He recalled a recent conversation with a man who tried to cross the border in southern Arizona,

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but, upon spotting surveillance towers, moved to a more remote part of the desert, deeper into the wilderness.

“This technology is killing them,” he told me. “It’s pushing them to find their own death, forcing them to go through these remote places, with no way back.”

The technology used to monitor migrants extends beyond the desert. Earlier in the evening, Cesar picked me up in San Diego and drove me across the border into Tijuana. We parked near the El Chaparral plaza, a public square close to the border crossing between the U.S. and Mexico. The plaza was filled with hundreds of asylum seekers, many from Central America and other parts of Mexico, camped out in tents — parents cooking food over portable stoves, kids on scooters — as they waited to request asylum in the U.S.

Hundreds of Deaths: The Government Accountability Office found evidence of underreporting of migrant deaths by the CBP with third party research revealing hundreds of deaths since 2012

Resendiz 24— [“Groups: CBP undercounting migrant deaths on the border,” April 8, 2024. Accessed August 1. <https://www.borderreport.com/immigration/groups-cbp-undercounting-migrant-deaths-on-the-border/>] Sophia.

[Julian Resendiz is a veteran Texas journalist currently working as news producer for KTSM-TV and El Paso correspondent for The Border Report. He was raised in Southern New Mexico and is a graduate of Florida International University and the University of Texas at El Paso.

As an editor, Resendiz has been in charge of local news in newspapers in Dallas, El Paso and Brownsville, Texas, leading coverage of Latino and immigrant communities and issues. As a reporter he has produced award-winning international reports for Al Dia/The Dallas Morning News on the killing of civilians by the military in Colombia, immigrant deaths along the U.S.-Mexico border and the struggles of Indian communities in Southern Mexico.]

EL PASO, Texas (Border Report) – A regional humanitarian nonprofit says **the federal government is undercounting migrant deaths and continues to engage in practices such as chases of suspected smugglers that result in third-party fatalities.**

Research published in March by the Arizona-based No More Deaths shows two to four times as many migrants died in West Texas and Southern New Mexico in 2012, 2013, 2014, 2016, 2018 and 2020 than reported by the government. The deaths resulted from dehydration or hypothermia (depending on the season), falls from mountains or the border wall, drownings, being struck by motor vehicles and being injured during law-enforcement chases.

The group attributes the undercount – which it documents case-by-case in a public database with more than 400 deaths – to insufficient follow-up with hospitals, local police and medical examiners after border agents or officers come upon injured parties or skeletal remains.

“I’ve seen in the data they only take 4% of deaths that occur in a hospital,” said Bryce Peterson, an independent researcher for No More Deaths. **“I’ve seen reports of a death that was not reported by the (U.S. Customs and Border Protection’s) Office of Professional Responsibility even though Border Patrol was aware of it.”**

Research from No More Deaths has 438 migrants dying in the El Paso Sector from 2012-2023, compared to 312 reported by the federal government.

The group says its data comes from CBP, medical examiner’s offices in El Paso and Hudspeth Counties and the New Mexico Office of the Medical Examiner Investigator. The group says it wants to show the disparity to bring about more transparency and accountability from government agencies.

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In a statement to Border Report, CBP said it follows Congressional reporting requirements. And while the disparity is substantial between 2016 and 2022, CBP documented more migrant deaths in 2023 than No More Deaths did (149 vs. 139).

“While CBP works had to track this information as fully and accurately as possible, these data are not all-encompassing. These numbers may differ from other organizations that track similar data,” CBP told Border Report.

The agency tracks two sets of migrant deaths: in-custody and on-the-field encounters. The latter since 2017 has been documented in collaboration with local governments through the Missing Migrant Program. It operates in 45 counties along the Southwest border and tracks fatalities of individuals suspected of dying during or after entering the country illegally, and whether the Border Patrol intervened.

The agency admits it is a work in progress.

“The U.S. Border Patrol’s Missing Migrant Program continues to expand partnerships with key stakeholders to improve tracking of reportable incidents,” CBP said.

In a 2022 report, the Government Accountability Office said federal migrant death data is incomplete. **“In April (2022), GAO found that Border Patrol has not collected and recorded, or reported to Congress, complete data on migrant deaths. In particular, all migrant deaths in instances where an external entity first discovers the remains of a deceased migrant,”** the report states.

Fernando Garcia, executive director of the Border Network for Human Rights, said the undercount is no surprise.

“It highlights what we have known for several years and it’s the fact that, yes, there is an undercount of migrants dying on the border. Every time the official numbers reflect something that isn’t necessarily the reality,” Garcia said.

He said Americans have a right to know how dangerous the border is and neither the federal government nor politicians should downplay it.

Border Network for Human Rights for years has been blaming many of the deaths on hardline immigration enforcement policies that force migrants to cross the border through deserts, mountains, bodies of water or make a run for it through busy highways just north of the wall or the Rio Grande.

“Hundreds if not thousands of people are dying because of formal U.S. border policy. This is death by policy,” he said.

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Drones

Ineffective – Apprehensions: drones lead to less than 1% of border apprehensions at a cost of \$32,000 per arrest – they do this while violating the right to privacy of Americans living along the border

Bier & Feeney 18 –[“Drones on the Border: Efficacy and Privacy Implications.” 2018. Cato Institute. May. <https://www.cato.org/immigration-research-policy-brief/drones-border-efficacy-privacy-implications#effectiveness-of-drones>.]

[David J. Bier is the director of immigration studies at the Cato Institute. He is an expert on legal immigration, border security, and interior enforcement.

Matthew Feeney was the director of Cato’s Project on Emerging Technologies, where he worked on issues concerning the intersection of new technologies and civil liberties. Before coming to Cato, Feeney worked at *Reason* magazine as assistant editor of Reason.com.]

In response to President Donald Trump’s call for a border wall, some members of Congress have instead offered a “virtual wall”—ocean-to-ocean border surveillance with technology, especially unmanned aircraft known as drones. U.S. Customs and Border Protection (CBP) already operates a fleet of nine unmanned aircraft. **Although drones have been widely used in foreign battlefields, they have failed to help CBP apprehend illegal border crossers and seize drugs. Drones have led to only 0.5 percent of apprehensions at a cost of \$32,000 per arrest.**

At the same time, drones undermine Americans’ privacy. Their surveillance records the daily lives of Americans living along the border, and because CBP regularly uses its drones to support the operations of other federal agencies as well as state and local police, its drones allow for government surveillance nationwide with minimal oversight and without warrants. CBP should wind down its drone program and, in the meantime, establish more robust privacy protections.

Ineffective – Drugs: only 3% of border marijuana seizures are facilitated by drones, and even this 3% may not be uniquely attributable to drones

Bier & Feeney 18 –[“Drones on the Border: Efficacy and Privacy Implications.” 2018. Cato Institute. May. <https://www.cato.org/immigration-research-policy-brief/drones-border-efficacy-privacy-implications#effectiveness-of-drones>.]

[David J. Bier is the director of immigration studies at the Cato Institute. He is an expert on legal immigration, border security, and interior enforcement.

Matthew Feeney was the director of Cato’s Project on Emerging Technologies, where he worked on issues concerning the intersection of new technologies and civil liberties. Before coming to Cato, Feeney worked at *Reason* magazine as assistant editor of Reason.com.]

When CBP drones do fly, they contribute little to border security. From 2013 to 2016, the U.S. Border Patrol attributed fewer than 8,000 of its 1.7 million apprehensions to drones (Table 2). During the same years, only 3 percent of all U.S. Border Patrol marijuana seizures—which account for 99.3 percent of Border Patrol’s drug seizures by weight—occurred in part because of drones (Table 3). The agency has not provided any estimate of how many of these seizures or apprehensions would have occurred anyway had drones not identified them.

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Cost: Predator B drones cost \$17 million each and over \$12,000/hour to operate

Bier & Feeney 18 –[“Drones on the Border: Efficacy and Privacy Implications.” 2018. Cato Institute. May. <https://www.cato.org/immigration-research-policy-brief/drones-border-efficacy-privacy-implications#effectiveness-of-drones>.]

