

ARIZONA STATE SENATE
RESEARCH STAFF



TO: MEMBERS OF THE JOINT BORDER
SECURITY ADVISORY COMMITTEE

BILL RITZ
LEGISLATIVE RESEARCH ANALYST
BANKING & INSURANCE COMMITTEE AND
VETERANS & MILITARY AFFAIR COMMITTEE
Telephone: (602) 926-3171
Facsimile: (602) 926-3833

DATE: November 8, 2011

SUBJECT: The Joint Border Security Advisory Committee Report

Attached is the first report of the Joint Border Security Advisory Committee as required pursuant to § 41-108, Arizona Revised Statutes. This report has been distributed to the following individuals:

Governor of the State of Arizona
The Honorable Janice K. Brewer

President of the Senate
Senator Russell Pearce

Speaker of the House of Representatives
Representative Andy Tobin

Members of the Joint Border Security Advisory Committee

Senator Al Melvin, Cochair
Senator Gail Griffin
Senator Steve Smith

Representative Russ Jones, Cochair
Representative Javan Mesnard
Representative David Stevens

Bas Aja, Executive Vice President, Arizona Cattlemen's Association
Joseph M. Arpaio, Sheriff, Maricopa County
Paul Babeu, Sheriff, Pinal County
Larry Dever, Sheriff, Cochise County
John Halikowski, Director, Department of Transportation
Robert Halliday, Director, Department of Public Safety
Ralph Ogden, Sheriff, Yuma County
Gilbert Orrantia, Director, Arizona Department of Homeland Security
Charles Ryan, Director, Department of Corrections
Major General Hugo Salazar, Adjunct General, Department of Emergency and Military Affairs

Secretary of State
Ken Bennett

Senate Republican Staff
Senate Democratic Staff
Senate Research Staff
Senate Resource Center

House Majority Staff
House Democratic Staff
House Research Staff
Chief Clerk

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Joint Border Security Advisory Committee Report

Background

The Joint Border Security Advisory Committee (JBSAC) was originally established by the Legislature in 2010 (Laws 2010, Chapter 211). Pursuant to the legislation, the President of the Senate and the Speaker of the House of Representatives were each required to appoint a cochairperson of the Committee and the Committee was required to meet on the call of the two cochairpersons no more frequently than monthly.

The purpose of the Committee was to: (1) take testimony and other evidence regarding the international border with Mexico; (2) analyze border-crossing statistics; (3) analyze related crime statistics; (4) make recommendations designed to increase border security; and (5) make other recommendations deemed essential by the Committee. The Committee could vote to go into executive session to take testimony or evidence it considered sensitive or confidential in nature, which if released could compromise the security or safety of law enforcement or military personnel or a law enforcement or National Guard law enforcement support operation.

The Committee's membership consisted of the following:

- a. The Senate President and the Speaker of the House of Representatives or their designee.
- b. Two members of the House of Representatives who were appointed by the Speaker and two members of the Senate who were appointed by the President.
- c. Six members who were appointed by the Governor.

The Committee was allowed to use the services of legislative staff as required, but was not eligible to receive compensation for Committee activities, with the exception of receiving compensation for reimbursement expenses pursuant to statute.

The enacting legislation also required the Committee, beginning on November 30, 2010, and each month thereafter, to submit a written report of its findings and recommendations to the President of the Senate, Speaker of the House of Representatives and the Governor, with a copy provided to the Secretary of State.

The legislation repealed the Committee from and after December 31, 2014.

In 2011, Laws 2011, Chapter 309, repealed JBSAC and reestablished it into permanent law. The enacting legislation kept the purpose of the Committee the same as established in the 2010 law, but added that the Committee is also allowed to administer and manage the construction and maintenance of the border fence.

The legislation also made the following changes to the membership of the Committee:

- a. The President of the Senate and the Speaker of the House of Representatives, or their designees, as nonvoting members.
- b. Two members of the House of Representatives and two members of the Senate as nonvoting members.
- c. Six members who are appointed by the Governor.
- d. A county sheriff from a county that has a population of more than three million persons.
- e. A county sheriff from a county that has a population of more than 300,000 persons but less than 600,000 persons.
- f. A county sheriff from a county that is located along the Arizona-Mexico border and has a population of more than 100,000 persons but less than 150,000 persons.

- g. A county sheriff from a county that is located along the Arizona-Mexico border and has a population of at least 150,000 persons but less than 600,000 persons; and

The enacting legislation also requires the Committee to submit a written report to the Senate President, the Speaker of the House of Representatives and the Governor, with a copy to the Secretary of State, beginning on November 30, 2011, and each month thereafter.

Committee Activity

The Committee first met on Wednesday, March 30, 2011 and the last Wednesday of every month through September 28, 2011. Please refer to the Committee minutes and attachments for a list of presentations, findings and public testimony.

BR/lf

APPENDIX A:

Relevant Legislation:

SB 1406 – interstate compact; border fence

SB 1495 – Arizona state guard;
establishment

SB 1546 – eminent domain on federal
property.

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 309

SENATE BILL 1406

AN ACT

AMENDING TITLE 41, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES,
BY ADDING SECTION 41-108; REPEALING LAWS 2010, CHAPTER 211, SECTION 7;
RELATING TO A BORDER FENCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 41-108, to read:

4 41-108. Interstate compact to build border fence;
5 requirements; joint border security advisory
6 committee; trust fund

7 A. THE GOVERNOR MAY ENTER INTO A COMPACT WITH OTHER
8 STATES TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF A
9 SECURE FENCE ALONG THE ARIZONA-MEXICO BORDER LINE THAT IS
10 LOCATED ON PRIVATE, STATE OR FEDERAL PROPERTY IF PERMITTED. THE
11 GOVERNOR MAY ENTER INTO SUCH A COMPACT AS PART OF ANY BROADER
12 COMPACT RELATING TO THE SAME OR SIMILAR ISSUE. A COMPACT
13 ENTERED INTO PURSUANT TO THIS SECTION SHALL CONTAIN AT LEAST THE
14 FOLLOWING:

- 15 1. A PROVISION MAKING IT AVAILABLE FOR JOINDER BY ALL STATES.
- 16 2. A PROVISION FOR WITHDRAWAL FROM THE COMPACT ON WRITTEN
17 NOTICE TO THE PARTIES NO SOONER THAN ONE YEAR AFTER THE DATE OF
18 THE NOTICE.
- 19 3. A PROVISION FOR THE ESTABLISHMENT OF AN ORGANIZATION:
 - 20 (a) TO ADMINISTER AND MANAGE THE CONSTRUCTION AND
21 MAINTENANCE OF THE BORDER FENCE.
 - 22 (b) TO ADMINISTER ANY MONIES OBTAINED FOR THE CONSTRUCTION
23 AND MAINTENANCE OF THE BORDER FENCE.
- 24 4. A PROVISION THAT PROVIDES FOR A STATE TO DEVELOP THE
25 STATE'S OWN FUNDING MECHANISM TO CONSTRUCT AND MAINTAIN THE
26 BORDER FENCE THROUGH PRIVATE OR PUBLIC DONATIONS FROM
27 WHATEVER SOURCE AND THAT IS ADMINISTERED BY THE ORGANIZATION
28 ESTABLISHED PURSUANT TO PARAGRAPH 3 OF THIS SUBSECTION.
- 29 5. A REQUIREMENT THAT A STATE USE CORRECTIONAL INMATES AS
30 WELL AS PRIVATE CONTRACTORS TO CONSTRUCT AND MAINTAIN THE
31 BORDER FENCE.
- 32 6. THE OPTION TO CONSTRUCT AND MAINTAIN THE SECURE FENCE ON
33 STATE OR FEDERAL LAND.

34 7. OTHER PROVISIONS NECESSARY TO IMPLEMENT THE COMPACT

35 B. IF THIS STATE DOES NOT ENTER INTO THE COMPACT AUTHORIZED BY
36 SUBSECTION A OF THIS SECTION, THIS STATE MAY STILL CONSTRUCT AND MAINTAIN
37 A SECURE FENCE ALONG THE ARIZONA-MEXICO BORDER LINE THAT IS LOCATED ON
38 PRIVATE, STATE OR FEDERAL PROPERTY IF PERMITTED. SUBSECTION A, PARAGRAPHS
39 4, 5 AND 6 OF THIS SECTION APPLY TO THE BORDER FENCE.

40 C. THE JOINT BORDER SECURITY ADVISORY COMMITTEE IS ESTABLISHED
41 CONSISTING OF THE FOLLOWING MEMBERS:

- 42 1. THE PRESIDENT OF THE SENATE OR THE PRESIDENT'S DESIGNEE AS A
43 NONVOTING MEMBER.

- 1 2. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OR THE SPEAKER'S
2 DESIGNEE AS A NONVOTING MEMBER.
- 3 3. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
4 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AS NONVOTING MEMBERS.
- 5 4. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF
6 THE SENATE AS NONVOTING MEMBERS.
- 7 5. SIX MEMBERS WHO ARE APPOINTED BY THE GOVERNOR.
- 8 6. A COUNTY SHERIFF FROM A COUNTY THAT HAS A POPULATION OF MORE
9 THAN THREE MILLION PERSONS.
- 10 7. A COUNTY SHERIFF FROM A COUNTY THAT HAS A POPULATION OF MORE
11 THAN THREE HUNDRED THOUSAND PERSONS BUT LESS THAN SIX HUNDRED THOUSAND
12 PERSONS.
- 13 8. A COUNTY SHERIFF FROM A COUNTY THAT IS LOCATED ALONG THE
14 ARIZONA-MEXICO BORDER AND THAT HAS A POPULATION OF MORE THAN ONE HUNDRED
15 THOUSAND PERSONS BUT LESS THAN ONE HUNDRED FIFTY THOUSAND PERSONS.
- 16 9. A COUNTY SHERIFF FROM A COUNTY THAT IS LOCATED ALONG THE
17 ARIZONA-MEXICO BORDER AND THAT HAS A POPULATION OF AT LEAST ONE HUNDRED
18 FIFTY THOUSAND PERSONS BUT LESS THAN SIX HUNDRED THOUSAND PERSONS.
- 19 D. COMMITTEE MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION FOR
20 COMMITTEE ACTIVITIES BUT MAY BE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES
21 PURSUANT TO TITLE 38, CHAPTER 4, ARTICLE 2.
- 22 E. THE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
23 SHALL EACH APPOINT A COCHAIRPERSON OF THE COMMITTEE.
- 24 F. THE COMMITTEE SHALL MEET ON THE CALL OF THE TWO COCHAIRPERSONS,
25 BUT NO MORE FREQUENTLY THAN MONTHLY.
- 26 G. THE COMMITTEE MAY:
 - 27 1. TAKE TESTIMONY AND OTHER EVIDENCE REGARDING THE INTERNATIONAL
28 BORDER WITH MEXICO.
 - 29 2. ANALYZE BORDER CROSSING STATISTICS.
 - 30 3. ANALYZE RELATED CRIME STATISTICS.
 - 31 4. MAKE RECOMMENDATIONS DESIGNED TO INCREASE BORDER SECURITY.
 - 32 5. ADMINISTER AND MANAGE THE CONSTRUCTION AND MAINTENANCE OF THE
33 BORDER FENCE.
 - 34 6. MAKE OTHER RECOMMENDATIONS DEEMED ESSENTIAL BY THE COMMITTEE.
- 35 H. THE COMMITTEE MAY USE THE SERVICES OF LEGISLATIVE STAFF AS
36 REQUIRED.
- 37 I. BEGINNING NOVEMBER 30, 2011 AND EACH MONTH THEREAFTER, THE
38 COMMITTEE SHALL SUBMIT A WRITTEN REPORT OF ITS FINDINGS AND
39 RECOMMENDATIONS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
40 PRESIDENT OF THE SENATE AND THE GOVERNOR. THE COMMITTEE SHALL PROVIDE A
41 COPY OF THE REPORT TO THE SECRETARY OF STATE.
- 42 J. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE COMMITTEE MAY VOTE
43 TO GO INTO EXECUTIVE SESSION TO TAKE TESTIMONY OR EVIDENCE IT CONSIDERS
44 SENSITIVE OR CONFIDENTIAL IN NATURE, WHICH IF RELEASED COULD COMPROMISE

1 THE SECURITY OR SAFETY OF LAW ENFORCEMENT OR MILITARY PERSONNEL OR A LAW
2 ENFORCEMENT OR NATIONAL GUARD LAW ENFORCEMENT SUPPORT OPERATION.

3 K. THE BORDER SECURITY TRUST FUND IS ESTABLISHED CONSISTING OF
4 MONIES COLLECTED PURSUANT TO THIS SECTION. THE STATE TREASURER SHALL
5 ADMINISTER THE TRUST FUND AS TRUSTEE FOR THE PURPOSES OF THE COMPACT
6 ENTERED INTO PURSUANT TO SUBSECTION A OF THIS SECTION OR FOR THE PURPOSES
7 OF SUBSECTION B OF THIS SECTION. THE COMPACT ENTERED INTO PURSUANT TO
8 SUBSECTION A OF THIS SECTION OR THE BORDER FENCE PURSUANT TO SUBSECTION B
9 OF THIS SECTION IS THE BENEFICIARY OF THE TRUST FUND. ALL MONIES IN THE
10 TRUST FUND SHALL BE USED EXCLUSIVELY TO CARRY OUT THE PURPOSES OF THIS
11 SECTION. THE STATE TREASURER SHALL ACCEPT, SEPARATELY ACCOUNT FOR AND
12 HOLD IN TRUST ANY MONIES DEPOSITED IN THE STATE TREASURY, WHICH ARE
13 CONSIDERED TO BE TRUST MONIES AS DEFINED IN SECTION 35-310 AND WHICH SHALL
14 NOT BE COMMINGLED WITH ANY OTHER MONIES IN THE STATE TREASURY EXCEPT FOR
15 INVESTMENT PURPOSES. THE STATE TREASURER SHALL INVEST AND DIVEST ANY
16 TRUST FUND MONIES DEPOSITED IN THE STATE TREASURY AS PROVIDED BY SECTIONS
17 35-313 AND 35-314.03, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED
18 TO THE TRUST FUND. MONIES IN THE TRUST FUND ARE SUBJECT TO LEGISLATIVE
19 APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
20 RELATING TO LAPSING OF APPROPRIATIONS.

21 Sec. 2. Repeal

22 Laws 2010, chapter 211, section 7 is repealed.

APPROVED BY THE GOVERNOR APRIL 28, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2011.

Senate Engrossed

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 311

SENATE BILL 1495

AN ACT

AMENDING SECTION 26-174, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE GUARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 26-174, Arizona Revised Statutes, is amended to
3 read:

4 26-174. Arizona state guard; establishment; purpose;
5 appropriations

6 A. If the national guard of Arizona or a major portion thereof is
7 called into active federal service, or if the national guard or a major
8 portion thereof is alerted for federal service OR FOR ANY OTHER REASON THE
9 GOVERNOR CONSIDERS TO BE NECESSARY, the governor may establish an armed
10 force for the safety and protection of the lives and property of the
11 citizens of the state which shall be known as the Arizona state guard.

12 B. The Arizona state guard shall insofar as practicable be governed
13 by and subject to the laws of the state pertaining to the national guard.
14 The governor shall issue or cause to be issued rules and ~~regulations~~
15 govern administration and organization of the state guard.

16 C. Appropriations made to the national guard shall be deemed
17 appropriated to both the national guard and the Arizona state guard, if
18 and when the latter organization is established, and any funds ~~which~~ THAT
19 are unexpended from appropriations to the national guard may be used for
20 establishment and maintenance of the Arizona state guard.

APPROVED BY THE GOVERNOR APRIL 28, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2011.

House Engrossed Senate Bill

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 356

SENATE BILL 1546

AN ACT

AMENDING TITLE 12, CHAPTER 8, ARTICLE 2, ARIZONA REVISED STATUTES,
BY ADDING SECTION 12-1114.01; RELATING TO EMINENT DOMAIN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 8, article 2, Arizona Revised
3 Statutes, is amended by adding section 12-1114.01, to read:

4 12-1114.01. Property of the United States subject to
5 condemnation; duty of attorney general to file
6 action; exclusions

7 A. PROPERTY THAT MAY BE TAKEN UNDER THIS ARTICLE INCLUDES PROPERTY
8 POSSESSED BY THE UNITED STATES GOVERNMENT UNLESS:

9 1. THE PROPERTY WAS ACQUIRED BY THE FEDERAL GOVERNMENT WITH THE
10 CONSENT OF THE LEGISLATURE PURSUANT TO ARTICLE I, SECTION 8, CLAUSE 17,
11 CONSTITUTION OF THE UNITED STATES.

12 2. THE PROPERTY CONSISTS OF INDIAN LANDS OWNED OR HELD BY A
13 FEDERALLY RECOGNIZED INDIAN TRIBE, NATION, BAND OR COMMUNITY AS
14 RESERVATION LANDS, ALLOTMENT LANDS OR SOVEREIGN OR PROPRIETARY LANDS OR IN
15 ANY OTHER CAPACITY.

16 B. THIS STATE SHALL BE THE PLAINTIFF DESCRIBED IN THIS ARTICLE IN
17 AN ACTION TO CONDEMN PROPERTY DESCRIBED IN SUBSECTION A. THIS STATE IS
18 NOT RESPONSIBLE FOR LEGAL ACTIONS FILED BY OTHER PERSONS OR ENTITIES.

19 C. THE ATTORNEY GENERAL SHALL FILE EMINENT DOMAIN ACTIONS WITH THE
20 CONSENT OF THE UNITED STATES GOVERNMENT ON PROPERTY DESCRIBED IN
21 SUBSECTION A:

22 1. THAT FACILITATE THIS STATE'S ABILITY TO MANAGE, OR PROVIDE
23 ACCESS TO, OR INCREASE THE PROFITABILITY OF, THE LANDS OWNED OR HELD IN
24 TRUST BY THIS STATE FOR THE BENEFIT OF PUBLIC SCHOOLS AND OTHER
25 INSTITUTIONS OF THIS STATE CONSISTENT WITH THIS STATE'S FIDUCIARY
26 RESPONSIBILITIES TOWARD THE BENEFICIARIES OF THE TRUST LANDS.

27 2. FOR A PUBLIC USE THAT INCREASES THE ABILITY OF THIS STATE TO
28 GENERATE REVENUE.

29 D. THIS SECTION DOES NOT APPLY WITH RESPECT TO:

30 1. PROPERTY HELD BY THE UNITED STATES FOR THE BENEFIT, INCLUDING
31 WATER RIGHTS, OF A FEDERAL RECLAMATION PROJECT OR MANAGED BY A POLITICAL
32 SUBDIVISION OF THIS STATE, OR A SPECIAL TAXING DISTRICT ORGANIZED UNDER
33 TITLE 48.

34 2. PROPERTY ON WHICH PERMANENT IMPROVEMENTS ARE CONSTRUCTED OR THAT
35 IS LEGALLY ENCUMBERED.

APPROVED BY THE GOVERNOR APRIL 29, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 29, 2011.

APPENDIX B:

March 30, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, March 30, 2011
Time: 9:00 A.M.
Place: HHR 1

AGENDA

1. Opening Remarks
2. Introduction of Members and Staff
3. Review Statutory Purpose of the Committee
4. Identify Potential Stakeholders and Presenters
5. Set Date for Next Formal Meeting
6. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 John Halikowski
 Robert Halliday

Representative Russ Jones, CoChair
 Representative Kirk Adams
 Representative David Stevens
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

3/24/11
jmb

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ARIZONA STATE LEGISLATURE
Fiftieth Legislature – First Regular Session

JOINT BORDER SECURITY ADVISORY COMMITTEE

Minutes of Interim Meeting
Wednesday, March 30, 2011
House Hearing Room 1 -- 9:00 a.m.

Co-Chairman Melvin called the meeting to order at 9:04 a.m. and attendance was noted by the secretary.

Members Present

Senator Al Melvin, Co-Chairman
Senator Gail Griffin
Senator Steve Smith
Bas Aja
John Halikowski
Robert Halliday

Representative Russ Jones, Co-Chairman
Representative Kirk Adams
Representative David Stevens
Gilbert Orrantia
Charles Ryan
Major General Hugo Salazar

Members Absent

None

Introduction of Members and Staff

Co-Chairman Melvin asked each Member to introduce himself or herself:

Senator Al Melvin, Legislative District 26 on the north side of Tucson
Representative Russ Jones, Legislative District 24 from Yuma to Parker
Steve Moortel for Representative Kirk Adams; Legislative District 19
Bas Aja, Arizona Cattlemen's Association
Gilbert Orrantia, Director, Arizona Department of Homeland Security
Major General Hugo Salazar, Director, Department of Emergency and Military Affairs
Senator Gail Griffin, Legislative District 25 in southern Arizona
Senator Steve Smith, Legislative District 23 in Pinal County
Representative David Stevens, Legislative District 25 in southern Arizona
Kevin Biesty for John Halikowski, Arizona Department of Transportation
Bob Halliday, Director, Arizona Department of Public Safety
Chuck Ryan, Director, Arizona Department of Corrections

Co-Chairman Jones introduced Committee Research Analysts Bill Boyd from the Senate and Joe DeMenna from the House of Representatives.

Statutory Purpose of the Committee

Co-Chairman Melvin explained that this Committee was established by HB2162, passed by the 49th Legislature, Second Regular Session, as a follow-up to SB1070.

Co-Chairman Jones stated that the purpose of this Committee, as established by HB2162, is to (1) take testimony and other evidence regarding the international border with Mexico, (2) analyze border crossing statistics, (3) analyze related crime statistics, (4) make recommendations designed to increase border security, and (5) make other recommendations deemed essential by the Committee (Attachment 1). He informed the Members that the Committee's sunset date is December 31, 2014.

Potential Stakeholders and Presenters

Co-Chairman Melvin stated that there are many other entities and potential stakeholders who will be invited as a

“second tier” to attend meetings and present information. He and Co-Chairman Jones listed some of these:

- United States Border Patrol
- County Sheriffs' Association
- Police Chiefs' Association
- Margie Emmerman, Governor's Office
- Luis Ramirez, Governor's Office
- Department of Public Safety
- Arizona's Federal Emergency Management Agency (FEMA)
- Immigration and Customs Enforcement (ICE)
- United States Customs, Arizona Department
- United States Attorney for the State of Arizona
- Arizona Attorney General
- Association for County Attorneys
- Tribal Representatives
- Private sector groups such as state trucking and customs brokers associations that deal with international commerce and the border
- Border Chambers of Commerce
- Arizona Rangers
- Civil Air Patrol

Co-Chairman Melvin explained that there are two bills working their way through the current Legislature: one will establish a website to raise money to build a border fence, and the other will direct that money to be used to build the fence using inmate labor. Co-Chairman Jones asked if the oversight for those bills should be this Committee; Senator Smith answered in the affirmative.

Co-Chairman Melvin spoke in some detail about ideas to incorporate in the new website, including issuing certificates to those who donate. He explained that Arizona has 40,000 inmates, 6,000 of whom are available to work off of the prison grounds at 50 cents per hour; this type of fence-building project has already been done in Douglas. He added that the inmates can be used not only to build the fence, but also to help clean up areas that have been trashed by illegals.

Co-Chairman Melvin highlighted border activities that the State of Texas is doing, including a website (<http://www.ProtectYourTexasBorder.com>) which is managed by the Texas Department of Agriculture. He suggested that the Members make contact with counterparts in the other border states to learn what is being done in the area of border security.

Co-Chairman Jones added that the Border Legislative Conference (comprised of four United States border states and six Mexican border states) meets periodically and has declared security to be its most important priority.

Representative Stevens commented that he has experience in information technology and would be willing to set up the Arizona website. Co-Chairman Melvin stressed that the website could showcase the activity taking place on the border and be a central resource for all relevant information.

Co-Chairman Melvin identified two other websites for the Members to view:

- Federation of American Immigration Reform (FAIR) - <http://www.fairus.org>
- Texas State Guard - <http://www.txsg.state.tx.us> - He stated that he is interested in establishing an Arizona State Guard and there is a bill going through the Legislature now. He added that some Arizona counties are beefing up their posses in order to participate.

Co-Chairman Melvin asked the Committee Members to share their thoughts on the purpose and goals of this group.

Co-Chairman Jones informed the Members that he wants to create a logical sequence of information gathering and proposed that each meeting focus on either federal, state, or county activities. Co-Chairman Melvin concurred, adding that for over 20 years the federal government has not secured the border and that this Committee can bring State of Arizona assets to bear on this issue.

Mr. Aja, Arizona Cattlemen's Association, described for the Members some of the issues that ranchers along the border must deal with, including the illegal flow of drugs, contraband, and human smuggling. He discussed political and law enforcement solutions, particularly the effectiveness of the National Guard deployed along the border; he expressed concern that the National Guard will soon leave the area. He stated that drug cartels operating on the border move \$80 million of contraband per day.

Mr. Orrantia, Arizona Department of Homeland Security, encouraged an assessment of “where we are” at this

moment. He agreed that the second tier of stakeholders will be important to assess the very fluid situation on the border because of their knowledge of what is happening. He added that it is important to sustain where Arizona is currently, and pointed to Operation Stonegarden, a FEMA program to enhance law enforcement preparedness and operational readiness along the borders of the United States, as an example.

Co-Chairman Jones stressed the importance of understanding what things are not working.

Major General Salazar, Department of Emergency and Military Affairs, echoed the previous comments about the importance of identifying a starting point and acknowledging what has been done thus far. He added that the National Guard has both a federal mission to ensure that soldiers and airmen are prepared to deploy overseas and a state mission of emergency response. He reminded the Members that the National Guard does not have law enforcement authority; it always operates in a support role.

Senator Griffin expressed agreement with identifying the problems on the border and hearing from the people who are affected. She stressed that her constituents want border security and safe communities in neighborhoods and rural areas; she stated that she looks forward to hearing the solutions to identified problems.

Senator Smith stated the importance of the border fence as well as manpower on the border. He stated that Texas has committed \$116 million for border security and he wonders how much Arizona has actually committed.

Representative Stevens addressed the website project, stating that the State Treasurer must set up the accounts to receive donations.

Mr. Biesty, Arizona Department of Transportation (ADOT), explained that his department is ready to provide any technical support needed. Co-Chairman Melvin commented that transportation is one of three resources that must be plentiful, reliable, and affordable in Arizona; he stated that the other two are electricity and water.

Mr. Halliday, Arizona Department of Public Safety (DPS), stressed that law enforcement is a key component of border security. He urged a collective gathering of all state law enforcement agencies. Co-Chairman Melvin commented that DPS has a strong presence in the state.

Mr. Ryan, Arizona Department of Corrections (DOC), discussed the use of inexpensive, offsite inmate labor for the benefit of the taxpayers. In the past, he has worked with state land and border associations to gain access to areas that need cleanup. Co-Chairman Melvin stressed the dual tasks of securing the border and cleaning up properties damaged by illegals.

Co-Chairman Jones added that perhaps Arizona's universities might be used as resources for these projects. He stated that public testimony will be added to future agendas.

Co-Chairman Melvin stated he has been working with businessmen on a project near Guaymas, Sonora, Mexico that will create a deepwater port suitable for the largest ships in the world, such as container ships and ore carriers. This port will employ hundreds of thousands of people, providing decent jobs in Mexico. It will also require improved rail connections to Arizona which will reduce border road congestion and pollution; trains might not even have to stop at the border. He added that funding for this project will be from private investment.

Date for Next Meeting

Co-Chairman Melvin asked if the last Wednesday of each month at 9:00 a.m. will be a good time for subsequent meetings; the Members concurred. He stated that, for the time being, the meetings will continue to be held in House Hearing Room 1.

He announced that the next meeting of the Joint Border Security Advisory Committee will be at 9:00 a.m. on April 27, 2011, in House Hearing Room 1.

Without objection, the meeting adjourned at 10:06 a.m.

Jane Dooley, Committee Secretary
May 10, 2011

(Original minutes, attachments and audio on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

----- DOCUMENT FOOTER -----

JOINT BORDER SECURITY ADVISORY COMMITTEE
March 30, 2011

2

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APPENDIX C:

April 27, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, April 27, 2011

Time: 9:00 A.M.

Place: HHR 1

AGENDA

1. Opening Remarks
2. Introductions
3. Presentations:
 - Ken Rosevear, Yuma County Chamber of Commerce
 - Leon Wilmot, Yuma Sherrif's Office
 - Tony Tew, Foothills Packing
4. Discussion
5. Public Testimony
6. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 John Halikowski
 Robert Halliday

Representative Russ Jones, CoChair
 Representative Kirk Adams
 Representative David Stevens
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

4/21/11
 jmb

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ARIZONA STATE LEGISLATURE
Fiftieth Legislature – First Regular Session

JOINT BORDER SECURITY ADVISORY COMMITTEE

Minutes of Interim Meeting
Wednesday, April 27, 2011
House Hearing Room 1 -- 9:00 a.m.

Co-Chairman Jones called the meeting to order at 9:02 a.m. and attendance was noted by the secretary.

Members Present

Senator Al Melvin, Co-Chairman
Senator Gail Griffin
Senator Steve Smith
Bas Aja
John Halikowski
Robert Halliday

Representative Russ Jones, Co-Chairman
Representative Kirk Adams (Steve Moortel)
Representative David Stevens
Charles Ryan
Major General Hugo Salazar

Members Absent

Gilbert Orrantia

Opening Remarks

Co-Chairman Jones welcomed the presenters from Yuma; he reminded Members that the Co-Chairmen plan to take testimony from Arizona's southern border communities, from west to east, in order to compile good information about the state of the border. The focus will then move to the interior of the state where the impacts of drug and human smuggling affect the levels of crime.

