USAWC STRATEGY RESEARCH PROJECT

PROVIDING FOR THE COMMON DEFENSE: SECURING THE SOUTHWEST BORDER

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The views expressed in this academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.

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ABSTRACT

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The Southwest border of the United States provides multiple threats to public safety. The region is influenced by long-standing and unresolved, economic, political and social concerns, that are aggravated by pervasive institutional corruption on both sides of the border. The 9/11 attacks, the presence of multiple terrorists organizations in the Western Hemisphere and the availability of Weapons of Mass Destruction, require us to address Southwest border security shortfalls.

Securing the Southwest border is an attainable objective. Border control strategies employed during the last decade achieved some success. Consolidating government border agencies, adding additional personnel, building additional border infrastructure, and employing emerging technologies are the long-term steps needed to secure the Southwest border. In the near-term, military support can bridge the gap until resources and programs fully implemented. Properly resourced, these measures can protect the Homeland from terrorists, narco-terrorists and other threats currently endemic along the Southwest border.

The current border security strategy outlined in *The National Strategy for Homeland Security*, does not provide sufficient resources to address the threat from our open borders. While securing our borders entails a significant expenditure of resources, in the long run, this is the most cost-effective and prudent expenditure we can make.

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PREFACE

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PROVIDING FOR THE COMMON DEFENSE: SECURING THE SOUTHWEST BORDER

The 2,000 mile border between the United States and Mexico is the busiest land border in the world. The area includes six Mexican states, four U.S. states, fourteen twin cities and forty-five border crossings. Approximately twenty-one million people reside within the border region with three quarters living in Mexico.[1] The United States employs a comparatively open border policy with its geographic neighbors. This policy, however, has sizeable attendant risks. The Southwest Border in particular has developed into a haven for organized crime, government corruption, and illicit activity. Criminal syndicates move drugs, illegal immigrants and other contraband nearly unencumbered into the United States. The vast amount money generated by these transnational criminal organizations is the driving force that corrupts government officials on both sides of the border and endangers the citizens of both countries. While some progress was made during the last decade to curb criminal activity along the Southwest Border, September 11 clearly indicated that we can no longer accept the risks engendered by a loosely protected border.

FIGURE 1. THE SOUTHWEST BORDER[2]

The Southwest Border has several functions: it defines the geographic limits of U.S. and Mexican territory; it regulates the movement of people, regulates the movement of goods

(commerce); and serves as a security barrier for both nations. The implications for Homeland Defense are obvious. To date, our inability to adequately regulate the movement of people and goods across the Southwest border, leaves the American people vulnerable to terrorists cells which, in all probability, have already established themselves within the United States. Furthermore, we are vulnerable to terrorists' weapons or weapons of mass destruction that may have previously been smuggled into the Country. To mitigate these vulnerabilities, we must ensure that terrorists no longer have easy access to America through the Southwest border.

This represents a considerable challenge. Endemic official corruption, entrenched alien smugglers, persistent drug trafficking, transnational organized crime, and growing terrorist groups combine to make the Southwest border a "diffuse and insidious threat" according to the State Department's coordinator for counter-terrorism.[3] To secure the Homeland, border agencies must be efficient, logically organized and adequately funded. Illegal immigration must be replaced by well-regulated immigration policies, procedures and process, ensuring anyone crossing our borders is screened checked through a comprehensive database.[4] Moreover, we must ensure that commercial cargo and vehicles entering the United States are not used as vehicles for terrorist attacks. Sixteen million containers enter the United States each year, twenty-six percent via the Southwest border.[5]

Securing the Southwest border is a daunting task, however, experiences over the past decade indicates it can be done. Nevertheless, it will require a major commitment of resources, reorganization of government border agencies, and a concerted effort to eliminate corruption. While the price is high, the severity of the threats, and the potential catastrophic costs of failure, demand we make the investment. The current level of protection and security along the Southwest border clearly represents a substantial unacceptable risk.

THE THREAT TO NATIONAL SECURITY

The Southwest Border harbors four primary threats to our national security by providing access to the United States for: terrorists and weapons of mass destruction; drug trafficking organizations and illegal drugs; criminal aliens and infectious disease. The open Southern United States border serves as a conduit for illegal migration. Illegal immigration fosters a culture of lawlessness and inflicts real costs, especially on the border communities themselves. In a larger framework, illegal migration creates massive profits, fortifies organized crime groups, "…foments serious human rights abuses, and contributes to a climate of violence, corruption and insecurity."[6]

This insecurity encompasses illegal aliens as well. According to the Bi-National Center for Human Rights in Tijuana, 65 percent of illegal immigrants are robbed, raped, physically assaulted, extorted or murdered while crossing the Southwest border, typically by bandits or Mexican law enforcement.[7]

The increased level of criminal activity along the Southwest border and access to the greater United States fosters crime across the nation. Twenty years ago, our state and federal prisons contained fewer than 9,000 criminal aliens. By 2000, more than 68,000 criminal aliens occupied our prisons.[8] "Today, criminal aliens account for over 54 percent of federal prison inmates and represent the fastest growing segment of the federal prison population."[9] Annual estimated cost of Incarcerating criminal aliens is more than $1.5 Billion.

The ability of un-screened immigrants to introduce communicable disease in the general public has been well documented. The tuberculosis rate in EL Paso County, Texas is twice the national average.[10] While the four largest immigrant magnet states (California, Texas, Florida and New York) contain over half of the tuberculosis cases in the United States.[11] In addition, illegal aliens cost taxpayers $3.7 Billion annually in medical care, while at the same time, increasing public health hazards.[12]

Security concerns along the Southwest border have increased over the last twenty years. The first Bush administration and the subsequent Clinton administration listed drug trafficking and narco-terrorsits as primary threats to U.S. national security in their National Security Strategies. To counter this threat, military support and additional resources were allocated to assist law enforcement agencies in dealing with drug trafficking along the Southwest border. Drug traffickers and narco-terrorists remain a significant threat post-September 11. Indeed, intelligence indicates that drug trafficking helps finance many terrorist organizations. "Nearly one third of the groups viewed by the United States as "foreign terrorist organizations" are also on a list of major suppliers of illegal drugs..."[13] In recognition of this relationship, U.S. Attorney General, John Ashcroft , has placed a high priority on dismantling these criminal organization, many of which, operate along the Southwest border.

While all threats to public safety are significant, the terrorist threat warrants the greatest attention. Recent estimates place the number of illegal Immigrants currently in the United States at nine million.[14] The majority of these gained access through the Southwest border. A review of illegal immigration trends highlights this problem.