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Each Predator B drone costs \$17 million to purchase and \$12,255 per flight hour to operate. Thus, CBP’s drone program cost a grand total of \$255 million from 2013 to 2016 (Table 4). These figures likely understate the cost of the systems’ depreciation because they assume a 20-year lifespan, but 18 percent of CBP drones crashed in their first 10 years. For comparison, manned aircraft with surveillance capabilities similar to the Predator B cost only about \$1,500 to \$2,000 per flight hour. Each drone apprehension costs the federal government \$32,000 (Table 5). This cost of drone apprehension compares with the average cost of apprehension of less than \$9,000.

Privacy: Drones collect enormous amounts of information on US residents & citizens near border regions, and can surveil populations without oversight or suspicion of a crime – CBP also wants to combine drone data with other governmental databases, thus furthering the reach of the surveillance state

Bier & Feeney 18 –[“Drones on the Border: Efficacy and Privacy Implications.” 2018. Cato Institute. May. <https://www.cato.org/immigration-research-policy-brief/drones-border-efficacy-privacy-implications#effectiveness-of-drones>.]

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No law requires CBP to obtain a warrant before using drones for surveillance, and the U.S. Supreme Court has upheld warrantless aerial surveillance in three cases. The CBP may establish its standards for surveillance and conduct operations without a court order or even suspicion that those under surveillance have committed a crime, thereby allowing the CBP to freely use its surveillance authority to collect information on the lives of law-abiding U.S. residents inside the United States. The quality of the drone footage and the long distances from the physical border where drones often operate considerably amplify this concern. Congress should establish clear and strict rules for CBP drone operations.

Drones allow for real-time, high-quality video feeds of the ground. Predator B drones are supposed to avoid urban areas, and CBP states that it does not deploy them to monitor protests and other activities protected by the First Amendment. Nonetheless, **they collect enormous amounts of information on U.S. residents, including citizens, in border regions.** CBP’s Federal Aviation Administration (FAA) drone authorization allows CBP drones to operate along and within 25 to 60 miles of the southern border and along and within 100 miles of the northern border. **Residents are well aware of drone surveillance and may change their behavior in response.**

Each Predator B carries a ball camera that can stream live video in electrical optimal (Images 1 and 2) or infrared (Image 3). Some CBP drones also use Synthetic Aperture Radar, which allows for digital comparison of two areas of the border at different times to detect patterns in crossings. Two CBP drones in Arizona can carry VADER (Vehicle and Dismount Exploitation Radar), a brand of airborne tactical radar. VADER allows the drone to identify moving objects such as persons or vehicles and track them on the ground in real-time.

The FAA requires Predator drones to fly between 19,000 to 28,000 feet. According to DHS, images from a Predator drone’s current camera cannot identify an individual’s exact height, weight, eye color, hairstyle, or facial

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image from such a high altitude, but they can identify backpacks, vehicle types, and firearms (Image 2). These limitations would not apply to the smaller drones that CBP is currently testing. Small drones fly closer to the ground and can identify people's ethnicity, height, weight, and hairstyle. Image 4 is a frame from a video from one of CBP's small drones. **Small drones can identify faces, and operators are able to read license plates, signs, banners, and other writing from the air.**

Worryingly, CBP wants to combine its small drones with facial recognition software that could compare drone-captured images to a vast array of images in law enforcement databases. The FBI's Facial Analysis, Comparison, and Evaluation (FACE) Services unit allows the agency to access driver's license photos from 16 states and 411 million images from other sources, including the State and Defense departments. The FBI's Next Generation Identification and the Interstate Photo System (NGI-IPS) include more than 30 million photos. Around half of all American adults are in a law enforcement facial recognition network.

Facial recognition programs are prone to errors. 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. **Research on a number of facial recognition systems has found that their error rates are not evenly distributed among races and genders.** 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.

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Human Rights

Privacy violations: New towers are disproportionately being built around Mexican cities rather than remote routes, affecting the daily lives of these communities rather than addressing the root problem or contributing to a safer border

Ryan-Mosley 23— [“The US is pouring money into surveillance tech at the southern border” April 17, 2023. Accessed August 1. <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>] Sophia.

[Tate Ryan-Mosley is a senior tech policy reporter at MIT Technology Review. Previous to this, she was a research working on special newsrooms projects. Prior to journalism, she was a consultant on emerging tech strategy for large companies and a fellow at the Kellogg Institute for International Studies, specializing in conflict and post-war development.]

What is the surveillance tower program? EFF compiled a map of the towers by physically visiting the border, scouring free satellite imagery from services like Google Satellite and a VR app called Wander, and submitting public records requests. The document it produced is the first public map of the towers. A database provides more information, like the vendor that makes each tower and the technical capacities onboard. Above: A picture of the Electronic Frontier Foundation's map of the current surveillance towers on the southern border.

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.

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.

According to the 2023 CBP budget, the agency plans to consolidate all the towers into one interoperable program and ultimately erect a total of 723 towers between the northern and southern border.

But for all the technology, according to Maass, the goal of the program isn't entirely clear: “I have never heard a very well-articulated explanation of what the goal is. Is it the goal to deter people from crossing the border? Is it to document people crossing the border? Is it to intercept people crossing the border? Like ... what is it?”

So why is the program being expanded so drastically? We're not totally sure, and the agency declined to comment on the record. **According to Maass, justifications are rooted in the crisis mentality of agencies responding to migration at the border.** “All you hear is Crisis at the border, crisis at the border,” he says, but usually the real crises are happening at points of entry or along common migration routes. “You don't need a surveillance tower to know that there's a bunch of asylum seekers camped out under a bridge in El Paso,” he says.

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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.”**

Donatti also points out that migrants overwhelmingly enter the US legally and without trying to evade authorities, so surveillance tech isn't needed in most cases. As legal options are squeezed, would-be migrants resort to more dangerous ones, but Donatti says **more surveillance doesn't address the root problem.**

“We know what the consequences of this massive investment in technology have been. But we don't have any indication as to its efficacy,” Donatti says.

Maass says the expanding surveillance dragnet brings new questions about how the United States is handling migration. One question he has heard several times: “If there is so much surveillance, why are people dying?”

Privacy & Personal Freedoms: Surveillance cameras at the U.S.-Mexico border infringe on human rights while working as a testing ground to import military surveillance technology into the rest of the country

Electronic Frontier Foundation. n.d – [Electronic Frontier Foundation .“Border Surveillance Technology.” Electronic Frontier Foundation. Accessed August 1, 2024. <https://www.eff.org/issues/border-surveillance-technology>.] Elene.

[The Electronic Frontier Foundation is the leading nonprofit organization defending civil liberties in the digital world.]

Government officials refer to surveillance technology at the U.S.-Mexico border as a “virtual wall,” when, in reality, it is a digital dumpster fire for human rights and civil liberties. Hundreds of millions of dollars are pumped into camera towers, drones, aerostats, surveillance vehicles, ground sensors, game cameras and license plate readers—all to the detriment of those who live, work, or seek refuge in the borderlands. This technology isn't exclusive to U.S. federal agencies: it's also deployed by state and local law enforcement, and even by governments on the Mexican side.

For more than a decade, EFF has been building our knowledge and advocacy capabilities on border tech issues using litigation, public records requests, research trips, interviews, open-source intelligence, and cross-organizational collaboration. Our focus can be viewed through the following lenses:

1. **Surveillance at official ports of entry and border crossings. EFF's work includes defending the rights of individuals whose devices have been searched or seized upon entering the country; investigating the collection of biometric and social media identifiers and pushing for stronger protections for this data; and developing digital security guidance for people crossing borders.** EFF has also mapped out the network of automated license plate readers installed at checkpoints and land entry points along the U.S.-Mexico border.
2. **Surveillance along the border, the so called “virtual wall.” EFF has mapped out more than 465 surveillance towers** along the U.S.-Mexico border and is in the process of creating a definitive pocket guide to the types of surveillance law enforcement deploys. We also regularly give presentations, and

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guided virtual reality tours to journalists, academics, and activists working in the borderlands. We also recently published a zine to people who live and/or work near the border to identify surveillance technology:

3. **Local law enforcement surveillance.** **The borderlands often serve as a testing ground and entry point for military surveillance to be deployed in a domestic law enforcement context,** before it is imported to the interior of the country. In addition, police and sheriffs in border communities often accept federal funding, either through grants or civil asset forfeiture, to purchase technologies in the name of border security. This situation is further complicated by state and local officials who take border security into their own hands, such as Texas' Operation Lone Star and Cochise County, Arizona's SABRE program.
4. **Surveillance in the cloud. Immigration authorities access massive amounts of data through third party platforms and from local agencies.** Migrants and asylum seekers are also required to use apps such as CBP One and to accept electronic monitoring while awaiting legal proceedings. EFF has advocated for sanctuary data policies restricting how ICE can access criminal justice and surveillance data.

