

U.S. Border Blind Spots

How American wilderness designations and other environmental regulations are creating blind spots on the border that provide safe haven for criminals, drug smugglers and human traffickers

Overview: Border Blind Spots Pose Significant Threat to U.S. Security

- Some of the most dangerous areas along the southern border are 20.7 million + acres of Department of Interior (DOI) and U.S. Forest Service (FS) land. Because these areas are remote, mostly uninhabited and are less frequently patrolled, this federal land has become a prime target for criminals and those illegally attempting to cross the border into the United States.
- This land suffers from:
 - Significant environmental damage;
 - High rates of violent crimes;
 - And thousands of smuggling routes used by drug cartels, human traffickers and possibly terrorists.
- Although Homeland Security and U.S. Border Patrol diligently work to secure our nation's borders, they've been unable to properly monitor this land due to extreme environmental regulations that are enforced by the DOI and FS.
- For example, border patrol agents are inhibited from using any motorized vehicles, often have to patrol on foot and cannot even diligently implement border security legislation passed by Congress – including construction of the Secure Border Initiative Network (SBInet) towers.
- The inability of border patrol to effectively secure this land has created border blind spots that pose serious national security threats. As a result, important federal land has been turned into crime havens.

How Border Blind Spots Endanger Americans and our Lands:

Environmental Threats

Environmental Threat: Foot and Vehicle Traffic

- Although the goal of DOI is to protect the environment on this federal land, illegal activities along the southern border has already caused significant environmental damage.
- For example, 90% of the wilderness land in the Organ Pipe National Monument in Arizona has already been destroyed. *(Source: Border-related impacts to Sonoran desert wilderness in SW Arizona, presentation by the National Park Service)*
- This description of federal land on the border appeared in the Tucson Weekly newspaper:

"The Buenos Aires National Wildlife Refuge has 5 1/2 miles of border within the corridor. Its land has been badly staggered by illegal immigration and drug smuggling, and visitors can see evidence of it within moments of arriving. The parking lot is surrounded by steel rails and a locked gate, and the office has bars on the windows and expensive security doors. It looks like a building in a dangerous inner-city neighborhood, not an 118,000-acre preserve in some of Arizona's most picturesque land."



Heavy foot and vehicle traffic by illegal smugglers causes considerable damage to the land – as shown here from _____.

Environmental Threats: Trash

- Illegal dumping of trash along the border threatens wildlife, destroys habitat and attracts disease carrying insects such as mosquitoes and flies.
- Human waste also contaminates groundwater and kills animals.



Trash on BLM land in the Roskrige-Recortado Mountains , 2008.

Environmental Threats: Destroying Vegetation

- Cacti are cut down to create road barriers in order to stop park visitors, often resulting in robbery and auto theft.
- Those crossing the border illegally also cut down cacti for drinking water.
- The destruction of these cacti harms the water supply, surrounding vegetation and wildlife.



Environmental Threats: Wildfires

- Catastrophic wildfires are another concern along the southern border. These fires endanger lives, destroy plants and kill endangered species.
- Most are caused by discarded matches, cigarettes and unattended campfires by those illegally attempting to cross the border.



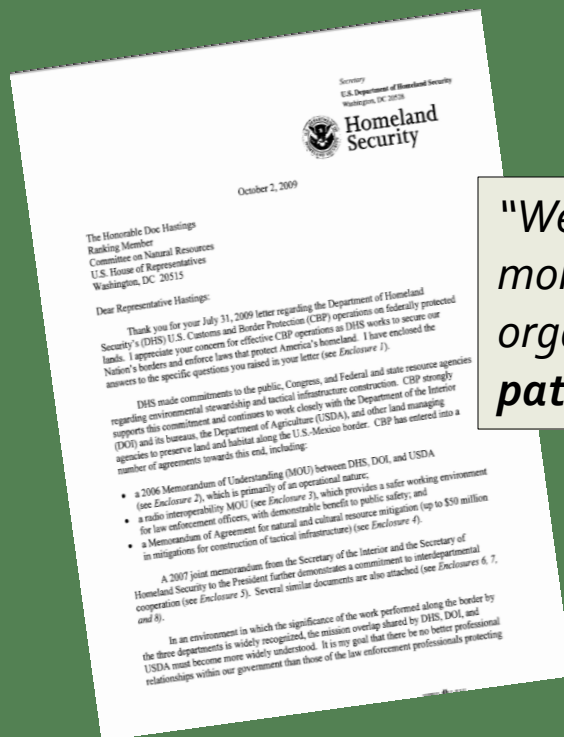
The Harris Fire in 2007 that was started by illegal immigrants outside of San Diego.