In January 2002, the U.S. Census Bureau reported that 114,818 men and women of Middle Eastern origin are currently in the United States illegally.[15] Illegal alien smugglers are bringing Middle Easterners across the Southwest border in greater numbers.[16] United States

border officials detained 90 undocumented immigrants last year attempting to cross the Southwest border from countries with majority Islamic populations: Egypt, Iran, Iraq, Jordan, and Pakistan.[17] According to the Center for Immigration Studies:

> The number of other than Mexicans crossing the southern border has increased sharply in recent years according to U.S. and Mexican immigration officials. An Iraq-born smuggler has been charged in a federal conspiracy trial with forging an alliance with a Mexican immigration officer to smuggle Palestinian, Jordanian, Syrian, Iraqi, Yemeni, and other undocumented immigrants through Mexico and into the United States….Officials at the White House Office of Homeland Security say that the Abdullah smuggling ring that specializes in bringing Middle Easterners into the United States through Mexico may have terrorist ties.[18]

A significant portion of this illicit alien traffic is part of organized criminal and terrorist activity that poses a sizable threat to U.S. national security.[19] Canada will likely be able to upgrade its procedures quicker than Mexico can in light of the latter's endemic official corruption. Al-Qaeda, which frequently does the unanticipated, may turn to our permeable southern border.[20]

Moreover, U.S. counter-terrorism specialists indicate that Al Qaeda has established "sleeper cells" in the midst of Latin Americas several million Muslims. Authorities warn cells linked to Al Qaeda, Hezbollah, and Islamic Jihad may already be operating in Brazil, Ecuador, Paraguay, Uruguay, and Argentina.[21]

Adding to growing security concerns are intelligence reports that Al Qaeda may have already obtained a nuclear capability. Israeli and other intelligence analyst now believe Al Qaeda has acquired a nuclear arsenal consisting of fissionable material to construct "dirty bombs," tactical nuclear warheads, and possibly Atomic Demolitions Munitions obtained from former Soviet republics. Such nuclear weapons could immediately kill more than 100,000 people if detonated on U.S. soil.[22] Current intelligence indicates that "...cargo containers have been identified as a means by which terrorists might clandestinely deliver weapons."[23] The large volume of commercial traffic coming through the Southwest border ports of entry, established smuggling organizations, and the expansive open territory between the ports of entry, provide ample opportunity for Al Qaeda to move nuclear, biological, or chemical weapons into the United States.

A CULTURE OF CORRUPTION

Terrorist and criminal organizations operating along the Southwest border cannot be curtailed without first addressing corruption. By their very nature, international borders create a breeding ground for crime by restricting trade, dividing markets, and limiting the movement of

people. This inherent imbalance in costs and incentives gives rise to criminal enterprises seeking to circumvent these restrictions and thus create revenue generating opportunities.[24] The combination of weak government institutions and tremendous profits from illegal drugs and illegal immigration fuel substantial levels of corruption on both sides of the borders. Estimated profits from illegal drugs alone range from $30 Billion to $120 Billion. In contrast, Mexico's major legal export, oil, produces only $4 Billion annually.[25]

Transnational criminal organizations use these tremendous profits to ensure government complicity and support of their operations at all levels. Those officials who are not susceptible to bribes, are subject to potential assassination. In street language this is known as "I can give you silver or lead." This profoundly effects the government of Mexico. "…corruption and inefficiency in police and judicial institutions in Mexico allow transnational organized crime groups to operate without sufficient control…" and accountability[26]

At the local level, corruption can completely erode Mexican law enforcement efforts and credibility. In court documents filed by the Mexican government, informants indicate that the State Attorney General and nearly "… 90% of the law enforcement officers, prosecutors and judges in Tijuana and Baja California are on the payroll of the Arellano-Felix organization."[27]

A previous Baja California Major illustrated how bleak enforcement is by testifying that he could only compensate police officers $300 a month while drug cartels were paying police officers $1,000 per week for their complicity.[28] This corruption quickly spreads from local law enforcement to other government officials. Obtaining falsified documents is a relatively easy matter for illegal immigrants, criminals or potential terrorists. Pervasive graft makes it effortless to get travel papers to enter the United States."[29]

The extent of corruption within the Mexican government makes cooperative border enforcement efforts a risky venture. In 1985, Drug Enforcement Agency officer Enrique "Kiki" Camerana was kidnapped, then brutally tortured and murdered while investigating a major drug cartel that included Mexican army, police and government officials.[30] Following Camerana's murder the Mexican government "cooperated" by blocking extradition of the suspected killers and impeding the DEA's investigation.

Several well-documented cases show that corruption reaches into the highest levels of the Mexican government. Mexico's former Attorney General was detained in the United States and his $7 million U.S. bank account seized.[31] More disturbingly, the brother of former Mexican President, Raul Salinas, was arrested on drug charges and his $84 million Swiss bank account confiscated.[32]

In 1996, the Mexican government gave the Mexican Army the lead in their drug enforcement efforts after it became clearly evident that their federal and state police had became thoroughly compromised. However, the Army quickly became part of the problem. In 1997, the newly appointed drug czar, General Jesus Guiterrez Rebollo, was arrested after investigators discovered he was a paid agent of Mexican drug cartels.[33] Recently, the commander of the 21st Motorized Cavalry Regiment, Brigadier General Ricardo Martinez and two other officers were arrested and charged with providing drug smugglers protection from arrest in return for payoffs from drug traffickers operating along the gulf coast. General Martinez is the sixth Mexican General jailed on drug conspiracy charges since 1997.[34]

It will be impossible for Mexico to become an effective partner and assist in securing the Southwest border until institutional corruption within the Mexican government is adequately addressed. There are strong indications that the current Mexican government headed by President Vicente Fox is willing to take on this challenge. Unfortunately, Fox's War on Corruption will probably outlast America's War on Terrorism as he confronts intransient officials steeped in institutionalized corruption. The primary security challenge for Mexico, is constructing effective and professional law enforcement and judicial institutions that can face the manifold problems of corruption, violence and crime. Revitalizing these institutions will require a substantial commitment of resources employed over a long period of time.[35]

United States government officials have also been susceptible to the corruption endemic along the Southwest border. Local law enforcement officers and judges can fall prey to the same temptations as their Mexican counterparts. In Texas, in 1994, "…the Zapata County judge, county clerk and sheriff, were convicted on charges of drug trafficking, official corruption and money laundering."[36] "In late 1997 and early 1998, six former Rio Grande Valley police officers, including two former Donna police chiefs, pleaded guilty to taking payoffs from drug traffickers …"[37]

The FBI is charged with maintaining the integrity of U.S law enforcement agencies and courts. Much of their effort is focused on the Southwest border. Recent FBI investigations show:

> U.S. law enforcement officials along the southwest border have been convicted of participating actively in drug-related crimes, including waving drug-laden vehicles through Ports of Entry in exchange for money, coordinating the movement of drugs across the border, using their official positions to transport drugs past checkpoints without being inspected, and disclosing drug intelligence information. In an 18 month period, an FBI-led public corruption task force in Southern Arizona conducted a series of drug corruption investigations which resulted in the conviction of 10 federal officers, two deputy sheriffs, three local police officers and one local judge.[38]

Furthermore, in January 1999, four Immigration Naturalization Service officers assigned at the Nogales, Arizona Port of Entry, and seven drug smugglers, were arrested for passing over 20 tons of cocaine into the United States in return for $800,000 in bribes.[39]

Corruption has significantly undermined law enforcement and judicial institutions on both sides of the border for more than a hundred years. The tremendous illicit profits from drug-running and illegal immigration have built a sophisticated network of organized criminal elements that can move large amounts of contraband and people across the border, at will. This network can be used (with or without their complicity) by terrorists to move personnel and WMD material into the United States for attacks.