Cell Site Simulators: ICE and the Secret Service have failed to comply with the law when using cell site simulators raising privacy violation concerns.

Reddick 23 — [“Secret Service, ICE carried out illegal stingray surveillance, government watchdog says” March 2, 2023. Accessed August 1. <https://therecord.media/secret-service-ice-carried-out-illegal-stingray-surveillance-government-watchdog-says>] Sophia.

[James Reddick is the editor for The Record and has worked as a journalist around the world, including in Lebanon and in Cambodia, where he was Deputy Managing Editor of the Phnom Penh Post.. He earned his masters in journalism from University of California, Berkeley.]

U.S. federal agencies failed to secure required court orders to conduct phone tracking surveillance, according to a recently redacted memorandum from a government watchdog.

The report, written by the Office of the Inspector General (OIG) and dated February 23, provided details of an audit of the use of **cell-site simulators (CSS)** — a law enforcement tool that mimics cellular towers to trick nearby devices into connecting with them. These instruments, which are also known as stingrays or IMSI-catchers, allow law enforcement to track the location of a suspect or identify targeted devices.

The auditors found that in 2020 and 2021, Immigration and Customs Enforcement's Homeland Security Investigations division and the Secret Service had in some cases violated the law by not following regulations around the use of CSS.

In order to surveil a suspect using the tracking devices, law enforcement must first obtain a search warrant unless “exigent” or “emergency” considerations apply. This includes the need to protect human life or avert injury, prevent destruction of evidence, and prevent escape by a suspect. **Even in those cases, however, a court order is still required.** If one is not available, emergency exceptions apply, but still require an agency to secure a court order within 48 hours of beginning surveillance.

In an undisclosed number of cases, both agencies failed to follow through with this, the OIG found.

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“For the cases we reviewed, the Secret Service and ICE HSI obtained required search warrants for CSS uses, respectively. However, the Secret Service and ICE HSI did not always obtain court orders ... when using CSS during investigations that included exigent circumstances,” they wrote.

The use of stingrays has raised concerns among civil liberties groups, who claim the technology casts a dangerously wide net and is not subject to adequate scrutiny. Both the American Civil Liberties Union and the Electronic Frontier Foundation have sued law enforcement agencies for information related to use of the technology.

One Secret Service field office was involved in multiple cases in which surveillance was conducted on behalf of a local law enforcement agency without required permissions.

According to the report, county judges did not think it necessary to get an emergency order after CSS had already begun. In those cases, the Secret Service had also not followed procedure in attempting to get a court order before using the technology.

In the case of HSI, some surveillance actions received no legal authorization whatsoever.

“If these were ‘emergency situations’ and ICE HSI could not obtain a court order prior to using CSS, [they] should have applied for court orders within 48 hours of installing. ... Yet, ICE HSI did not apply for court orders in these investigations,” the OIG wrote.

Both agencies accepted the OIG’s findings and agreed to make the recommended changes.

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Ineffective

Arrests: There's no direct connection between surveillance tech and arrests. However, surveillance tech does increase migrant deaths and human trafficking

Asher-Schapiro 22— [“Surveillance tech makes U.S.-Mexico border even deadlier” November 23, 2022. Accessed August 1. <https://www.context.news/surveillance/surveillance-tech-makes-us-mexico-border-even-deadlier>] Sophia.

[Avi Asher Schapiro is the Tech Correspondent for the Thomson Reuters Foundation. He has a master's in global journalism & near east studies, and attended Georgetown University and The American University in Cairo.

Before working for the Thomson Reuters Foundation, he worked as a journalist for companies such as Tribune Media, Newsweek Media Group, The Nation, VICE Media, and CNN.]

TUCSON, Arizona - Deep in the Arizona desert on the southern U.S. border, a surveillance tower rises more than 150 feet (46 m) into the air, its swiveling cameras taking in the surrounding valley.

With a viewing range of up to 7.5 miles (12 km), it can watch over three nearby communities and into the foothills of the Baboquivari mountains, one of the most treacherous paths for migrants crossing from Mexico into the United States.

The newly-installed tower is among the latest additions to the so-called digital border wall that U.S. border enforcement agents say they rely on to safeguard the nearly 2,000 mile frontier.

Humanitarians and academics worry though that the ballooning surveillance apparatus is creating a deathtrap for migrants.

"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.**

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"There's simply no humanitarian way to surveil the border," he said.

'We help them'

Border authorities say that people smugglers are to blame for migrants' deaths, and hi-tech surveillance is necessary to find - and save - people in an increasingly difficult job.

Arrests of undocumented migrants hit a record of over 2 million this year. Known deaths on the United States-Mexico border reached a high of 727 last year, according to data compiled by the U.N.'s International Organization for Migration.

"(People smugglers) take them up to the mountains and say, 'Go, this is your best chance'. They don't care about human life," said John Mennell, a spokesperson for Arizona's border patrol force.

"When people get in trouble, we go help them - and the surveillance helps us know where they are," he said, noting that agents respond to over a dozen calls for help a day.

Paige Corich-Kleim, a spokesperson with humanitarian group No Más Muertes, which means No More Deaths, said that **the involvement of people smugglers was largely reaction to U.S. border policy.**

"By making it harder to cross, migrants had to turn to these groups for help - it used to be a simple journey," she said.

Agents say it is hard to draw a direct connection between the surveillance tech and an uptick in arrests at the border, but the tools provide "situational awareness" in an environment where law enforcement is outnumbered by migrants seeking to cross.

On one day in September, agents remotely redirected a camera to home in on a group of migrants crossing a mountain ridge after they tripped a motion sensor.

The group was just outside the camera's range, about eight miles away, making the figures slightly blurry on the computer screen. But agents knew the path they were likely to take, and planned to intercept them when they descended the mountain.

Agents estimate they have approximately three days to catch a migrant after they cross into a town on foot or get picked up by a vehicle before they melt into the broader population, what agents call the vanishing line.

"The mission here is to detect, identify, and classify," said Steven Adkison, deputy chief of border patrol in the Tucson Sector. "Our aim is area dominance."

'Weaponized the desert'

In 2021, 225 bodies were found near the Arizona border - the highest number since humanitarian groups started keeping count in the 1990s, and likely a severe undercount, as bodies often languish for years in the desert before they are found.

"Border patrol weaponized the desert," said Raymond Daukei, an immigrant rights activist and member of the Tohono O'odham Native American people, whose reservation spans the border.

When Daukei was growing up **in the 1980s, migrants rarely crossed in the remote reaches of the reservation, but stepped up enforcement in urban areas is funneling more migrants on to the tribe's land,** he said.

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Tohono O'odham leaders have grudgingly welcomed the new surveillance towers, saying they are necessary to help protect tribal members from the smuggling cartels that increasingly come on to their land.

"There are now people walking around with guns, homes have been broken into ... we are desperate for security," said Kendall Jose, vice chairperson of the reservation's Chukut Kuk District, where surveillance towers were recently erected.

The aid groups that have sprung to provide migrants with food, water and medical help doubt that the more surveillance technology will result in a safer border region.

"There's this idea that building a wall is violent and xenophobic but smart tech is not," said Corich-Kleim of No Más Muertes. **"But really, it has the same effect."**

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Marginalized Groups

Migrant workers, asylum seekers, and refugees are particularly vulnerable to the negative impacts of border technologies, which can increase their risk of exploitation and marginalization.

Amnesty International 24 – [Amnesty International. “Global: New Technology and AI Used at Borders Increases Inequalities and Undermines Human Rights of Migrants.” Amnesty International. May 21, 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/>.]

[Amnesty International is a global movement of more than 10 million people in over 150 countries and territories who campaign to end abuses of human rights.]

In a new research briefing released today, Amnesty International documents extensively the ways in which technology contributes to the growing trend of human rights violations at borders and urges that states stop using such technologies until they can ensure their use does not violate human rights.

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.

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.”**

The briefing follows a report released by Amnesty earlier this month on the use of the CBP One mobile application, which has also been shown to perpetuate abuses against people seeking asylum in the United States. Amnesty International calls on states and companies to address systemic racism in their border management tactics, and to halt the development of any invasive technology that puts people at risk.