Co-Chairman Jones stated that the Members will hear from the Yuma County Chamber of Commerce, the Yuma County Sheriff's Office, and the agricultural sector. He stated that Border Patrol declined to be present today, but that he hoped they would attend a future meeting because the relationship of all law enforcement entities - federal, state, county, city, and tribal - is very important in order to secure Arizona.

Co-Chairman Melvin reminded the Members that this Committee will meet on the last Wednesday of each month, at 9:00 a.m. in House Hearing Room 1.

Senator Smith updated the Members on SB1406, legislation calling for the building of a border fence using donations and inmate labor, which is awaiting the Governor's signature.

Presentations

Ken Rosevear, Executive Director, Yuma County Chamber of Commerce, gave the Members an overview of the Chamber (Attachment 1), which has 1,000 members and whose emphasis is on commerce. He explained that he will address border issues as they relate to commerce, and stated that Yuma has the highest unemployment rate of any community in the state. He discussed how a big portion of Yuma's dollars are "cross-border" dollars. Over 25,000,000 people cross Arizona's border, and Yuma at San Luis is the second-largest port for these crossings.

Mr. Rosevear stressed that Yuma is not a "pit stop" on the way to San Diego; it is the third-largest metropolitan area in Arizona with almost 200,000 residents and 70,000 winter visitors. Agriculture is the number one economic driver in Yuma, followed by military, then tourism and small manufacturing.

Mr. Rosevear detailed statistics on pedestrian and vehicle crossings in the area. He described the more than 20,000 farm workers who cross the border from Mexico every workday on day passes to work in agricultural fields in Arizona. He described how important it is that all traffic be expedited and move quickly across the border; he

described the chokepoints that occur during high-traffic times. He stressed that the workers crossing over from Mexico are trained and want to go home in the evenings to their families.

Senator Smith asked who pays for medical care if a worker is injured on the job. Mr. Rosevear replied that the grower (employer) is responsible.

Mr. Rosevear described over twenty partnerships that Yuma has forged with Mexico and California. Monthly meetings are scheduled with partners, including the Greater Yuma Port Authority, Southwest Arizona Port Users, and the Chamber Transportation Committee. He stated that the immigration issues are different in Yuma than in Phoenix in that Yuma must move people back and forth across the border.

Mr. Rosevear stressed the importance of communicating with federal officials as well as its partners, and local and state officials.

Mr. Halikowski echoed Mr. Rosevear's statement that "Yuma is not a pit stop" and described the Arizona Department of Transportation's (ADOT) 50-year plan to handle freight from California and Mexico; he stressed that Yuma will become a critical gateway as goods move across the United States.

Co-Chairman Jones commented that international cargo moving east and west moves through Arizona, but does not stop in Arizona or get value added; Arizona is a transit player in this cargo movement.

Co-Chairman Melvin stated that the only negative in the migrant worker program is the federal requirement to provide housing for these workers, even though the housing is not used because the workers go home at the end of each day.

Mr. Stevens asked how much road and rail cargo comes through Arizona now and what ADOT's expectations are. Mr. Halikowski replied that current numbers can be supplied to the Members. He also stressed the importance of determining the transportation revenue and limitations and added that this will be discussed in the near future.

Major Leon Wilmot, Yuma County Sheriff's Office, explained that Yuma County (5,500 square miles) has very short sections of border within city jurisdictions; the remainder of the border is in the county and is patrolled by 84 officers (Attachment 1). Major Wilmot described the challenges of patrolling, which include robberies, stolen vehicles and tractors, rapes and homicides. He explained that the river area is very remote and overgrown with vegetation, which provides camouflage for illegal immigrants. He described a military incursion during which Mexican military drove across the river into the United States. He explained that ultralights and cranes are being used by drug cartels.

Major Wilmot discussed the resources needed to address these problems:

- building relationships with Mexican counterparts
- building and extending the border fence
- clearing the land around the border to remove the brush that provides cover for the criminals
- Normandy-type barriers on the river
- intensified patrols
- intercommunication among all agencies

Major Wilmot distributed a document entitled "Border Security - Yuma Sector Successes" (Attachment 2). He stated that the border fence has been effective in improving the situation on the border.

Co-Chairman Jones described "Operation Stonegarden," a federal assistance program for local law enforcement that is limited to borderland counties. Funding is provided for additional personnel and overtime pay for homeland security operations. He complimented the Yuma County officers who implemented the program and requested that they keep the Committee informed of developments.

Major Wilmot spoke of "Operation Streamline," which is a program to reduce illegal crossings. He stated that "Operation Streamline" prosecutes all offenders; it has no sanctuary policy.

Senator Griffin commented that Yuma has apparently secured its border areas, but that Tucson still has an unsecured border. Major Wilmot replied that some Yuma resources are being transferred to Tucson; he added that the Yuma area is a different geographic type than Tucson and requires different approaches.

Co-Chairman Melvin commented that it is good to hear of the cooperation with the Tribal Nations and Police. He stated regret that the Arizona Department of Homeland Security, a grant-writing office, is not present and stressed the importance of learning what federal monies are being applied for and secured.

Mr. Halikowski stated that ADOT, the Arizona Department of Public Safety (DPS), and Yuma County will be updating radio communications to allow for interoperability among the agencies throughout the state.

Co-Chairman Jones added that Motorola is developing communications equipment and technology to enhance interoperability with Mexican counterparts.

Tony Tew, Foothills Packing, addressed the Committee to discuss the agricultural industry and how it is affected by border security. He informed the Members that, during the peak produce season, there are approximately 15,000 to 18,000 migrant farm workers who daily cross the San Luis, Arizona border to board vehicles for transportation to field locations in Yuma County. This is very challenging for the San Luis Port of Entry as it can take 3 to 4 hours for workers to pass through and they can miss their transport vehicle. He mentioned that SENTRI cards (Secure Electronic Network for Travelers Rapid Inspection) for pre-approved low-risk travelers are available, but workers generally cannot afford them and do not cross during the hours that the SENTRI lanes are working.

Mr. Tew explained that his company works closely with Yuma organizations to ensure that work schedules and border safety are always considered.

Mr. Tew discussed reasons for labor shortages, which include an aging workforce and the long workdays, sometimes 12-15 hours.

Mr. Tew described efforts to comply with the federal H-2A program which allows agricultural employers who anticipate a labor shortage to apply for permission to hire foreign workers temporarily. He stated that Foothills Packing has spent almost a quarter-of-a-million dollars for federally-required housing that is unused because the workers return home at the end of each workday. He added that Co-Chairman Jones is proposing legislation to request Congress to remove this housing requirement. Mr. Tew stressed that the H-2A federal requirements have benefitted workers who are trying to better their lives.

Mr. Tew addressed Members' questions:

- Border security and E-Verify have improved the conditions on the border and the illegal immigration situation.
- Approximately 2,000 H-2A workers were signed up in 2010. Once his company contracts with a worker, it must guarantee work for 75 percent of the contract.
- Growers have looked at using inmate labor and have had some test cases. He added that there have been objections from some growers.

Mr. Ryan of the Arizona Department of Corrections (ADC) discussed the advantages of inmate labor, describing it as a very dependable source with no turnover or carpooling problems (Attachment 3). He explained that inmate labor in FY 2010 saved \$12.5 million taxpayer dollars. Inmates have been used to clean up areas that immigrants use to hide and change clothes; the inmates clear and trim brush and trees with up to 2" trunks, allowing law enforcement to see people hiding in the woods. Mr. Ryan then described other ADC projects, including building fences.

Co-Chairman Melvin reminded the Members that of the 40,000 inmates in Arizona prisons, 6,000 are available for work such as this. Mr. Ryan clarified that 3,300 are currently being used.

Mr. Aja discussed a report provided to Governor Brewer by the Rocky Mountain Information Network (Attachment 4). The report contains assessments of:

- drug seizures along the Arizona border in FY2009 show that the Yuma area looks clear, but the central and southeast borders have activity
- corridors of cartel operations
- drug smuggling corridors from the United States Department of Justice
- reported border violence in Arizona

Co-Chairman Jones stated that these assessments show that it is possible to secure the border. He described Immigration and Customs Enforcement (ICE) penalties for misdemeanor and felony illegal entry or re-entry after deportation.

Major General Salazar explained that the Governor has now sent a third letter to Congress and the President requesting funding to maintain the National Guard on the border; there has been no indication yet that the current mission will be extended beyond the mid-June date for 560 National Guardsmen.

Mr. Stevens stated that he has been working with the Arizona Department of Administration to set up the infrastructure for the website; he hopes that he will have this in place next week and will begin adding content.

Co-Chairman Jones asked about 287(g). Mr. Ryan stated that the 287(g) program which allows Arizona's state and local law enforcement to enter into a partnership with ICE is working very well. Illegal immigrants who are detained are turned over to ICE, which maintains custody until the immigrants are deported.

Public Testimony

Lee Earle, Arizona 2012 Project, explained that he advocates for a secure border. The Arizona 2012 Project leads weekly tours to the border to observe the affected areas and debris, the different types of border fences, etc. It also assesses the impact that an insecure border has on the citizens and ranchers of Arizona.

Maureen Baerity, Arizona 2012 Project, stated that she is concerned about securing the border. She inquired if the Yuma migrant workers are tracked to ensure that they return to Mexico and are not just staying in the United States.

Co-Chairman Jones explained that the workers are issued green cards with electronic data strips which are read at each border crossing. These people are legal workers who return home to their families at night.

Luke Taylor, United States Army (Ret.), stated that he is an advocate for the state defense force, an all-volunteer group. He explained that California, New Mexico, and Texas all have such a force; Arizona is the only border state that does not have one. Such a force will be under the control of the Governor and will augment the state National Guard.

Co-Chairman Jones added that there are thirteen companies of Arizona Rangers which are authorized by the state.

Katherine Cobert, Arizona Immigration Reform Council, discussed an article by Congressman Jeff Flake on illegal immigration.

Date for Next Meeting

Co-Chairman Jones announced that the next meeting of the Joint Committee on Border Security will be at 9:00 a.m. on May 25, 2011, in House Hearing Room 1.

Without objection, the meeting adjourned at 11:19 a.m.

Jane Dooley, Committee Secretary
May 24, 2011

(Original minutes, attachments and audio on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

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JOINT BORDER SECURITY ADVISORY COMMITTEE
April 27, 2011

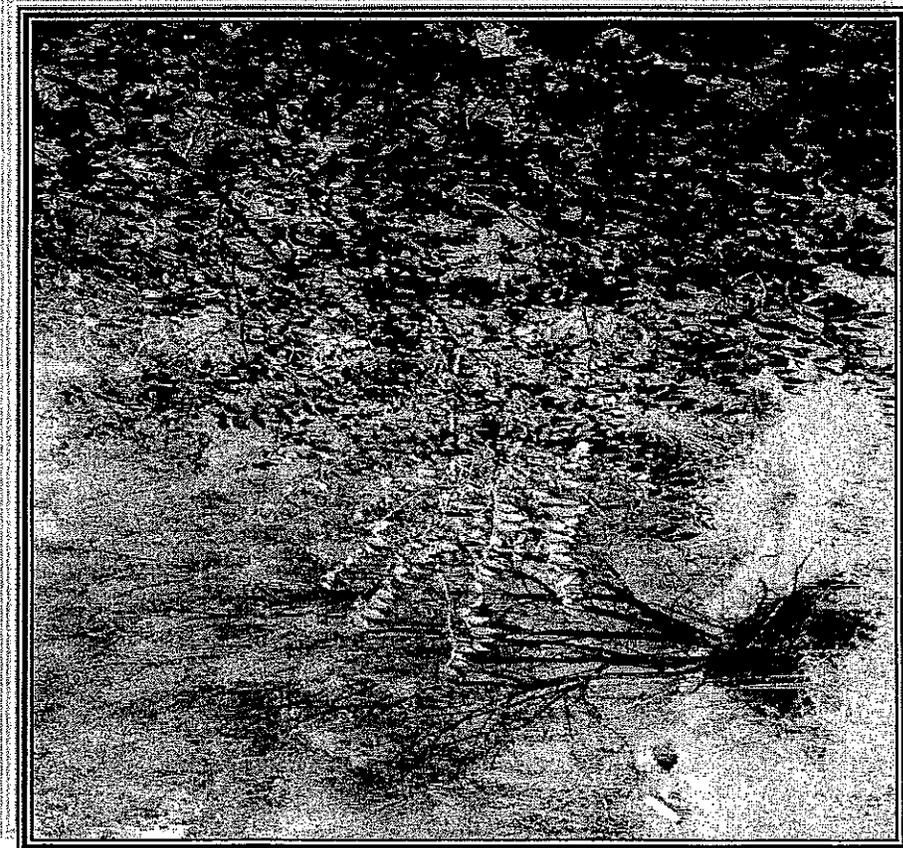
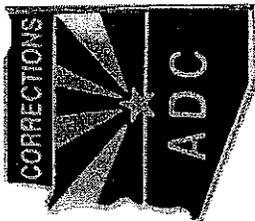
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Jane Dooley, Committee Secretary
May 24, 2011

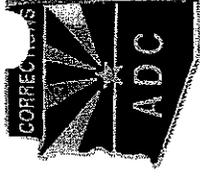
April 2011

Arizona Department of Corrections



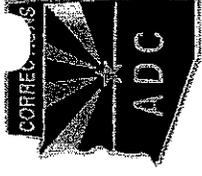
ADC Border Clean-Up Project
July – December 2010

April 27, 2011



Border Clean-Up Project

- The Arizona Department of Corrections has a standing inter-governmental agreement (IGA) with the City of Douglas for inmate labor.
 - The Douglas IGA is one of many such agreements with communities throughout the state, which use low-risk inmates as a labor force outside of prison grounds.
 - Inmate labor enhances the ability of state and local governments to compensate for personnel reductions in order to maintain public services.



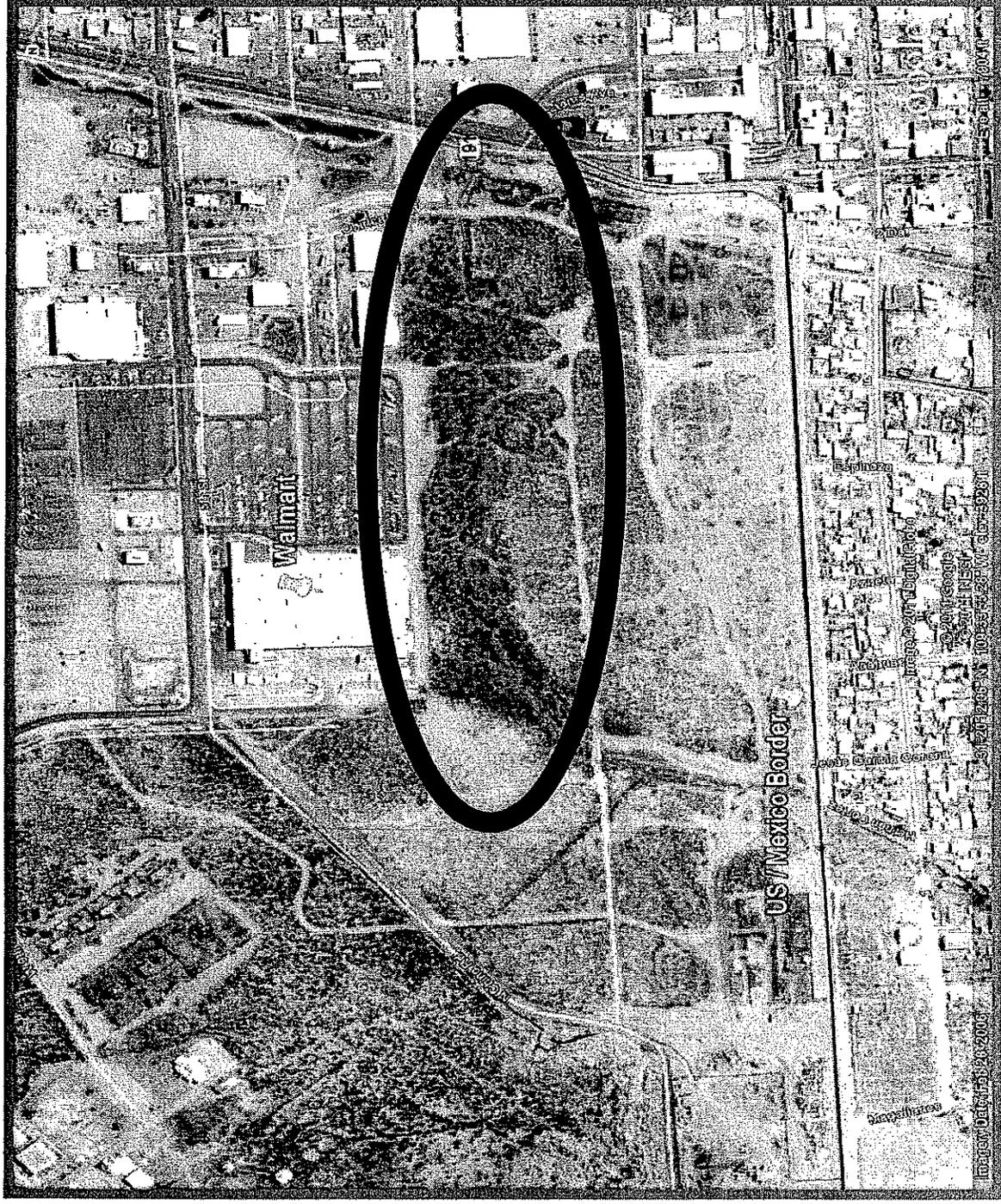
Border Clean-Up Project

- In early March, 2010, ADC received a request from the Douglas Public Works Director to collaborate with the Douglas Public Works Department, the Douglas Police Department, and the United States Border Patrol to clean up an area known as the "Jungle" located in southwest Douglas.
- In response, ADC staff at ASPC-Douglas met with the Douglas Border Patrol Commander and the Douglas Police Chief and put together a plan to create a sustainable border clean-up strategy using ADC inmate labor.

The “Jungle”

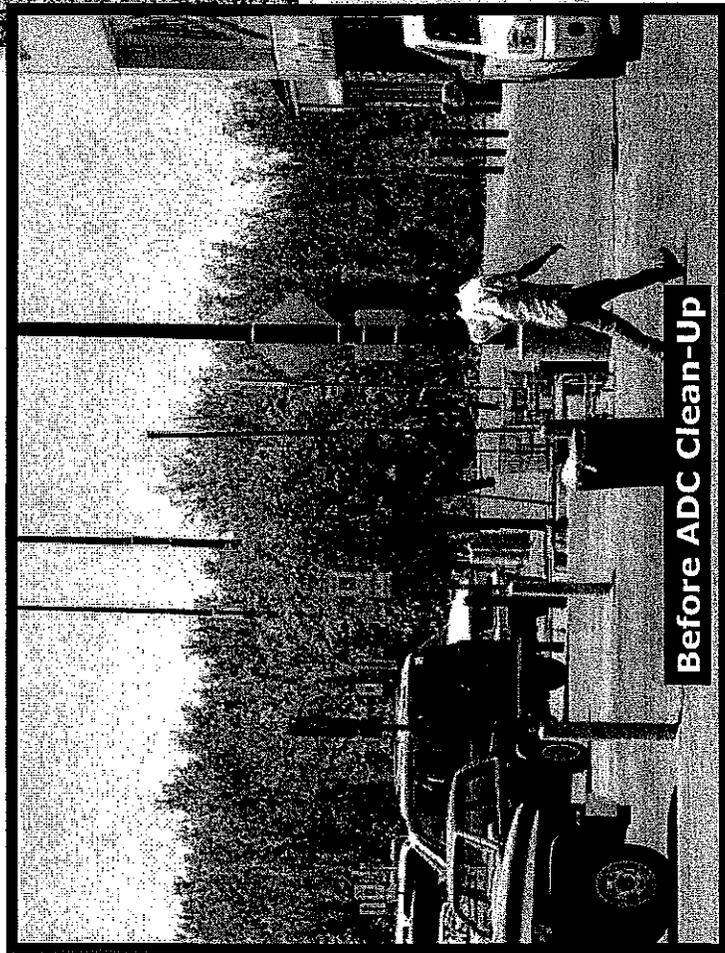
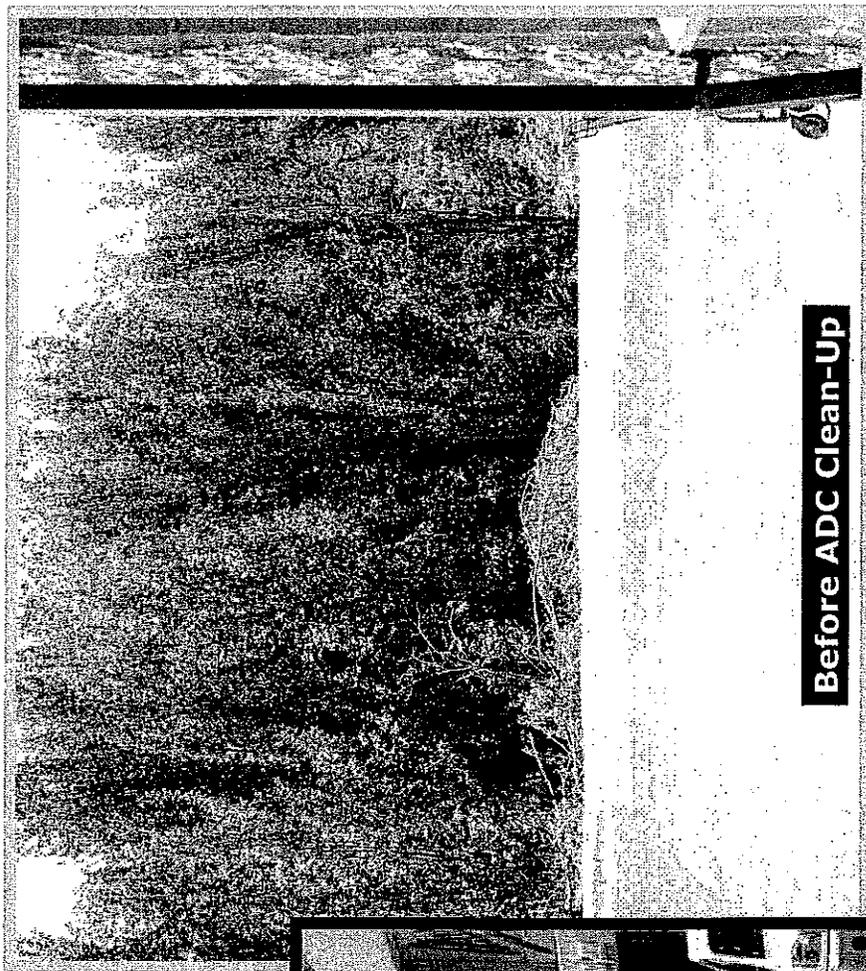
The “Jungle” is in southwest Douglas, about 200 yards north of the U.S.-Mexico border separating Douglas from Agua Prieta, Sonora.

Identified by the Douglas Public Works Department as a “protected wetland,” it is a closely wooded area prone to dense vegetation and heavy brush.



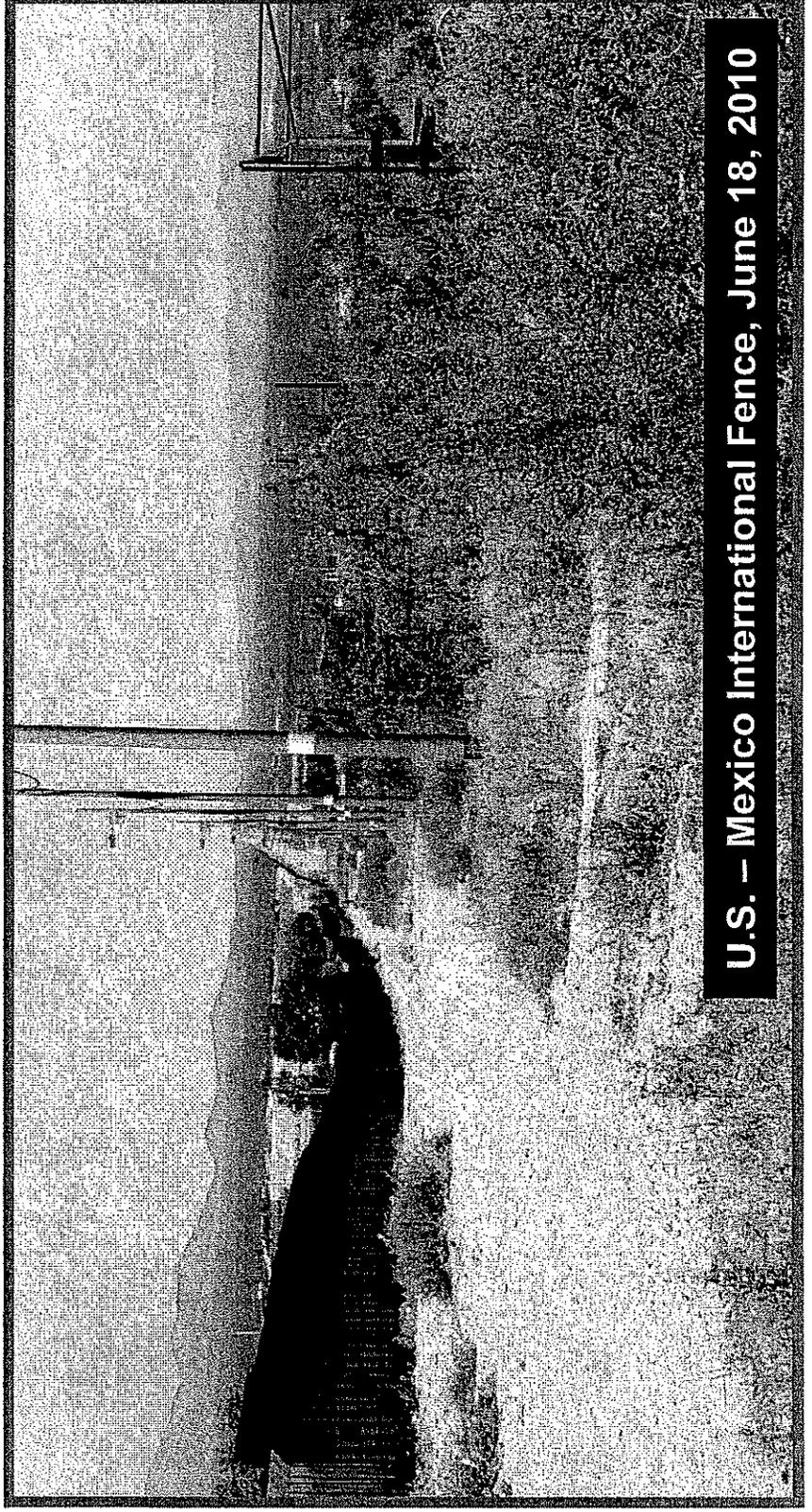
The "Jungle" covers four (4) blocks between 2nd and 3rd streets. It is immediately adjacent to the south side of the Walmart Supercenter, which opened in 2004.

Walmart Supercenter Douglas, Arizona June 18, 2010



The Problem

Douglas is separated from Agua Prieta, Sonora by only an international fence. Illegal immigrants, drug smugglers, and human smugglers entering the United States illegally from Mexico are able to scale this international fence, travel 200 yards, and enter the "Jungle."



U.S. – Mexico International Fence, June 18, 2010

The Problem



The "Jungle" June 18, 2010

Once in the "Jungle," the illegal immigrants and smugglers can hide in the thick trees and overgrown brush, where Law Enforcement can not effectively pursue and apprehend them.