Our security cannot be assured without uprooting the institutional corruption that forms the enabling foundation for transnational criminal organizations. Within the United States, we must do a better job of screening, selecting and training our law enforcement and inspection personnel who work along the border. Once hired, we must hold them to the highest standards of integrity and accountability. Secondly, we must increase the investigative resources focused on border agencies. And finally, we must increase the penalties for corruption based crimes and ensure these cases are aggressively prosecuted.

The pervasive level of corruption within Mexico is a deeper, long-term problem. Until this is effectively addressed, Mexico will continue to be an unreliable border law enforcement partner. On the other hand, we can accelerate corruption reform movements within the Mexican government by demonstrating long-term commitment to securing the Southwest border. Stemming illegal immigration and increasing inspections of goods and vehicles transiting the border will increase pressure from legitimate Mexican business to eliminate government corruption and ensure the integrity of the border from both sides.

WORKING WITH MEXICO

The United States has been working with the Mexican government since 1942 to control illegal immigration and contraband crossing the Southwest border.[40] Unfortunately, the results of this cooperation are negligible at best. Nevertheless, in response to the September 11 terrorist attacks and the growing need to secure our borders, the Bush administration unveiled a new U.S. - Mexico Border Partnership Agreement in March 2002. The twenty-two point agreement is aimed at enhancing the Infrastructure along the border, increasing the security of people crossing the border and improving the security of goods transiting the border.[41]

As in the case of past agreements, the overall effectiveness of this agreement will be constrained by Mexico's endemic government corruption and ineffective law enforcement

institutions. Mexican law enforcement lacks several basic tools, commonly available to U.S. law enforcement officials, to combat corruption and narco-terrorist organizations. Mexican police are prohibited from using confidential informants. All forms of electronic surveillance to include wiretaps are illegal. There are no legal sanctions governing conspiracies. Witness protection programs are nonexistent. And, money-laundering is not considered a criminal offense.[42] One could logically argue that these critical law enforcement powers are omitted by design. Without these essential law enforcement investigative tools, Mexico's ability to effectively support border security initiatives is severely compromised.

There is yet, some room for optimism. Since the election of Vicente Fox, Mexico has launched a concerted effort to stem corruption and to address transnational criminal organizations operating in Mexico. Since taking office, the new administration has fired 50 Tijuana-based customs officials for corruption, arrested 40 Baja California police officers including the Tijuana Police Chief, and arrested several prominent members of the Gulf Cartel.[43]

Mexico has a strong vested interest in the Southwest border. The open border has long-served as a safety valve for excess Mexican population. In addition, Mexico's economy has grown significantly since the implementation of the North American Free Trade Agreement (NAFTA) in January 1994. Since NAFTA, trade between the U.S. and Mexico has increased from $81 billion in 1993 to $233 billion in 2001.[44] The convergence of trade, security and immigration issues provide a powerful incentive for Mexico to work closely with the United States. This also furnishes the United States with additional leverage to increase Mexican cooperation with border security initiatives.

Prior to September 11, Mexico had hopes of securing an immigration agreement with the United States that would legalize illegal immigrants currently residing in the U.S. and move towards establishing a more open border. After September 11, the proposed immigration accord went from a viable option to a utopian dream.[45] Nonetheless, significant immigration issues remain unresolved. The United States must still account for the nine million illegal immigrants in the United States and eliminate illegal immigration while still allowing for an adequate influx of new labor.

First we need to address illegal immigrants currently residing in the United States. "We would be safest if all immigrants were accounted for, including those here illegally."[46] Past experience and several studies have shown that amnesty programs are not the answer.[47] What we need is a program that does not reward lawbreakers while providing an avenue for illegal immigrants to earn legitimate resident status.

One promising proposal recommends establishing an “earned legalization” program to allow unauthorized immigrants to earn a permanent resident visa and ultimately full citizenship by: participating in a guest worker program, paying all required taxes and taking part in a point system.[48] The point system plan proposed by Demetrios Papademetriou of the Migration Policy Institute, grants migrants points for holding a job, learning English, living stably in one place, obeying the law, and participating in community affairs. The system is designed to encourage and reward immigrants for integrating into American life and society.”[49]

In addition, participants in the program could be required to pay a fine for entering the United States illegally and be banned from collecting any means-tested government assistance. This program structure would penalize immigrants for entering the U.S. illegally while rewarding them for being productive and assimilating into American society.[50] Illegal migrants taking advantage of earned legalization program would not be given priority over immigrants entering the United States legally and applying for resident status or citizenship. Instead they would still have to work the same required number of years to qualify for legal resident status.[51]

In order for an earned legalization program to work, it must be supported by vigorous enforcement of employer sanctions. Any illegal immigrants that failed to apply for earned legalization would be denied employment due to prohibitive, aggressively enforced, employer sanctions. Without employment, illegal migrants would be forced to leave the U.S. to seek employment elsewhere.[52] Failure to uncompromisingly impose employer sanctions would effectively undermine the entire program and encourage further illegal immigration.

Additionally, those illegal aliens remaining, without legitimate employment, would be prime suspects for investigation of criminal or terrorist activity. Illegal immigrants who did not apply for the program would be deported once apprehended. Earned legalization enhances Homeland Security by identifying illegal immigrants currently in the U.S. while providing a mechanism for them to gain legitimacy.

Earned legalization coupled with employer sanctions and deportation of those who do not participate in the program will help deter future illegal immigration, but it will not fully solve the problem. We also must increase legal immigration quotas to meet the needs of the American labor market.

Besides providing needed entry level workers to the United States economy, increasing legal immigration quotas affords several additional benefits. First, it permits us to carefully screen and select who enters the country. Secondly, it provides leverage to influence a greater Mexican role in border enforcement. Third, it reduces the economic pressure for illegal immigration. Mexico will not expend its limited resources on border security, without a

significant United States commitment to do the same. An expanded program of legalized immigration is a powerful incentive for Mexico to take a proactive role in stopping illegal immigration.

If the United States, enforces immigration law, establishes an earned legalization program, and aligns Mexico's legal immigration quotas with the demand for labor, constructive cooperation from the Mexican government will follow. Mexico will maintain an outlet for excess population and access to American markets, while the United States will be able to control who enters the country. This will reduce the terrorist threat, increase internal security, enhance overall public safety, better assimilate new immigrants while protecting them from exploitation.

SUCCESS AND SET-BACKS

Twice during the Twentieth Century, public safety concerns along the Southwest escalated to the point where major government intervention was required. In 1916, President Woodrow Wilson mobilized the entire National Guard (158,000 soldiers) and deployed them to the Southwest border to protect border communities from Pancho Villa and other marauding Mexican bandits.[53] In 1954, President Eisenhower once again used military forces to assist the U.S Border Patrol in stopping illegal immigration, apprehending over a million illegal aliens.[54]

During the late 1980s The United States government began to place more resources on the Southwest border in an effort to reduce drug trafficking. Congress specifically allocated funds for: High Intensity Drug Trafficking Areas (HIDTA), state controlled National Guard Counterdrug programs (Title 32 U.S. Code) and active duty military (Title 10 U.S. Code) Counterdrug support.