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Racial Discrimination

Border surveillance technologies contribute to the systemic racial discrimination faced by Black migrants.

Morley 24 – [Morley, Priya. “AI at the Border: Racialized Impacts and Implications.” Just Security. June 28, 2024. <https://www.justsecurity.org/97172/ai-at-the-border/#:~:text=Such%20border%20surveillance%20technologies%20impinge.>] Elene.

[S. Priya Morley is the Director of the International Human Rights Clinic at UCLA School of Law and the Racial Justice Policy Counsel at the Promise Institute for Human Rights]

There is growing acknowledgment of the risks that AI technologies — those that can “differentiate, rank, and categorize” data, behaving intelligently to think, predict, and act with some degree of autonomy — **pose, especially for already marginalized people.** Yet the proliferation of AI technology continues largely unchecked, including in the context of border and immigration enforcement. This undermines migrants’ human rights including, as described by the former UN Special Rapporteur on Racism, through its “xenophobic and racially discriminatory impacts...on migrants, stateless persons, refugees and other non-citizens.”

In a recent landmark thematic hearing on human mobility and structural racism at the Inter-American Commission on Human Rights (IACHR), civil society organizations — including my own, the Promise Institute for Human Rights at UCLA School of Law, jointly with the Black Alliance for Just Immigration (BAJI) — made submissions arguing that the use of **border technologies by the United States in immigration enforcement exacerbates the racial discrimination and abuse that Black migrants already face in their migration journeys**, including through deterrence and border externalization policies. As we argued before the Commission, **it is essential that a racial justice lens shape the development of U.S. laws, policies, and practices related to border technology, to avoid intensifying the racial discrimination already at the heart of the U.S. immigration system and its harmful impacts on Black migrants.**

Racism in U.S. Immigration Laws, Policies, Practices, and Enforcement

Structural racism shapes migrants’ journeys and experiences of immigration enforcement in the Americas, with particularly harmful impacts on Black migrants. As Black African migration (as well as Haitian migration) to/through South America has increased in recent years, successive states have enacted policies that impede their movement and ability to reach and seek asylum in the United States. The United States has adopted various border externalization policies that prevent migrants from crossing the U.S.-Mexico border, such as “Remain in Mexico” and Title 42, which have been found to violate the international right to asylum and the principle of non-refoulement found in the 1951 Refugee Convention; more recently, the Biden administration enacted another “asylum ban” that restricts access to the asylum process. Black migrants are often disproportionately affected by these policies. For example, in May 2022, Haitians were just 6% of the migrant population crossing the U.S.-Mexico border but represented 60% of those ordered on expulsion flights under Title 42; conversely, predominantly white Ukrainian refugees were largely given exception from Title 42 measures.

Starting in 2019, the U.S. and Mexican governments took coordinated steps that effectively externalized U.S. immigration enforcement into southern Mexico. Mexican immigration officials in the southern Mexican state of Chiapas stopped issuing the “exit permits” that had allowed them to transit north and leave Mexico through the U.S.-Mexico border. Mexico also deployed its militarized National Guard to Southern Mexico for immigration enforcement, which led to an increase in apprehending and detaining migrants without documentation. This resulted in thousands of African, Haitian, and other migrants being stranded in Tapachula, Chiapas, near the Mexico-Guatemala border. Black migrants are, due to their skin color and language, particularly visible and targeted by the National Guard and other immigration enforcement. While stuck in Mexico – as elsewhere on their journey – Black migrants face racial discrimination, violence, and other rights violations. This includes overt

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acts of racism and hostility by Mexican immigration officials, challenges navigating the Mexican immigration system due to bias, national origin, and language differences, and barriers in employment, housing, and education.

Black migrants continue to face racial discrimination within the U.S. immigration system upon arrival. U.S. immigration laws and policies have historical roots in white supremacy and anti-Black racism, and these logics persist today. For instance, Black migrants “face disparate treatment in immigration court removal proceedings, including denials of adequate interpretation, lack of access to counsel, intentionally rushed proceedings, and adjudicator bias, which result in wrongful denials of asylum and, in some cases, deportation to persecution and torture.” Because the U.S. immigration and anti-Black criminal legal systems are so intertwined, Black migrants are often criminalized, racially profiled, surveilled, detained, and deported disproportionately. Black migrants contend with racism, abuse, and neglect while in immigration detention, and are often detained for longer periods, forced to pay higher bonds, and are more likely to be refused parole.

Border Technology Exacerbates Racial Discrimination and Abuse Against Black Migrants

The United States has increasingly relied on digital technology to enforce its border externalization policies. The Biden administration has allocated substantial funds toward border security technology. “Smart borders” include “remote video surveillance, drones, automated license plate readers, motion sensors, [and] integrated fixed towers [IFTs].” At the U.S.-Mexico border IFTs are tall long-range structures that use cameras and radar to detect moving people and collect data about them for immigration enforcement. The United States also employs small unmanned aerial systems (sUAS), a form of remote-operated drone originally designed for military operations, to identify and surveil migrants, facilitating their apprehension at the border. **Such border surveillance technologies impinge on migrants’ privacy rights and can lead to increased violence and detention, and are a tool to externalize borders and impede migrants from entering the United States.**

Upon arrival to the U.S.-Mexico border, some migrants are required to use CBP One, a mobile AI application implemented by U.S. Customs and Border Protection (CBP) to submit their personal and biometric information to apply for asylum (or, previously, exceptions to Title 42). **This app has come under scrutiny, including because it is less able to recognize the photos of Black and dark-skinned people, creating a barrier for them to access this portal to move their asylum applications forward.** While the algorithms CBP One relies on are not publicly available, such facial recognition technology has been rejected as racially discriminatory in other contexts such as policing. For example, these algorithms have been found to inaccurately identify Black faces at a rate 10 to 100 times more than white faces.

Immigration officials continue to use technology to monitor migrants after they enter U.S. territory. This includes the Investigative Case Management System used by Immigration and Customs Enforcement (ICE), software that gives ICE access to migrants’ personal and biometric information; as well as the use of mobile applications like SmartLink or electronic ankle monitors as alternatives to (immigration) detention. The Department of Homeland Security (DHS) is developing a Homeland Advanced Recognition Technology System (HART) to “aggregate and compare biometrics data including facial recognition, DNA, iris scans, fingerprints, and voice prints—most often gathered without obtaining a warrant...[in order] to target immigrants for surveillance, raids, arrests, detention, and deportation.” Just as anti-Black racism operates in the criminal legal system, **Black migrants face racial profiling, criminalization, and detention at disproportionate rates, and these technologies are another tool that perpetuates these differential outcomes in the U.S. immigration system.**

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Permanent Residents

Increasing border surveillance makes the border less porous, which encourages otherwise-temporary migrants like agricultural workers to stay illegally

Taylor & Laje 23— [“New Tools Protect Increasingly Complicated Border.” 2023. AFCEA International. March. <https://www.afcea.org/signal-media/technology/new-tools-protect-increasingly-complicated-border>.] Joel.

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Nevertheless, issues at the border are not only about unlawful activities, but also about people in need of help in one of the most inhospitable parts of the world.

“Strategically placed, advanced technology provides CBP staff with enhanced situational awareness and improves the ability of officers and agents to not only surveil, deter and detect individuals and contraband entering the United States illegally, but also to better identify those in need of rescue,” a CBP spokesperson said.

Still, as border law enforcement agencies improve their performance, there are unwanted consequences.

Social problems arise and these encourage more illegal migration, according to an expert.

“Too much border security increases irregular migrants in your country, and that has been in part proven for the past 15 years as the U.S. increased involvement and investments at the border, especially in terms of technologies, and made that border, therefore, more difficult to cross,” Côté-Boucher said. **Making the border less porous increases the presence of migratory workers—as especially those working in agriculture fear not being able to repeat the trip the next season and therefore choose to remain in the country,** according to Côté-Boucher.

Another controversial intervention can be found around dozens of government departments, including law enforcement agencies in border areas that use simulators mimicking cellphone towers to trick phones in the area into transmitting their locations and identifying information. These could also gather information beyond the targeted suspect, including bystanders, according to a report by the American Civil Liberties Union, a nongovernmental organization (NGO).