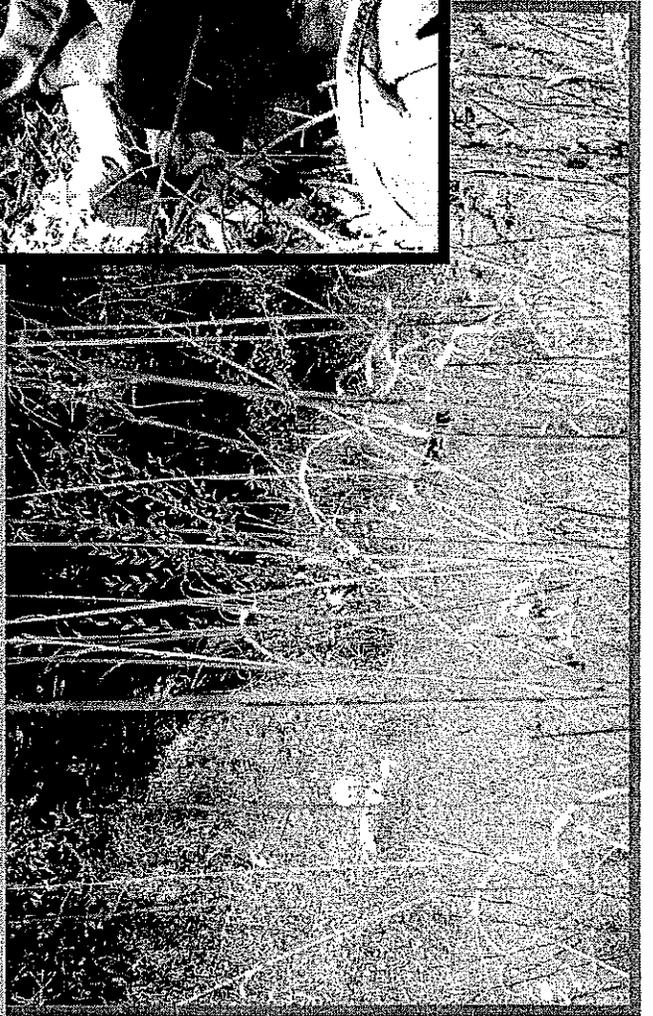
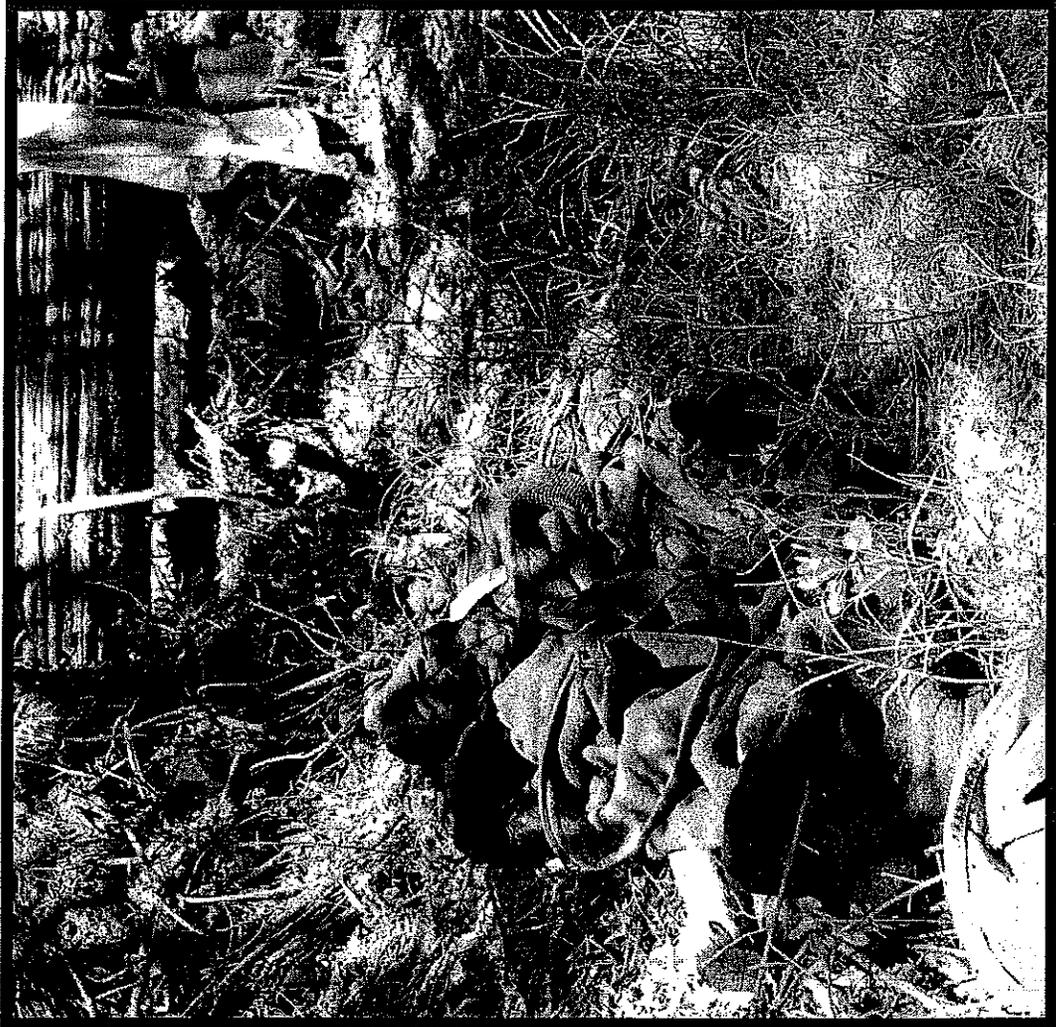
The "Jungle" presents a real danger to Border Patrol Agents who "can't see what they are going after."

The Problem

Under cover of the thick trees and overgrown brush, the illegal immigrants and smugglers can shed a top layer of clothing and then emerge later in the Walmart parking lot, wearing different clothing and blending in with the Walmart customers.



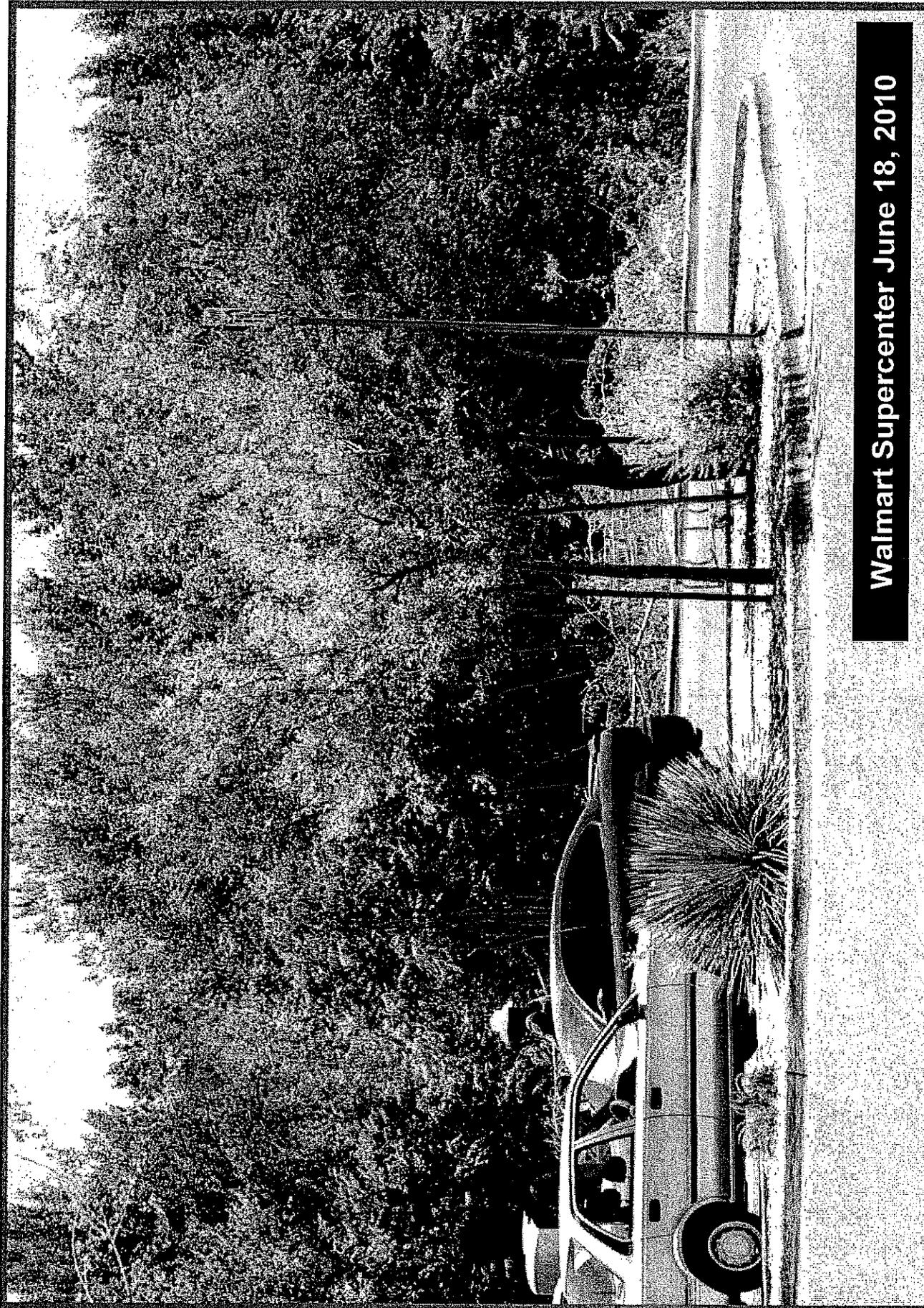
The "Jungle" June 18, 2010



The "Jungle" June 18, 2010



The "Jungle" June 18, 2010



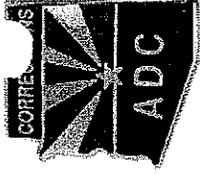
Walmart Supercenter June 18, 2010

ADC Border Clean-Up

In July 2010, ADC began work to clean-up the "Jungle" with a 20 man inmate work crew from the ASPC-Douglas, Gila Unit. The Inmate crew was supervised by two ADC Correctional Officers and one ADC Sergeant.

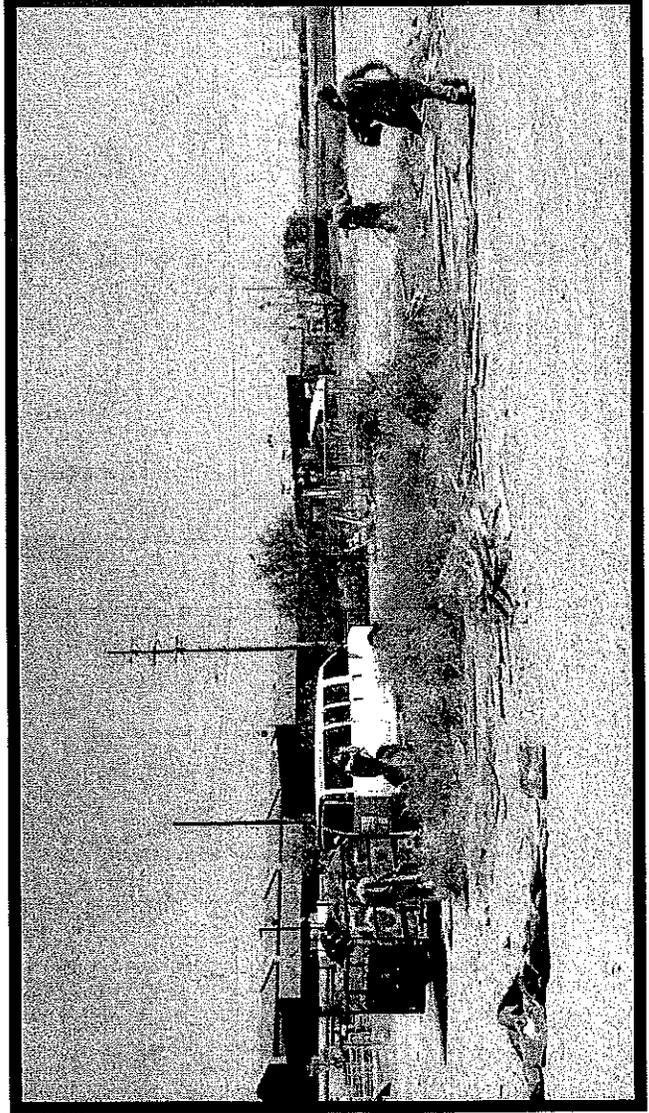
ASPC-Douglas is 8.5 miles north of the U.S.-Mexico border and the "Jungle."





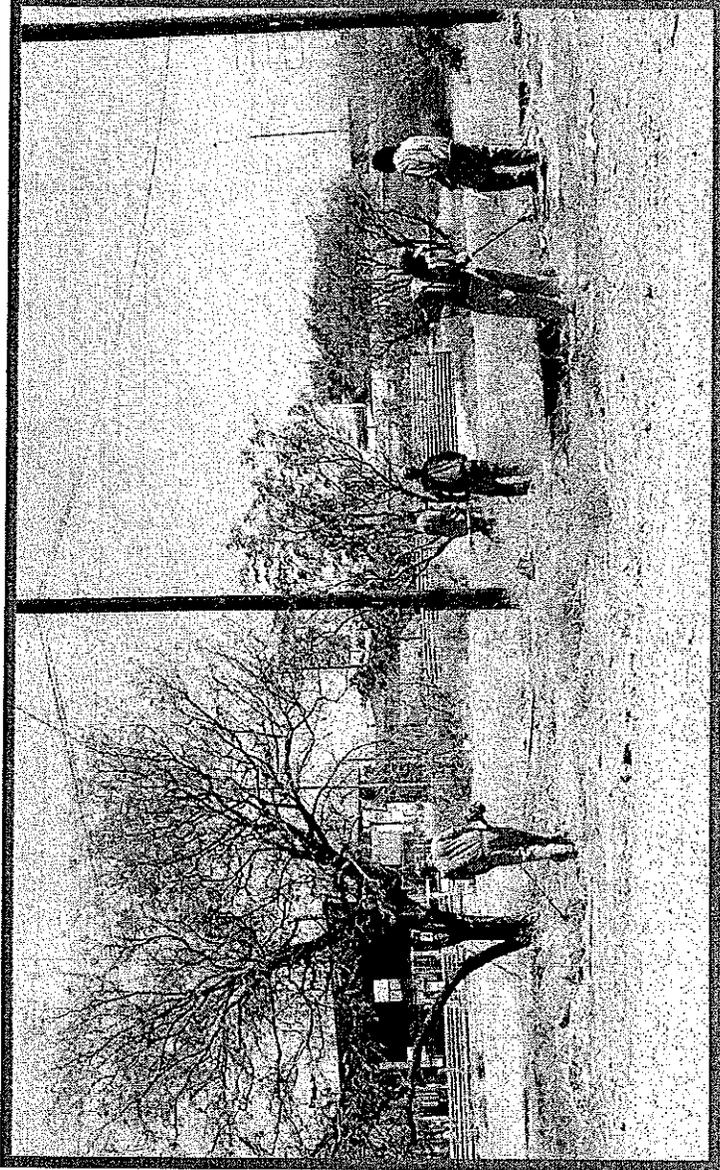
ADC Border Clean-Up

- The ADC supervised inmate work crew thinned the trees, brush, and vegetation and removed trash and debris for 5 months (July 2010 - December 2010) to make the area safer for Law Enforcement to patrol.
 - Because the area is a "protected wetland," the crew had to do all the work using hand tools. Heavy equipment could only be used on the surrounding road.
 - One example of the volume of work, was the removal of 35 tons of trash and vegetation during a two week period in August.



ADC Inmate Work Crew

At the rate of \$0.50 per hour per inmate, the City of Douglas paid about \$60 a day for the twenty (20) minimum security inmate crew.



ADC Border Clean-Up

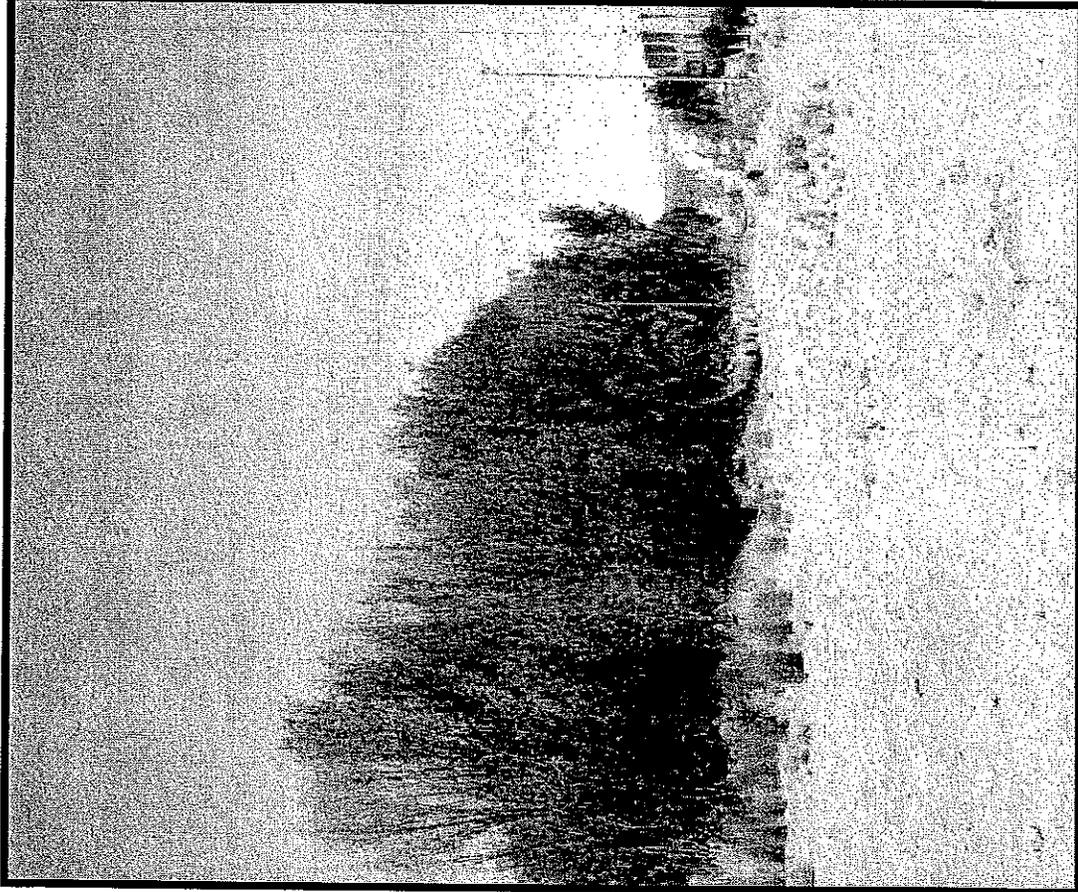


Before ADC Clean-Up



After ADC Clean-Up

ADC Border Clean-Up

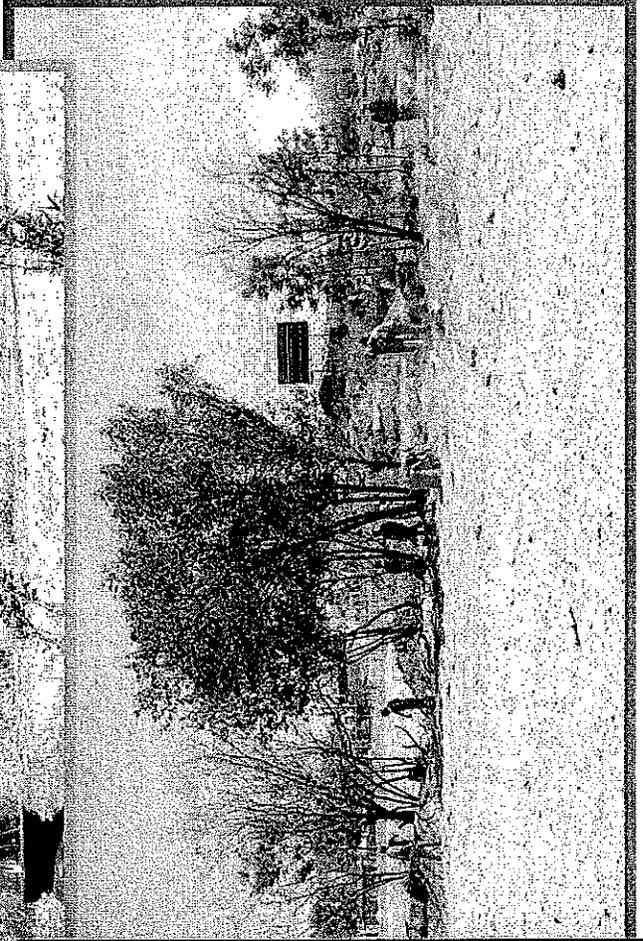
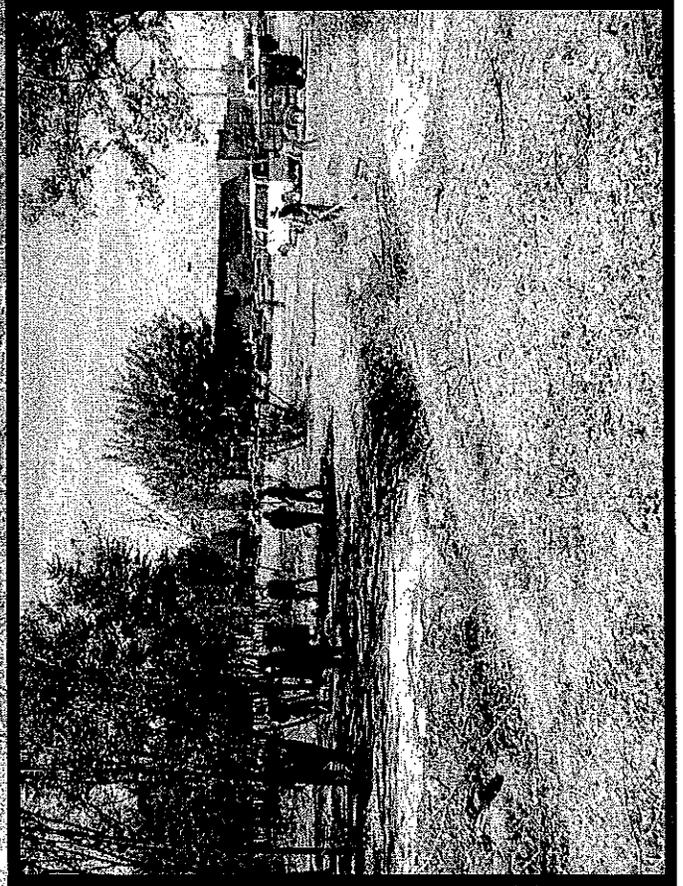
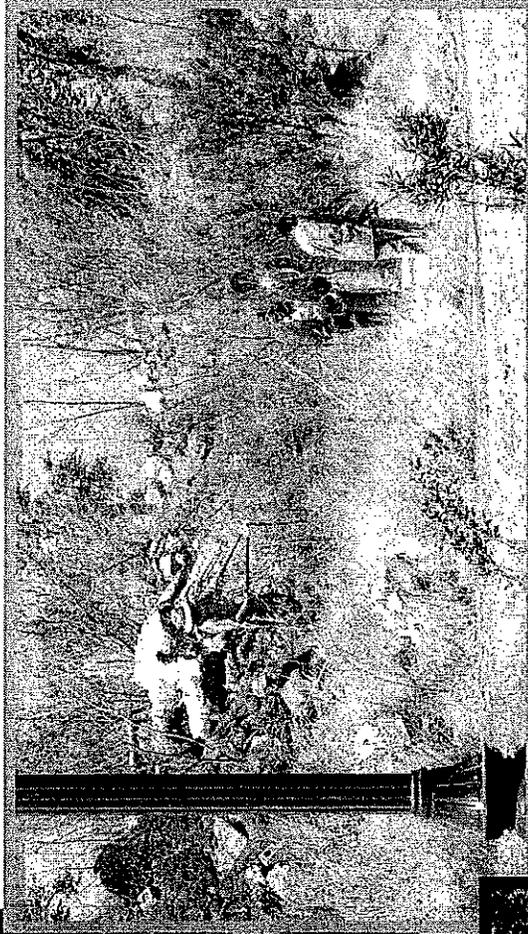