As additional resources were applied to border enforcement, drug trafficking and illegal immigration patterns shifted.[55] During the 1990's, budget increases, military support, and a renewed sense of purpose, enabled the U.S. Border Patrol to significantly disrupt drug and alien smuggling along traditional border towns such as San Diego and El Paso. These efforts moved the major drug-trafficking and illegal immigration routes into the Tuscon, Arizona sector. From 1997 to 2000, arrests in this sector tripled with 40% of Border Patrol's annual arrests occurring in a twenty-eight mile zone between Douglas Arizona and Agua Prieta Mexico.[56]

Shifting illegal immigration patterns and drug trafficking routes from easily accessible city based routes through Tijauna/San Diego and Juarez/El Paso to the less hospitable and more circuitous trails through the Arizona and Texas deserts is a key indicator of border enforcement progress. This measure of success is reinforced by significant increases in illegal transit fees charged by smugglers. As the chances of being arrested increased, smugglers' fees soared,

from about $300 a person a few years ago to between $1,500 and $2,500.[57] Changing border trafficking patterns, increased trafficking costs and rising border violence are all key indicators that the Southwest Border Strategy is showing results.

Throughout the 1990's, the Southwest Border Strategy made significant progress towards controlling illegal immigration. However, efforts in stemming drug-trafficking were mixed. From 1990 until 1994, the Southwest Border Strategy effectively closed major drug trafficking corridors between the Ports of Entry and forced drug traffickers to move contraband through more remote areas between ports or in much smaller loads through the Ports of Entry. This progress was dramatically offset with the implementation of the North American Free Trade Act (NAFTA) in January 1994.

Mexico is the United States second largest trading partner. Subsequently, trade policies often conflict with anti-drug, illegal immigration and now, homeland security concerns. With the introduction of NAFTA, drug cartels expanded into legitimate commerce to facilitate smuggling. These businesses included: airlines, trucking companies, auto dealerships, and other commercial ventures to aid and mask illegal activity. Concurrently, the cartels used intermediaries as owners to make it extremely difficult to trace their actions in detail. Major financial transactions of this scope could not be undertaken without the assistance of key Mexican government agencies.[58]

Implementation of NAFTA negated any gains made against the drug cartels in the early 1990's. "Since the implementation of NAFTA, the number of commercial vehicles crossing the U.S./Mexico border has increased by 41 percent."[59] Conversely, new inspection facilities and manpower did not keep pace with the increase in commerce. "At a typical major border crossing the requirement was to pass 75 trucks per hour with only three inspections."[60] Consequently, the percentage of overall cargo inspected dropped, providing a direct avenue for narco-terroroist organizations to move large quantities of drugs and other contraband through the Ports of Entry. Drug seizures at the Ports of Entry dropped significantly following NAFTA. "The Los Angeles Times" reported:

> Not a single pound of cocaine was confiscated from more than 2 million trucks that passed through three of the busiest entry points along the Southwest border where federal officials say most of the drugs enter the country.[61]

Correspondingly, from February 1992 to February 1995, the retail price for cocaine in the U.S. dropped by 20% while the retail price for heroin dropped by 37%.[62] Since NAFTA, the Ports of Entry serve as the preferred route for narco-traffickers. Un-inspected cargo and

vehicles are a major Homeland Security vulnerability, easily exploited by terrorists and drug traffickers and the most difficult threat along the Southwest border to counter.

SECURING THE PORTS OF ENTRY

The Southwest Border is the busiest transit zone in the world. On an average day, 220,000 vehicles cross the border.[63] Table 1, below, quantifies the volume of commercial and non-commercial traffic crossing the border on an annual basis.

	FY 99	FY 00	FY 01
People	295 Million	293 Million	286 Million
Passenger Vehicles	88 Million	89 Million	93 Million
Commercial Trucks	4.1 Million	4.5 Million	4.3 Million
Railroad Cars	461,066	572,583	564,086

TABLE 1. SOUTHWEST BORDER, PORT OF ENTRY TRAFFIC VOLUME.[64]

Screening this tremendous volume of people, vehicles, and commercial cargo for suspected terrorists, weapons of mass destruction, and other contraband is a daunting task.

The government's new Transportation Security Agency now screens the shoes of millions of airline passengers but less than 2 percent of the 21,000 shipping containers that arrive in U.S. ports every day. Each is 40 feet long and easily holds the contents of a private home. Customs Commissioner Robert Bonner has said there is "virtually no security for what is the primary system to transport global trade."[65]

Prior to September 11, U.S. Customs inspected about five percent of commercial cargo crossing the Southwest border. Since September 11, the inspection rate has surged closer to ten percent.[66] However, this relatively low percentage of commercial cargo inspections still affords ample opportunity for terrorists to bring nuclear, biological or chemical weapons into the United States.

Cost and the disruption of legitimate trade are the two major obstacles inhibiting the inspection of all of the commercial cargo crossing the Southwest border. The estimated costs of manually inspecting all commercial shipments entering the United States run as high as $50 billion annually.[67] Inspecting 100 percent of Southwest border shipments (20 percent of total commercial shipments) could cost as much as $10 billion a year. This would pay for the significant increase in U.S. Customs manpower and additional Port of Entry inspection infrastructure required to inspect all cargo crossing the border. Nonetheless, even if funding were made available, inspecting all incoming cargo using existing methods would seriously

disrupt legitimate trade. A U.S. Customs official estimated that inspecting every truck crossing the Southwest border using conventional methods would back traffic up bumper-to bumper all the way to Mexico City in less than 16 days.[68] Fortunately, new and emerging technologies are producing innovative options and viable potential solutions to this dilemma.

During the 1980s and 1990s, both private and government researchers began developing non-intrusive methods for cargo inspection to curtail drug trafficking. This fueled the development and deployment of both portable and large fixed X-ray facilities at the border Ports of Entry. Over the past ten years X-ray inspection technology has matured. Currently, X-ray inspection equipment can penetrate up to 16 inches of steel and non-intrusively inspect large shipping containers, semi-trucks, and railroad cars. Specifically designed inspection software applications help operators discriminate between legitimate cargo, drugs or explosives.[69]

While X-ray technology has proven useful, it has several drawbacks that limit it's utility. X-ray inspection systems require large amounts of supporting infrastructure. The systems have high power requirements and also require shielded operating structures. The large size of these facilities competes for space with other Port of Entry infrastructure, while the cycle time for these systems is also excessive. A typical system takes 7 to 15 minutes to scan and cycle through a shipping container or semi-truck. This limits the system to less than 100 vehicles a day. In addition, X-ray systems are expensive, with a single large inspection system running as high as $20 million.[70]

Many of the liabilities of X-ray inspection technology have been corrected with the development of Gamma-ray inspection technology. Gamma-ray technology has been employed at several Southwest border checkpoints since 1995. These systems are lighter, safer, portable, require less infrastructure, less expense, and can cycle through a semi-truck or cargo container in less than a minute.[71] In 1997, a gamma-ray inspection system was successfully modified to inspect freight trains entering the United States from Mexico.[72] "The simplicity and reliability of a gamma-ray based inspection system makes 100% container inspection available at a fraction of the cost of conventional x-ray systems."[73] Fielding sufficient gamma-ray systems to screen all cargo could greatly increase our level of overall security. However, emerging technologies may offer even more comprehensive solutions.