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Solvency

Long-term system issues prevent additional infrastructure from ‘solving’ issues at the border

Kamarck 24— [Kamarck, Elaine. 2024. “Fixing the Border: Four Reasons the Immigration Crisis Isn’t Going Away.” Brookings. February 29. <https://www.brookings.edu/articles/fixing-the-border-four-reasons-the-immigration-crisis-isnt-going-away/>.] Joel.

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Immigration attempts at the southwest border of the United States are quickly becoming one of the most important issues, if not *the* most important issue, for 2024. Recent articles in these pages by my colleague Bill Galston have discussed the tortured history of immigration reform and the legal ambiguity surrounding what a president can and can’t do to control the border. And President Biden, following the failure of a compromise immigration reform bill that went further than any Democrats have gone, is mulling a plan to tighten up, and perhaps close, the border.

Regardless of what actions take place in the short term, whether by statute or executive action, the border crisis will be with us for a long time. There are four reasons for this.

- First, the numbers of people trying to come to the United States have skyrocketed as migrants from all over the world, not just Mexico, try to come here.
- Second, it is more difficult to hire border patrol agents than perhaps any other law enforcement position in the federal government.
- Third, the situation at the border poses the classic issue of surge management.
- And finally, chronic underfunding has created an enormous backlog in the immigration courts.

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Towers

Tower Creep: DHS wants to expand tower surveillance to the Pacific & Atlantic coasts and the Canadian border with surveillance towers

Boguslaw 24— [Boguslaw, Daniel. 2024. “U.S. Government Seeks ‘Unified Vision of Unauthorized Movement.’” The Intercept. The Intercept. March 12. <https://theintercept.com/2024/03/12/dhs-border-towers-ai/>.]

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The network of towers hosts various day and night capable cameras and radars, and can also be equipped with other sensors, including cellphone communications intercept devices, to paint a picture of hostile terrain below. The main focus of DHS today is to net all of the towers into “a single unified program” and integrate AI into the ability to detect movement and activity to create a “common operating picture.”

Though billions have been spent on the IST program, government auditors have consistently questioned whether it actually reduces unlawful border crossings. A General Accountability Office assessment from 2018 concluded that the DHS was “not yet positioned to fully quantify the impact these technologies have on its mission,” that is, whether the towers actually help to stem the flow. The GAO then recommended that DHS establish better metrics to “more fully assess ... progress in implementing the Southwest Border Technology Plan and determine when mission benefits have been realized.” A new GAO report issued last month updates progress on the IST program and says that finishing the network in Texas has been a problem. “According to the IST program manager,” the report reads, “... ease of access and willingness of property owners are key factors when considering sites for tower placement. The program manager stated that sites in the Laredo and Rio Grande Valley sectors ... are still challenging because these areas need permissions from multiple landowners and road access may be an impediment.”

Though the vast majority of undocumented immigrants cross the southern border at just a handful of locations, homeland security equally seeks to cover the entire Canadian border with towers, according to DHS documents. And not only that: Homeland security is eyeing the California coast and the coastal Atlantic for future expansion, portending a ubiquitous nationwide system of ground surveillance.

ResearchAndMarkets.com’s November report on “Border Security Technologies” says that the market will exceed \$70 billion globally in 2027, rising from \$48 billion in 2022. “The adoption of AI-integrated surveillance towers will be critical to driving growth, with the total value of camera systems globally expected to reach \$22.8 billion by 2027; up from \$10.1 billion in 2022. Surveillance towers are capable of creating a virtual border, detecting, identifying, and tracking threats over great distances.”

“AI-integrated surveillance towers are at the centre of growing concern by campaign groups regarding their potential to analyse the behaviour of the general population, possibly infringing upon people’s human rights. These concerns may slow adoption unless addressed,” the report says.

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Ineffective: Despite plans to spend an additional \$200 million on surveillance towers, investigators found these towers have limited success.

Ryan-Mosley 23— [“The US is pouring money into surveillance tech at the southern border” April 17, 2023. Accessed August 1. <https://www.technologyreview.com/2023/04/17/1071682/us-pouring-money-surveillance-towers-southern-border/>] Sophia.

[Tate Ryan-Mosley is a senior tech policy reporter at MIT Technology Review. Previous to this, she was a researcher working on special newsroom projects. Prior to journalism, she was a consultant on emerging tech strategy for large companies and a fellow at the Kellogg Institute for International Studies, specializing in conflict and post-war development.]

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.

But there is mounting evidence that the towers might not be as useful as the agency claims. A recent investigation by the Electronic Frontier Foundation found that these towers have a limited record of success, researchers say they form something more like a dilapidated patchwork than a sophisticated and effective virtual border.

Are the surveillance towers helping a stretched agency effectively manage the swelling traffic, or is the program yet another case of a policing agency sinking tax dollars into unproven and invasive technology without much benefit? Let’s get into it.

What is the surveillance tower program? EFF compiled a map of the towers by physically visiting the border, scouring free satellite imagery from services like Google Satellite and a VR app called Wander, and submitting public records requests. The document it produced is the first public map of the towers. A database provides more information, like the vendor that makes each tower and the technical capacities onboard.

No Impact: The Government Accountability Office is unable to account for any impact made by tower-based systems despite spending over a billion dollars since 2005.

Maass 23— [“CBP Is Expanding Its Surveillance Tower Program at the U.S.-Mexico Border—And We’re Mapping It” March 20, 2023. Accessed August 1. <https://www.eff.org/deeplinks/2023/03/cbp-expanding-its-surveillance-tower-program-us-mexico-border-and-were-mapping-it>] Sophia.

[Dave Maass is an investigations director and leader of the Atlas of Surveillance project, a database of surveillance technologies deployed by law enforcement, in partnership with the University of Nevada, Reno.]

Surveillance towers along the border have had a troubled history. **In the mid-2000s, the Secure Border Initiative aimed to place "SBInet" towers along the border, but only got as far as installing a few dozen in Arizona before bipartisan outcry over technical problems, cost, delays, and ineffectiveness resulted in it being shut down.** Throughout the 2010s, CBP took another run at a tower-based system, resulting in disparate tower systems—the Integrated Fixed Tower (IFT) and Remote Video Surveillance System (RVSS)—provided by different vendors that could not interact with another. **Despite spending more than a billion dollars since 2005,**

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the Government Accountability Office concluded in 2017, CBP was "not yet positioned to fully quantify the impact these technologies have on its mission."

Now CBP (and its sub-division, U.S. Border Patrol) is planning yet another massive expansion of surveillance towers at the U.S.-Mexico border. Referred to as the "Integrated Surveillance Tower" (IST) or "Consolidated Tower and Surveillance Equipment" (CTSE) program, CBP intends to bring the RVSS and IFT systems under one program and, over the next decade, begin upgrading 135 existing towers with new capabilities, technologies and sensors, while also installing 307 new towers along the Southern border. CBP has indicated these towers would help fill in surveillance gaps caused by the planned conclusion of its tactical aerostat program.

The tower systems are able to automatically detect and track objects up to 7.5 miles away and assist agents in classifying objects 3 miles away, depending on regional requirements. Dozens more towers will be added at the Canadian border. Meanwhile CBP is in the process of installing 200 Autonomous Surveillance Towers (ASTs) from Anduril Industries that are controlled by artificial intelligence software, which will also be part of the IST program. **In the short term, CBP has earmarked \$204 million for this program in its 2023 and 2024 budgets, which covers the deployment of 74 ASTs by the end of FY 2024 and 100 new towers by the end of FY 2025.**

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US-Mexico Relations

Like the border wall, substantially expanding surveillance infrastructure might strain U.S.-Mexico relations and increase dehumanization of migrants.

Zhang 21 - [Zhang, Zihao. "The Negative Impacts of the US/Mexico Border Wall." ArcGIS StoryMaps. March 15, 2021. <https://storymaps.arcgis.com/stories/d44180b1e24f44a2ba0d2b0cce022ca4>.]

[Zihao Zhang is a postdoctoral researcher at the Oxford-Man Institute and Machine Learning Research Group at the University of Oxford. He received my PhD degree from the University of Oxford.]