How Border Blind Spots Endanger Americans and our Lands:

Security Threats

Security Threats

- There are a number of growing security concerns about blind spots along the southern border.
- In October 2009, Homeland Security Secretary Janet Napolitano addressed the seriousness of this problem and the ongoing threats that exist if changes are not made to the way border patrol is allowed to operate:



*"We could see a significant increase in the use of the more remote areas along the border by smuggling organizations. **The ability of USBP to effectively patrol these areas has never been more critical.**"*

Source: October 2, 2009 letter to Rep. Hastings from Homeland Security Secretary Janet Napolitano

Security Threats: Drug Smuggling

- Drug Trafficking Organizations use federal land along the border to smuggle drugs such as marijuana, cocaine, black tar heroin and methamphetamines into the U.S.
- Along the southern border, 80% of drug smuggling occurs between official border entry points.
- Drugs are stuffed into vehicles and taken across the border. Drug mules will collect the drugs and then abandoned the vehicle.



Drugs seized in a vehicle entering the Organ Pipe National Monument in Arizona



Abandoned vehicle found in the Sand Tank Mountains

Security Threats: Human Trafficking and Kidnapping

- Smuggling routes along the southern border have also been used for human trafficking – where women and children are often the victims.
- This recent Seattle Times story details how a Washington state couple smuggled illegal immigrants from Mexico through the southern border and turned them into indentured servants. The victims include a 8-year old girl who was sexually molested and her 7-year brother who was physically abused.

The Seattle Times

Friday, November 27, 2009

Pacific pair accused of smuggling, enslaving illegal Mexican immigrants

By Lornet Turnbull

For at least three years, a couple in the town of Pacific ran a smuggling operation that brought illegal immigrants from Mexico to be housed in the garage of their home, where the immigrants lived as indentured servants while paying off their smuggling debt, according to court documents.

Maria Bartola Santos-Gonzalez and Juan Gonzalez-Guerra slipped illegal immigrants from Aguascalientes, Mexico, across the border and up into Washington state, for \$3,000 to \$3,500 each, federal and state documents allege.

Among their victims was an 8-year-old girl, whom the couple brought to the United States in 2007, along with her parents and brother. The girl described to a school counselor and to a Pacific detective how Gonzalez-Guerra, 55, a legal permanent resident, sexually molested her.

Her 7-year-old brother told of how Santos-Gonzalez, 63, a U.S. citizen, would sometimes tie him up, cover his mouth with a handkerchief or tape and beat him with a stick, leaving purple marks.

The family said they were fed twice a day and a chain was kept around the refrigerator so they couldn't get more food.

Family members told a Pacific detective the couple threatened to "cut out their tongues" if they told anyone about what happened and told the immigrants the police wouldn't listen to them anyway because they were undocumented.

Security Threats: Human Trafficking and Kidnapping

- Border blind spots have also created dangerous conditions in major cities close to the border.
- For example, Phoenix has become the “kidnapping capitol of the world.”
- ABC News reported that *“kidnappings and other crimes connected to the Mexican Drug Cartels are quickly spreading across the border, from Texas to California. The majority of the victims are either illegal aliens or connected to the drug trade.”* (source: ABC News, *Kidnapping Capitol of the U.S.A.*, February 11, 2009)
- People from foreign countries will pay money to be smuggled across the border into the United States. They often used established smuggling routes on federal land and eventually end up in cities like Phoenix.
- Once in the United States, women are frequently taken hostage by the smugglers, who demand additional money from their families back home.

Security Threats: Violent Crimes

- The rate of violent crimes has increased on remote areas of federal land along the border and headlines detailing crimes in national parks have become increasingly prevalent.
- Visitors and border patrol agents have become victims of car jackings, shootings, robberies and even kidnappings.
- Criminals use tactics such as placing tire spikes on roads along the border as a way to stop and rob visitors.