Before ADC Clean-Up

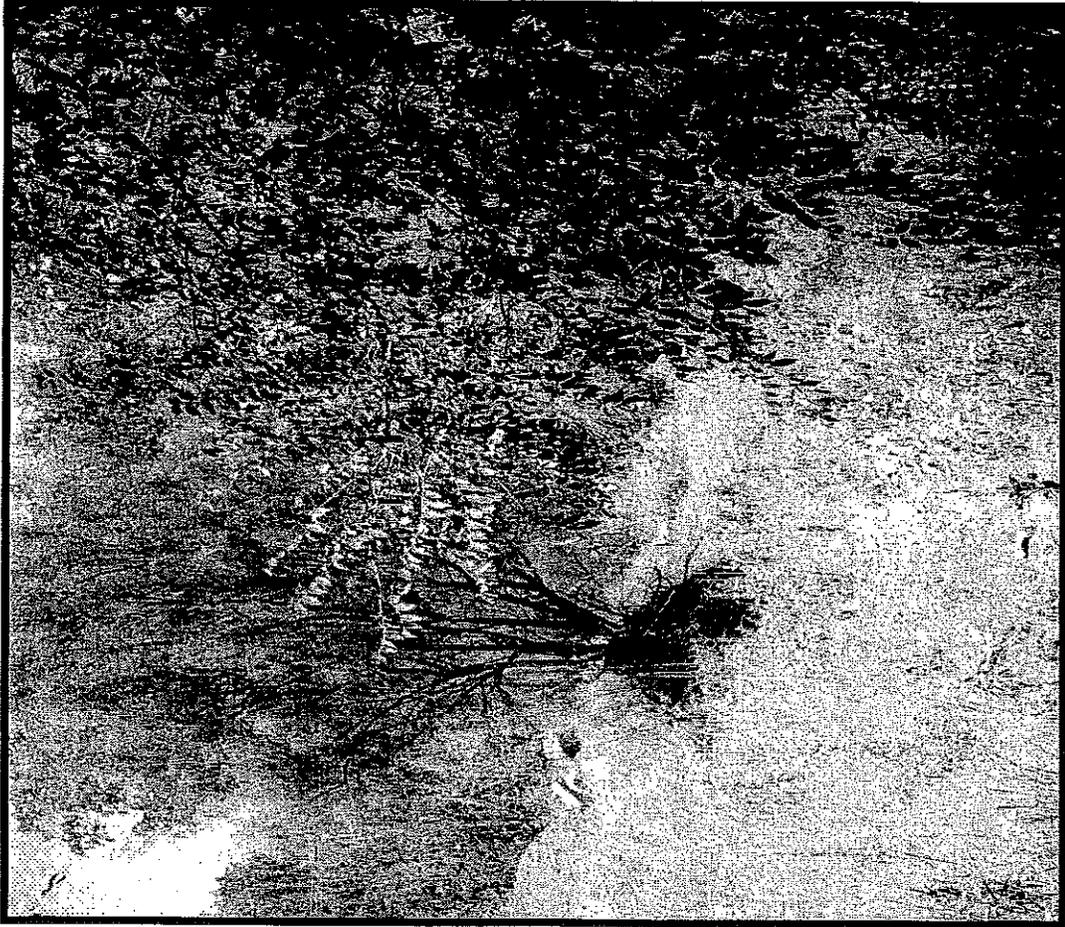


After ADC Clean-Up

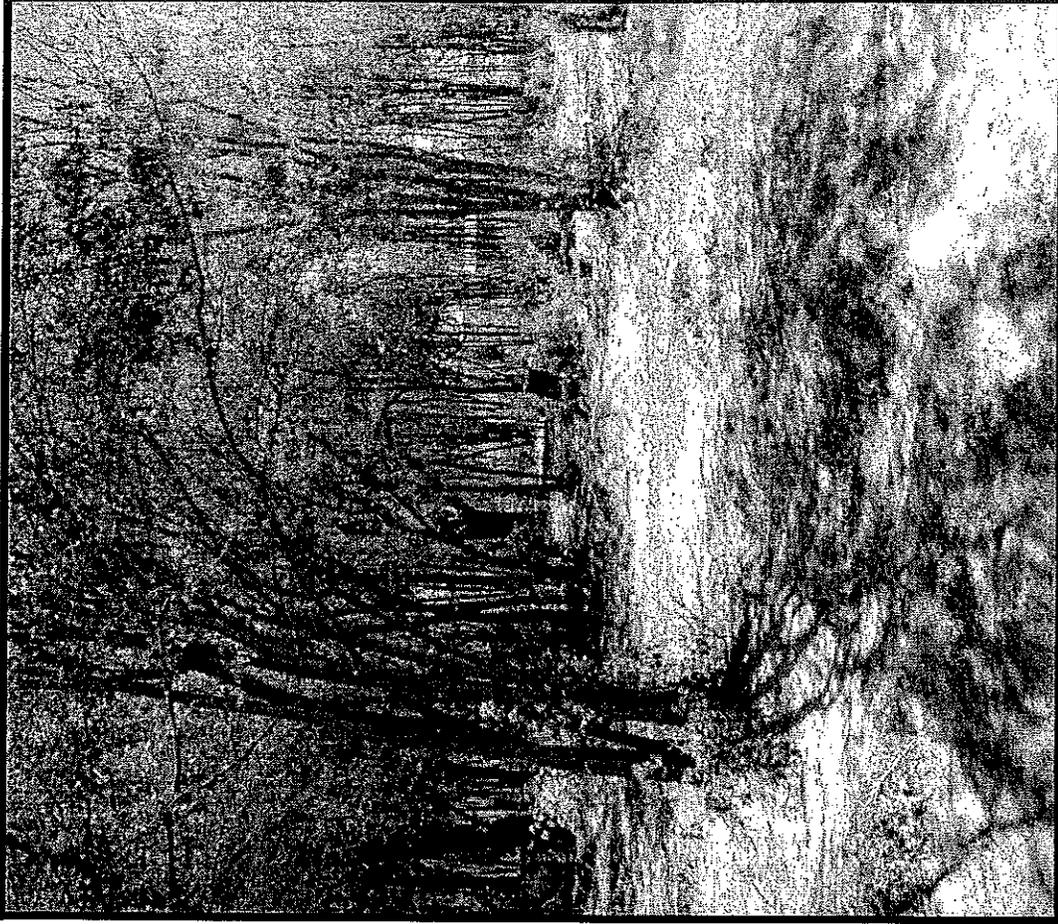
ADC Inmate Work Crew



ADC Border Clean-Up



Before ADC Clean-Up



After ADC Clean-Up

ADC Border Clean-Up

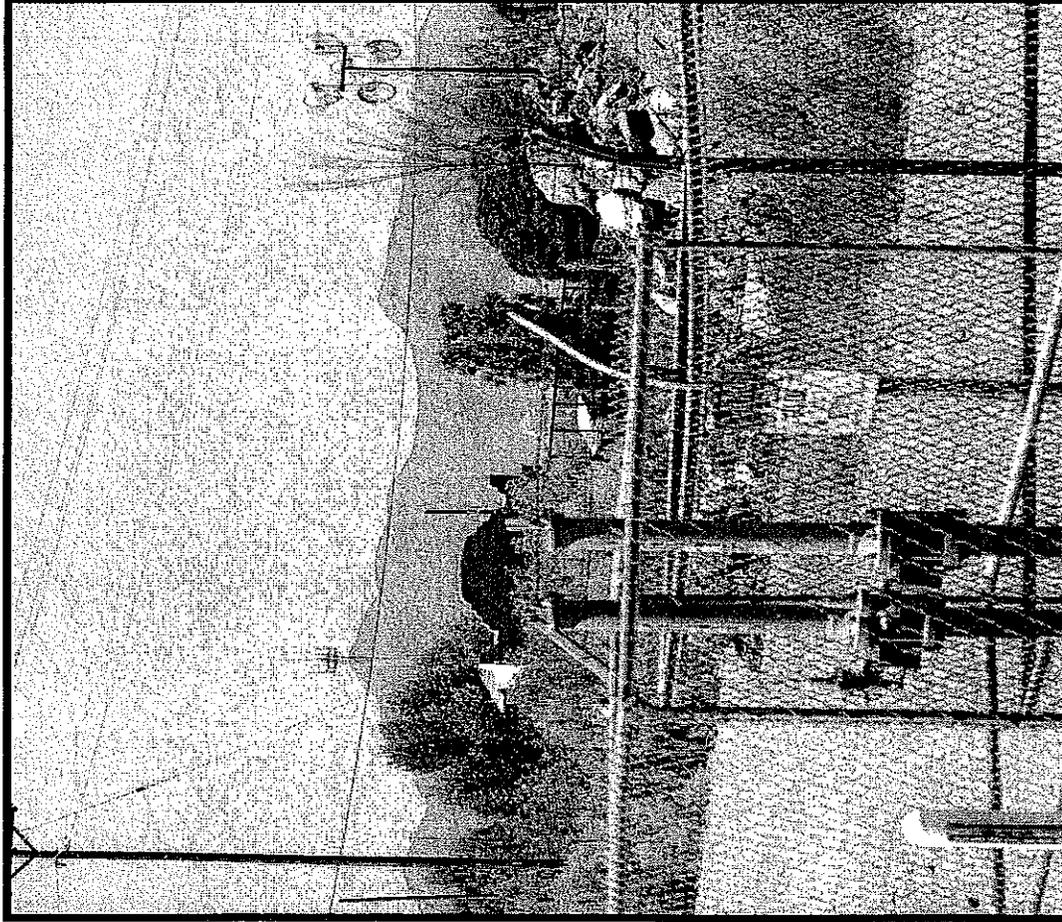


Before ADC Clean-Up



After ADC Clean-Up

ADC Border Clean-Up

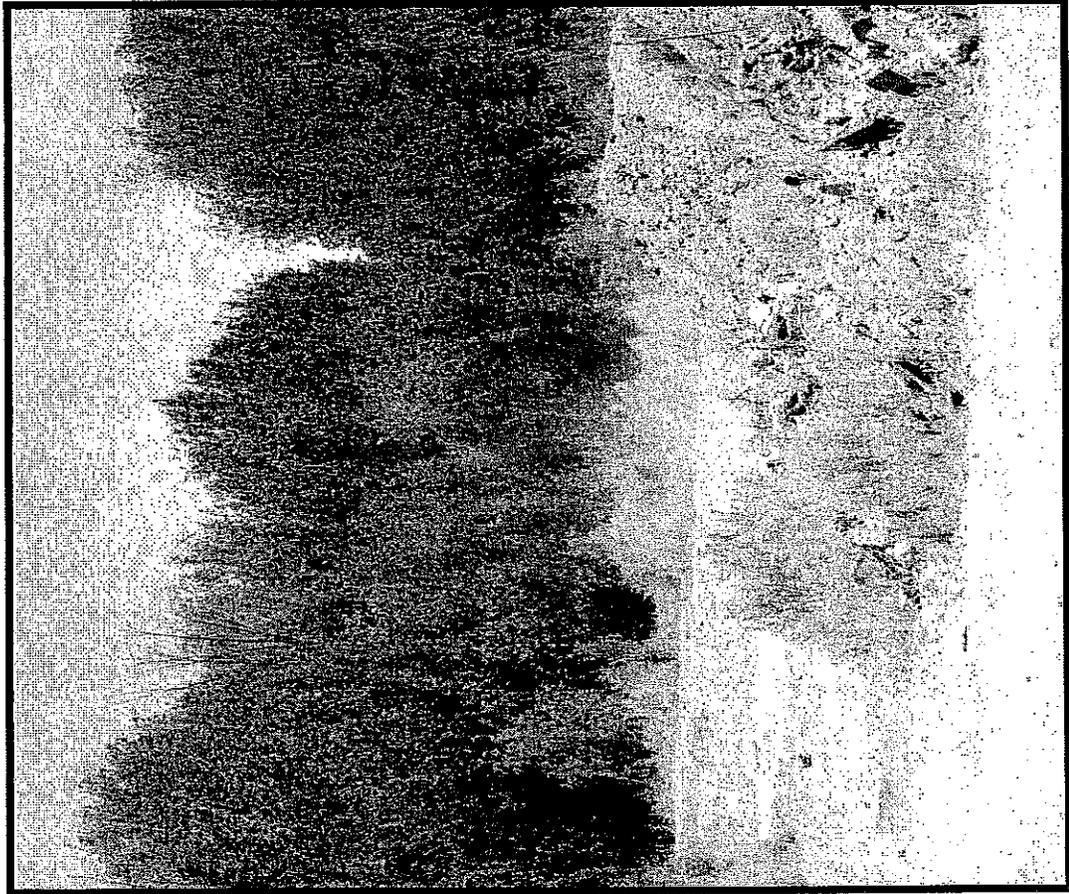


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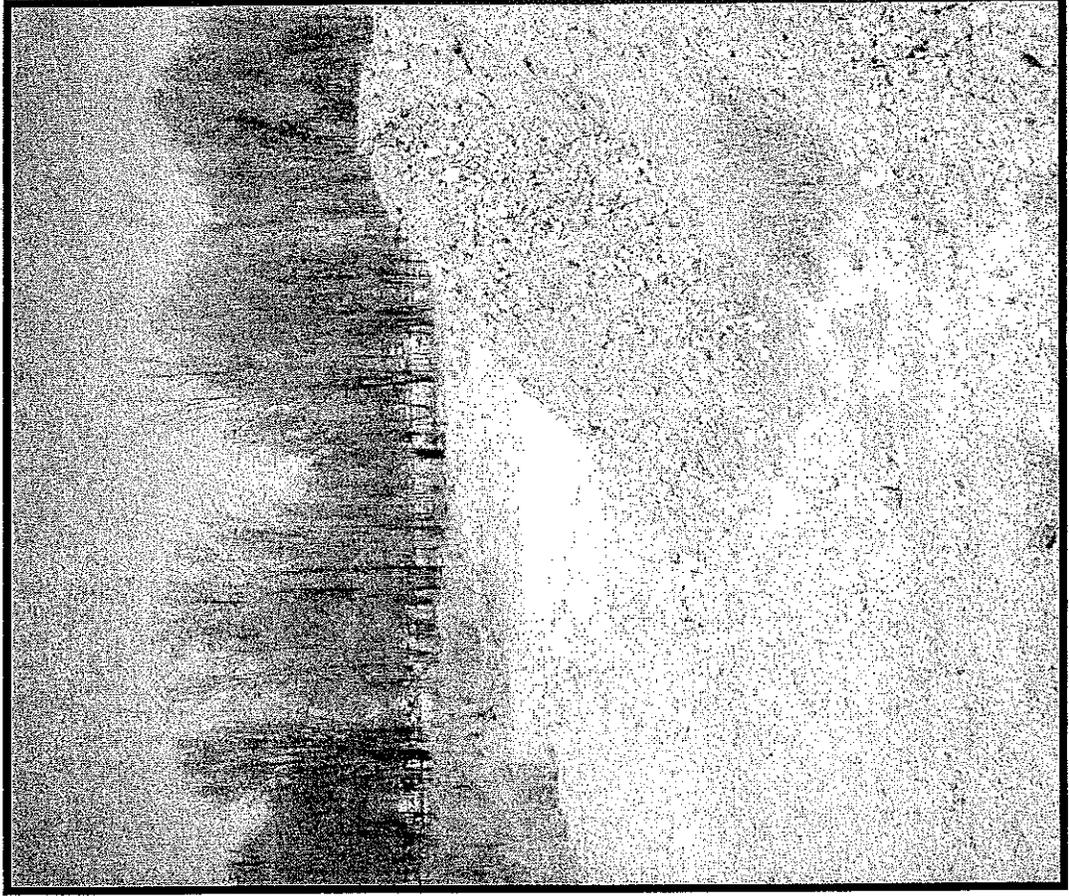


After ADC Clean-Up

ADC Border Clean-Up

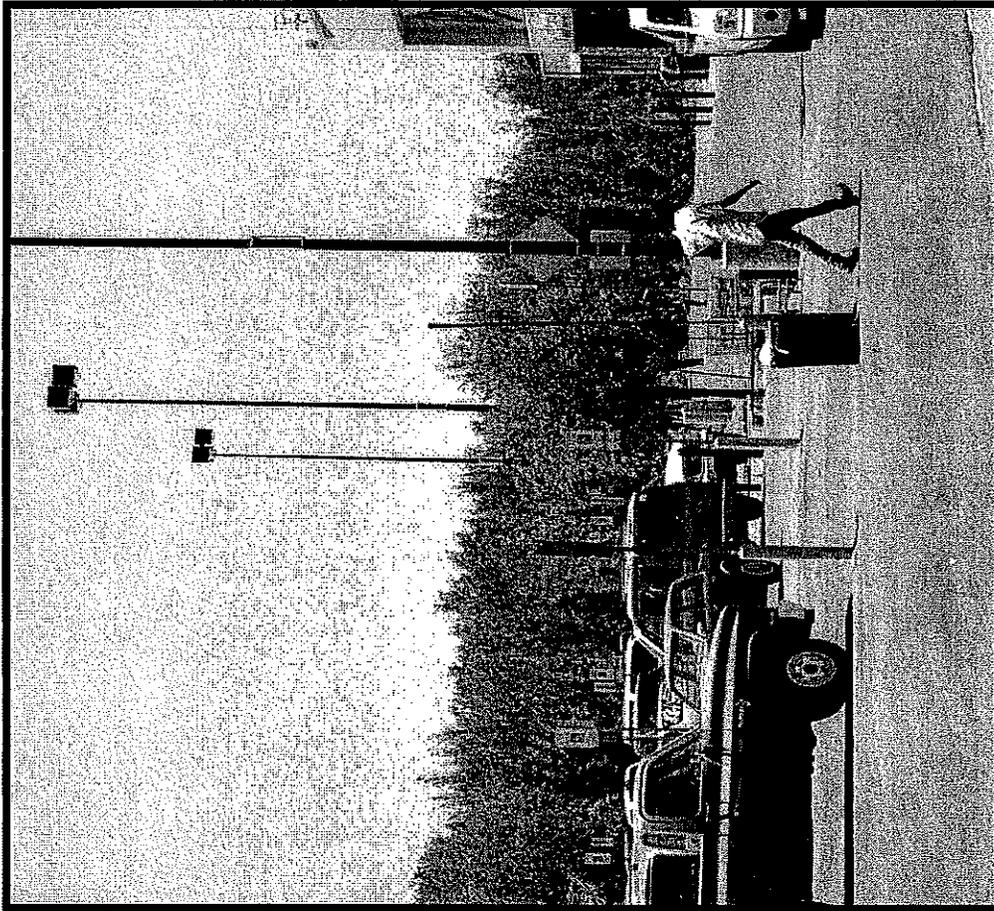


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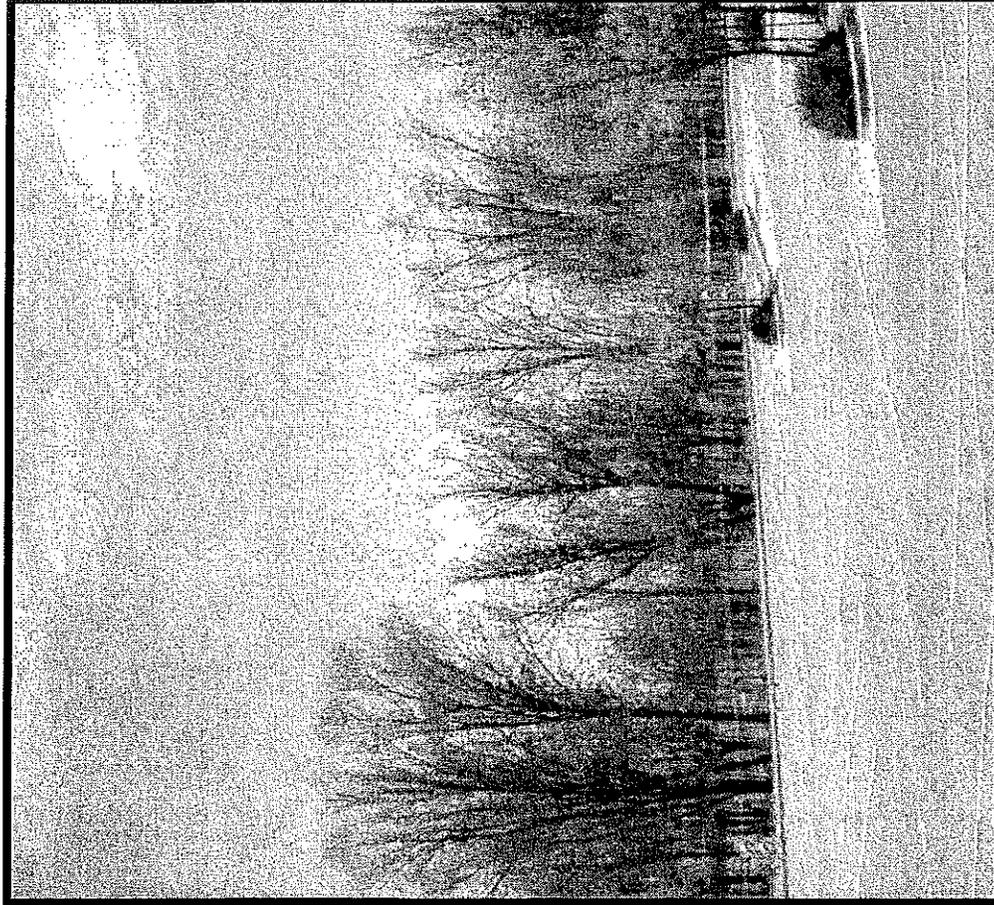


After ADC Clean-Up

ADC Border Clean-Up

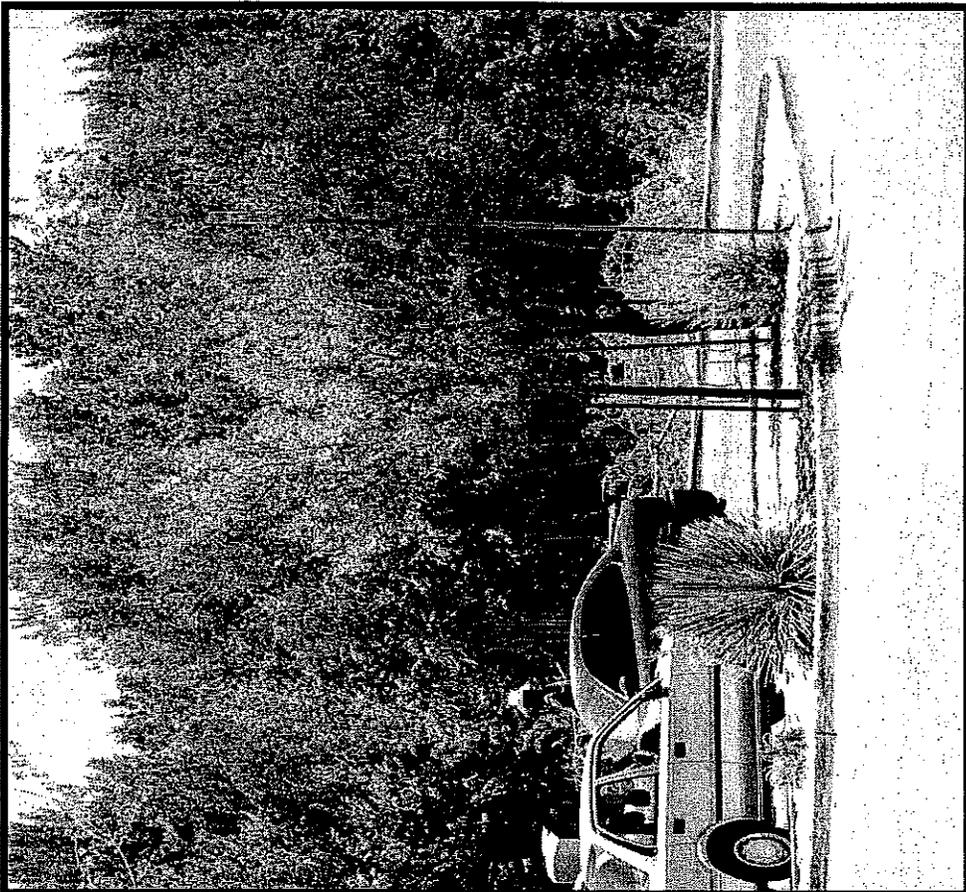


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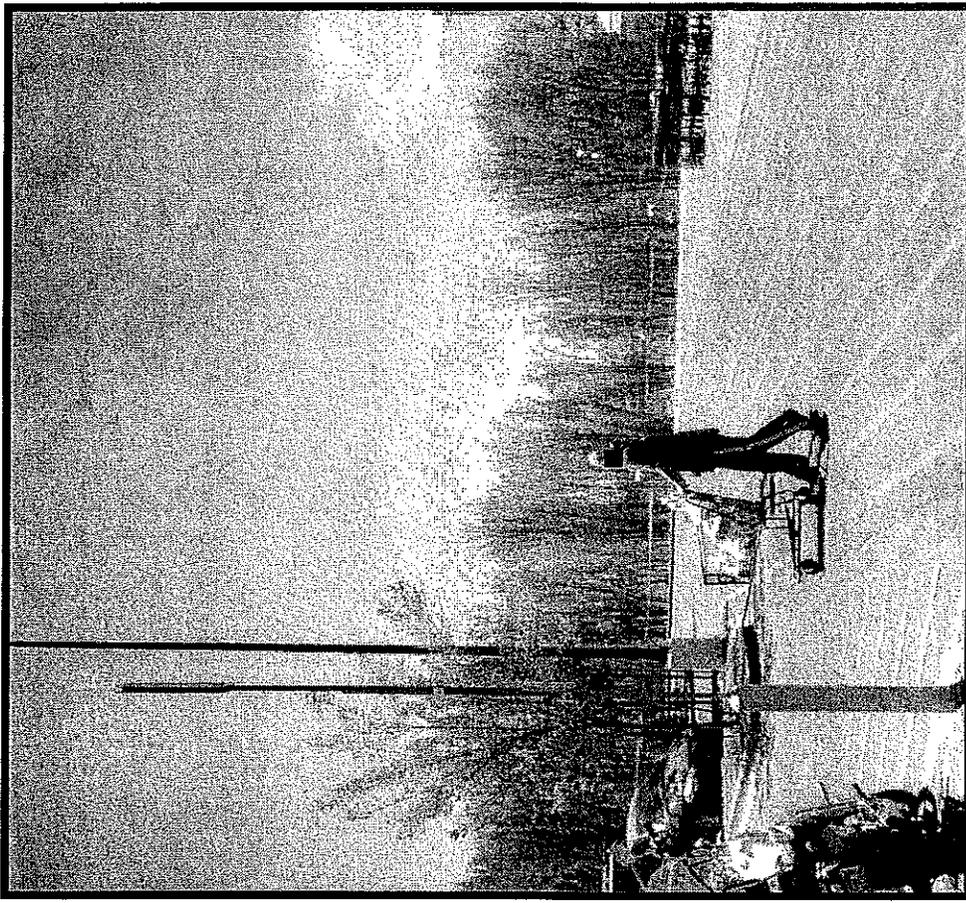


After ADC Clean-Up

ADC Border Clean-Up



Before ADC Clean-Up

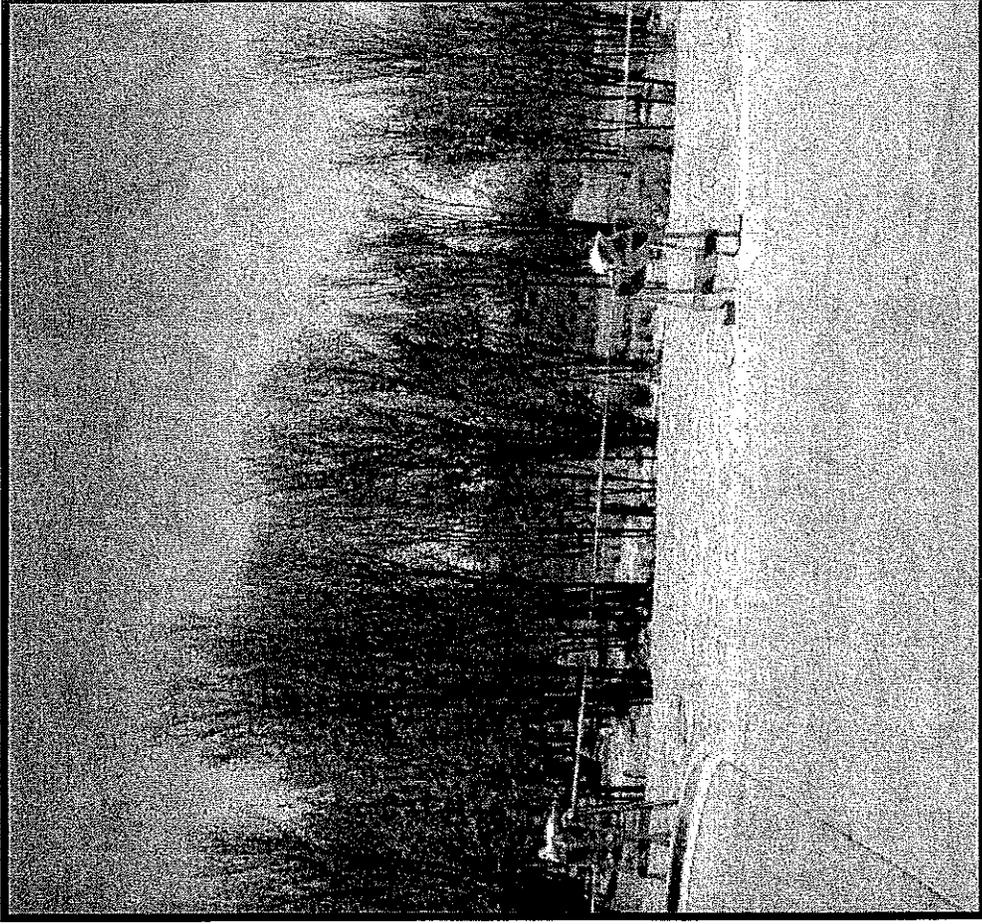


After ADC Clean-Up

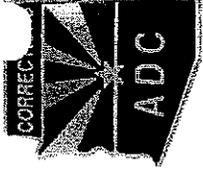
ADC Border Clean-Up



Before ADC Clean-Up

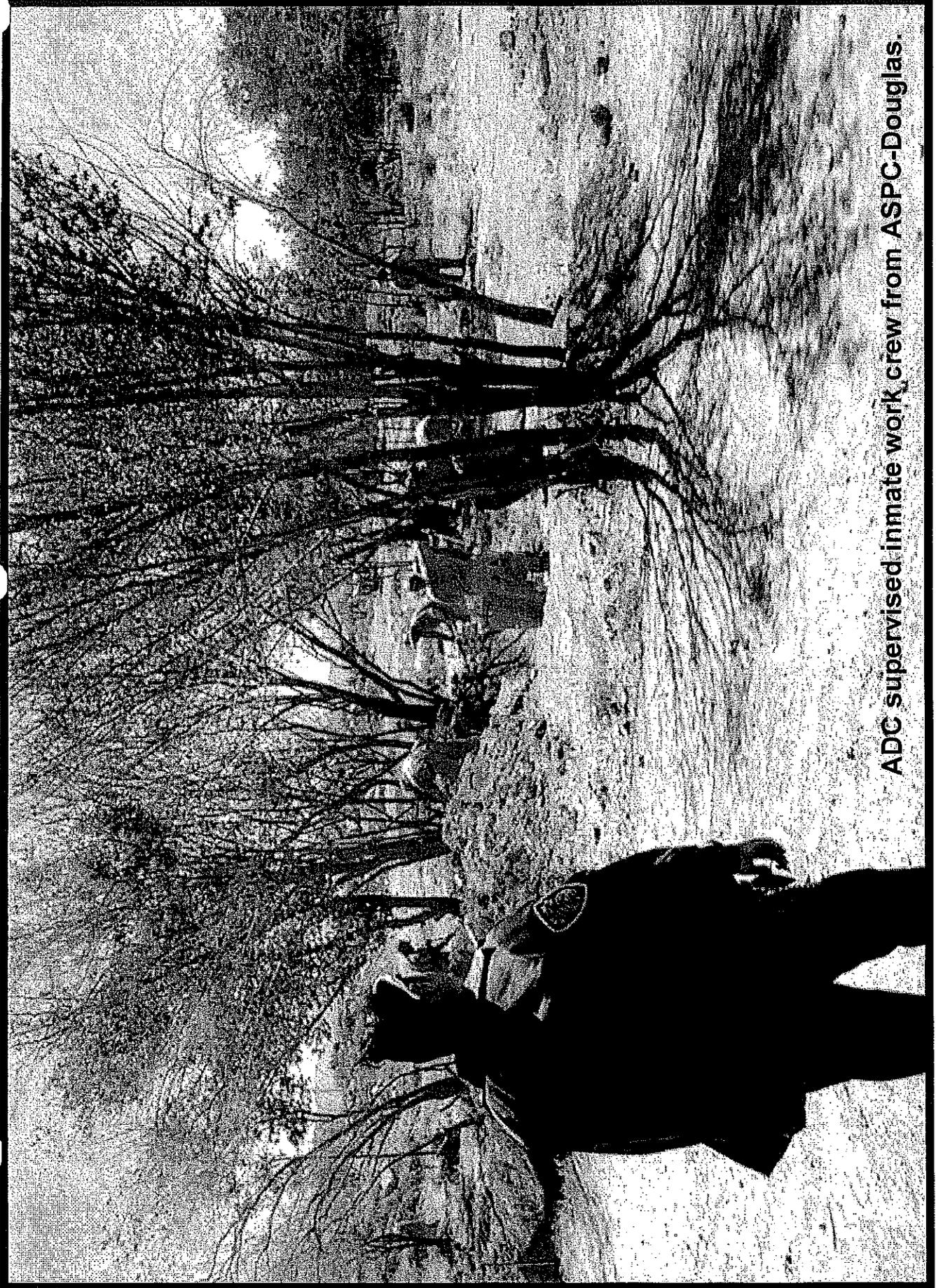


After ADC Clean-Up

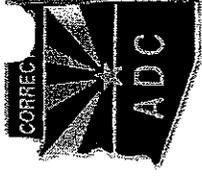


ADC Border Clean-Up

- The initial ADC border clean-up work was completed in late December, 2010.
- Clearing the brush has given Law Enforcement back the tactical advantage over illegal immigrants, drug smugglers, and human smugglers.
- ADC will continue to maintain the “Jungle.” Every Spring, ADC supervised inmate crews will be back there working on clean-up.