Currently, the U.S.-Mexico border spans almost 2,000 miles from the Pacific Ocean to the Gulf of Mexico with signs, fences, barbed wire and steel barriers. Trump promises to completely secure the border with a permanent barrier. This plan would likely increase the feelings of dehumanization which scholars also attribute with increased violence. The border is intended to reduce illegal immigration to the U.S. and to stop immigration of terrorists. Trump believes that his taller, more secure barrier will keep the U.S. safer from the violence that he claims illegal immigrants bring and that harsher deportation laws will help the U. S. prosper, but this is widely debated. An important argument is that the majority of the immigrants who illegally cross the border are fleeing extreme poverty for a better life in the United States, while drug traffickers use tunnels to pass underneath the border and therefore a wall will have no effect on them.

As Trump and others speak out about the immigration plans and the U.S.-Mexico border temporarily benefits, what they all fail to address is all of the negative impacts that building a permanent border will have. **The most immediate negative impact is the impact on regional integration.**

Regional Integration is an important connection between countries. It can help both sides of countries to develop powerful. U.S. and Mexico border wall truly attacked the relationship and development for both countries in THREE major aspects.

Political Aspect:

In an interview with CNBC, Stiglitz explained that **even just the thought of building a wall between Mexico and the US would have a scarring effect on the relations between the South and the US** (Barnato, 2016). This is because the **concept of a wall that locked Latin Americans in the US sparked a divisive effect on the general cohesion in the American continent and within the US, with a considerable number of Latin American citizens. This would be harmful since it would open up doorways for racism and the stigmatisation of the Latin Americans in the US being profiled as not being welcomed and part of the US community** (Castles & Schierup, 2010).

If we want to improve security without hurting the relationship between U.S. and Mexico, **dehumanizing the millions of Mexican-Americans that live in the U.S., and breaking the bank, there needs to be a change in focus. Instead of building a bigger border, we should build a better relationship by working together to end border patrol corruption and looking to decrease the effectiveness of the tunnels the criminals use to cross the border.** ---Stephanie Musso

By adding the Wall, the U.S. government cannot solve the border and immigration issue instead of creating sovereignty issue such as refugee camp, poverty camp, etc. Not only will Trump's proposed 35+ foot wall likely have a negative effect on Mexicans and our relationship with Mexico, but it will likely cost more than he claims. In addition, this "Wall" doesn't represent the power of U.S. but points out the racial discrimination issue. Trump's border plan is harder than what he expected initially since the plan is not good for the U.S. development in political aspect.

Regional integration allows countries to overcome these costly divisions integrating goods, services and factors' markets, thus facilitating the flow of trade, capital, energy, people and ideas.

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Neg Blocks

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AT: Agent Shortage

Aff Argument: increased surveillance technology at the border would lead to more efficient use of border security resources and help with the border agent shortage

Investment in additional technology will not solve the root shortfall of the CBP, a lack of personnel

Graham 24— ["AI can enhance border security but won't close workforce gap, lawmakers say," July 10, 2024. Accessed August 1. <https://www.nextgov.com/artificial-intelligence/2024/07/ai-can-enhance-border-security-wont-close-workforce-gap-lawmakers-say/397943/>] Sophia.

[Edward Graham is a technology reporter for Nextgov/FCW, where he reports on national security technologies and policies, the Department of Veterans Affairs and election security issues. He received his master's degree in Journalism and Public Affairs from American University in 2016.]

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.

Some lawmakers and border security advocates have pitched the idea of a ‘smart’ wall as an alternative to a physical barrier between the U.S. and Mexico. This tech-centric approach would rely on surveillance towers and more advanced capabilities like AI and facial recognition to monitor the border, with agents supporting those efforts.

Although this full-scale digital wall has not yet been adopted, the deployment of more advanced technologies along the southern border has proven to be a boon for agents. **But some lawmakers said the capabilities did not represent a viable security solution on their own, despite their benefits.**

“AI, drone systems and similar tools are helpful aids to our law enforcement, but ultimately a successful operation still comes down to a well funded, trained and a highly supported personnel,” Rep. Mike Ezell, R-Miss., said.

Lawmakers did, however, express strong support for the federal government to work more closely with private sector firms to acquire and field new capabilities that could empower CBP and Border Patrol agents to more effectively police the border. Despite not being a silver bullet on their own, emerging technologies were seen as a necessity for combating threats posed by cartels, including their increasing reliance on drones.

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AT: Crime

Aff Argument: illegal immigrants (or other immigrants) commit more crime than non-immigrants – increased surveillance would help cut down on this crime

Immigrants commit less crime than non-immigrants

Hesson & Rosenberg 23 - [Hesson, Ted, and Mica Rosenberg. 2024. "Trump Says Migrants Are Fueling Violent Crime. Here Is What the Research Shows." Reuters. July 16. <https://www.reuters.com/world/us/trump-focuses-migrants-crime-here-is-what-research-shows-2024-04-11/>.] Joel.

[Ted Hesson is an immigration reporter for Reuters, based in Washington, D.C. His work focuses on the policy and politics of immigration, asylum and border security. Prior to joining Reuters in 2019, Ted worked for the news outlet POLITICO, where he also covered immigration. His articles have appeared in POLITICO Magazine, The Atlantic and VICE News, among other publications. Ted holds a master's degree from the Columbia University Graduate School of Journalism and bachelor's degree from Boston College.]

Mica Rosenberg leads the immigration team at Reuters, reporting her own projects while helping edit and coordinate cross-border coverage. An investigation she published with colleagues into child labor in the United States – exposing migrant children manufacturing car parts and working in chicken processing in Alabama – was a finalist for the Pulitzer Prize and won a George Polk award among other honors.]

A range of studies by academics and think tanks have shown that immigrants do not commit crime at a higher rate than native-born Americans.

A more limited universe of studies specifically examine criminality among immigrants in the U.S. illegally but also find that they do not commit crimes at a higher rate.

A selection of recent research:

"Immigration and Crime: Assessing a Contentious Issue " by Charis Kubrin, a criminology professor at the University of California, Irvine, and Graham Ousey, a sociology professor at William & Mary. The 2018 study was published in the peer-reviewed Annual Review of Criminology.

- **A meta-analysis of more than fifty studies on the link between immigration and crime between 1994 and 2014 found there was no significant relationship between the two.**
- The researchers subsequently studied all aspects of the issue in a book, opens new tab published last year that came to similar results.

"Law-Abiding Immigrants: The Incarceration Gap Between Immigrants and the US-born, 1870–2020 " by Ran Abramitzky, economics professor at Stanford University and four other researchers. The 2024 working paper was published by the National Bureau of Economic Research.

- **The study, which used U.S. Census data, found immigrants had lower incarceration rates than the U.S.-born over a 150-year period.**

"Comparing crime rates between undocumented immigrants, legal immigrants, and native-born US citizens in Texas" by Michael Light, sociology professor at the University of Wisconsin-Madison and two other researchers. The 2020 study was published in the peer-reviewed Proceedings of the National Academy of Sciences.

- **The report, which used data from the Texas Department of Public Safety between 2012-2018, found a lower felony arrest rate for immigrants in the U.S. illegally compared to legal immigrants and native-born U.S. citizens and no evidence of increasing criminality among immigrants.**
- Light published a study in 2017 that found illegal immigration does not increase violent crime. The study used data from all 50 U.S. states and Washington, D.C., from 1990-2014. A separate study found no link between increased illegal immigration and drunk-driving deaths.

Cato Institute research, by Alex Nowrasteh and others

- The libertarian think tank has published multiple reports that show immigrants in the country commit crimes at lower rates than the native-born. In a recent USA Today op-ed Nowrasteh previewed new research that found immigrants in the U.S. illegally in Texas were about 26% less likely to be convicted of homicide than native-born Americans from 2013-2022.

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AT: Drug Smuggling

Aff Argument: surveillance technology can reduce drug smuggling into the US

Increased security would not prevent a majority of drug smuggling, because they are brought in by citizens, who could enter in both worlds

Bier 23 - [David J. Bier, "U.S. Citizens Were 89% of Convicted Fentanyl Traffickers in 2022," Cato Institute, 8-23-2023, <https://www.cato.org/blog/us-citizens-were-89-convicted-fentanyl-traffickers-2022>, Accessed on 6-29-2024] Apollin.

[David J. Bier is the director of immigration studies at the Cato Institute. He is an expert on legal immigration, border security, and interior enforcement. Bier's work has appeared in the *New York Times*, the *Washington Post*, *USA Today*, and many other print and online publications. The U.S. Supreme Court and multiple federal appeals courts have cited his research and writing. Bier has testified before committees in the United States House and the United States Senate on several occasions.]