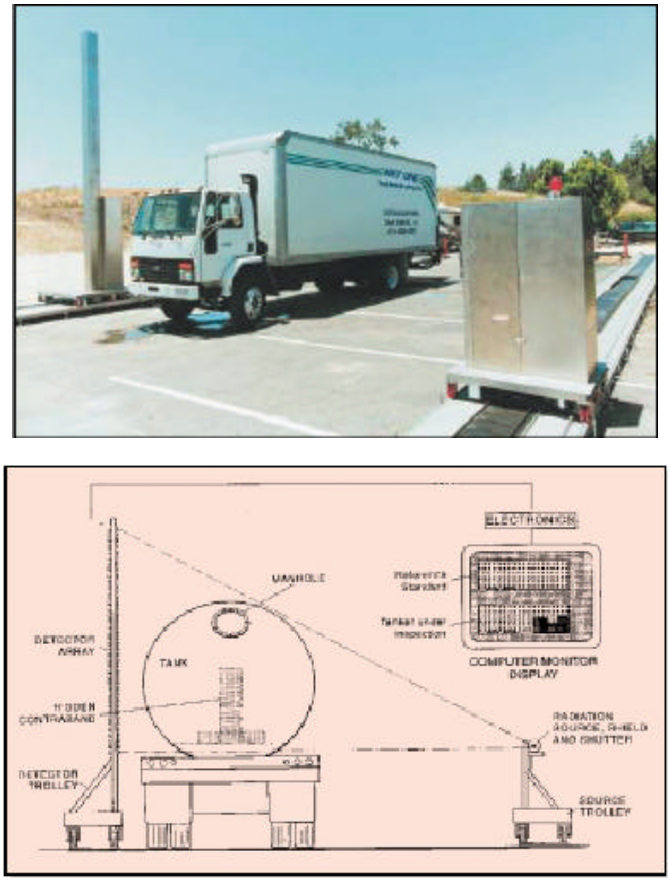


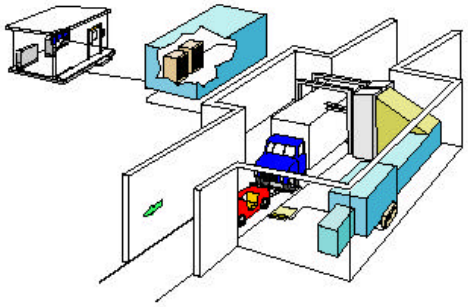
FIGURE 2. GAMMA-RAY TRUCK INSPECTION[74]

Both Gamma-ray and X-ray technology share a common weakness. Both technologies depend on operators "interpreting the shape and densities of objects in containers."[75] Nuclear devices and chemical weapons concealed in jumbled cargo containers or trucks can evade x-ray inspection systems and cause wide spread death and destruction. In cluttered trucks and cargo containers identification of threat objects, drugs and contraband becomes problematic. Imperfect human screeners must interpret the prospective threats of abundant ambiguous shapes and objects.[76] Pulsed Fast Neutron Analysis (PFNA) and Thermal Neutron Analysis (TNA) can address this problem.

The employment of Pulsed Fast Neutron Analysis (PFNA) and Thermal Neutron Analysis (TNA) has the potential to provide fast non-intrusive inspection with minimal opportunity for human error.

Pulsed Fast Neutron Analysis and Thermal Neutron Analysis are a new generation of inspection technologies that can detect a wide array of hazardous materials by their specific composition. PFNA and TNA can quickly, accurately and automatically detect these new threats in their numerous varied forms without relying on fallible human interpretation and regardless of concealment method.[77]

Over the last ten years, the U.S. Government, in partnership with private enterprise, spent more than $70 million developing PFNA and TNA to combat aviation terrorist threats and drug traffickers. This technology can automatically identify threats by their elemental composition.[78] PFNA technology is highly sensitive. It can accurately identify explosives, chemicals, drugs, durable goods, money and nuclear devices. It can screen a shipping container in minutes, detecting hazardous materials and contraband without human contact or interpretation.[79] Ancore Corporation has applied PFNA technology in the Ancore Cargo Inspector (ACI). The ACI is an integrated, automated system that can non-intrusively inspect fully loaded shipping containers or semi-trucks.[80]



ACI-2001 Truck Inspection

FIGURE 3. PULSED FAST NEUTRON ANALYSIS TRUCK INSPECTION.[81]

Thermal Neutron Analysis (TNA) was principally developed to detect explosives concealed in cars or trucks at building entrances and traffic choke points. TNA-based sensors could be employed at Ports of Entry along the Southwest border to identify vehicles containing chemical weapons, explosives or nuclear devices while concurrently screening for drugs.[82] Ancore Corporation currently has working PFNA and TNA devices ready for fielding.[83]

FIGURE 4. THERMAL NEUTRON ANALYSIS VEHICLE INSPECTION.[84]

An additional layer of security could be provided at the Ports of Entry by utilizing technology used in General Defense Systems Shipping Container Inspection System (SCIS). The SCIS is a sophisticated chemical, biological and radioactive inspection system designed primarily for non-intrusive inspection of shipping containers. "GDS' SCIS system deploys highly sensitive, accurate detection devices on the cranes and lift trucks that move shipping containers in and out of U.S. ports."[85] Fixed or mobile SCIS sensors could be integrated into the Ports of Entry to add an additional layer of non-intrusive inspection capability. These systems could be combined with PFNA, TNA and gamma-ray inspection equipment to cost-effectively inspect 100% of commercial cargo and vehicles crossing the Southwest border without restricting legitimate trade.

Low-risk traffic could be inspected by high-volume gamma-ray equipment, while higher-risk cargo and vehicles would be subject to more intensive PFNA and TNA inspections. Integrated Port of Entry SCIS sensors would add an additional inspection means and serve as a backup inspection system providing a necessary level of redundancy. Deploying a sufficient number of these various inspection systems to the Southwest border Ports of Entry would provide non-intrusive, rapid inspection of all commercial cargo and vehicles with a far greater degree of resolution than current methods. This would effectively prevent terrorists and narco-terrorists from moving: nuclear, chemical, biological, conventional weapons and drugs through the Ports of Entry.