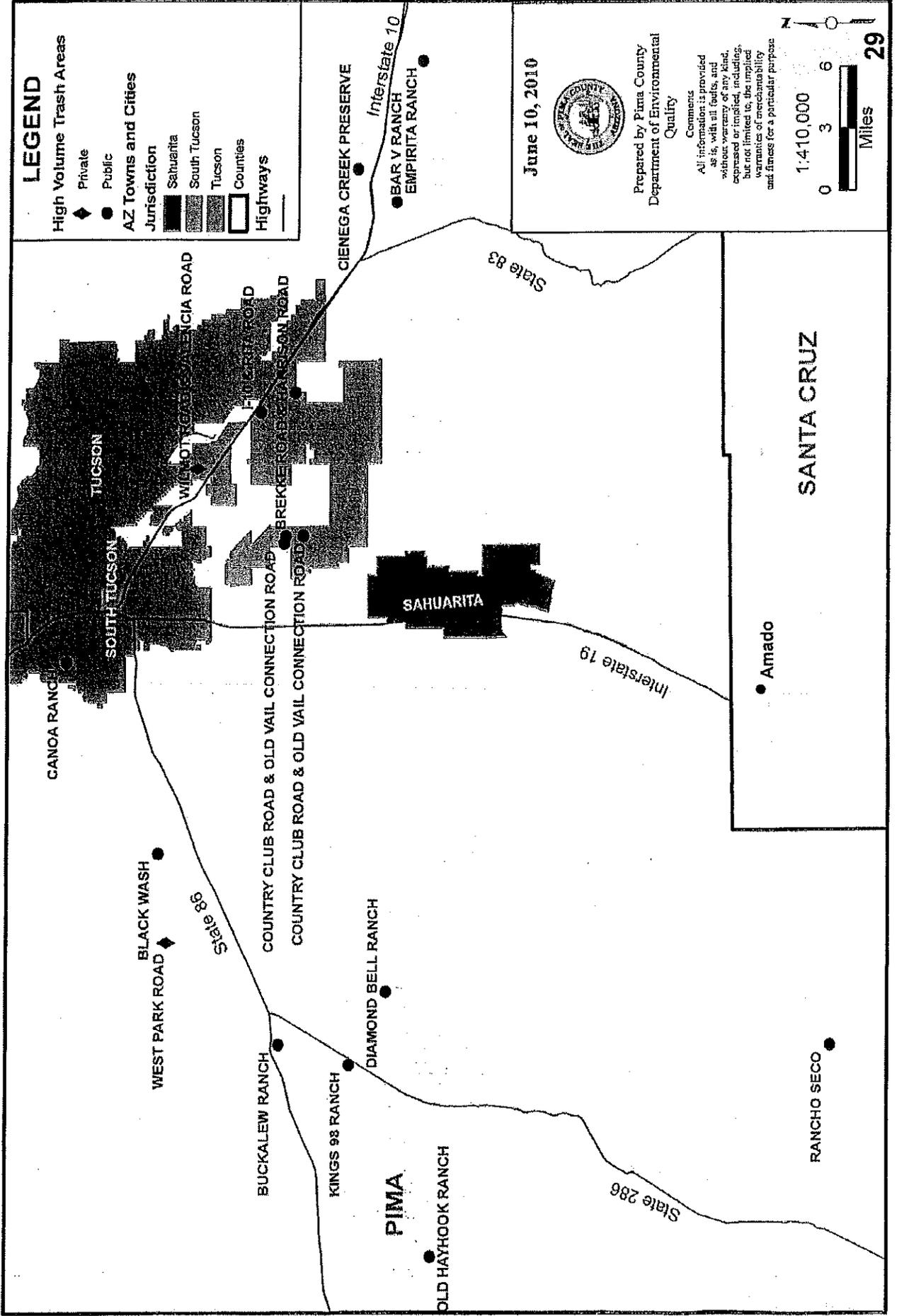
ADC supervised inmate work crew from ASPC-Douglas.

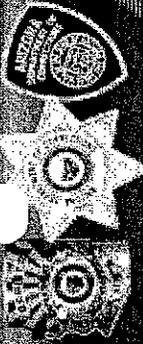


Other ADC Projects

- ADC is continuing to partner with local governments and Law Enforcement on additional border clean-up projects to thin out vegetation and/or eradicate staging area drop sites littered with clothing, water jugs, and human waste in Pima County, Santa Cruz County, Cochise County, and Yuma County.
- Project areas include:
 - High Volume Migrant Trash Areas on public and private land in Pima County.
 - Sites between Amado and Nogales, Arizona.
 - State Trust Land 2 miles east of ASPC-Douglas.
 - “West End” and “Park Area” in very close proximity to the International Border Fence, Yuma Station.

High Volume Migrant Trash Areas in Pima County

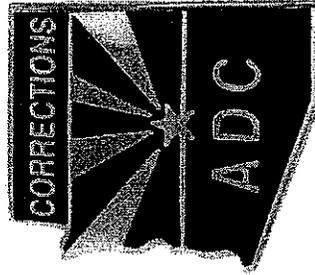




ARIZONA DEPARTMENT OF CORRECTIONS



Questions?



1601 West Jefferson Street
Phoenix, Arizona 85007
602-542-5225

<http://www.azcorrections.gov>

APPENDIX D:

May 25, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, May 25, 2011
Time: 9:00 A.M.
Place: HHR 1

AGENDA

1. Call to Order - Opening Remarks
2. Presentations:
 - Gilbert Orrantia, Director, Arizona Department of Homeland Security
 - Jaime Chamberlain, Chairman, Fresh Produce Association of the Americas
 - James B. Manson, President, Pacific Brokerage Co., Inc. and Chairman, Greater Nogales Santa Cruz County Port Authority
 - Bruce Bracker, President, Downtown Merchants Association in Nogales
 - Representative David W. Stevens, on Creating a Committee Website
3. Overview of the Following Bills Passed in the Fiftieth Legislature - First Regular Session by Bill Ritz, Senate Legislative Research Analyst and Joe DeMenna, House Assistant Research Analyst:
 - SB1406 - interstate compact; border fence, Chapter 309
 - SB1495 - Arizona state guard; establishment, Chapter 311
 - SB 1546 - eminent domain on federal property, Chapter 356
4. Set Date for Next Formal Meeting
5. Adjourn

Members:

Senator Al Melvin, CoChair
Senator Gail Griffin
Senator Steve Smith
Bas Aia
John Halikowski
Robert Halliday

Representative Russ Jones, CoChair
Representative David Stevens
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5/19/11
jmb

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ARIZONA STATE LEGISLATURE
Fiftieth Legislature – First Regular Session

JOINT BORDER SECURITY ADVISORY COMMITTEE

Minutes of Interim Meeting
Wednesday, May 25, 2011
House Hearing Room 1 -- 9:00 a.m.

CoChairman Melvin called the meeting to order at 9:07 a.m. and attendance was noted by the secretary.

Members Present

Senator Al Melvin, CoChairman
Senator Gail Griffin
Senator Steve Smith
Bas Aja
John Halikowski (Kevin Biesty)
Robert Halliday

Representative Russ Jones, CoChairman
Representative David Stevens
Representative Andrew Tobin (Steve Moortel)
Gilbert Orrantia
Major General Hugo Salazar

Members Absent

Charles Ryan

Call to Order - Opening Remarks

CoChairman Melvin stated that the Committee will continue to meet the last Wednesday of every month at 9:00 a.m., until further notice, in House Hearing Room 1 with him and CoChairman Jones alternating as Chairman. He welcomed ideas from the Members and others about the agenda and presentations.

He noted that he toured the border area on Saturday, May 21, 2011, which was arranged by the Arizona 2012 Project. The tour was very enlightening. He saw a robust border fence extending about five miles that was constructed in the latter part of President George W. Bush's second term and cost \$5 million to \$6 million per mile that even a tank would have a difficult time getting through. He was also shown some cost-effective motion sensor alternatives that would cost a fraction of the cost of a fence, in which a sensor is buried in the ground that detects any kind of motion and distinguishes between a deer, a human or cattle. There is the possibility of a high-low mix; the high of a very expensive permanent fence and the low of the buried sensor.

CoChairman Melvin stated that he hopes the Committee will be able to obtain accurate statistics on the number of illegal individuals entering Arizona daily because every day that goes by means more drugs, more crime, more violence, and potentially more people fraudulently getting on Arizona Health Care Cost Containment System (AHCCCS) rolls, food stamps and welfare.

CoChairman Melvin said he hopes the tour he took will be available to the public and that information on the tour can be made available on a website. The *Arizona Daily Star* contained an article stating that Gray Line Tours will begin conducting bus tours on the border. He urged anyone interested in taking a tour to do so and noted that Senator Smith had an opportunity to fly along the border.

Senator Smith stated that the Arizona 2012 Project conducts bus tours and encouraged anyone curious about this issue to take a tour. He agreed that there are five to seven miles of good fencing; however, it stops at the mountains, so people can walk around the fence. The same thing is true along the New Mexico border where there is a light vehicle barrier fence that anyone can walk over, which stops within about seven miles of the border. In

fact, from the air it is possible to see a road from Mexico that goes over the border into Arizona, so the border is tremendously porous. The border is about 2,000 miles long, but there is less than 700 miles of "fencing." He said statements by the United States Department of Homeland Security (US DHS) Secretary Janet Napolitano and President Obama that "the border is as secure as it has ever been" are not true because former President Dwight D. Eisenhower really secured the border in the 1950s.

Senator Smith added that the tour was eye-opening. He encouraged everyone to go to www.americanborderpatrol.com and watch the video of people climbing over the fence. He asked, if the border is as secure as it has ever been, how 12 million to 20 million illegal aliens entered the U.S. He said that great technology is being implemented, and he would like to see the Committee use some of the funds raised from the adoption of SB1406 for the much more inexpensive technology that will greatly assist Border Patrol (BP).

CoChairman Jones remarked that federal agencies were invited to present information to the Committee. The agencies declined, but are amenable to making presentations at the Yuma Sector, so transportation plans are being made. In addition, the Marine Corps at the Barry M. Goldwater West Range, which is responsible for a significant portion of the border and has done an admirable job using technology similar to what Israelis use along the Gaza Strip, would like to demonstrate that technology to the Members.

Senator Griffin commented that she and Representative Stevens went to see the fire at the Chiricahua Mountains, which is now estimated to have damaged 44,000 acres. When she went home on Friday, May 20, 2011, there was a brown cloud over Cochise County. Over the weekend, Santa Cruz County had a fire in the Parker-Canyon Lake area affecting 10,000 acres. Prime drug cartel corridors run through some of that area. These human-caused fires are burning up the forests, which affects forage, wildlife and livestock. The Forest Service does not expect the forest fires to be under control until the rainy season. The fire in the Chiricahua Mountains is currently only 35 percent contained, so this is a serious problem that affects everyone. The air in the canyons poses a health hazard for people on oxygen.

CoChairman Melvin asked if the authorities believe the fires are caused by illegal individuals. Senator Griffin answered that both of the fires were identified as human-caused and are under investigation. Conversations have been overheard on radios telling drug cartels to take their product on different routes. She heard that the fires clear a better path for drug cartels to bring in their product.

CoChairman Jones stated that on Friday, May 20, 2011, he and Senator Don Shooter, on behalf of the Governor and the Legislature, presented two flags and a proclamation to the widows of two BP agents during the funeral service for the agents.

Presentations

Gilbert Orrantia, Director, Arizona Department of Homeland Security (AZDOHS), related his background experience. He said following the events of September 11, 2001 (9/11), many changes occurred in the security world and the law enforcement world resulting in a spirit of collaboration that did not previously exist. There is now the ability to connect to other parts of the world instantly, which is very powerful. The US DHS in Washington, D.C. was formed, and as a result, the AZDOHS was established; each state was given the opportunity to receive federal funds.

He proceeded to review a handout regarding the AZDOHS (Attachment 1), which was created in September 21, 2006 (although the Office was actually established prior to that following 9/11) and governed by A.R.S. Title 41, Chapter 41, to manage federal homeland security grants, develop a state homeland security strategy and collaborate on border security. He noted that awarding of federal funds for the State Homeland Security Grant Program (SHSGP) is coordinated with Regional Advisory Councils (RAC) and the Senior Advisory Committee (SAC) assists with oversight of the grant process.

Mr. Orrantia indicated that the AZDOHS attempts to determine the best use of the grant funds through the committee processes and discussions, with terrorism prevention as the priority, as well as any other threats to the state, which includes border security issues. The grant funds are awarded to state, local and tribal organizations. He noted that in FY 2008, AZDOHS received \$13.4 million for the SHSGP; \$13 million in FY 2009 and \$13.2 million in FY 2010; unfortunately, the funds were cut this year, so the amount will be about 50 percent lower.

He noted that the grants are used for projects such as placing bollards in front of buildings, surveillance systems, SWAT equipment, communications, personal protection equipment, antidotes, special operations and vehicles. He addressed the importance of securing the border and reviewed tactics used by drug cartels, such as ramps to go over the fence, ultralight aircraft and tunnels.

Mr. Orrantia explained that AZDOHS also administers grant funds for Operation Stonegarden (OPSG) through a Staff Working Group and the Stonegarden Oversight Committee. OPSG is a federal grant program that allows for overtime, expense money and equipment for state, local and tribal police agencies to augment the BP. The funds are distributed to county sheriffs on the border, and in conjunction with the BP, law enforcement in those areas write operation orders so everyone is coordinated. Arizona received \$13.8 million in FY 2010 for OPSG, but he is not sure what amount will be received this year.

Mr. Orrantia discussed the Alliance to Combat Transnational Threats (ACTT), which is a large task force consisting of 60 state, federal, local and tribal agencies, one of which is the Department of Public Safety (DPS). ACTT plans where to utilize resources concerning border security. He expressed admiration for everyone who works diligently to protect the state, noting that people are dying for this cause. He added that Arizona's network must be stronger than that of the drug cartels.

CoChairman Melvin thanked Governor Brewer for the appointments made to the Committee.

Mr. Orrantia responded to questions concerning:

- Tribal agencies.
- Reduction in funds for the SHSGP.
- Border crossings by potential terrorists.

In response to a question about proactive efforts, Mr. Orrantia discussed the Arizona Counter Terrorism Information Center (ACTIC), which is housed in North Phoenix and was set up following 9/11. He indicated that it is a joint center involving many different agencies, including the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force. An unprecedented enhancement of intelligence sharing is going on now between the Center and southern Arizona, much of which has to do with vetting of information and investigation of threats.

CoChairman Melvin said he understands there are other command centers in the state such as the Anti-Drug Command Center, the Border Patrol Command Center, and the National Guard Command Center. He asked Mr. Orrantia, Mr. Halliday and Major General Salazar to talk with him and CoChairman Jones later about which command center would be appropriate for the Committee to use to report back to the people, which is one of the duties of the Committee.

Mr. Halliday stated that intelligence sharing has not always been a smooth process, but it is improving. He opined that a briefing would be beneficial to the Committee, which he can arrange.

CoChairman Melvin commented that there will probably be times when the Committee will need to meet in Executive Session regarding sensitive subjects.

Mr. Aja agreed with Mr. Orrantia's statement that Arizona's network must be stronger than that of the drug cartels because the desire and economic motivation of the cartels will not go away. Arizona's network includes personnel, infrastructure, resources, intelligence and law enforcement. Recently, three infiltrators were found within the Maricopa County Sheriff's Office who were supplying information to a drug cartel, but Arizona's network was stronger and found them out.

Jaime Chamberlain, Chairman, Fresh Produce Association of the Americas (FPAA), addressed the Committee (Attachment 2). He stated that the FPAA is a non-profit trade association headquartered in Nogales, Arizona that represents U.S. importers of Mexican produce. Nogales is one of the largest ports of entry for fresh produce from Mexico. The fresh produce industry is the largest private employer in southern Arizona and a significant contributor to the state's income, in addition to legitimate travelers from Mexico who enter Arizona to shop and conduct business. The FPAA could not exist without secure, efficient operations at the port of entry, and the livelihood of employees and customers is tied to cross-border trade. The ports are also the front line in securing the shared border with Mexico, which is crucial in keeping communities safe.

Mr. Chamberlain noted that, unfortunately, there has been a drastic imbalance in federal efforts at the border. The ports are alarmingly understaffed. The Nogales Port of Entry needs approximately 200 additional full-time officers for commercial and non-commercial operations; however, the proposed FY 2012 federal budget only requests funding for 300 officers nationwide, which means less than one new officer for each port of entry. During the last few months, lines for trucks in Nogales have commonly been over five hours long because there are not enough Customs and Border Protection (CBP) officers to open all commercial lanes at the Mariposa Port, which affects not only the produce industry, but also the \$18 billion manufacturing (maquiladora) industry that crosses through Nogales.

He said the new Nogales Mariposa Port of Entry is poised to be the flagship port for the U.S. Trade, and travel is such a vital part of this community that CBP worked with the General Services Administration to increase the Port's capacity during the reconfiguration process, meaning there will be eight commercial lanes (up from four) and six passenger lanes (up from four) during construction, which will be ready on October 1, 2011. In 2014, the Port will have twelve passenger lanes, eight commercial lanes, dedicated bus lanes, pedestrian lanes and more. It takes over a year to hire and fully train CBP officers, and during that time, officers will be lost to attrition. There are not enough officers to fully staff the Mariposa Port today, there will not be enough staff to operate the Port during the interim expansion in October 2011, and unless something is done, there will not be enough staff to operate the Port when it is completed in 2014.

Supporting information was provided from Les Harris, President, Maquiladora Association of the State of Sonora (Attachment 3).

Bruce Bracker, Owner, Bracker's Department Store; President, Nogales Community Development; Downtown Merchants Association, addressed the Committee (Attachment 4). He related that 80 to 90 percent of store sales in Nogales are to Mexican Nationals who wait in lines to cross through the ports of entry legally in order to spend money in Arizona. Recently, due to lack of manpower, there have been only two inspection stations at the Morley Avenue Pedestrian Port of Entry so it is not uncommon for a pedestrian crossing to take 45 to 90 minutes. This is having an adverse impact on all Arizona businesses as more and more Mexican Nationals are making fewer trips to Arizona to shop.

He indicated that a state effort to implement an enhanced driver's license could be a low-cost program to improve the economy and security on the border. Currently, only one in five Arizona residents has the proper documents to cross the border and return to the United States. Tourism and all related industries have suffered since implementation of the Western Hemisphere Travel Initiative (WHTI); an enhanced driver's license would improve the situation.

Mr. Bracker added that a comprehensive approach to the borders must include staffing for CBP officers, as well as BP. It is necessary to continue to address the security situation in the communities in the areas between the ports of entry while simultaneously addressing the security and flow of legitimate goods and people through the ports of entry. He invited the Members to visit Santa Cruz County to see firsthand the challenges and opportunities to make positive strides in enhancing the security of the community while continuing to strengthen the economy of Arizona.

James B. Manson, President, Pacific Brokerage Co., Inc.; Chairman, Greater Nogales Santa Cruz County Port Authority, addressed the Committee (Attachment 5). He conveyed that in addition to fresh produce, the Nogales Ports of Entry facilitate major flows of manufactured products, with about \$18 billion in goods flowing through the community in two-way trade. Nogales is also Arizona's only gateway for international rail traffic and Arizona's principal gateway for tourism with about 3.9 million people crossing through the ports of entry on foot and approximately 7 million people crossing by car. Although the volume of people crossing the ports of entry has been decreasing for the past several years, the wait times to cross the border have continued to increase. It is not uncommon to wait more than two hours to cross the border from Mexico to the U.S. or to wait as long as 45 minutes to an hour to return to Mexico. New inspection procedures, outdated infrastructure, enhanced document requirements and lack of sufficient staffing all contribute to greater congestion at the border.

He stated that without the commitment by CBP and the Obama Administration for the necessary resources to increase CBP staffing at the same time that BP ranks are being expanded, efforts to expand the ports of entry will be for naught as the lanes will remain closed. He asked the Committee to join in the dialogue with Washington, D.C. to obtain the staffing and necessary resources to address the congestion, trade and security issues at the ports of entry.

Mr. Chamberlain reiterated the request for the Committee's advocacy to obtain proper staffing from Washington, D.C.

CoChairman Melvin stated that he heard the Border Patrol in Nogales gives a presentation to the public on the second Tuesday of the month, and he plans to attend on June 14, 2011. He and CoChairman Jones represent Arizona on the Border Legislative Conference that meets a few times per year. At the last meeting in Las Cruces, New Mexico, the Sonoran government delegates mentioned that when illegals caught in the U.S. are deported, they are taken to the Nogales-Mexico side and released. This causes chaos and allows the illegals to return to the U.S. After a brief discussion with Mr. Chamberlain, Mr. Manson and Mr. Bracker, CoChairman Melvin said the deportation process needs to be worked on because it is a "recipe for disaster" to merely release illegals south of the border instead of in their home countries.

Discussion followed between the Members and presenters about the following issues:

- Whether the railroad that travels down Main Street in Nogales can be diverted around the Town.
- The potential to address border congestion with Mexico by moving 18-wheeler traffic to double-stack trains.
- The decrease in legitimate traffic and trade between Arizona and Mexico.
- Enhanced border security.
- Wait times at ports of entry due to inadequate staffing.
- Safety of border communities.
- Truck inspections.
- Pedestrian traffic to Arizona.

Overview of Bills Passed in the Fiftieth Legislature - First Regular Session

Joe DeMenna, House Assistant Research Analyst, gave an overview of SB1406, interstate compact; border fence, Chapter 309, which contains the following provisions (Attachment 6):

- Allows the Governor to enter into an interstate compact to create a border fence along the Arizona-Mexico border located on private, state or federal property, if permitted.
- Permits the state to construct the border fence if the Governor does not enter into an interstate compact.
- Establishes the Joint Border Security Advisory Committee in permanent law, designates the Members and outlines restrictions, requirements and permitted activities for the Committee.
- Establishes the Border Security Trust Fund consisting of monies collected pursuant to this Act to construct and maintain a secure fence along the Arizona-Mexico border.

Senator Smith remarked that he expects the website to be used to collect funds to be launched by July 20, 2011, and the Committee will decide how to disperse the funds.

CoChairman Melvin remarked that people he has talked to are very willing to make donations to construct the fence and noted that the Committee's website will allow for solicitation of funds. He asked for ideas for the website, which Representative Stevens is working on; it will contain the makeup of the Committee, pictures, bios and fact sheets on related bills.

CoChairman Melvin indicated that he will adjourn the meeting in order to utilize the cameras for the swearing-in of a new House Member. Monthly meetings will continue to be held because the border problem does not take a break in the summer. He asked any Member who cannot attend the meetings to send someone in their place.

Without objection, the meeting adjourned at 11:09 a.m.

Linda Taylor, Committee Secretary
May 27, 2011

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)

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JOINT BORDER SECURITY
ADVISORY COMMITTEE
May 25, 2011

7

----- DOCUMENT FOOTER -----

May 2011

Governor
Janice K. Brewer



Director
Gilbert M. Orrantia

**Overview: The Arizona
Department of Homeland
Security**

May 25, 2011

AZDOHS

- Manages federal homeland security grants
 - 3 Year Cycle
 - Over 1,000 active projects
 - Over \$150 Million managed
- Develops State Homeland Security Strategy
- Collaborates on Border Security

Creation of AZDOHS

- Cabinet Level Department
- Created September 21, 2006
- Governed by A.R.S. Title 41, Chapter 41

Regional Advisory Councils

The membership of the councils consists of:

- A representative of a fire service from an urban/suburban area in the region.
- A representative of a fire service from a rural area in the region.
- A police chief.
- A county sheriff or the sheriff's proxy.
- A tribal representative.
- An emergency manager.
- A mayor or the mayor's proxy.
- A county supervisor or the supervisor's proxy.
- Four at-large members.
- A representative from the department of public safety.
- A public health representative.

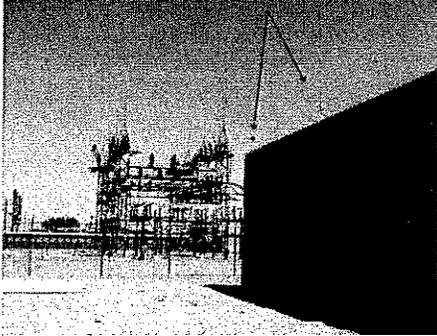
Senior Advisory Committee

- Membership requirements in A.R.S. 41-4256
- Integrates disciplines
- Subject Matter Expertise

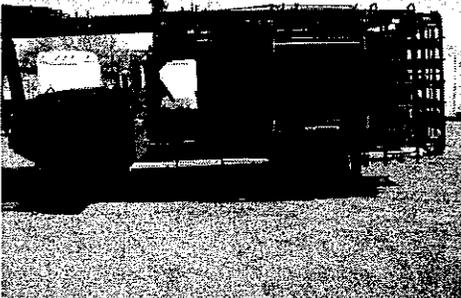
Senior Advisory Committee

- Director of AZDOHS
- Director of ADEM
- Director of Health
- Director DPS
- Director ACJC
- Republican State Senator
- Democrat State Senator
- Republican State Representative
- Democrat State Senator
- League of AZ Cities and Towns Representative
- Governor's Tribal Policy Advisor
- County Sheriff's Association Representative
- State Fire Marshall
- Fire Chief's Association Representative
- Association of Police Chief's Representative
- Tucson Urban Area Security Initiative Coordinator
- Phoenix Urban Area Security Initiative Coordinator
- Statewide Interoperability Coordinator

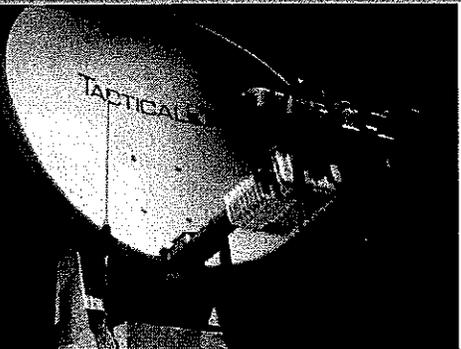
Surveillance Systems

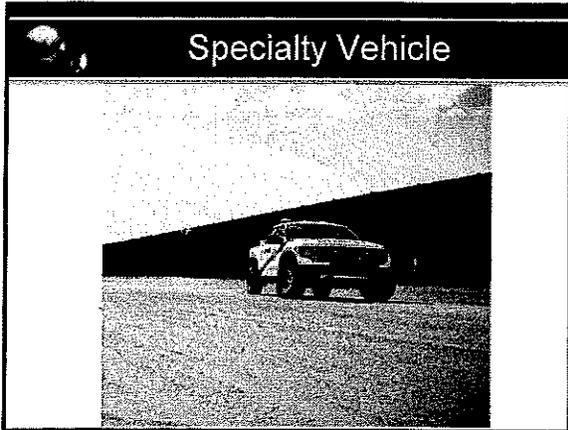


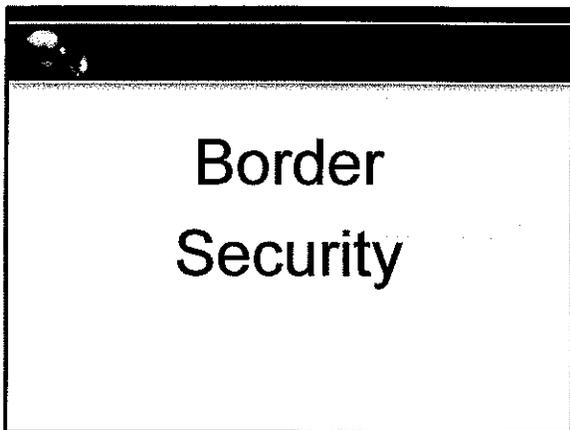
SWAT Equipment

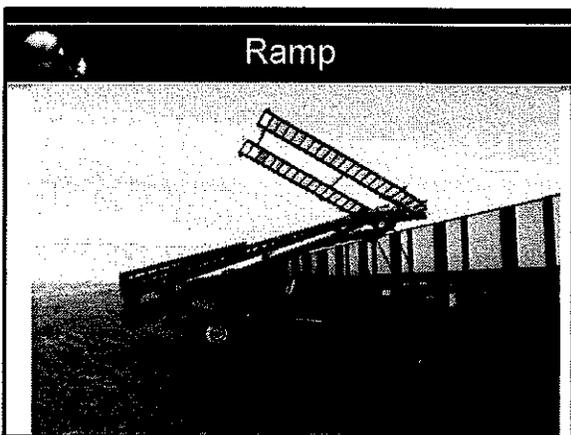


Communications









 **OPSG Purpose & Scope**

- **Purpose**
 - Funds Overtime/Mileage & Equipment
 - 38 Local , County, & Tribal Law Enforcement Agencies Participate
 - High visibility uniform patrol in coordination with CBP in the border region
 - Operational orders coordinated and approved by CBP
- **Amount**
 - \$13,883,735 in FFY 2010

 **OPSG Roles**

- AZDOHS is lead agency to administer OPSG grant funds
- CBP/BP is lead agency for OPSG operations
- County Sheriffs' offices participate in the OPSG Working Groups and prepare Operational Orders

 **AZDOHS Role**

Coordination & Administration

- Administer grant activities
- Financial Reimbursement
- Oversight Committee
- Staff Working Group & Oversight Committee

ACTT

Alliance to Combat Transnational Threats

- 60 Federal, State, Local & Tribal agencies
- Advisory Board Membership: AZ Law Enforcement

Questions?

Gilbert M. Orrantia, Director

**Arizona Department of
Homeland Security**
(602) 542-7013

www.AZDOHS.gov

May 2011

Jaime Chamberlain: Fresh Produce Association of the Americas

Senator Melvin, Representative Jones, and members of the committee, thank you for the opportunity to speak to the Joint Legislative Border Security Advisory Committee today. My name is Jaime Chamberlain. I am a second generation importer located in Nogales, Arizona. I am also the chairman of the Fresh Produce Association of the Americas (FPAA). The FPAA is a non-profit trade association that represents U.S. importers of Mexican produce. We have over 100 members, and we are headquartered in Nogales, Arizona.

Many people do not realize that Nogales, Arizona, just 3 hours south of here, is one of the largest ports of entry for fresh produce from Mexico. I say "one of the largest ports" because this year, for the first time, the combined ports in Texas crossed more produce than Nogales, which has historically been the leader in produce crossings from Mexico.

Crossing Volumes. September through April. USDA-AMS Data

	Season 2010 -2011		Season 2009 - 2010		Difference %
	Billion Lbs	% of total	Billion Lbs	% of total	
Nogales	3.30	36%	3.90	41%	-19%
Texas	3.87	42%	3.46	37%	11%
Total Mexico	9.06	100%	9.34	100%	- 3%

The economic benefits of cross-border trade are very evident among border communities, and many regions and states proactively push for the services and federal investment to make trade more efficient in order to attract business. While border communities as a whole must push for more CBP officers at our ports and federal investment in infrastructure, Arizona must also be pushing for their fair share of these resources.

The fresh produce industry is the largest private employer in southern Arizona, providing well over 12,000 jobs in our region. Nogales crosses over \$2 billion of fresh produce annually. In addition to over 1,500 Mexican trucks that cross our border daily during the peak of the produce season, more than 3,000 U.S. trucks drive to Nogales to pick up produce and distribute it across the United States and Canada to national chains such as Safeway, Kroger, Wal-Mart, Sysco, and more. Our produce is also shipped by boat and by air to Europe and Asia.