Fentanyl overdoses tragically caused tens of thousands of preventable deaths last year. **Many politicians who want to end U.S. asylum law claim that immigrants crossing the border illegally are responsible.** An NPR-Ipsos poll found that 39 percent of Americans and 60 percent of Republicans believe, "Most of the fentanyl entering the U.S. is smuggled in by unauthorized migrants crossing the border illegally." **A more accurate summary is that fentanyl is overwhelmingly smuggled by U.S. citizens,** almost entirely for U.S. citizen consumers.

Here are the facts:

- **Fentanyl smuggling is ultimately funded by U.S. consumers who pay for illicit opioids: nearly 99 percent of whom are U.S. citizens.**
- **In 2022, U.S. citizens were 89 percent of convicted fentanyl drug traffickers—12 times greater than convictions of illegal immigrants for the same offense.**
- **In 2023, 93 percent of fentanyl seizures occurred at legal crossing points** or interior vehicle checkpoints, **not on illegal migration routes**, so U.S. citizens (who are subject to less scrutiny) when crossing legally are the best smugglers.
- The location of smuggling makes sense because **hard drugs at ports of entry are at least 96 percent less likely to be stopped than people crossing illegally between them.**
- **At most, just 0.009 percent of the people arrested by Border Patrol for crossing illegally possessed any fentanyl whatsoever.**
- Each individual busted for fentanyl by Border Patrol possessed, on average, half as much fentanyl as each person busted at ports of entry in 2023 (10 versus 20 pounds).
- The government exacerbated the problem by banning most legal cross-border traffic in 2020 and 2021, accelerating a switch to fentanyl (the easiest-to-conceal drug).
- During the travel restrictions, fentanyl seizures at ports quadrupled from fiscal year 2019 to 2021. Fentanyl went from a third of combined heroin and fentanyl seizures to over 90 percent.
- Annual deaths from fentanyl nearly doubled from 2019 to 2021 after the government banned most travel (and asylum).

It is monstrous that tens of thousands of people are dying unnecessarily every year from fentanyl. But banning asylum and limiting travel backfired. Reducing deaths requires figuring out the cause, not jumping to blame a group that is not responsible. Instead of attacking immigrants, policymakers should focus on effective solutions that help people at risk of a fentanyl overdose.

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AT: Humane Technology

Aff Argument: surveillance technology is a more-human alternative to other border enforcement methods

Surveillance Technology is inhumane – these technologies increase deaths and hunt the vulnerable with military-grade technology, while failing to prevent crossings

Molnar 24 –[“The Grim High-Tech Dystopia on the US-Mexico Border.” 2024. Jacobin.com. <https://jacobin.com/2024/05/high-tech-ai-mexico-border>.]

[Petra Molnar is a lawyer and anthropologist specializing in migration and human rights. She co-runs the Refugee Law Lab at York University and is a faculty associate at Harvard’s Berkman Klein Center for Internet and Society.]

Various US governments, including the Obama and Biden administrations, have presented so-called smart-border technologies as a more humane alternative to other border-enforcement methods, such as building walls or putting children in cages, yet scholars have documented that such technologies along the US-Mexico border have increased people’s deaths. Using geospatial analysis, Samuel Chambers, Geoffrey Boyce, and their colleagues Sarah Launius and Alicia Dinsmore have found that **deaths have more than doubled with the increasing use of new surveillance technologies over the past two decades, creating what anthropologist Jason De León calls a “land of open graves.”**

In fact, deaths at the US-Mexico border in 2021 were estimated to be the highest ever recorded, with the International Organization for Migration finding that at least 650 people died in the Sonora. Actual numbers may be much higher.

Chambers and colleagues have shown that **all this surveillance has failed to prevent undocumented border crossings, but instead shifted people’s routes through more inhabited terrain around urban centers toward more dangerous terrain in the Arizona desert**, in places like Altar Valley, **“increasing [their] vulnerability to injury, isolation, dehydration, hyperthermia and exhaustion,”** leading to deaths of people like Elias Alvarado. According to James, “it is a slow-motion genocide.”

Just days after we returned from Elias’s memorial site, **in February 2022, DHS announced that military-grade “robo-dogs” were going to be deployed along this deadly frontier.** These quadruped autonomous machines were originally designed for combat and tactical training operations. Often painted a cheery bright yellow, with four legs and a boxy body, they look more like mobile toasters than dogs. **But they are very strong and very fast, sometimes armed, and able to break down doors and even right themselves when kicked with full force by a human.**

Robo-dogs have been used in active deployment by the US military. Able to navigate rugged terrain and equipped with two more legs than a human has, they are the perfect addition, their joints bending in an uncanny jerky way as they run like little Franksteins across the sands. They are semi- or fully autonomous and obey human commands; in fact the Australian army has experimented with using headsets to read brain signals and control robot dogs via a brain-robotic interface, or telepathy. And with the addition of generative AI, robo-dogs are developing their own voices and personalities: “a debonair British gentleman, a sarcastic and irreverent American named Josh, and a teenage girl who is so, like, over it.” (Will one of them have a fondness for human rights?)

These machines have also been used by various law-enforcement departments, such as in Honolulu and New York City. In Hawaii, the program was cut short after a public outcry when it came to light that the robo-dogs

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were targeting houseless people during the COVID-19 pandemic, reading their temperature. But the New York Police Department announced in May 2023 that it was reintroducing robo-dogs for law enforcement and rescue operations in the city, proudly unveiling a unit painted with black and white spots, like a dalmatian.

In 2019, the newspaper *Le Monde* reported that the European Union had also quietly announced various robo-dog pilot projects: a “bio-mimicry enabled artificial sniffer” called SNIFFER, with a research and development budget of €3.5 million, and DOGGIES, or the “Detection of Olfactory traces by orthoGonal Gas identification technologIES,” whose logo is a dog with a CCTV camera in place of its head.

There was also Sniffles and Snoopy, which had multimillion-euro budgets and were the projects of consortiums between state entities including the Hellenic (Greek) Ministry of Public Order and Citizen Protection; the EU’s border force, Frontex; and Thales and other various private companies. What exactly happened to these border canine companions is not clear. Some are listed in the EU-wide project database as “closed projects,” while others were never made public at all.

DHS took a very different approach, proudly announcing the planned rollout of the robo-dogs across social media with its start-up partner, Ghost Robotics, a company well known for its viral videos of robots jumping up on boxes, standing up after being violently kicked, and, more recently, for being outfitted with guns. It is also a darling of the US military, with various contracts for robo-dogs and other tools.

It was surreal to be in the middle of the hauntingly beautiful yet deadly Sonoran Desert as the rollout of these “robo-dogs” was announced. I messaged James when we heard the news, and he was alarmed but not surprised: **“As former military, the idea that these machines are going to be running around the desert hunting people is so dark.”**

The border is already a war zone for CBP, a frontier to be managed and controlled, with prizes to be won. While driving to the Mexico border, we passed one of the CBP trucks that rounds people up when they are apprehended, stuffing up to eight people into the back, windows obscured by black mesh as it speeds away from Tucson toward the border.

The complicity of the military and national defense in normalizing the use of these types of tools in border enforcement is not lost on us, especially a former marine like James. “We are using military-grade technology against the most vulnerable,” James had told me earlier, “and this is a failure of the state that’s forced humanitarians to make up for it.” Standing in the rolling sands of the Sonora, **I already feel overwhelmed by the vastness and hostility of the environment — it’s terrifying to imagine a not-so-distant future in which people like Elias Alvarado will be pursued by high-speed, military-grade technology designed to kill.**

These robo-dogs are not yet widely used. But they are part of a growing arsenal of other, more seemingly mundane, and perhaps less shocking technology that is becoming more and more normal at the border. The use of military, or quasi-military, autonomous technology like robo-dogs and AI-powered surveillance towers legitimizes the connection between immigration and national security, and the growing push toward the criminalization of migration through increasingly hard-line tools. People on the move are presupposed to be criminals unless proven otherwise.

September 24: The United States federal government should substantially expand its surveillance infrastructure along its southern border.

AT: Jobs

Aff Argument: stemming the influx of immigrants is necessary to protect American jobs

Immigrants create jobs

Murray 24—[Seb Murray, 5/2/2024, University of Pennsylvania, Accessed August 2<https://knowledge.wharton.upenn.edu/article/how-high-skilled-immigration-creates-jobs-and-drives-innovation/>] Apollin.