Controlling who enters the United States at the Southwest border Ports of Entry can be accomplished with far less effort and cost than what is required to ensure safe and secure commercial traffic. To apprehend the few terrorists from the multitude of legitimate travelers passing through the Ports of Entry, border officials must be able to positively identify individuals

crossing the border and screen them against lists of known or suspected terrorists. This necessitates careful initial background screening to ensure entry documents are not issued to known or potential terrorists. Due to the endemic corruption resident in Mexican government institutions, this initial background screening cannot be entrusted to Mexican officials. In addition, once entry documents are issued, border officials, as well as other law enforcement officers, must be able to determine the validity of the documents and that the person holding the document is the person for whom the document was issued.[86]

Three vital measures need to be implemented to make this happen. First, the procedures for obtaining entry documents must be tightened. Sufficient background information must be on hand to positively identify the individual and screened against terrorist and criminal watch lists prior to issuing visas. Next, all entry documents must be tamper proof and contain biometric identification that can be verified at any Port of Entry. Finally, all of this information, along with a comprehensive updated terrorist watch list must reside in a central database that is readily accessible to border officials at the Ports of Entry.[87]

Currently, mature, cost-effective technology is available to accurately identify personnel crossing at the Ports of Entry. The most promising personnel identification systems employ iris recognition technology. Iris recognition technology has several distinct advantages. No two iris blueprints are alike. This includes an individuals right and left eyes, and also genetic twins or triplets. Depending on the type of system employed, iris recognition cameras can capture an image at a distance of any where from one to three feet.[88] "Glasses and contact lenses, even colored ones, do not interfere with the process."[89] Iris recognition software employs approximately 260 point of reference to determine a match. In comparison, top fingerprint systems use only 60 to 70 points of reference to determine a match.[90]

With the accelerated development of computer hardware and software, the cost of Iris recognition systems has dropped dramatically. Low-end systems have broken the $500 barrier while high-end systems can be purchased for $2000 to $5000.[91] In light of the risks this technology can mitigate, the cost is nearly negligible. Currently, iris recognition technology has been developed into several security systems for computer networks, Automatic Teller Machines and more recently, airport security.[92]

The Schiphol Group of Amsterdam uses iris recognition in its currently fielded Automatic Border Passage System. This system has been operating at the Amsterdam Airport since October 2001. Recently, the Schipol Group entered an agreement with IBM to further develop the system and market it to airports world-wide.[93] Another system, developed by "EyeTicket" Corporation of McLean, Virginia, was fielded at Charlotte/Douglas International Airport in 2000.

Similar systems could be deployed at the Southwest border Ports of Entry to ensure positive personnel identification. In addition, iris scanning could be incorporated into the visas/entry application process and data-based for immediate reference and verification by border officials. The technology and entrance procedures could be implemented in such a manner that less time would be needed to clear individuals than is currently required by manual methods. Estimated cost for this type of biometric identification system at the Southwest border Ports of Entry is about $500 million.[94] However, this cost could decrease significantly as more commercial systems are developed and fielded.

Properly resourced, we can effectively leverage currently available technologies to enable near 100% secure border transit for both personnel and commercial cargo without disruption of legitimate trade. The "Smart Borders" initiatives contained in the "National Strategy for Homeland Security" calls for the use of biometric identifiers and centralized terrorist databases.[95] However the strategy fails to adequately address commercial cargo security and could also be undermined by over-reliance on cooperation from the Mexican government. These partial measures will still leave significant security seams and vulnerabilities. On the other hand, a complete commitment of requisite resources addressing all areas of concern could fully secure the Southwest border Ports of Entry.

SECURING BETWEEN THE PORTS OF ENTRY

Employing available non-intrusive inspection technology to inspect all cargo and vehicles transiting the Ports of Entry and using biometric technology to positively identify all individuals crossing the border at ports will force terrorists and narco-terrorsits to attempt to cross the Southwest border between the Ports of Entry. The United States Border Patrol has approximately 9,000 agents stationed along the Southwest border.[96] This is equivalent to employing an under-strength, low technology, motorized infantry division to try and stop infiltration along a 2,000 mile front.[97] The U.S. General Accounting Office estimates the Border Patrol needs 16,000 agents to fully execute the agency's Southwest border mission.[98] The 2003 fiscal year budget will enable the Border Patrol to hire 570 new agents. However, due to manning adjustment made to increase coverage of the Northern border, this will only bring Border Patrol strength along the Southwest border to about 9,300 agents.[99] This still leaves a major shortfall of 6,700 Border Patrol agents required to adequately secure the territory between the Ports of Entry.

In the long-term the best solution to this problem is to fund and hire another 6,700 Border Patrol agents. The cost of employing another 6,700 agent is approximately $1 billion

annually.[100] Nevertheless, even if funding was immediately available, it would take a number of years to screen, select, hire and train 6,700 additional Border Patrol Officers.

There are several actions the government could take that would provide adequate security between the Ports of Entry in the near-term, and eventually reduce the overall number of agents needed to provide adequate coverage. While additional Border Patrol agents are being hired and trained, we could secure the areas between the Ports of Entry by mobilizing and deploying approximately 6,700 National Guard soldiers, under Title 32, to supplement the U.S. Border Patrol. Precedent for using U.S. troops to secure the Southwest border is well established. In 1916, over 110,000 National Guardsmen were mobilized and deployed to secure the Southwest border. And in 1954, President Eisenhower used military forces to assist the U.S Border Patrol in stopping illegal immigration, apprehending over a million illegal aliens.[101]

Deploying and equipping National Guard soldiers with ground surveillance radars, unmanned aerial vehicles, infra-red (IR) sensors and remote unmanned sensors would allow them to cover large areas of border terrain in-depth. National Guard aviation assets could also be employed to provide aerial reconnaissance, command and control and logistic support. National Guard engineer units could also be mobilized and deployed to the Southwest border making a lasting impact on border security and ultimately reduce the number of Border Patrol agents required to patrol the border.

Border Patrol efforts at securing the terrain between the Ports of Entry are hampered by a lack of basic infrastructure. In many areas, the Southwest border lacks an adequate patrol road network. This greatly reduces Border Patrol mobility and requires additional agents to cover a given area. Furthermore, permanent barriers can be built in high traffic areas to eliminate key illegal border crossing points.

The Border Patrol has used military engineers to improve border security in all states along the Southwest border over the past ten years. The combination of improved border access, barriers, lighting and sensors have secured what were once the main crossing corridors in Imperial County California and El Paso, Texas.[102] Employing military engineer support on a larger scale would immediately increase the level of border security, and in the long-term, reduce the number of Border Patrol agents required to cover the border.

Military support could also be employed to perform Border Patrol infrastructure jobs, thereby releasing additional Border Patrol Officers to perform more direct law enforcement duties. In this capacity, National Guard personnel can be used to transport illegal immigrants, provide intelligence analyst support, range support, communications support, aviation support,

maintenance support and other infrastructure support functions. Border Patrol Officers formerly performing those functions could then be reassigned to direct law enforcement duties thereby mitigating some of the current shortfall..