Our industry contributes greatly to the state's income through gas tax, hotel bed tax, sales tax, and more that is generated from truck drivers, customers that visit our facilities, the sales forces that come to Nogales from the box companies, seed companies, equipment companies and more. This is in addition to the \$7.3 million a day generated in Arizona by the legitimate travelers that come to our state from Mexico to shop and do business.

My company would not exist without secure, efficient operations at our port of entry. My livelihood, those of my employees, and those of my customers are tied to cross border trade. Our ports are also the front line in securing our shared border with Mexico.

They are crucial in keeping our communities safe so that our families enjoy the quality of life that we all deserve.

Unfortunately, we have seen a drastic imbalance in federal efforts at our borders. Our ports of entry have been severely overlooked, leaving our ports alarmingly understaffed, as the Border Patrol continues to increase. Border Patrol is vital in securing the areas between our ports of entry, but we must have the staff to maintain security AT our ports of entry as well. The current imbalance in staffing for CBP officers compromises our border and economic security. CBP officers and Border Patrol staffing is not an “either/or” proposition.

CBP officers in Nogales do an amazing job of processing the flow of people and goods at our port with the limited resources they have. Without close coordination between our community and CBP, the amount of trade crossing our ports would not be possible.

Nogales ports of entry need approximately 200 additional full time officers for both commercial and non-commercial operations today. However, the proposed FY 2012 Federal Budget only requests funding for 300 officers nationwide. This small number must be spread across the entire United States, however, leaving less than one new officer for each port of entry.

During the last few months, lines for trucks in Nogales have commonly been over 5 hours long because there are not enough CBP officers to open all commercial lanes at the Mariposa Port. This affects not only the produce industry but the \$18 billion manufacturing industry (maquiladora industry) that crosses through Nogales. Our colleagues at the Maquiladora Association of Sonora have been so kind as to provide supporting details included in our packets outlining some of the impacts on their businesses caused by trade inefficiencies. Our community is experiencing similar problems with passenger and pedestrian crossings.

Border crossing delays leave trucks sitting in line and in unsecured parking areas waiting to cross the border, a major concern for my company and for hundreds like me. Cargo at rest is cargo at risk. Because our ports are working on shoestring budgets with skeletal staffing crews, we cannot keep cargo moving efficiently enough, and this could leave our shipments vulnerable to drug cartels and others that attempt to intimidate our drivers and use our trucks for their own illegal purposes.

A March 2008 draft report from the Department of Commerce, “Improving Economic Outcomes by Reducing Border Delays,” clearly shows the correlation between delays at the border and losses to our state and federal coffers. A one hour wait time at the five busiest land ports of entry on the Southern border resulted in an “average economic output loss of \$166 million per minute delay. In 2008, these delays cost the U.S. economy nearly 26,000 jobs and \$6 billion in output, \$1.4 billion in wages, and \$600 million in tax revenues.” The situation today is worse than it was just 3 years ago, and something must be done.

The FPAA is committed to working with the State of Arizona as a partner to address the needs of our border communities to strengthen security and to enhance trade. In fact, our strong relationship with the Arizona Department of Transportation has resulted in important infrastructure improvements in our area to facilitate the safe, efficient flow of cross-border traffic. We also worked closely with ADOT to implement an overweight permit program that reduces congestion at our ports, lessens traffic on local roads, and promotes the use of security seals for commercial trucks. This program has generated over \$2.8 million for ADOT between May 17, 2010 and May 15, 2011.

Border security and trade facilitation exist hand-in-hand. Without a comprehensive approach to our borders, including staffing for CBP officers as well as Border Patrol, the state of Arizona risks the vitality of its southern port cities and of the state as a whole. As we work together for a strong, secure, and safe border, we must take into account the strength of our ports of entry, and we need your help to make sure this message comes through.

The new Nogales Mariposa Port of Entry is poised to be the flagship port for the United States. Trade and travel is such a vital part of this community that CBP worked with the General Services Administration to increase the capacity of the Mariposa Port of Entry during the reconfiguration process, meaning we will have 8 commercial lanes (up from 4) and 6 passenger lanes (up from 4) DURING construction. These additional lanes will be ready on October 1, 2011. In 2014, the port will have 12 passenger lanes, 8 commercial lanes, dedicated bus lanes, pedestrian lanes, and more.

It takes over a year to hire and fully train CBP officers. In that time, we will lose more officers to attrition. We do not have to officers to fully staff the Mariposa Port today, we will not have the staff to operate the port during the interim expansion in October 2011, and, unless the something is done, we will not have the staff to operate THE FLAGSHIP PORT of the United States when it is complete in 2014.

Texas communities are aggressively positioning themselves for the resources to effectively handle and increase trade at their ports by pushing for CBP staff, by pushing for federal, state, and local infrastructure investment, and more. I recently visited the port in McAllen, Texas, and the temptation for many companies is to divert business or to possibly move operations to McAllen because of the perceived logistical benefits.

Many companies in Arizona are waiting to see how things improve in Nogales with the expansion of Mariposa. If the port opens without adequate staff to man the lanes, we will be no better off than we are today. This is my home, and I want to keep my business in Arizona. Let us work together to keep people in Arizona and to attract more people to Arizona by comprehensively addressing security, safety, trade, and the diversity of our border regions.

Bruce Bracker: Nogales Community Development and the Downtown Merchants Association

Senator Melvin, Representative Jones, and members of the committee, thank you for the opportunity to speak to the Joint Legislative Border Security Advisory Committee today. My name is Bruce Bracker. In 1924, 12 years after Arizona's statehood, my grandparents opened their first store in Nogales. I am a third generation member of Bracker's Department Store. We currently operate 4 locations and have 59 employees. I am also the president of Nogales Community Development and the Downtown Merchants Association which represents 50 stores. The sales volume of the stores I represent here today is approximately \$40 million. 80 to 90 percent of these sales are to Mexican Nationals who wait in lines to cross through our ports of entry legally in order to spend their money in our state.

Last February, through the Santa Cruz County Port Authority, we were able to negotiate with DHS for a cost effective retro fit of the Morley Ave pedestrian port of entry. This retro fit allowed the DHS to double the capacity of this port to 4 lanes and to simplify the inspection process. It came online in November of 2010, and during the holiday season DHS was able to fully staff this port, dramatically reducing the wait times for the customers crossing the border.

The local merchants feel that this was a major factor in the improvement of sales leading up to Christmas. Recently however, due to a lack of manpower, we are back to 2 inspection stations at this port and 45 minutes to 1 ½ hours to complete a pedestrian crossing are not uncommon. This is an example of what the Americans returning from Mexico and Mexican Tourists are facing at the ports of entry in Arizona. I can assure you this is having an adverse effect on all Arizona businesses as more and more Mexican nationals are making fewer trips to Arizona to shop.

Nogales has a population of 20,000 people, but more importantly a floating population of approximately 55,000 to 65,000 people a day consisting of legitimate Mexican consumers and visitors. We benefit from a high concentration of law enforcement officers including Nogales Police, Santa Cruz County Sheriff's Department, CBP, DEA, FBI, Border Patrol, ICE, and more, which keep our community safe. Studies demonstrate that legal travel and commerce currently account for approximately 60,000 Arizona jobs. In fact, legal travelers from Mexico spend over \$7.3 million dollars a day in Arizona. For Nogales Arizona alone, that results in almost \$450 million in sales a year from Mexican nationals, translating into over \$9 million dollars in sales tax revenue for the City in 2010.

It is important to note that Nogales has the second highest border wait times on the Southern border, second only to San Isidro in California. We must have adequate staffing at our ports to continue to move legitimate goods and people while maintaining security in our community. Decreases in legal crossings of people and goods through our ports result in significant economic losses to the entire State of Arizona not just the port communities. The Department of Commerce study from 2008 clearly states, I believe rather conservatively, that, "Since U.S.-Mexico trade is deeply integrated with the fabric of U.S. border-states, state economies also experience losses due to border delays.

Combined estimated output losses to Texas, California, and Arizona due wait times at their in-state POEs total 11,000 jobs and \$2.2 billion in output and \$630 million in wages annually.”

A state effort to implement an enhanced driver’s license could also be a low cost program that could improve the economy and security on the border. Currently, only 1 in 5 Arizona residents have the proper documents to cross the border and return to the United States. Tourism and all related industries have suffered since the implementation of WHTI (Western Hemisphere Travel Initiative), and an enhanced driver’s license would make strides in improving the situation.

Border security and the facilitation of legitimate travelers are two sides of the same coin. A comprehensive approach to our borders must include staffing for CBP officers as well as Border Patrol. The business communities along our borders bring this message to Congress every single day. We must continue to address the security situation in our communities in the areas BETWEEN our ports of entry WHILE SIMULTANEOUSLY addressing the security and flow of legitimate goods and people THROUGH our ports of entry.

The State of Arizona must join us in taking this message to Washington, DC or we will continue to see increasing delays at our ports of entry even as DHS works to maintain control of the areas to the east and west of our ports. As you advocate for a strong, secure, and safe border, do not forget the impact on our ports of entry, the resulting impact on our State, and the need to push the federal government to address our border comprehensively.

I know I speak for all of us here and our colleagues in Nogales when I say that we urge you to come to Santa Cruz County and bring other members in the House and Senate. Learn firsthand the challenges we face and the opportunities we have in making positive strides in enhancing the security of our community while continuing to strengthen the economy of our state.

Across Arizona, our port communities are unique and vibrant cities. We acknowledge that our region bears the brunt of all negative press concerning border security, which has affected tourism, trade, and economic development in the region and across the state. These communities are wonderful places to live and work. The people living here are cut from entrepreneurial cloth and are industrious. We need your support to continue to push for comprehensive federal investment in our ports and between our ports.

For too long, Arizona has not recognized the impact our community and other port communities have on the economy and job creation in the entire state. We are here to repeat that border regions across Arizona are the engines that are driving the state’s economy and are the gateways to our security. We commit to working with you any way possible to ensure that the rest of our legislators fully understand this fact and dedicate the attention and resources to our region.

Again thank you for the opportunity to address this committee, I will be available for questions after Mr. Manson’s presentation.

JB Manson: Greater Nogales Santa Cruz County Port Authority

Mr. Chairman, members of the committee good morning. My name is James Bryan Manson, although everyone calls me JB. I am the president of a Nogales-based customs house brokerage firm providing US Customs and logistics support for clients conducting cross border business. I am also the Chairman of the Greater Nogales Santa Cruz County Port Authority, a non-profit organization that is dedicated to making the Nogales port of entry system the best that it can be, to enhancing the quality of life of our residents and to fostering sustainable growth in our community. We are celebrating our sixth year of existence and I am proud to say that we have had tremendous success but we still have a long road to travel.

Nogales is home to four ports of entry:

- Morley Avenue, a small pedestrian crossing;
- DeConcini ("Grand Ave."), which is our downtown crossing for Pedestrians, trains, buses and passenger vehicles (POV's);
- Nogales West ("Mariposa") – Commercial, passenger vehicles (POV's), Pedestrian, Buses; and
- The Nogales International Airport

Mexico is our largest trading partner, and Nogales is Arizona's largest gateway for trade, commerce and tourism. You have already heard from Mr. Chamberlain how important Nogales is for fresh produce, but much more happens at our ports of entry. The Nogales port of entry system facilitates major flows of manufactured products, with some \$18 billion in goods flowing through our community in two way trade.

Nogales is also Arizona's only gateway for international rail traffic. Last year over 90,000 rail cars crossed through our community in both directions, an average of 6 full trains a day or some 1,200 trains a year. Additionally, Nogales is Arizona's principal gateway for tourism with some 11.2 million people crossing through our ports of entry into our state, 3.9 million crossing on foot and the rest, some 7 million people, crossing by car. But as you listen to these figures please keep in mind that Mexican visitors spend \$7.3 million per day in Arizona or some \$2.6 billion per year.

From a high of 34 million people crossing through all of Arizona's ports of entry in 2005, we are down to 23 million crossers in 2010. Imagine the impact that Mexican visitors could have to the retail and tourism sectors if were back to those peak volumes of LEGAL traffic at our border. It is also important to keep in mind that Arizona's border communities rely on sales tax as the primary source of revenue – meaning that there are no real estate tax assessments in Nogales, Douglas or San Luis. For our community, when we see a drop from 16 million crossings per year down to 11 million per year at Nogales, it is our tourism and retail sectors that are directly impacted, and our City is left with major gaps in its revenue projections.

Although the volume of people has been decreasing for the past several years, the wait times to cross the border have continued to increase. It is not uncommon to wait more than 2 hours to cross the border from Mexico to the US. Additionally, since 2009, the federal government has deployed and in fact expanded southbound inspections. It is not uncommon to wait as much as 45 minutes or an hour to return to Mexico. That means that a person from Mexico that is looking to go shopping at Safeway in

Nogales would spend 3 hours or more simply crossing the border for a round trip. New inspection procedures, outdated infrastructure, enhanced documentar requirements and lack of sufficient staffing all contribute to greater congestion at the border.

I would be remiss if I did not mention that our City, like our sister cities of San Luis and Douglas are among the safest cities in our State and in our nation. The enforcement presence at the City and County level combined with the federal agencies at the border, make our border community among the most protected in the nation – everyday. Nogales is a safe and dynamic place to do business.

I did want to take this opportunity to request your support in helping to secure additional staffing at our ports of entry. Since 1993, the U.S. has engaged in a long-term effort to increase enforcement across the southwest border. Our country has invested heavily in manpower, technology, transportation and infrastructure, but that investment has lacked balance between security between our ports of entry and security at our ports of entry.

Thankfully, the number of Border Patrol agents has more than quintupled from 4,000 in 1993 to a more than 20,000 in 2010. The agency's budget has exponentially increased over the same period from \$400 million to \$3.5 billion. That is a \$3 billion increase. However, the budget for CBP officers at our ports has seen a relatively minimal boost. Funding for CBP increased from \$1.6 billion in 1993 to \$2.7 billion in 2010. Of that, 68 percent - nearly three quarters - was consumed by rising inflation. This imbalance severely compromises our national and economic security. Additionally, plans such as the McCain/Kyl plan call for an additional 5,000 Border Patrol agents. This same plan only calls for 500 officers for our ports of entry. Our ports of entry handle millions of people and cars, hundreds of thousands of trucks and over 1,200 trains but the level of staffing is just not up to par.

The Port Authority has been advocating a concept of *staffing to need*, meaning that instead of looking for a national number, officer staffing must be allocated based on the need of the individual port of entry. For instance, the Nogales port of entry system is short some 200 to 250 officers today. And this does not take into account the additional inspection capacity that will soon be coming on line at Mariposa where the US Government, as part of the American Recovery Act, is spending \$214 million to triple the inspection capacity. We are going from 4 car lanes to 12 and from 4 truck lanes to 8.

What good is it for us to build a state of the art expanded facility if we don't have the necessary staff to open the lanes? Mr. Chairman, Representative Jones will confirm for you that from the day you recruit a new CBP officer it takes a full 12 months of training before that officer can be deployed at the border. Without the commitment by CBP and the Obama Administration that they will commit the necessary resources to increase CBP staffing at the same time they are aggressively expanding the Border Patrol ranks, then I am afraid that our efforts to expand our ports of entry will be for naught as the lanes will remain closed.

We already have the lesson of the new port of entry at San Luis, designated San Luis II, which is a state of the art, brand new facility. San Luis went from one port of entry to 2 but they did not receive any additional staff, so the answer is to simply divide the current staffing levels among the 2 facilities. This does not make us safer, it makes us more inefficient.

Let me provide you with just a sample of the many functions that are conducted by Customs and Border Protection at our Ports of Entry.

Ports of entry are the front line of Homeland Security efforts to stop terrorists, criminals, illegal aliens, weapons, and more. Protecting the U.S. from threats is one of CBP's most critical missions at our ports of entry. However, many people wrongly assume that CBP is only a trade facilitator.

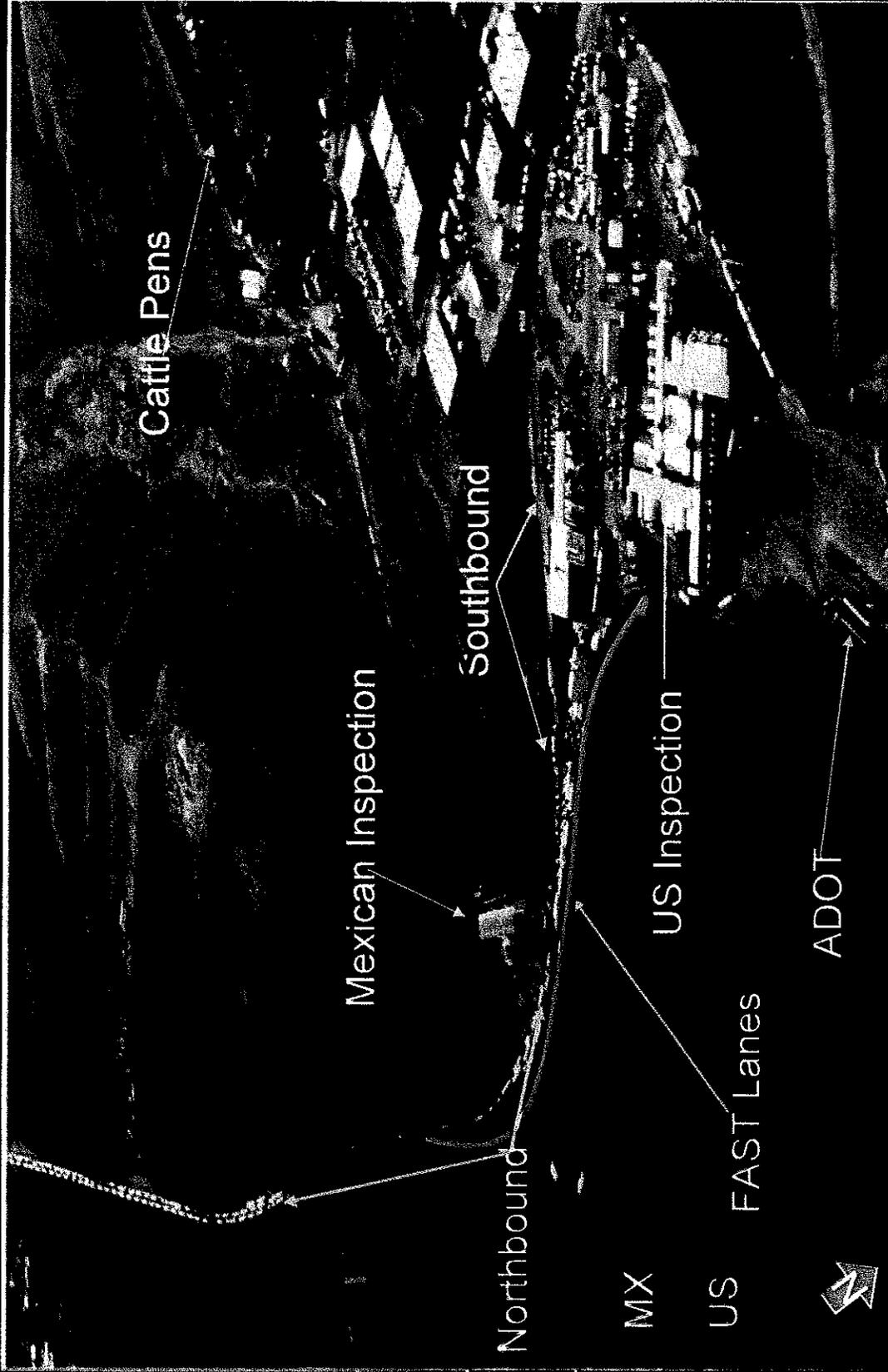
- **CBP Protects the U.S. from Terrorists and Acts of Terror:** CBP has installed almost 200 radiation portal monitors across the U.S. to stop materials that could be used for dirty bombs or other acts of terror. CBP screens 100 percent of the 361 million people that enter the U.S. each year to stop terrorist from entering our country
- **CBP Arrests Criminals Entering the U.S.:** Ports of entry apprehended more than 9,500 people wanted for a variety of charges, including serious criminal crimes such as murder, rape, and child molestation
- **CBP Stops the Southbound Flow of Money and Guns to Drug Cartels:** Outbound currency seizures amounted to more than \$57.9 million and outbound weapons seizures totaled 433. Outbound currency seizures went up 74 percent in a year-to-year comparison
- **CBP Stops Illegal Immigration and Drug Smuggling:** During FY 09, CBP officers seized more nearly 1.5 million pounds of narcotics and arrested 38,964 suspected criminals. FY09 saw a dramatic increase of over 50 percent in the amount of narcotics that criminals attempted to smuggle into the U.S.
- **CBP Stops Illegal Trade:** CBP initiated more than 18,000 trade enforcement seizures valued at more than \$300 million
- **CBP Protects Domestic Agriculture for Dangerous Pests and Diseases:** CBP agriculture specialists seized more than 1.5 million prohibited meat, plant materials or animal products, including 166,727 agricultural pests at ports of entry.

We certainly appreciate the efforts of CBP to make do with what they have. They are relying on facilities that are 30 to 40 years old, operating facilities at 4 or 5 times their intended throughput capacity and yet they are still doing their best to keep us safe against terrorism while facilitating trade and tourism. We have a great working relationship with the folks on the ground. However, we must get the attention of the decision makers in Washington, D.C. and convince them that the decisions and policies they make and implement have direct, real-world repercussions for those of us who live on the border.

Mr. Chairman, members of the committee, it is our request that you join us in the dialogue and request with Washington, D.C. in order to get the staffing and the necessary resources to address the congestion, trade and security issues at our ports of entry. They are a critical component of the Arizona economy and are an integral part of our government's efforts to protect the Homeland.

Mr. Chairman, let me conclude my portion of our combined remarks by thanking you and the members of the committee for the opportunity to provide you our thoughts and perspectives on our border. I also want to join Bruce in inviting you to visit Nogales to see us first hand. I look forward to hearing your thoughts and questions. Now let me turn it back to Jaime for some concluding remarks.

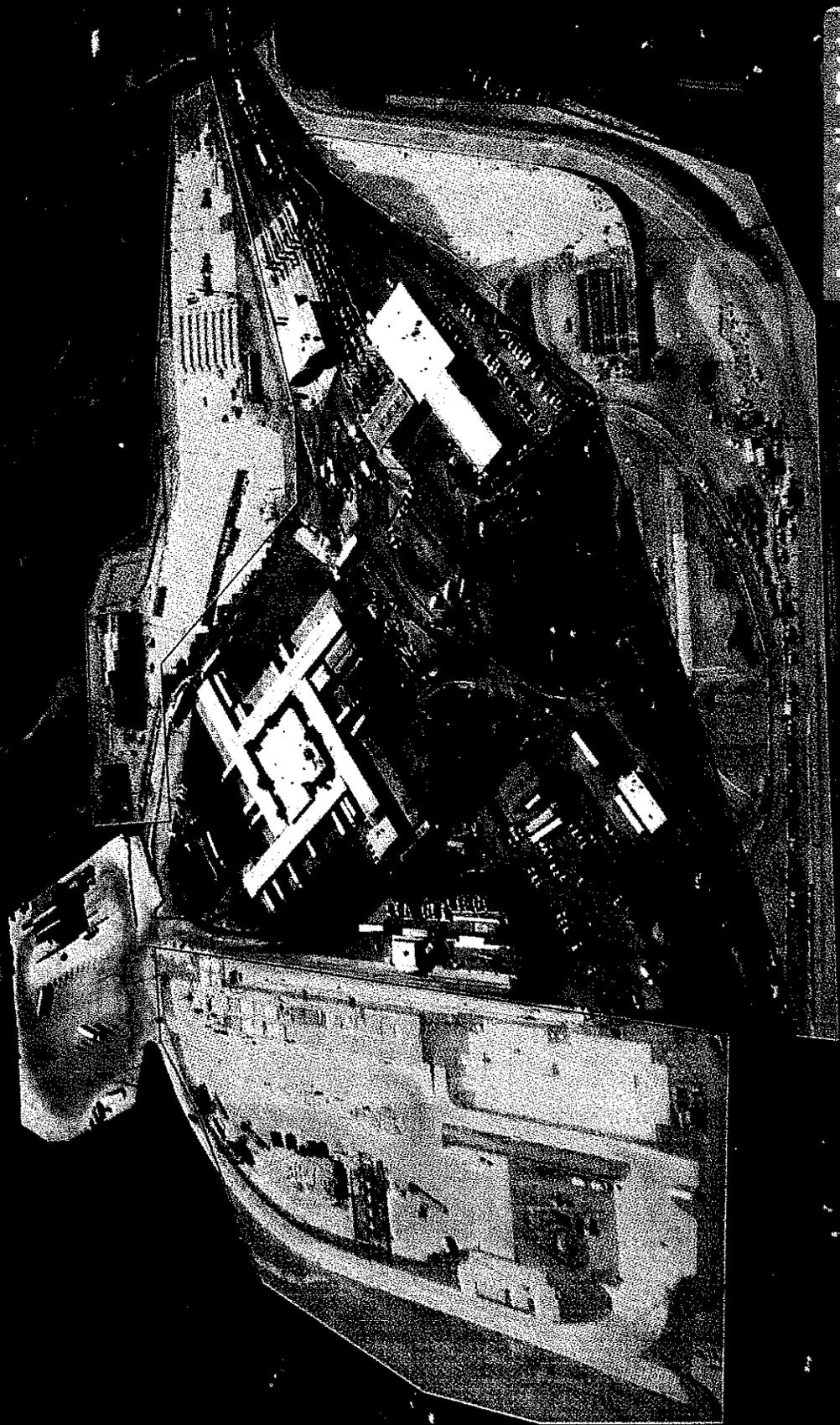
North-Bound delays





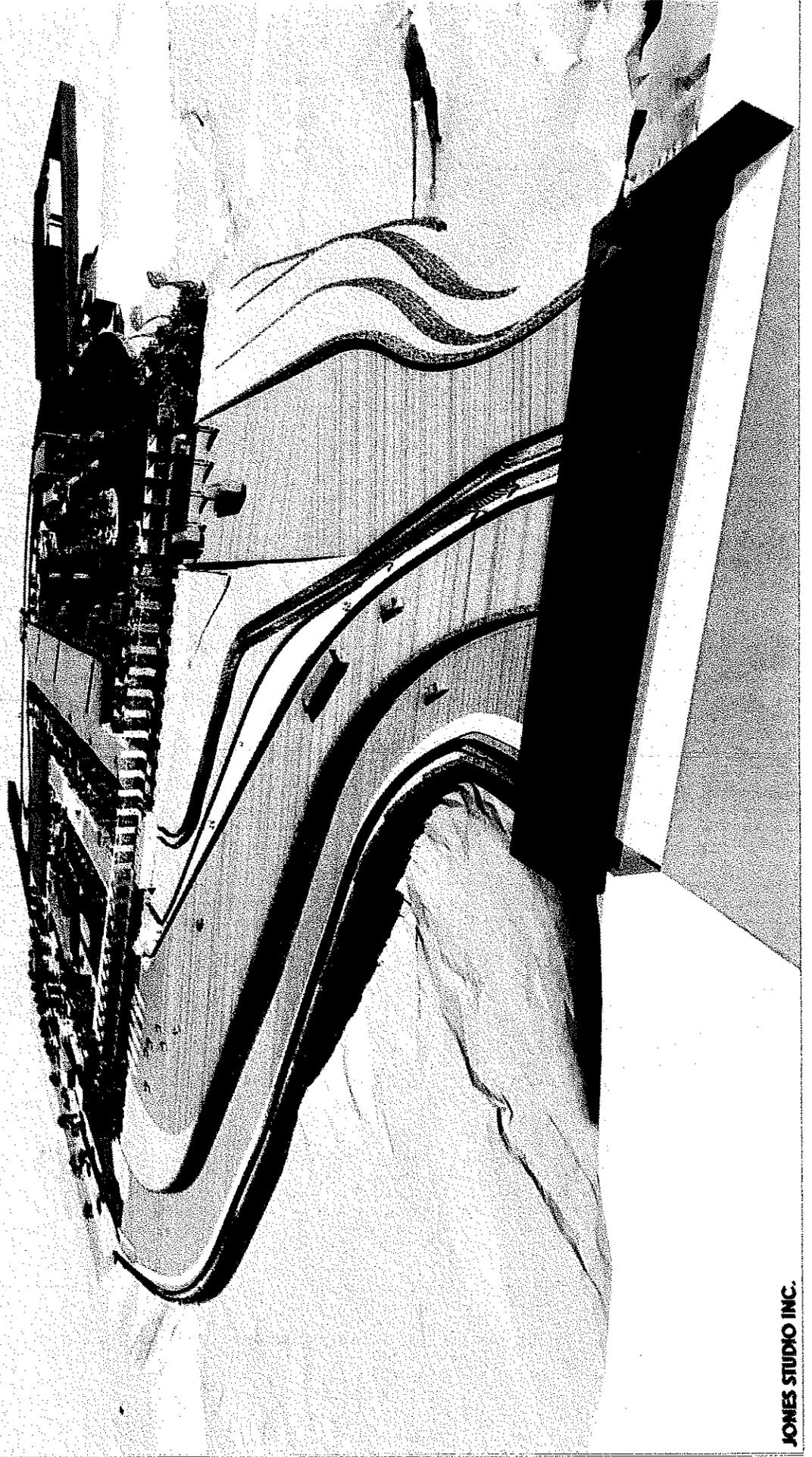
Greater Nogales
Santa Cruz County
PORT AUTHORITY

Mariposa Reconfiguration



As of April, 2011

Mariposa Reconfiguration Project



Nogales by the Numbers

Mode of Transportation							
	Trucks	POVs	Pedestrians	Buses	Bus Pass.	Trains	Total People
2008	303,757	3,026,767	6,568,207	11,585	195,741	640	15,238,781
2009	276,877	2,990,597	4,038,356	11,096	166,567	563	12,122,753
2010	309,308	2,660,610	3,926,801	10,320	167,094	602	11,158,704

Source: US Customs and Border Protection

Traffic flow has decreased yet wait times remain just as long or longer

 Greater Nogales
Santa Cruz County
PORT AUTHORITY

Thank you for your support!