Hunter discovers body west of Peck Canyon in Rio Rico area

Tuesday, December 1, 2009

Santa Cruz County Sheriff's Office is investigating the body of a man who was found by a hunter on Friday after-

the report taken by Sgt Chad Matthews, at approximately 10 p.m. on Nov. 27, Fernando Rodriguez was found approximately five-six miles west of Peck Canyon where he discovered the body of a Hispanic man.

Deputies from the Santa Cruz County Sheriff's Office were on the scene along with Border Patrol agents who were investigating the man who had been shot. Detectives were

looking for the man who is described as being 5 feet tall and weighing around 200 pounds.

According to the report, wounds indicated a gunshot to the right leg as well as a wound to his left leg where a tourniquet had been applied and wounds to the man's head. The man was wearing a short-sleeve Western-style shirt, blue jeans and hiking boots.

NOGALES INTERNATIONAL Assaults on undocumented migrants continue in county

Tuesday, December 1, 2009

A man bleeding from two bullet holes in his leg knocked on the door of a home near the end of Peck Canyon Drive about 9:46 p.m. Nov. 21, according to the Santa Cruz County Sheriff's Office.

The man, an undocumented Mexican national, told deputies that assailants dressed in black with automatic weapons accosted him and his traveling compan-

ions, said Communications Officer Javier De La Ossa. After the man was shot in a canyon west of the road's end, he limped for about an hour to reach the house.

Deputies and medical personnel from the Tubac Fire District called a helicopter to airlift the man to University Medical Center in Tucson.



Tire spikes found on DOI land near the border in Arizona

Security Threats: Violent Crimes

- The security risks are so great that the National Park Service even warns visitors about them on its website for Big Bend National Park.

When Visiting a Border Park

Big Bend Park shares the border with Mexico for 118 miles. This is a remote region.

Visitors should be aware that drug smuggling routes pass through the park. If you see any activity with looks illegal, suspicious, or out of place, please do not intervene. Note your location. Call 911 or report it to a ranger as quickly as possible.

The screenshot shows the NPS.gov website for Big Bend National Park. The page title is "Big Bend National Park". The main content area is titled "Visiting a Border Area". Below the title, there is a section titled "visiting a border area includes:" with links for "Border Crossing Status", "Border Patrol Checkpoints", "Border Merchants", and "Border Safety". There is a photograph of a sunset over the Sierra del Carmen mountains. Below the photo, there is a caption: "ROSS HICKMAN Sunset lights up the Sierra del Carmen". The main text reads: "Viewing the sun set against the Sierra del Carmen mountains is a sublime Big Bend experience, underlined by the irony that the mountains aren't a part of the National Park; in fact, they aren't even located in the United States. In addition to defining the curve that forms the Big Bend, the Rio Grande also serves as the international boundary between the United States and Mexico. Throughout much of its history the border along the Rio Grande has often been fluid, allowing people of both countries to come and go as needed. However, the border is an artificial boundary imposed on the natural environment, and as such is subject to political and social pressures. Increased border restrictions following the 2001 terrorist attacks have led to a number of important changes that affect the international boundary in Big Bend. A visit to Big Bend is a wonderful experience to learn about the park's history and to experience a wide variety of natural history and recreation options. **The park's border with Mexico is part of our shared landscape and a chance to experience and learn about our neighbors.** A few simple steps can help keep the park safe for everyone who is here. The following pages provide the information you need to know to have a safe and enjoyable visit along the Big Bend of the Rio Grande.

When Visiting A Border Park
Big Bend National Park shares the border with Mexico for 118 miles. This is a remote region.
Visitors should be aware that drug smuggling routes pass through the park. If you see any activity which looks illegal, suspicious, or out of place, please do not intervene. Note your location. Call 911 or report it to a ranger as quickly as possible.

Security Threats: Violent Crimes

- Border patrol agents and park rangers have been killed on federal lands along the border:



- On August 9, 2002 Park Ranger Kris Eggle, age 28, was shot and killed in the line of duty while pursuing members of a Mexican drug cartel who had crossed the U.S. border into the Organ Pipe National Monument.