The effectiveness of Border Patrol Officers can be greatly enhanced by employing existing and developing technologies. In many areas, Border Patrol communications equipment lacks encryption and is susceptible to jamming by drug trafficking organizations. Secure, frequency hopping communications would greatly enhance Border Patrol's overall effectiveness. Remote sensors have been employed along the Southwest border for many years. However, sensor coverage needs to be expanded and susceptible sensor relay transmitters hardened against jamming.

Airborne sensors have also been employed along the Southwest border to deter and detect air drug smuggling for more than a decade. In 1987, the United States began installing a series of land-based aerostat radar detection balloons along the Southwest border. This network of airborne radars successfully deterred the majority of air smugglers. On the other hand, the aerostat system is far from perfect. "Weather, terrain and other factors affect the performance of the aerostats."[103]

In March 2002, Lockheed Martin was awarded a $79 million contract to upgrade the aerostat system with the L-88(V)3 radar system. The new radar provides increased performance at a reduced weight allowing for additional sensor packages to be added to the aerostats. The improved system enables 360 degree radar coverage at ranges up to twenty nautical miles.[104]

Further developments in Lighter Than Air (LTA) technology are being directed at both border security and missile defense. The Pentagon is reviewing a proposal to station unmanned, helium filled airships along our borders and coastlines. High-altitude blimps would hover at 70,000 feet and carry a payload of 4,000 pounds. These platforms could carry a combination of missile defense and surveillance equipment to monitor both illicit ground and air border crossings. "At that height, sensors that have been perfected for satellites would be as much as 50 times more sensitive than if they were in space..."[105]

Replacing the current aerostat and ground based sensor systems along the Southwest border with high altitude helium airships would offer comprehensive ground and air sensor coverage between the Ports of Entry. Employment of emerging LTA technology would serve as a strong deterrent to illegal border crossings and ultimately significantly reduce the number of Border Patrol agents needed to provide security between the Ports and eliminate the need for supplemental military support.

BORDER AGENCY CONSOLIDATION.

Economies gained from employing emerging technologies along the Southwest border can be further enhanced by consolidating Federal government border agencies and jurisdictions. A multitude of government agencies now have jurisdiction or supporting roles along the Southwest border. These overlapping roles, conflicting agendas, and agency turfs, provide operational seams that are readily exploited by transnational criminal organizations. There are four primary federal agencies responsible for securing the U.S./Mexico border.

The Immigration and Naturalization Service (INS) is responsible screening individuals legally entering the United States and preventing illegal immigration. The INS operates primarily at the Ports of Entry. The United States Border Patrol (USBP) is a subordinate organization of INS. The Border Patrol's main mission is the prevention of illegal border crossings between the Ports of Entry. Border Patrol officials have a secondary mission of interdicting illegal drug traffickers crossing the border between the Ports of Entry.

The United States Customs Service (USCS) ensures all imports and exports comply with United States laws and regulations to include the collection of import duties and taxes. The USCS is divided into the Office of Inspections and the Office of Enforcement. The Office of Inspections operates cargo and vehicle inspection facilities at the Ports of Entries. The Office of Enforcement conducts investigations of smuggling, drug trafficking, and import/export law violations. The U.S. Customs Service is also active in monitoring and investigating unauthorized air traffic (air smuggling) crossing the United States border.

The Animal Plant and Health Inspection Service (APHIS) is responsible for inspecting agricultural products and animals entering the United States. APHIS officials provide inspections of these commodities as cross the Southwest border at the land Ports of Entry.

Several other federal agencies also have a role along the Southwest border. The Drug Enforcement Agency (DEA) focuses on both domestic and international drug trafficking organizations. The DEA plays a major role in investigating and prosecuting transnational drug trafficking organizations. The Bureau of Alcohol, Tobacco and Firearms investigates illegal weapons trafficking crossing the border. The Federal Aviation Administration ensures air traffic along the border complies with federal statutes. The FBI has overall responsibility for investigating official corruption in local, state and federal agencies while playing a major role in investigating and prosecuting organized crime. The FBI is also the lead domestic agency for counter-terrorism and counter-intelligence. Other federal agencies, such as, the Bureau of Land Management, U.S. Forest Service and National Parks Service also have some jurisdiction and

responsibility where they have property that is contiguous to the border. County, state and local law enforcement agencies also have overlapping interests and jurisdictions in maintaining order along the border.

This multitude of agencies and resources has great untapped potential. Unfortunately, their efforts lack focus, unity of purpose, synchronization and coordination. While each agency develops a wealth of information and intelligence, little of this information is shared. In addition, these agencies tend to operate independently, missing the synergistic benefits of mounting coordinated operations and shared intelligence.

The recently implemented Homeland Security Act takes a major step toward correcting this problem. Title IV of the Homeland Security Act consolidates the INS, USBP, USCS and part of the USDA under the authority and direction of the Under Secretary for Border and Transportation Security.[106] This is the first step in coordinating and leveraging the capabilities of the separate agencies into an effective border security force. Further, synergy, leverage and efficiency could be gained by combining the border functions of the USCS, INS, USBP and USDA into a single Border Security Agency.

Merging these institutions into a single organization would: synchronize operations both at and between the Ports of Entry, provide a broad base of shared operational intelligence, eliminate current exploited organizational seams, reduce overhead and management redundancy, and improve command, control and communication along the border. Additional benefits could be gained by empowering state and local law enforcement officials to enforce existing federal immigration law. This is not without precedent,. State and local law enforcement officers are frequently deputized to assist Federal law enforcement agencies. A single border security agency, working in conjunction with state and local law enforcement officials, would greatly enhance border security, provide its members with a security functional focus and free valuable resources to reinvest in additional border security programs.

MILITARY SUPPORT

Consolidating government border agencies, adding additional personnel, building additional border infrastructure, and employing emerging technologies are the long-term steps required to secure the Southwest border. In the short-term, military support can help bridge the gap until these resources are available and in place.

The United States military has helped secure the Southwest border since the Mexican-American War in 1846. Since 1988, both active-duty and National Guard personnel have provided support to federal, local and state law enforcement agencies along the Southwest

border as part of the “War on Drugs.” In this capacity, military personnel are already providing significant support that has a direct impact on the Global War on Terrorism.

Currently, National Guard soldiers assist the U.S. Customs Service with cargo inspection at the border Ports of Entry. Military personnel support the U.S. Border Patrol by building road networks and barriers along the Southwest border. In addition, military personnel provide aviation, intelligence and surveillance support to drug law enforcement agencies working along the border.

Active-duty military support is implemented through Joint Task Force Six, out of Fort Bliss, Texas with an FY 2003 operating budget of $25.9 million.[107] Individual Southwest border state National Guard Counterdrug Programs also provide support, funded at approximately $40 million. Southwest border security can be enhanced in the near term by building on these existing military support programs. Both JTF-6 and the National Guard state counterdrug support programs can be rapidly expanded to increase border security. This would simply require additional funding and modification of the current regulations governing counterdrug military support to encompass Homeland Security and other border security tasks. These efforts could be further funded and coordinated through the newly established NORTHCOM Headquarters as part of the National Strategy for Homeland Security. With a charter expanded to include Homeland Security, military counterdrug support programs could provide near-term improvement in Southwest border security, until federal border law enforcement agencies can be resourced and equipped to supply the long-term solution.