James B. Manson

Chairman

Greater Nogales and Santa Cruz County Port Authority

www.nogalesport.org

(520) 287-2707

jb@pacificbokerageinc.com

SUPPORTING INFORMATION: Les Harris, Maquiladora Association of the State of Sonora

Mr. Chairman, members of the committee, good morning. My name is Les Harris. I am the President of the Maquiladora Association of the State of Sonora (AMS), a nonprofit organization integrating foreign private businesses that have their Supply Chains operating in the State of Sonora, Mexico. The primary focus of the association is to facilitate the interaction among the private sector we represent and to establish and maintain channels of communication with the local, state, and federal levels of government of both the USA and Mexico. Our objective is to discuss and affect the opportunities to achieve business permanency, enhance economic growth, promote process improvement, and positively impact the dynamics of the economy of both countries. In numbers we represent a total of 109 companies. The majority of those are owned by corporations primarily based in the USA, and with well integrated Supply Chains. We have all connected USA Manufacturing with Mexico Assembly to support demand from around the globe.

Mexico is one of the countries where our USA based Corporations have established manufacturing operations in a business model born in the late 60's which still today has proven to be very effective, especially in light of landed costing in the USA. We achieve positive results in the US and Mexican economies, but such configuration requires an efficient, effective, and secure physical connection of both countries via Ports of Entry, and in our geographical location Nogales is the Arizona Port utilized. You have already heard from the Fresh Produce Association of the Americas, the Nogales Community Development and the Downtown Merchants Association, and the Greater Nogales Santa Cruz County Port Authority about how important Nogales is for the local, state and national economy. The Nogales port of entry system facilitates major flows of Commercial trade during exportation-importation of components, machinery, equipment, and manufactured products, with some \$18 billion in goods flowing through our community that by nature require services in the form of customs brokerage, warehousing, and transportation that in turn create a healthy dynamic in the City of Nogales located just in the border of the USA.

For us it is important to recognize the effort and investment put in place to enhance the infrastructure at the Mariposa Port of Entry in Nogales which we daily use in our importation and exportation processes. Our Association took the initiative to do an engineering study of the process based on the following guidelines:

- The topic of Logistics and Border Crossings becomes a **critical element** during conversations of **Economical Promotion** of the region with Investors at the time of evaluating their configurations of **Supply Chains Operations** and the **implementation of Manufacturing and Distribution Operations**.

- Logistics and Border Crossings becomes a **critical factor** of **Cost and Service** during exportation of Agricultural Product (**Produce Season**)...
- Logistics and Border Crossings turn out to be one of the **most challenging factors** for **Transportation** besides **Security**.
- Logistics and Border Crossings are a **priority** and a **key part** of **enhancing Homeland Security**, and then after that facilitating legitimate **Commercial Trades** becomes important.

We can share that the improvement of the critical indicator of **Border Crossing Time** requires the proper interaction of the following factors: **Infrastructure, People, Processes, and Technology**. With the Mariposa Reconfiguration Project now in process we believe the factor of infrastructure is heading to be one of the best of the Ports located in the northern and southern borders, but with that comes the conversation of what will happen with People, Processes and Technology. To help in the conversation I would like to present how the border crossing time adversely causes an impact in our operations:

- If we do not improve the actual manning and processes at the Mariposa Port of Entry we are expecting to have **13% of our trucks** delayed at least for one more day at the Arizona Warehouses to wait for the pickup time from the most common commercial carriers in the USA (FEDEX, UPS, Conway, SWIFT, Warner, Roadway, and All Dominion), this in turn increases our Supply Chain cost because of the warehousing cost and most important has a negative impact on the service to customers.
- With actual Border Crossing Time we **can't guarantee next day service** to customers 36% of the time, but in our actual business environment next day services becomes critical to Competitiveness.
- In the engineering study completed in 2009 **just 33% of the trucks did between 27 minutes to 60 minutes** of border crossing time, 41% of the truck completed the border crossing time between 1 to 1.5 hours, and 26% of the truck completed the total border crossing in more than 1.5 hours.
- The range of variation of the USA Customs inspection process is wide, a truck can be processed in three minutes from enter to exit while another one can take up to **8+ hours to be processed**. We can't always know why any given truck and trailer take a given amount of time, but it in fact is the variation of times that keeps us manufacturers on pins and needles related to On Time Delivery.. a critical aspect for of our represented businesses.

As said before I did want to take this opportunity to request your support in helping to secure the People factor by providing additional staffing at our Nogales ports of entry which in combination

with the efforts on infrastructure (now in process), enhancements of processes, and utilization of technology should provide stable and predictable service times during border crossings. I am certainly optimistic we can make a big difference on having the most efficient, productive and secure port that fosters economical and trade facilitation to USA Corporations.

Mr. Chairman, members of the committee, it is our proposition to extend an invitation to you to join us in the conversation with Washington, D.C. with the objective of getting the staffing and necessary focus to address the opportunities on commercial border crossing and security at our ports of entry. We recognize they are a critical component of the local, state and national economies and subsequently require a holistic approach of our government's efforts to protect the Homeland.

Thank you so much for your time;

Les Harris

President, Maquila Association

General Manager, Alcatel-Lucent

Nogales, Sonora, Mexico

May 2011

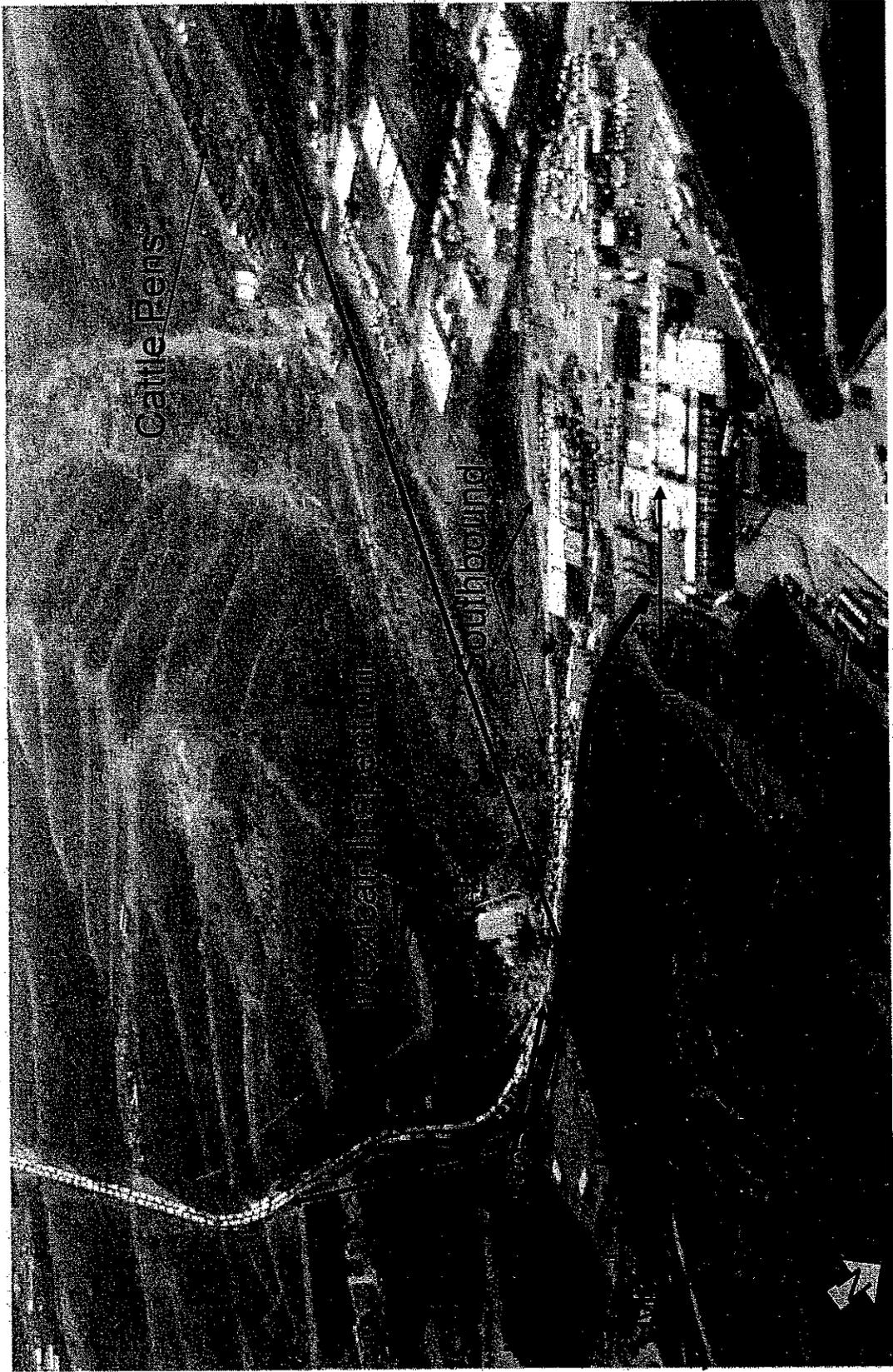
**Greater Nogales
Santa Cruz County
PORT AUTHORITY**



**James B. Manson
Chairman**

**Phoenix, Arizona
May 25, 2011**

North-Bound delays

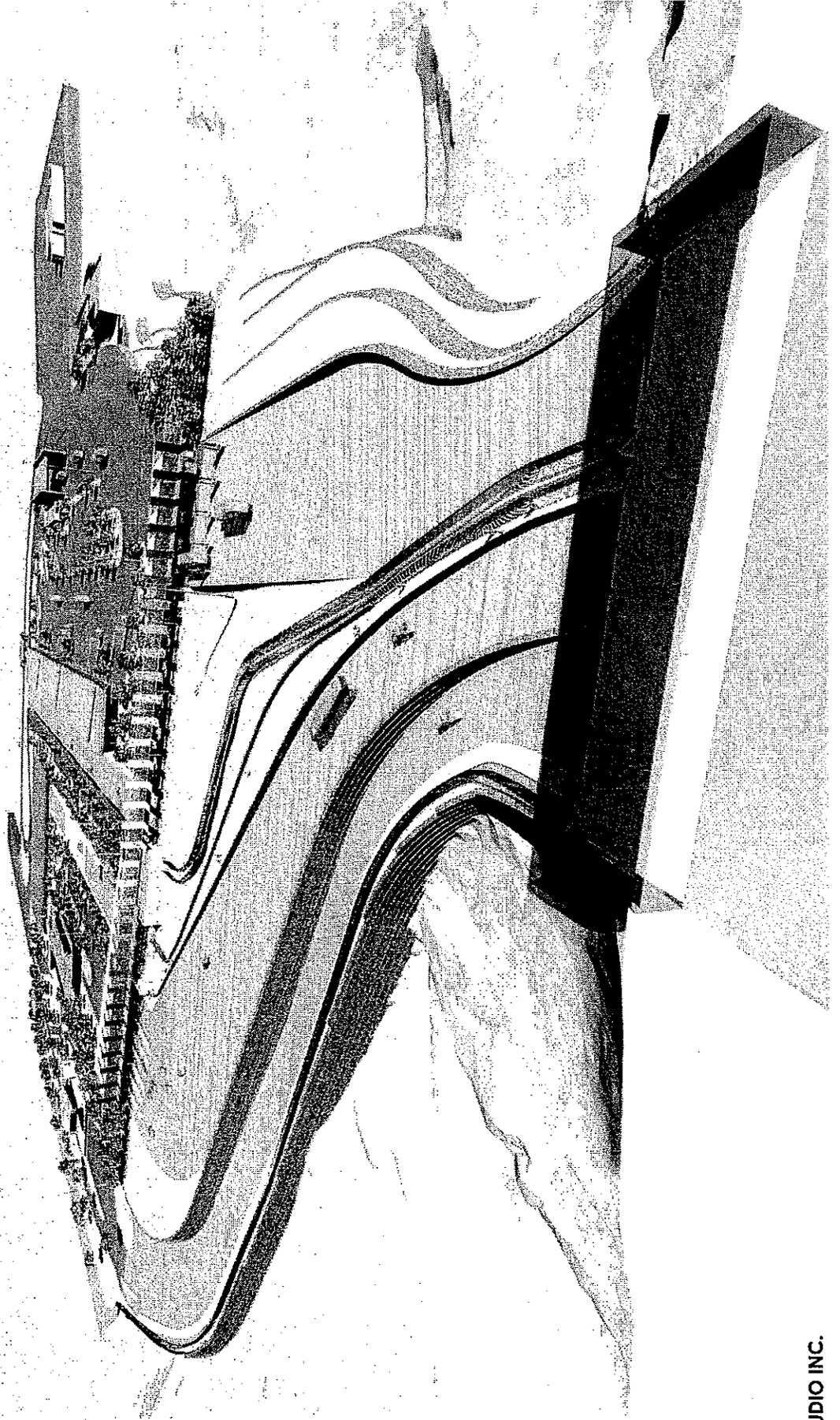


Mariposa Reconfiguration



AS of April, 2011

Mariposa Reconfiguration Project



Nogales by the Numbers

	Mode of Transportation						Total People
	Trucks	POVs	Pedestrians	Buses	Bus Pass.	Trains	
2008	303,757	3,026,767	6,568,207	11,585	195,741	640	15,238,781
2009	276,877	2,990,597	4,038,356	11,096	166,567	563	12,122,753
2010	309,308	2,660,610	3,926,801	10,320	167,094	602	11,158,704

Source: US Customs and Border Protection

- Traffic flow has decreased yet wait times remain just as long or longer

Thank you for your support!

James B. Manson

Chairman

Greater Nogales and Santa Cruz County Port Authority

www.nogalesport.org

(520) 287-2707

jb@pacificbokerageinc.com

JBCC Joe do: Presentation (email file 6/11 June 2011)

ARIZONA PORT OF ENTRY UPDATE

By: Luis Ramirez Thomas, MSFS

Phoenix, Arizona.

May 18, 2011

ARIZONA POE SYSTEM TODAY

Mode of Transportation (2010)*							
	Trucks	POVs	Pedestrians	Buses	Bus Pass.	Trains	Total People
Douglas	25,142	1,459,963	1,178,738	2,048	13,271	-	4,206,035
Lukeville	137	312,835	68,669	521	2,646	-	780,465
Naco	2,171	267,869	76,281	49	1,284	-	595,058
Nogales	309,308	2,660,610	3,926,801	10,320	167,094	602	11,158,704
San Luis	38,639	2,091,908	2,516,427	48	968	-	6,595,435
Sasabe	6	23,044	986	-	-	-	40,484
Totals	375,403	6,816,229	7,767,902	12,986	185,703	602	23,376,181

Source: US Customs and Border Protection
 Did not start keeping track until 2010.
 Do not have estimate for Southbound.
 Do not have structure.
 tracking in structure.
 Sp. Smith security.
 No. Comm. keep in mind.
 - CBR does not provide numbers.

Northbound
 HND

CHANGE OVER PAST 4 YEARS

Mode of Transportation (2010)*

	Trucks	POVs	Pedestrians	Buses	Bus Pass.	Trains	Total People
2007	368,436	8,302,507	11,863,293	16,897	318,703	610	31,550,882
2008	375,850	7,735,264	10,517,482	15,658	259,714	640	29,206,996
2009	343,761	7,388,233	8,046,635	14,035	192,719	563	25,560,796
2010	375,403	6,816,229	7,767,902	12,986	185,703	602	23,376,181

Source: US Customs and Border Protection

COMMITMENTS UNDER VISION 2015

- Double if not triple our inspection throughput capacity
- System strong on security and foster economic development
- Improve quality of life and protect the environment
- Make Arizona and Sonora more competitive

DELAYS – EXAMPLE AT SAN LUIS, ARIZONA



US Inspection
Facilities

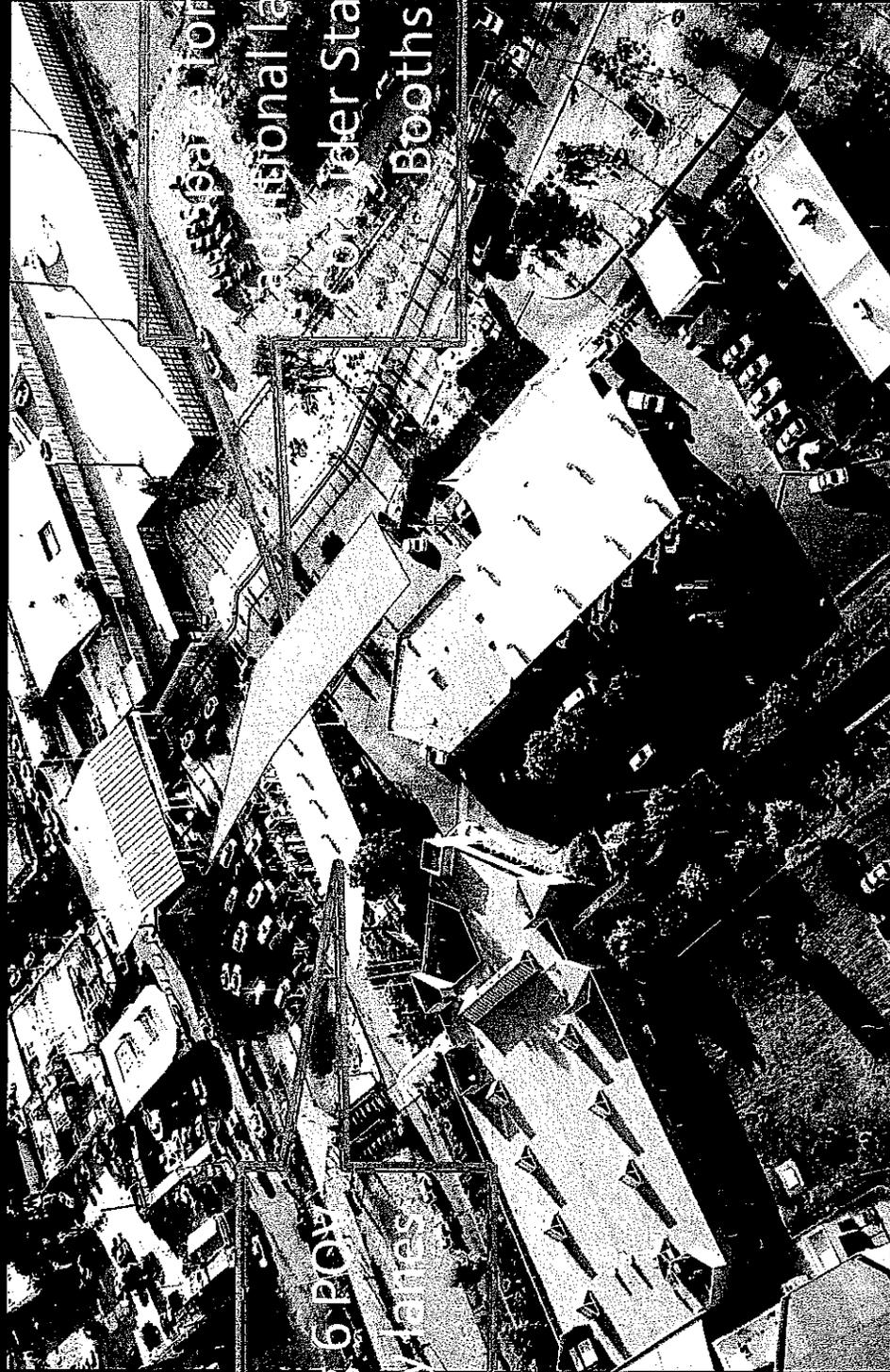
Line of cars
from Mexico
into US

Pedestrian

Mexican
inspection

Southbound
inspections

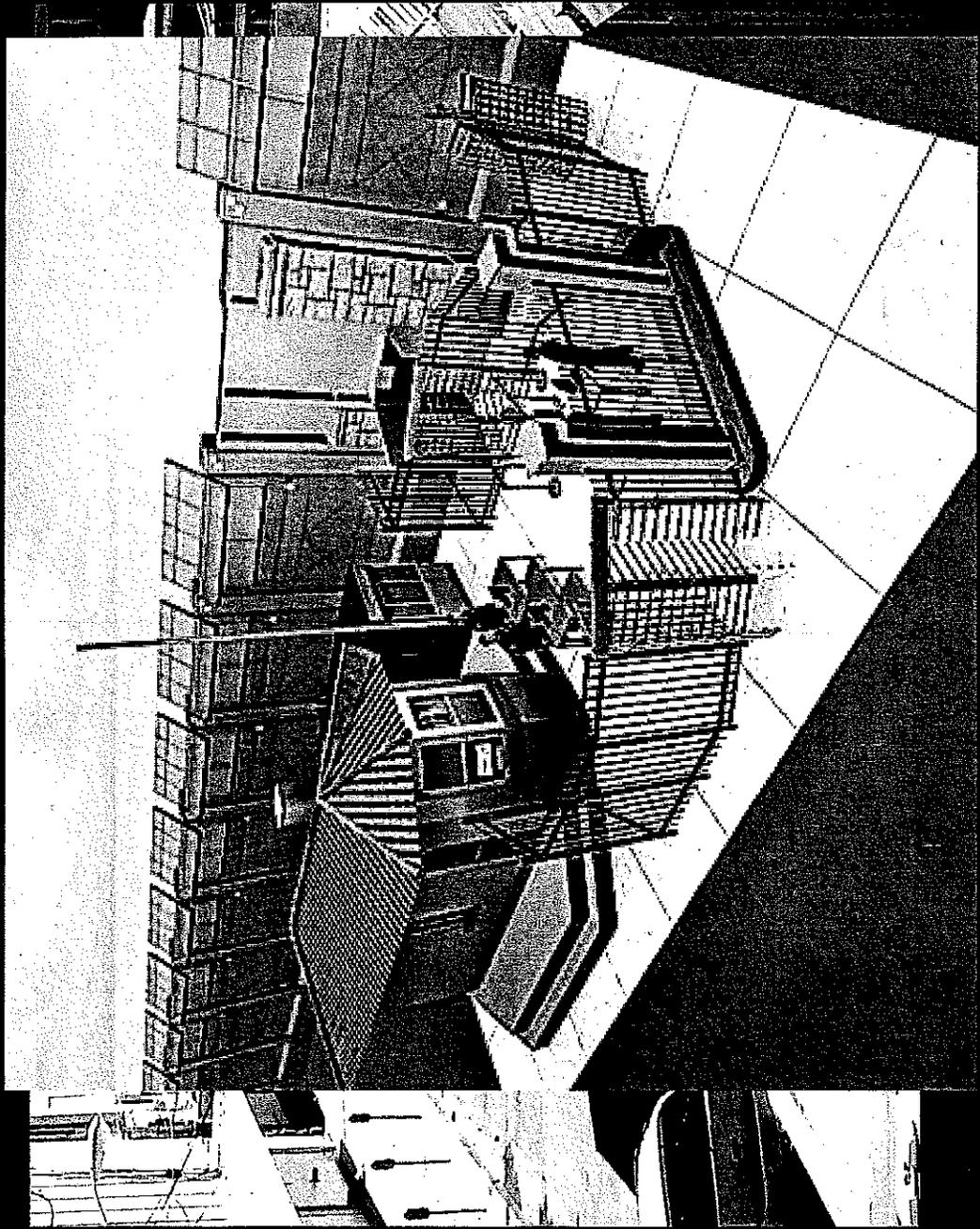
SAN LUIS I – TWO ADDITIONAL LANES



Existing 6 POV
Primary Lanes

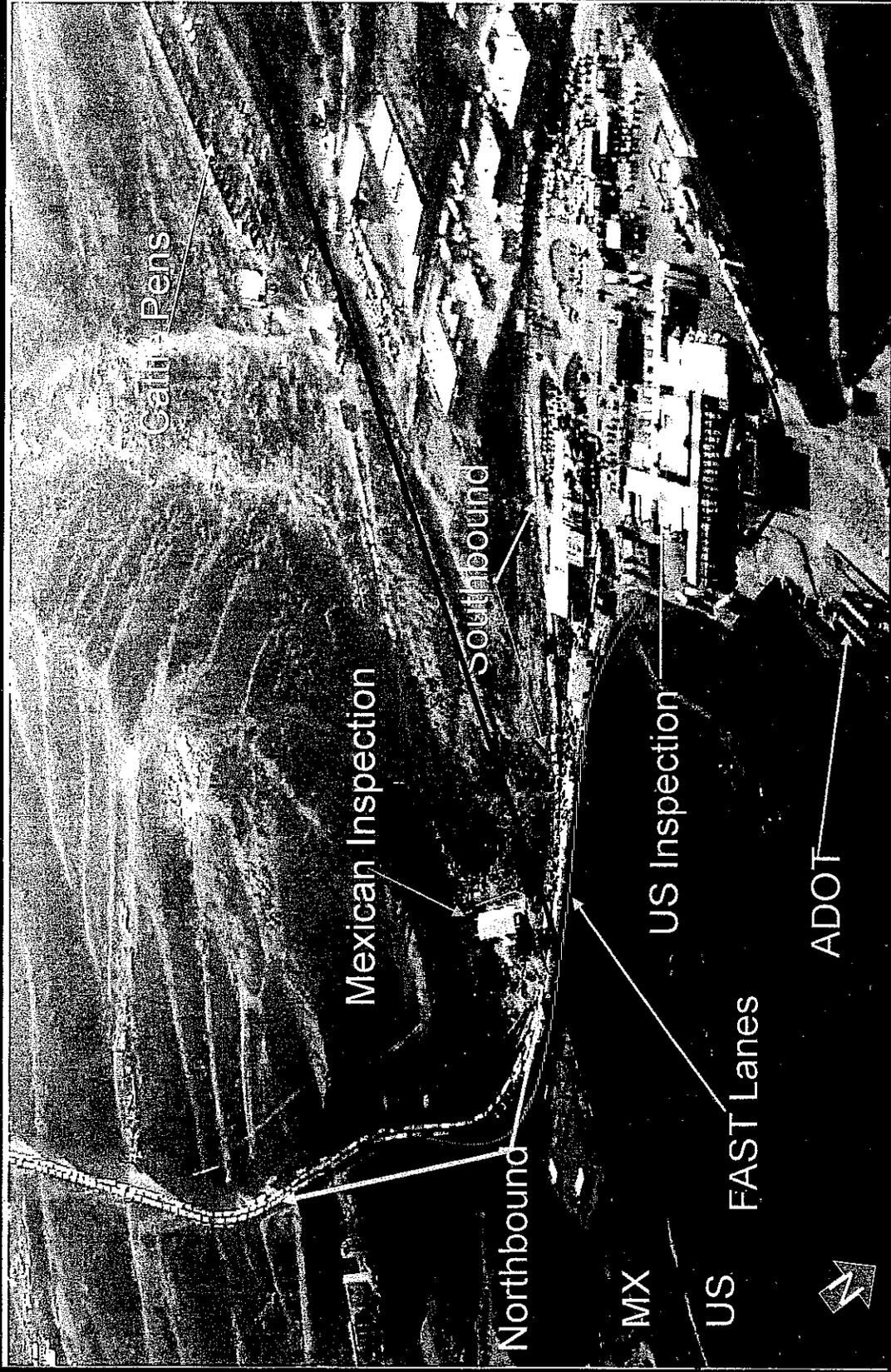
Proposed for 2
additional lanes -
Under Stacked
Booths

MORLEY GATE – PEDESTRIANS AT NOGALES



RAMIREZ ADVISORS INTER-NATIONAL, LLC

NORTH-BOUND DELAYS



MARIPOSA RECONFIGURATION

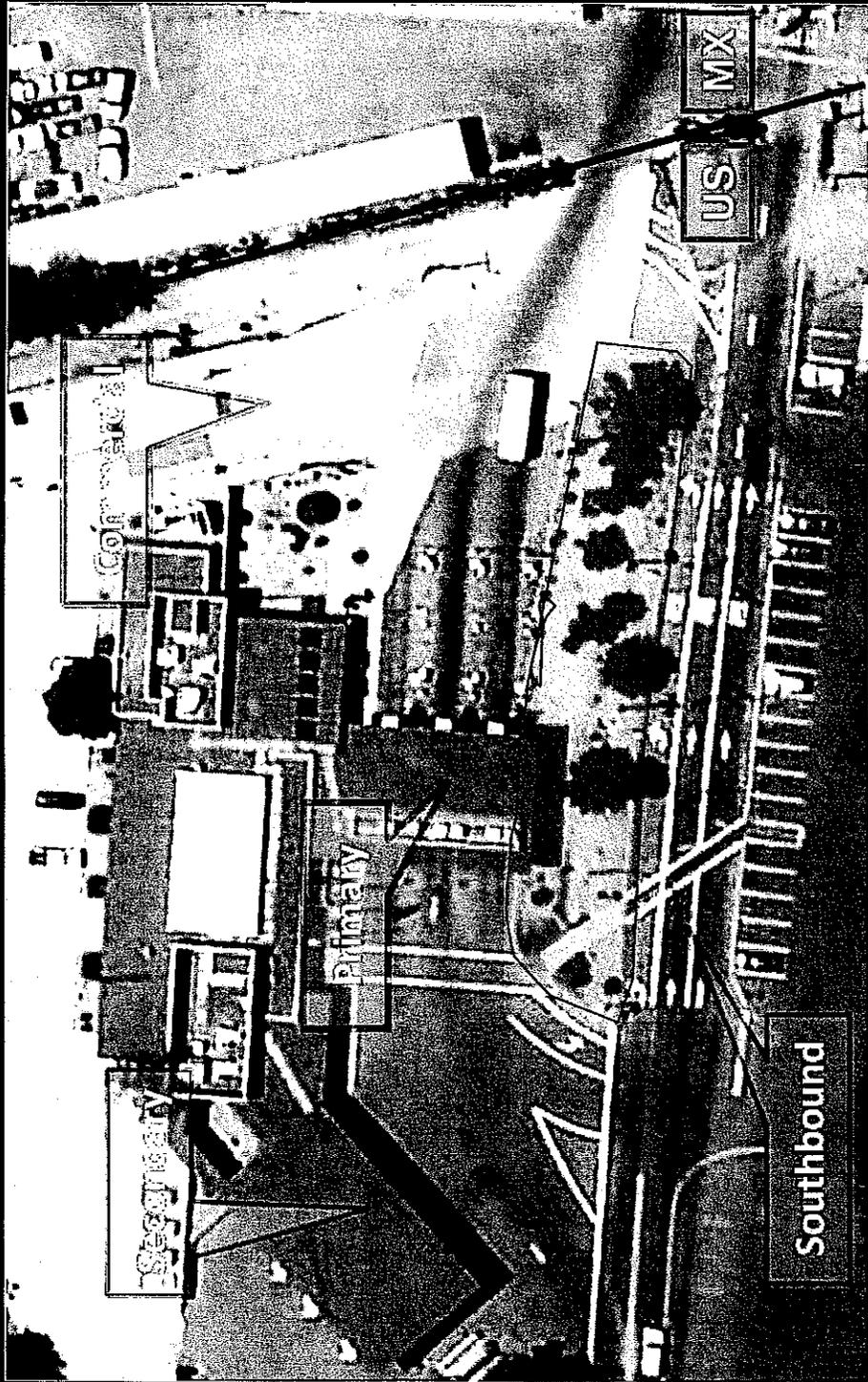


AS OF APRIL 2011

Source: US Customs and Border Protection

RAMIREZ ADVISORS INTERNATIONAL, LLC

LUKEVILLE EXPANSION



LUKEVILLE EXPANSION



Source: US Customs and Border Protection

RAMIREZ ADVISORS INTER-NATIONAL, LLC

DELAYS DUE TO SOUTHBOUND INSPECTIONS



COMMITMENTS MET TO DATE

- Since Vision 2015 conceived in 2007 the number of lanes will increase by 22 by Summer 2012
 - San Luis I – 2 SENTRI, 2 Cars, 2 Ped SENTRI
 - San Luis II – 2 Cargo lanes (dedicated facilities)
 - Lukeville – 2 POV lanes
 - Mariposa – 4 POV lanes and 4 Cargo Lanes
 - Morley Gate – 4 Pedestrian Lanes
- \$260 million in port of entry investment

PROJECTS THAT REQUIRE OUR CONTINUED SUPPORT

- Expansion of San Luis II to include non-commercial traffic
- San Luis I Reconfiguration – Approximately \$80 million
- Douglas Reconfiguration – Approximately \$100 million
- Completion of the Arizona-Sonora Border Master Plan
 - 18 month process starting in June, 2011
- Monitoring of Punta Colonet project
 - Possible rail crossing through Arizona

ISSUES THAT REQUIRE OUR CONTINUED SUPPORT

- Congestion at the border continues to worsen
- Ports of entry severely understaffed
 - 375 officers needed to meet *staffing-to-need*
 - Does not account for future staffing requirements
- Need to consider private development of future projects
- Southbound inspections need infrastructure and staffing
- Joint Field Command is redundant/overhead

Thank You!