- On January 19, 2008 Border Patrol Agent Luis Aguilar, age 31, was killed in the line of duty after being intentionally hit by a vehicle that had illegally crossed into the United States through the Imperial Sand Dunes (BLM land) in Arizona. Aguilar was married with two children.

How Border Blind Spots Endanger Americans and our Lands:

Terrorism Threats

Terrorism Threats

- The blind spots on our southern border make the United States increasingly vulnerable to terrorists, who can take advantage of the thousands of existing smuggling routes on federal land.
- According to the Department of the Interior's FY 2002 Public Lands Threat Assessment Report:

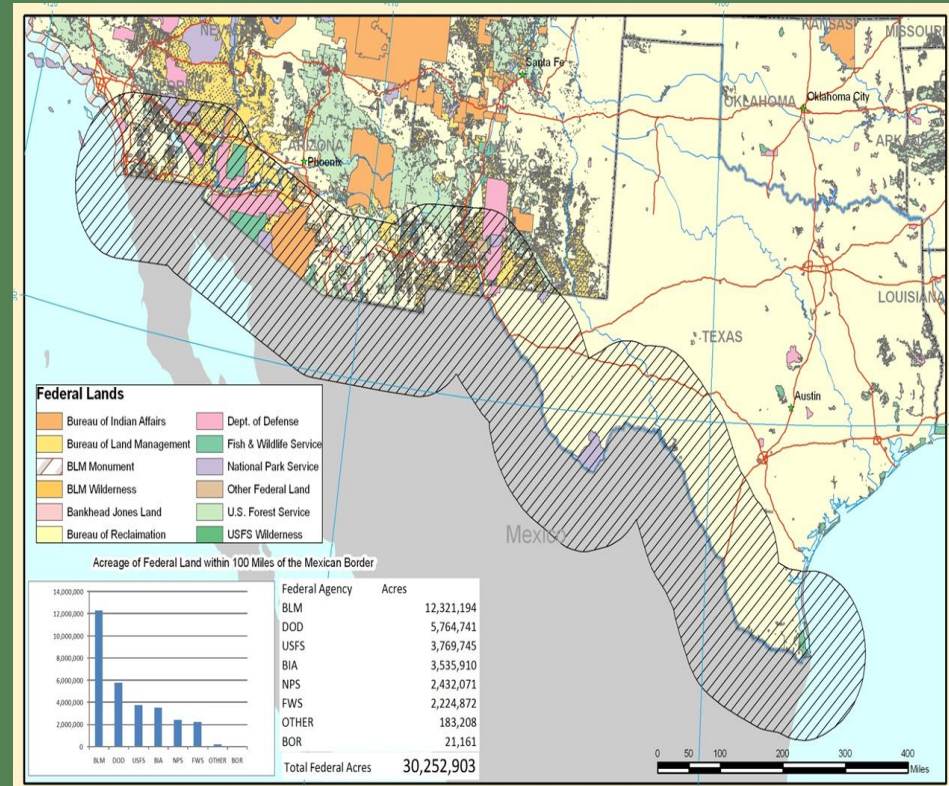
"This easy access to smuggling of drugs and Mexican Nationals also could just as easily be used to smuggle weapons of mass destruction into the United States from Mexico. Nuclear, biological and chemical weapons, or components of these weapons could be smuggled into the US using the Tohono O'odham Nation as an entry point. Mules do not care, or want to know what they are smuggling, they only care that it is successfully smuggled and they receive their \$10.00 a day. These human transporters will ask no questions regardless of what they smuggle."

Get the Facts...

How the Interior Department and Forest Service's wilderness policies have created border blind spots

Fact : Over 4.3 Million Acres Along the Border are Designated as Wilderness

- There are over 20.7 million acres of Department of Interior (DOI) and U.S. Forest Service (FS) land along the southern border.
- This land includes over 4.3 million acres that are classified as “wilderness areas.”
- 4.3 million acres equals the size of Connecticut and Delaware combined.