The big debate about immigration and the U.S. economy usually focuses on whether having more overseas workers might hurt the pay or job chances of Americans. However, in a new essay, Wharton management professor Britta Glennon argues that high-skilled immigration should be seen in a much more positive light. Analyzing an array of studies on immigration and the U.S. economy, she finds that immigrants are not taking jobs away from American-born skilled workers or competing with them. In fact, **empirical evidence suggests** that when employers are faced with immigration restrictions, they respond on other margins rather than hiring American-born workers like changing firm scope, shifting jobs abroad, automation, or partnerships. Furthermore, because **skilled immigrants often start businesses, they create jobs instead**. Specifically, **one study cited in Glennon’s paper indicates that immigrants are some 80% more likely to establish businesses compared to U.S.-born citizens**. “I have been frustrated by the degree to which the public-policy debate over immigration has tended to ignore the role of firms, and to assume that the impact of immigration policy is constrained within national borders,” said Glennon.

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AT: Tax Drain

Aff Argument: illegal immigrants use governmental services, thus draining taxes from taxpayers and local & state governments

Turn: Undocumented immigrants pay nearly \$100 billion in taxes each year, while being shut out of many of the programs that their taxes fund

Casey 24—[Quinlan, Casey. 2024. “Study Says Undocumented Immigrants Paid Almost \$100 Billion in Taxes • Kansas Reflector.” Kansas Reflector. August 4. <https://kansasreflector.com/2024/08/04/study-says-undocumented-immigrants-paid-almost-100-billion-in-taxes/>] Joel.

A new study shows that undocumented immigrants paid nearly \$100 billion in federal, state and local tax revenue in 2022 while many are shut out of the programs their taxes fund. The findings run counter to anti-immigrant rhetoric that undocumented immigrants are “destroying” social programs.

In 40 states, undocumented immigrants paid higher tax rates than the top 1% of the income scale in those states, according to a study released Tuesday from the Institute on Taxation and Economic Policy, a left-leaning, nonprofit think tank.

The study, which uses estimates of undocumented immigrants’ tax contributions as of 2022, shows those totaled \$96.7 billion that year. Study authors also found that undocumented immigrants would contribute \$40.2 billion more per year in federal, state and local taxes if all of the undocumented population had access to work authorization. The Institute on Taxation and Economic Policy reasoned that this boost would come from higher wages associated with employment authorization and easier compliance with income tax laws.

The report also shed further light on the tax revenue provided by undocumented immigrants on the state and local level. **Undocumented immigrants are paying 46% of their state and local tax payments through sales and excise taxes. Six states** — New Jersey, New York, California, Florida, Texas, and Illinois — **were able to raise more than \$1 billion each in tax revenue from undocumented immigrants,** the nonprofit said.

Undocumented immigrants pay property taxes and sales taxes, and federal payroll taxes taken from their wages, as well as income tax returns using Individual Taxpayer Identification numbers. Despite those payroll taxes funding Medicare, Social Security, and Unemployment Insurance, undocumented immigrants are not eligible to enroll in and receive regular benefits from these social programs. **They can also face barriers to getting tax refunds,** including getting scammed by unscrupulous tax preparers who target immigrant communities, said Jackie Vimo, senior analyst of economic justice policy at the National Immigration Law Center in a media call on the report.

“There are tons of laws that prevent undocumented workers from getting benefits,” said Richard C. Auxier, a principal policy associate at the Urban-Brookings Tax Policy Center, a nonpartisan think tank that was not involved in the study. “... They get a lot of political attention. **At the end of the day, they’re just normal people paying normal taxes.**”

Alexis Tsoukalas, senior policy analyst at Florida Policy Institute, a nonprofit focused on economic mobility for Floridians, told reporters on Monday that she was struck by how much the state collected from undocumented immigrants in taxes compared to the wealthiest in the state. The current tax rate for undocumented immigrants in Florida is 8% compared to the top 1% of the state at 2.7%.

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AT: Terrorism

The threat of terrorism via the U.S.-Mexico border is exaggerated and practical measures, like cooperation and pre-clearance programs, have been more effective in addressing security.

Felbab-Brown 21 - [Felbab-Brown Vanda.. "9-11 and the US-Mexico Border: New Challenges 20 Years Later." Brookings. September 10, 2021. <https://www.brookings.edu/articles/9-11-and-the-us-mexico-border-new-challenges-20-years-later/>.] Elene.

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September 11 shifted U.S. foreign policy focus to Afghanistan and the Middle East, and immigration reform stalled for a variety of reasons cloaked by but often unrelated to 9-11.

For various U.S. politicians, **the specter of terrorism across the U.S.-Mexico border became a popular drumbeat. Among his many irresponsible lies, President Donald Trump, for example, claimed that in 2018 U.S. border authorities stopped nearly 4,000 terrorists along the U.S. Mexico border, a statement the White House later sought to walk back and muddle with claims of government secrecy.** Searching for Hamas and Hezbollah operatives, presumably hiding behind many a rock, cactus bush and street corner in Mexico and liaising with Mexican criminal groups, became a chic pseudo-analytical enterprise. But **unlike in the Triborder Region of Brazil, Argentina, and Paraguay where the presence and fundraising activities of those jihadist groups have been well-established, no such robust networks have ever been documented in Mexico.**

In fact, out of the 180 individuals arrested by February 2019 for plotting jihadi terrorist attacks in the United States, only four were found to have illegally crossed U.S. land borders. Three of them did indeed come into the United States across the U.S.-Mexico border – in 1984 when they were five, three, and less than one year old! Clearly, their radicalization and efforts to plot a terrorist attack in 2007 occurred in the United States.

However, underneath those public exaggerations and myths about the U.S.-Mexico border and terrorism lay intensifying U.S.-Mexico counterterrorism cooperation. **The possibility that a terrorist attack could be conducted across the U.S. southern border certainly exists, and its political and economic ramifications would be significant,** something successive Mexican governments have understood. Thus, despite Mexico's often lukewarm and unsatisfactory cooperation on counternarcotics issues, with the infiltration of Mexican criminal groups into all layers of Mexican law enforcement pervasive for decades and the persisting corruption of highest-level Mexican officials, a succession of Mexican governments sought to deliver on counterterrorism cooperation. Mexico began sharing with the United States passenger lists of all aircraft in Mexican airspace, and the United States provided names of individuals on watch lists. After decades of minimal military-to-military relations between the United States and Mexico, the Mexican military began expanding cooperation with U.S. Northern and Southern Commands. The newly formed U.S. Department of Homeland Security developed extensive counterterrorism contacts with a variety of Mexican national security actors.

Yet, with all its preoccupations and distortions, the counterterrorism agenda never really derailed economic integration. **After 9-11, the border was not truly shut down, but U.S. border officials at first began inspecting every vehicle trunk, trailer truck cargo compartment, and every suitcase. The movement of people and goods at the border slowed down dramatically, almost bringing the border to paralysis, and causing intolerable economic costs. Thus, the 100%-inspection approach became abandoned in favor of pre-clearance and vetting.**

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Just two months after 9-11, companies voluntarily took on the role of screening their supply chains, through mechanisms such as Customs-Trade Partnership Against Terrorism. Once the company demonstrated diligence and compliance, the U.S. government reduced the intrusiveness of its own inspection. Under programs such as FAST, commercial drivers agreed to undergo extensive background vetting to qualify for the use of express lanes at ports of entry. For individual travelers, programs such as SENTRI and Global Entry were developed. **Such pre-clearance approaches are tremendously useful in reducing the volume of people and cargo that border officials need to examine and for expediting legal flows.** But they are not free of vulnerabilities as criminal groups subsequently seek to recruit among those already cleared.

But moving to 100-percent-screening at the border is not feasible given the trade context. Along with China and Canada, Mexico is among the U.S. top three trading partners. The U.S.-Mexico trade amounts to about \$1 million worth of goods and services each minute, more than \$1.5 billion a day; and **before the COVID-19 pandemic struck, there were some 1 million legal crossings a day at the U.S.-Mexico border. That makes it both impossible to screen 100 percent and easy to hide illegal contraband – whether drugs to the United States or cash and weapons to Mexico – and wickedly difficult to address at the border.**