A recent Senate Bill authored by Senator Diane Feinstein of California entitled the "Guard Act of 2003," would establish a National Guard Homeland Defense program modeled along the lines as the current Counterdrug support program. The Bill addresses the findings of several congressional anit-terrorism commissions including the Council on Foreign Relations sponsored Hart-Rudman task force report and the Hart-Rudman and Gilmore commissions.[108]

If passed, the "Guard Act of 2003" would enable National Guard personnel to provide Homeland Security support under Title 32, placing control of the Guard under the state governors. Providing Homeland Security support under Title 32 would: facilitate quicker mobilizations, allow greater flexibility in personnel management, reduce the negative impact on civilian employers, reduce negative impacts on individual National Guard soldiers and airmen and enable Guard personnel to provide support without Posse Comitatus constraints.

DOLLARS AND SENSE

Security is always an expensive proposition, and securing America's borders and ports would require a substantial investment. Using current conventional inspection methods, inspecting all of the vehicles, shipments and people entering United States the could run as high as $50 billion per year.[109] Hiring additional Border Patrol Officers, fielding new surveillance equipment, improving patrol roads, consolidating federal border agencies, establishing comprehensive databases, and adding new infrastructure and technology to enable full inspection and facilitate the current rapid flow of commerce could run initially as high as $75-$100 billion per year. However these costs would decrease significantly once adequate infrastructure is in-place and new technology fielded. Critics of securing our borders contend this is not a cost-effective means of mitigating this major security risk. However, the risk we take in lives and property if we don't make this investment is far greater and plainly, unacceptable.

The financial impacts of the September 11 terrorist attacks are difficult to quantify. Nonetheless, some pertinent information is available. In addition to the 3,000 deaths, New York City's comptroller estimates the attacks could cost the city up to $95 Billion.[110] The Milken Institute claims the attacks will cost the U.S. economy 1.8 million jobs.[111] The insurance industry estimates losses, stemming from the attacks, between $30 and $58 billion, combined with a 30% increase in commercial property and liability rates.[112] The attacks cost the U.S. airline industry 20% of its relative value, while the hotel and leisure industries suffered a 15% loss.[113] Concurrently, the attacks helped prompt a $48 billion increase in Federal defense spending and a $38 billion increase in Homeland Security funding.[114] In summary, researchers estimate the aggregate direct and indirect economic cost of the September 11 attacks at $100 billion.[115]

Subsequent terrorist attacks against the U.S. Homeland are likely to cause similar damage. "'Obviously if there's an attack in ports, you could have hundreds of thousands of people die, depending on the weapons used, and there certainly is a colossal risk to the economy,' said Rep. David R. Obey (D-Wis.)." [116] A Brookings Institute study estimates a WMD attack in the U.S. would have a potential cost of $750 billion to $1 trillion.[117] Further terrorist attacks will lead to major increases in spending for consequence management, additional infrastructure protection, and border security measures. In the long-run, we are far better off spending our resources on aggressive prevention measures than on dealing with recovery costs.

In addition, making this capital expenditure in Homeland Security would bring significant economic and public safety benefits that would help mitigate some of the cost. Cocaine and heroin trafficking in the United States would be dramatically reduced. This would reduce the number of addicts within the United States improving public health and safety, while at the same time reducing law enforcement and medical costs. Illegal immigration would be similarly reduced. Again, decreasing associated law enforcement and social service costs. The loss of the narcotics and illegal alien trades would undermine and weaken narco-trafficking organizations operating on the Southwest border, Columbia and elsewhere. Criminal aliens would no longer be able to easily migrate to the United States to commit crime. This would help alleviate the present strains on our judicial system and improve public safety. Having full control and screening of who enters the United States would also benefit public health by helping prevent the spread of infectious disease.

Arguably, $75-$100 billion is not too much to spend to prevent thousands of potential deaths and another $1 trillion in associated costs. The $100 billion, high-end, estimated cost to secure our borders equates to 4.6% of the FY 2003, $2.128 trillion federal budget; or 13% of the $773 billion discretionary budget; or 27% of the $368 billion defense budget; or 0.9% of our GDP.[118] The Bush Administration is planning to spend $102 billion this year to stimulate the United States economy.[119] Concurrently, the United States has spent $154 billion on National Missile Defense while projecting another $120 billion in expenditures before full development and deployment.[120] Fielding National Missile Defense is central to our future National Security. Unfortunately, the security umbrella provided by National Missile Defense will be significantly diluted if terrorists and weapons of mass destruction are allowed to leak through our borders and ports.

Recently, an advisor within the Bush Administration was fired when he publicly predicted a war against Iraq could cost up to $200 billion.[121] Other budget specialists within the Pentagon estimate the cost of war with Irag at between $60 and $95 billion.[122] Regardless of the ultimate cost, Intelligence analysts agree that a war with Irag will greatly increase the probability of further terrorist attacks against the United States Homeland. Conversely, a $75 to $100 billion investment in securing our borders, nearly eliminates our Homeland's vulnerability to terrorist attack and provides substantial protection against proliferating of weapons of mass destruction.

CONCLUSION

The War on Terror, will probably extend over the next ten to twenty years. Within that time, other asymmetrical threats will likely emerge looking to exploit our weak borders. Narco-

terrorist and transnational criminal organizations have created a culture of corruption along the Southwest border that undermines the rule of law and public safety. These conditions are not self-correcting. They will continue to fester and compromise our National Security unless they are aggressively addressed. A recent Brookings Institute study concluded:

> The United States has long and porous borders that are virtually impossible to monitor and protect perfectly. But a number of steps can provide layers of imperfect defenses that, when joined together, could make it quite difficult for terrorists to get both themselves and their weapons into the country. Some of these tools, such as improved databases of suspected criminals or individuals who have overstayed their visas, would do more than provide perimeter defense; they would also help find dangerous people once they were already inside the United States.[123]

Our perimeter defense effort can be further enhanced by allowing state and local law enforcement officials to participate by enforcing immigration law."[124]

Ultimately, securing the Southwest border, the United States border and the Homeland is a question of National Will. Several critics and government officials place border security in the "to-hard-to-do" or "not cost-effective" box. This leads to implementing half-measures, that expend resources, but do not yield the measure of needed security.

Securing the Southwest border without attending to the vulnerabilities along the Northern border and our coastlines would be foolhardy. To adequately secure our borders and protect the Homeland we need to: Expand Port of Entry facilities; hire and train additional manpower; consolidate government border (and port) agencies; aggressively address corruption; account for illegal aliens residing in the United States, and employ emerging inspection, surveillance, network and biometric technologies.

Clearly the benefits of controlling and enforcing our borders are profound. The key question is whether the United States government will be prudent enough to act responsibly and swiftly to eliminate Homeland Security vulnerabilities along the Southwest (and United States) border. Or, whether it will take another catastrophic attack to generate the political will and firm commitment to act.

WORD COUNT = 9,735

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