Acres of federal land within 100 miles of the Mexican border

Fact : Border Patrol's Actions are Severely Limited in Wilderness Areas

- Wilderness areas receive special environmental protection and the following activities are prohibited:
 - Construction of paved and unpaved roads
 - Use of any motorized vehicles
 - Landing of aircrafts
 - Construction of structures or installations
- Unfortunately, these regulations put border patrol agents at a disadvantage and make it nearly impossible for them to effectively do their jobs to secure the border.
- In fact, documents have shown that the Department of Interior (DOI) and the U.S. Forest Service (USFS) have consistently and actively taken steps to prevent the Department of Homeland Security (DHS) and U.S. Border Patrol from securing our nation's borders because of these extreme environmental restrictions.

Fact : DOI Believes Protecting Wilderness is a Higher Priority than National Security

- Internal DOI memos show that officials have asserted that the Wilderness Act of 1964 trumps border security legislation passed by Congress in recent years.

June 24, 2008

To: Management Team, Organ Pipe Cactus National Monument
From: Lee Baiza, Superintendent Organ Pipe Cactus National Monument-
Suzy Stutzman, IMR Lead Planner/Wilderness Coordinator
Subject: Talking points regarding Department of Homeland Security structures and activities within wilderness, minimum requirements, cumulative impacts

Congress has directed the Department of Homeland Security (DHS) to construct a number of types of barriers along the U.S. - Mexico border to improve national security. Congress also created the National Wilderness Preservation System, and the National Park Service is obligated to manage the Organ Pipe Cactus Wilderness for the use and enjoyment of the American people in such manner as will leave them unimpaired for a future use as wilderness to meet the intent of Congress. DHS may be proposing a number of installations and activities associated with the implementation of the SBI initiative, within the Organ Pipe Cactus Wilderness that are prohibited within wilderness. If the DHS facilities and activities are located outside of but immediately adjacent to wilderness, there are still concerns about the impacts to wilderness character.

The Wilderness Act of 1964 contains a prohibition of certain uses in Section 4 (c):

PROHIBITION OF CERTAIN USES
(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including requirements in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

Permanent Roads are Prohibited. The Wilderness Act is very explicit about the types of activities, facilities and installations that are prohibited in wilderness. Permanent roads are prohibited, and are not even covered by the possibility of exception as a "minimum requirement." Another associated factor in the tentative DHS proposal is for an all-weather surfaced roads to provide service to the proposed camera towers and supporting buildings and equipment. An all-weather surfaced road even if it remains unpaved, is a permanent road and outright prohibited.

Minimum Requirements Concept. DHS may also be proposing a number of radio repeater installations, 60 to 120-foot camera towers each with a supporting building, generator, propane tank, and perhaps temporary or possibly permanent roads. Further, the roads (even if temporary) which would support the camera towers are intended to be serviced by motor vehicles, motorized equipment, and/or mechanical transport. These are all installations, structures, and activities that are generally prohibited "except as necessary to meet minimum requirements for the administration of the area for the

The concept of minimum requirements is tied to evaluating necessary to administer the area as wilderness. This is a very important question to ask when considering the first and most important question to ask when considering the prohibitions in Section 4 (c) is: "is it necessary for the area for the purpose of this Act?"

Wilderness Act. The purpose of The Wilderness Act is to create a preservation system that shall be administered "for the use and enjoyment of the American people in such manner as will leave them unimpaired for a future use as wilderness to meet the intent of Congress. DHS may be proposing a number of installations and activities associated with the implementation of the SBI initiative, within the Organ Pipe Cactus Wilderness that are prohibited within wilderness. If the DHS facilities and activities are located outside of but immediately adjacent to wilderness, there are still concerns about the impacts to wilderness character. (Section 2 (a) emphasis added)

Section 2 (c) of the Wilderness Act:

DEFINITION OF WILDERNESS
The concept of minimum requirements is tied to evaluating necessary to administer the area as wilderness. This is a very important question to ask when considering the first and most important question to ask when considering the prohibitions in Section 4 (c) is: "is it necessary for the area for the purpose of this Act?"

used DHS structures, installations, and activities within the area for the purpose of the Wilderness Act? The purpose of these facilities and there is a compelling national security issue, and associated equipment and motorized activities within Congressionally designated wilderness would be contrary to protecting the primeval character of wilderness, and hence contrary to the intent of Congress. These DHS proposals would not preserve natural conditions, would make the imprint of man's work substantially noticeable, would substantially reduce opportunities for solitude or a primitive and unconfined type of recreation, and would impair the interest of the American people as wilderness.

the DHS proposals do not fall under the exception in Section 4 (c) of the Wilderness Act, and are prohibited. (Section 2 (a) emphasis added)

"Congress has directed the construction of these facilities and there is a compelling national security issue, and associated equipment and motorized activities within Congressionally designated wilderness would be contrary to protecting the primeval character of wilderness, and hence contrary to the intent of Congress. These DHS proposals would not preserve natural conditions, would make the imprint of man's work substantially noticeable, would substantially reduce opportunities for solitude or a primitive and unconfined type of recreation, and would impair the interest of the American people as wilderness...the DHS proposals do not fall under exceptions to the prohibitions of use in Sections 4 (C) of the Wilderness Act, and are prohibited."

**Republican Solutions to
Secure our Border and Keep
Americans Safe.....**

Untie the Hands of Border Patrol

- These extreme environmental restrictions force U.S. Border Patrol (USBP) agents to jump through hoops just to simply do their jobs.
- For example, USBP agents are required to patrol on foot and/or horse because DOI rules will not allow them to use vehicles in wilderness areas. Homeland Security Secretary Janet Napolitano addressed this problem in a recent letter:

"One issue affecting the efficacy of Border Patrol operations within wilderness is the prohibition against mechanical conveyances (land and air) The USBP regularly depends upon these conveyances, the removal of such advantage being generally detrimental to its ability to accomplish the national security mission...For example, it may be inadvisable for officer safety to wait for the arrival of horses for pursuit purposes, or to attempt to apprehend smuggling vehicles within wilderness with a less capable form of transportation."

Source: October 2, 2009 letter to Rep. Hastings from Homeland Security Secretary Janet Napolitano

Ensure DHS is Not Prevented from Constructing Border Security Infrastructure

- DHS sometimes has to wait up to 6 months for DOI to grant permits to conduct border security operations on its land.
- USBP has also been delayed from testing and constructing SBInet tower sites (infrastructure used to secure the border) because of environmental regulations.
- For example, border patrol cannot construct towers if there are endangered Sonoran pronghorn antelope in the area. A BLM official wrote in an email to DHS regarding testing for placement of the SBInet towers that:

"A biological monitor shall be present at the proposed location of AJO-004 to monitor for Sonoran Pronghorn prior to any disturbance/drilling. The monitor must have experience with observing pronghorn. The monitor will scan the area for pronghorn and if observed, the drilling will be delayed until the pronghorn moved of their own volition. The pronghorn cannot be 'encouraged' to vacate the area."



*Endangered Sonoran pronghorn antelope
in Organ Pipe Cactus National Monument*

Eliminate Mitigation Payments from DHS to DOI

- DHS has paid DOI over \$9 million since 2007 in order to conduct border patrol operations in wilderness areas. This money is to mitigate the “environmental damage” caused by border patrol agents. DHS is expected to send an additional \$50 million this year on mitigation activities on DOI land.
- Homeland Security Secretary Janet Napolitano acknowledged that allowing border patrol to monitor this area is the best way to help protect the environment:

“Overall, the removal of cross-border violators from public lands is a value to the environment as well as to the mission of the land managers. The USBP believes that operations are generally functionally equivalent to mitigation. Recognition of this equivalency could prevent what we see as unnecessary and potentially very large mitigation requirements.

The validity of this statement was evidenced recently when the vehicle fence project south of the Buenos Aires National Wildlife Refuge received praise from a Fish and Wildlife Biologist. The biologist was encouraged by the re-growth and rehabilitation taking place naturally to the north of the vehicle fence subsequent to its installation. The Coronado National Forest Supervisor has been very supportive of our projects, likely due to his recognition of their ability to reduce illegal cross-border traffic and minimize the operational footprint of the USBP simultaneously.”

Source: October 2, 2009 letter to Rep. Hastings from Homeland Security Secretary Janet Napolitano