APPENDIX E:

June 29, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, June 29, 2011

Time: 9:00 A.M.

Place: HHR 1

AGENDA

1. Call to Order - Opening Remarks
2. Presentations:
 - Robert Halliday, Director, Department of Public Safety
 - Luis Ramirez, Border Infrastructure Coordinator
 - Victor Gonzalez, Douglas International Port Authority
 - Curtis Shook, City Manager, City of Douglas
 - Zack Taylor, National Association of Former Border Patrol Officers
 - Representative David W. Stevens - Concerning the Committee Website
3. Overview of the Following Bills Passed in the Fiftieth Legislature - First Regular Session by Bill Ritz, Senate Legislative Research Analyst and Joe DeMenna, House Assistant Research Analyst:
 - SB1406 - interstate compact; border fence, Chapter 309
 - SB1495 - Arizona state guard; establishment, Chapter 311
 - SB1546 - eminent domain on federal property, Chapter 356
4. Set Date for Next Formal Meeting
5. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 John Halikowski
 Robert Halliday

Representative Russ Jones, CoChair
 Representative David Stevens
 Representative Andrew Tobin
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

6/23/11
 lae

Department of Public Safety

Coordinator

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Representative Russ Jones
 Representative David Stevens
 Representative Andrew Tobin
 Gilbert Orrantia
 Charles Ryan

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----- DOCUMENT HEADER -----

ARIZONA STATE LEGISLATURE
Fiftieth Legislature – First Regular Session

JOINT BORDER SECURITY ADVISORY COMMITTEE

Minutes of Interim Meeting
Wednesday, June 29, 2011
House Hearing Room 1 -- 9:00 a.m.

CoChairman Jones called the meeting to order at 9:05 a.m. and attendance was noted by the secretary.

Members Present

Senator Alvin Melvin, CoChairman
Senator Gail Griffin
Senator Steve Smith
John Halikowski
Gilbert Orrantia

Representative Russ Jones, CoChairman
Representative Andrew Tobin (Steve Moortel)
Charles Ryan
Major General Hugo Salazar

Members Absent

Bas Aja
Robert Halliday

----- Representative David Stevens -----

Presentations

CoChairman Melvin noted that Robert Halliday will not be able to make a presentation.

Luis Ramirez, President, Ramirez Advisors Inter-National, LLC, gave a slide presentation, *Arizona Port of Entry Update (May 18, 2011)* (Attachment 1). He stated that Vision 2015 was created through the Arizona-Mexico Commission, which is the first time a holistic approach was taken to the ports of entry (POE) with the understanding that what happens in one community can impact the other communities. He reviewed statistics provided by U.S. Customs and Border Protection (CBP) on crossings into the U.S. through the POE system in FY 2010 using various modes of transportation (trucks, privately-owned vehicles (POV), pedestrians, buses and trains), noting that 23.4 million people entered the U.S., which is doubled when taking into account the southbound traffic into Mexico. Another mode of transportation that is not currently being tracked is bicycles, the use of which has increased at every POE.

Members Present

Mr. Ramirez said the unfortunate incidents of September 11, 2001 (9/11) changed the approach to the border. In the last four years, there has been a significant decrease in the number of pedestrians and the total number of people crossing in POVs and buses, due to a variety of reasons, but the trade perspective has remained constant. It is anticipated that the volume of traffic with cargo will increase this year beyond 2010 numbers, which is a positive message for the economy. Sales tax revenue in border communities is heavily dependent upon people crossing the border from Mexico to shop, so a decrease in the number of people crossing impacts those communities.

Mr. Ramirez discussed the goal of Vision 2015, traffic congestion at the San Luis POE (a common problem at all of the POEs) and improvement projects for the San Luis, Nogales (Morley Gate) and Mariposa POEs.

In response to a question, he indicated that staffing continues to be a number one priority for every POE. He has not heard a firm commitment from CBP for the Nogales POE, but he regularly asks about staffing, and he hopes there will be adequate personnel by the time it is operational.

CoChairman Jones remarked that when the San Luis POE was expanded, not a single person was added for processing. CBP has not been able to keep up with attrition so there are fewer people than before improvements were made. The port director is using the overtime budget to keep the port operational, but that money will run out

in August 2011. He said he hopes the Members will be able to ask these questions of the CBP and the Department of Homeland Security in the near future. The Douglas POE is understaffed as well.

Mr. Halikowski pointed out that General Services Administration (GSA) builds facilities while staffing is the responsibility of another federal agency such as CBP, so it is difficult to answer staffing questions until those bureaucracies are pulled together.

CoChairman Melvin related that he and Senator Griffin were in Nogales where they learned that seasonal workers were used at the POEs in the past during the peak season, but that has not been done since 9/11. He noted that most cities and towns have volunteers in the police department and most counties have posses that are trained and uniformed, so there are resources available that the government can use to address problems at the border.

CoChairman Jones asked the economic impact to Arizona from the precipitous decrease in POV and pedestrian crossings into the U.S. from 2007 to 2010. Mr. Ramirez responded that a study has not been conducted, but the Arizona and Sonora border mayors are working together on an initiative to determine the impact to border communities and the state, which he is hoping will be done as soon as possible. CoChairman Jones speculated that the Arizona Chamber of Commerce may be able to quantify the impact.

CoChairman Melvin conveyed that during the nine years he has lived in the Greater Tucson area, he has never seen so many Sonora license plates, so he does not believe there is a drop in POVs from Mexico in the Tucson area where the people are going to and from the shopping centers.

Mr. Ramirez said he is glad to hear that because there is a positive impact in terms of sales tax and the economy. Even though there has been a drop, seven million vehicles are still crossing the border into the U.S. annually.

CoChairman Melvin added that he hears from chambers of commerce and others that SB 1070 - safe neighborhoods; immigration; law enforcement, has adversely affected the state in terms of store sales to people from Mexico, but based on the number of Sonora plates he has seen, he does not believe people are afraid to cross the border to shop in the U.S., where they are welcome.

Senator Griffin indicated that she understands the figures for personnel throughout the country equate to one additional officer per POE. In the Nogales area, CBP officers look at perishable products, which is not as critical in other areas, as well as contraband, so without adequate personnel, those types of catches will not occur and the problem will become worse. She noted that she has a draft resolution to address the issue.

CoChairman Melvin related that if there is difficulty in the Yuma area keeping up with attrition and the CBP is hiring, the Committee should know so it can put out the word. Mr. Ryan acknowledged that the Arizona Department of Corrections (ADC) is also hiring.

CoChairman Jones pointed out that the hiring process, training and deployment of a CBP officer takes a year minimum to 18 months. Adding one additional CBP person for every POE will not have a significant impact taking into account attrition and the lengthy training process, so inadequate staffing is a major issue. He added that in San Luis, because of the long lines of traffic going southbound to Mexico in the evenings, most of the police force that is otherwise available to the community is dedicated to traffic control.

Mr. Ramirez continued with the presentation regarding improvements to the Lukeville POE and traffic delays in the downtown area of San Luis due to southbound inspections, which requires the assistance of the police department, and also occurs in Nogales, Douglas and Lukeville.

CoChairman Jones asked for an update on the CBP initiative for exit controls and southbound inspections for arms and laundered money, in collaboration with Mexico, and asked if that causes additional delays. Mr. Ramirez answered that the southbound inspections that were announced in March 2009 actually went into full effect in March 2010. Southbound inspections are random at every POE, but occur frequently. The effort has had a positive impact; the only concern is the congestion that is generated in the local communities. The most effective way to facilitate the flow of legal trade and tourism is to be more effective and efficient in inspections.

He conveyed that by the summer of 2012, 22 additional lanes will be added to the POE system, almost doubling the number of primary lanes, which represents an investment of \$260 million in federal funds already spent or to be spent. He reviewed ongoing projects and issues that require continued support.

In response to questions, Mr. Ramirez provided the following information:

- Southbound traffic is not tracked as accurately as northbound traffic, but it is estimated that 23 million people cross the border southbound annually.

- From personal experience, the process of crossing a POE northbound begins with an individual applying for a passport and tourist visa. Once the individual has those documents and attempts to cross the POE, they are asked where they are coming from, where they are going and the purpose of the trip, and sometimes additional documents are requested. Every document provided is swiped and the information is pulled up on the screen for the officer to view.

CoChairman Jones conveyed that transportation plans are being made for the Members to visit the Yuma sector, and the Tucson, Nogales and Douglas areas where more in-depth briefings can be provided by CBP, Border Patrol and U.S. Immigration and Customs Enforcement (ICE). Until 9/11, there was no need for or discussion about southbound exit controls, which also involves infrastructure such as readers to pick up information on passports and record license plate numbers. The communities would have to rebuild all of the POEs and design the buildings and technology to do the same kind of reading, and that kind of investment is unlikely from the U.S. Congress at this time. He wondered if the Arizona-Mexico Commission keeps track of southbound crossings, adding that he does not know how CBP could obtain the numbers because it does not have formal readers, permanent inspections or ways to count the traffic.

Senator Smith remarked that he would like to make a formal request to CBP to secure those numbers. CoChairman Jones pointed out that Margie Emmermann and representatives from the Mexican Consulate are in the audience who may be able to assist in obtaining the numbers.

CoChairman Melvin requested an electronic copy of Mr. Ramirez' presentation because the hard copy provided to the Members is slightly different than shown. He noted that documents presented will be placed on the Committee's website www.azleg.gov/jbsac.

Victor Gonzalez, Douglas International Port Authority; Douglas Regional Economic Development Corporation, gave a presentation, *Commerce + Infrastructure + Quality of Life, Douglas: Arizona* (Attachment 2). He indicated that the maquiladora (manufacturing) industry has a significant economic impact on border communities. Economic activities taking place in Douglas include a \$52.2 million investment in capital improvements to the Cochise College system, location of Advance Call Center Technologies (ACT) with creation of 350 jobs and an incentive program by the City of Douglas to attract new industries. On the Mexico side, Alstyle Apparel & Active Wear, a textile company, made a \$40 million investment for a new manufacturing plant in Agua Prieta in the State of Sonora that will employ over 4,000 people.

He stated that the POE serves as an ideal mechanism for national security and economic growth. Douglas is in dire need of improvement to not only the POE, but also infrastructure. In FY 2010, there were over 25,000 truck crossings. It is projected that new industries on the Mexican side and investments the State of Sonora has been making in developing the infrastructure and corridors leading to the region will result in a three- to five-percent increase in commercial truck traffic in future years.

In response to a question, Mr. Gonzalez conveyed that Alstyle Apparel & Active Wear is a U.S. company based in Anaheim, California; it is a subsidiary of Ennis, Incorporated and one of the largest textile projects in the Western Hemisphere. The company is requiring vendors and suppliers to consider the region in order to support its operations; currently there are yarn-producing companies and cotton spinning mills.

Senator Smith commented that it is unfortunate that the facility was not located in Douglas since those jobs are needed in the U.S. Mr. Gonzalez responded that Mexico is an attractive location from a cost advantage standpoint. He added that the exact numbers are not known, but a percentage of the 4,000 employees will spend money in the U.S.

CoChairman Jones stated that the U.S.-Mexico textile industry was very robust as the result of the North American Free Trade Agreement (NAFTA). Textile mills in the U.S. were producing the raw materials and machinery, the pre-cut work was done in the U.S., pre-cut garments were sent to Mexico for assembly and returned to the U.S. for sales and distribution worldwide. When assembly operations went to China, the mills that produced the raw materials and machinery shut down. Recent studies showed that Mexico regained the number one position for outsourcing in terms of cost for U.S. manufacturing, so the labor-intensive portion is returning to Mexico instead of China. If that trend continues, hopefully, the mills and other types of operations will return.

CoChairman Melvin stated that a few years ago, he visited some maquiladora factories in Nogales that were in competition with China. Mexico is taking a lot of that business back from China partly because of oil prices and ocean transportation. He and CoChairman Jones commented on trade between the U.S. and Mexico. CoChairman Jones suggested contacting the produce association or other organizations to request a presentation about the trade dynamic.

CoChairman Melvin requested an electronic copy of Mr. Ramirez' presentation because the hard copy provided to the Members is slightly different than shown. He noted that documents presented will be placed on the Committee's website www.azleg.gov/jbsac.

Mr. Gonzalez noted that about 12 months ago, the City of Douglas (City), the Industrial Developmental Authority and the International Port Authority formed a partnership and created a regional economic developmental group. It is not possible for a textile company to be housed in the U.S., but the group is responsible for garnering that industry and pulling in providers, vendors, etc., which has implications to the quality of life in Douglas.

In continuing the presentation, Mr. Gonzalez apprised the Members that the Douglas POE is outdated. Commercial traffic continues to increase, so through recent dialogue with the U.S. GSA, funding may be obtained for an expansion project to be completed in 2017. Some significant investments have been made to improve the infrastructure leading to the POE, one of which is Chino Road that the Arizona Department of Transportation is currently working on, for which the Coordinated Border Infrastructure Program provided \$3.5 million. He addressed additional deficiencies at the Douglas POE.

In response to a query, Mr. Gonzalez agreed that the queue from Mexico to the U.S. is shared by commercial vehicles and POVs; additionally, someone crossing into the U.S. must navigate three or four lanes of vehicle traffic. He discussed the Douglas POE expansion project and infrastructure. In response to questions, he stated that people at the local level will be advocating for adequate staffing at the POE, and that the new technologies that CBP is implementing are included in the expansion project.

CoChairman Jones stated that the Douglas POE does not have Secure Electronic Network for Travelers Rapid Inspection (SENTRI) lanes, but it has fast lanes on the commercial side for trusted travelers and trade partners that go through a thorough vetting. The Douglas POE does not have the space to do that, and as the numbers increase, technology is still being used from a decade ago, which adds to the congestion. Nogales and San Luis have those upgrades, which has significantly improved the problem of congestion.

CoChairman Melvin stated that he and Director Ryan visited Douglas where there is a very robust fence that was built about 15 years ago with inmate labor. He is looking forward to the visits being set up so the Members can look at the fence as an available option. He noted that ADC inmates cleaned up trash from illegal aliens on the outskirts of Douglas for 50 cents per hour, which saved money, and an abandoned building was totally refurbished for ACT, which cut unemployment in half.

Curtis Shook, City Manager, City of Douglas, related that Douglas POE deficiencies cause a blockage because commercial traffic is mixed with POV and pedestrian traffic, all within two-tenths of a mile, which affects border security and pushes CBP officers to the limit. The Douglas POE does not have SENTRI lanes or an adequate number of lanes. He made the following points:

- Bus traffic going to and from Mexico has decreased because there are no shade facilities at the bus stops, so many tour lines go through Nogales or Lukeville, which has affected the City's economy.
- The Douglas POE is a federal port on a state road that becomes backed up and citizens are locally taxed to provide services. Northbound wait time is typically 60 to 90 minutes; southbound wait time can be anywhere from 30 to 90 minutes, depending on the day and time. People will not leave lines to shop, so there has been a significant decline in sales tax revenue. The long wait times have decreased the movement of legal traffic, such as visits to family members on either side of the border and from Agua Prieta to downtown businesses.
- With wait times and traffic congestion, the police department is taxed to the limit.
- It is important to be able to handle the traffic capacity, so local roads must be built and maintained. To service the new POE, the City has to pay for a share of the Third Street extension, which reroutes commercial traffic from the POE commercial checkpoint area to U.S. Route 191, and build a new section of road about three- to five-tenths of a mile to connect with Chino Road, which is a state road. The state border initiative funded Chino Road, but the City also must pay a local share. Both of those are planned, but they are in jeopardy, just like maintenance of other local roads, because of Highway User Revenue Fund (HURF) sweeps by the state over the last several years.
- The City's reputation suffers from stories in the media. Many people from Arizona and other states call the visitor's center and other offices to see if it is safe to travel to Douglas, although crime has been reduced in the last two years; however, CBP is taxed with a 15-mile area in which drug and human trafficking occurs. With the current real estate situation, there are many unoccupied homes in which illegal aliens are discovered.

In response to a question, Mr. Shook advised that the 15-mile stretch is to the east and west of Douglas, approximately seven miles on either side. There is fencing on both sides.

- The City enjoys a good relationship with the ADC, and without the inmate labor program, he does not know if the City would be surviving.

CoChairman Melvin noted that an old train station was turned into a police department and an old building was turned into a city library with the use of inmate labor. He also heard that a historic theater is being refurbished. Mr. Shook answered that refurbishing of the theater is still underway. It is being funded through a private foundation, but it is a public building, and ADC labor is being used. The inmate labor program has been incredible for the City; in fact, he did a promotion for ADC and has received calls from other cities about using inmate labor.

CoChairman Melvin asked if the land beyond the existing fence seven miles to the east and to the west is private, state or federal land. Mr. Shook answered that it is probably privately-owned land.

CoChairman Melvin stated that since inmate labor was used to build the existing 12 miles of fencing, perhaps it could also be used to continue building the physical fence. He indicated that he is glad to hear that mayors and city managers from other towns and cities are interested in using inmate labor. In Nogales, there are three or four pedestrian crossings over the railway, but only one or two on the American side, so perhaps inmate labor can be used to build additional pedestrian crossings.

Senator Griffin pointed out that Yuma has the highest unemployment rate in the state; Nogales is second and Douglas is third, so she would like to see some of these industries located on the American side of the border. Mr. Shook agreed, but indicated that there are barriers such as restrictions in the U.S. and the ability to provide incentives at state and local government levels. Senator Griffin indicated that she would like to meet and work on providing a level playing field on both sides of the border.

Representative Lynn Pancrazi, attending as a guest, asked how the renovations were funded.

Mr. Shook replied that the City received a grant for the train station and used inmate labor. ADC inmates demolished the interior of a vacant A.J. Bayless building for the ACT, so that when the project was bid, which the City bonded, the bids were very good because the contractors had a stripped building to work with, saving about \$600,000 in construction costs.

Mr. Ryan advised that the cost for ADC to provide inmate labor is done through an intergovernmental agreement with cities, counties or state agencies. Arrangements can include fuel costs to transport the inmates in ADC vehicles or ADC can absorb the cost. Cities usually pay inmates 50 cents per hour. Supervision is conducted by a corrections officer, or city or county employees who are trained to provide direct supervision while an ADC checker monitors the inmates by moving from crew to crew. It is a win-win situation since there is not enough work at the institutions to keep the inmates occupied, and inmates would rather work off-site than sit in their cells.

CoChairman Jones submitted that the border communities are just as much a part of Arizona as Phoenix and Tucson and they are experiencing a high rate of unemployment. Things are being done at the Legislature, but perhaps someone from the Arizona Commerce Authority could address the Committee about what is being done in border communities to attract industries.

Zack Taylor, National Association of Former Border Patrol Officers, provided written testimony that he gave to the U.S. House of Representatives Committee on Oversight of the Department of Homeland Security on April 15, 2011 (Attachment 3). He indicated that he will be addressing border security in Casa Grande, Tucson, Nogales, Sonoita, Naco and Douglas (Attachment 4). He said there are two facets to border security that are interchangeable: national security and public safety. He discussed the fact that criminals have more access to federal public lands than law enforcement officers do, which conflicts with the idea of national security and public safety.

When asked about the Tohono O'odham Nation (Tribe), Mr. Taylor stated that he was in a Congressional hearing where the Chief of the Tribe testified that if the border fence reached either side of the reservation, the Tribe would not allow a fence to be built there because it is more important to be able to go back and forth to Mexico unfettered than to secure that part of the U.S. CoChairman Melvin stated that electronics and other means can be used.

Mr. Taylor stated that the biggest problem is on the border from the Organ Pipe National Monument to Buenos Aires National Wildlife Refuge because of the volume of traffic and how violent criminals are in the area. Of the 18 forest fires started on the border area in Arizona from February 14 to June 19, 2011, it is believed that 13 (72 percent) were started by illegal aliens; however, that is not being reported. He explained the process:

- An investigator at the fire sees tracks from Mexico to where the fire is started, a container used to start the fire, and tracks returning to Mexico.
- The investigator writes a report that is sent to Forest Service headquarters in Tucson and the Department of State is called.
- The Department of State relays what can be announced about the fire, which is that it was human-caused.

In response to questions about the Monument Fire, he stated that it was ruled as arson. Other than the intent to cause physical damage to the U.S., he cannot think of any reason the fire was set, except possibly as a diversion, because Ft. Huachuca is in close proximity and it is one of the major drug and alien smuggling corridors in that part of the U.S.

Senator Griffin indicated that she had to evacuate her home because of the Monument Fire, but fortunately, she lives in Ramsey Canyon where protecting the nature conservancy property was a top priority of the Forest Service, so her home was okay. She said 57 homes and 20 structures were burned down and the fire destroyed over 30,000 acres; it cost over \$13 million to fight the fire.

CoChairman Melvin suggested sharing copies of Mr. Taylor's presentation with Senator Allen's Ad Hoc Task Force on Forest Management. Senator Griffin indicated that she plans to request a southern Arizona hearing and a Congressional hearing in Phoenix on forest health. The Horseshoe 2 Fire in the Chiricahua Mountains was started in the same place as last year's fire along known drug corridors. Phones do not work well in those areas so people use radios, and conversations were overheard saying fires can be started there. Many people are afraid to come forward because they are threatened, so it is a serious problem.

CoChairman Melvin remarked that many people probably do not realize that only 13 percent of the land in Arizona is privately owned compared to 98 percent in Texas and most eastern states. Additionally, 42 percent of land in Arizona is tribal land. Many in the Legislature believe the Forest Service and the Bureau of Land Management do not know how to properly manage that land, so the provisions of a bill signed by the Governor about eminent domain on federal land, which is patterned after the State of Utah, may have to be used to correct some of these problems.

Mr. Taylor further discussed the intensity of the Monument Fire. He stated that cameras in the area caught three aliens starting the Murphy Complex Fire in Santa Cruz County on May 30, 2011, which burned 68,000 acres. CBP detained the three illegal aliens, but they were not prosecuted and were voluntarily returned to Mexico.

CoChairman Jones commented that a prior presentation by people from the Yuma sector alluded to the success of Operation Streamline in which every person apprehended is prosecuted in federal court in Yuma, which is a huge deterrent to illegals using that corridor because they will be formally deported. The first apprehension is equivalent to a federal misdemeanor; the second is a felony with prescribed punishments and time frames for incarceration; however, U.S. Secretary of Homeland Security Janet Napolitano and others are concerned about overcrowding federal prisons.

Mr. Taylor advised that the U.S. Attorney for the Southern District of Arizona made the decision to voluntarily return the three illegal aliens to Mexico. He continued with the presentation on the following:

- wildfires along the border
- major felonies in the most dangerous smuggling corridor on the United States-Mexico border last year through November 5, 2010
- closure of Organ Pipe Cactus National Monument
- Department of Game and Fish website warnings about hunting along the border and drug smugglers
- robberies and criminal violence along the border
- drug smuggling by truck
- rivalry between drug cartels

Mr. Taylor stated that as long as federally-protected land is closed to Border Patrol agents, these criminals will be present in force. When Senator Griffin asked how the borders can be secured, he responded that any situation that compromises national security or public safety is not a good solution.

CoChairman Melvin stated that the bill creating the Committee was signed into law by the Governor and meetings will continue until further notice; in fact, he believes the Committee's status was changed from temporary to permanent. He asked for ideas for agenda items for future meetings. He said the Committee's website is intended to be as user friendly and informative as possible. The charge of the Committee is to report to the people of Arizona on the current status of border security between Arizona and Mexico.

CoChairman Jones remarked that three items will be tabled until the July 2011 meeting:

- Presentation by Robert Halliday
- Presentation by Representative Stevens on the website, www.azleg.gov/jbsac
- Presentations from staff on related legislation

He indicated that the Members will be provided with a list Senator Griffin has relating to Arizona fires.

Senator Smith announced that July 20, 2011 is the official launch date of SB1406 - interstate compact; border fence, in Casa Grande. Details can be obtained by calling his office. CoChairman Melvin clarified that is the launch of the website to solicit private donations to build the fence with inmate labor at 50 cents per hour.

Senator Griffin stated that much of the information provided is helpful, but she hopes the Committee does not get into comprehensive immigration policy; it is intended to address border security. She added that she would like to hear from Sheriff Larry Dever in Cochise County, Sheriff Paul Babeu, and ranchers and property owners who live with this on a day-to-day basis.

CoChairman Melvin stated that because of the legislation that created the website for solicitation of private funds, four sheriffs are being added to the Committee: Sheriff Joe Arapaio, Sheriff Paul Babeu, Sheriff Larry Dever and Sheriff Ralph Ogden.

Without objection, the meeting adjourned at 11:57 a.m.

Linda Taylor, Committee Secretary
July 8, 2011

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)

JOINT BORDER SECURITY
ADVISORY COMMITTEE
June 29, 2011

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June 2011

~~June 2011~~

Commerce + Infrastructure + Quality of Life

DOUGLAS RIZZO

AZ Joint Legislative Border Security Advisory Committee

June 29th, 2011

COMMERCE

In coming years economic activity in the Douglas region will take place through the increase of trade in the border region resulting in the demand for transportation and distribution services provided at the border and retail and consumer spending by our neighbors to the south.

The distribution of maquiladora activity and other export oriented activities is the major economic engine along the border in which Douglas benefits economically through retail, warehouse, transportation, logistics, real estate services, professional services and border protection programs and developments

Our Economic Integration

10% Increase In Mexico's Manufacturing Sector Provides...

2% Employment Increase In Our Border Community;

- 2.8% Wholesale Trade
- 2.7% Transportation
- 1.8% Retail Trade

"Proximity to Mexican markets, a land port of entry and a sophisticated cross border manufacturing hub are regional traits that must be further developed and marketed for new businesses and industry in Southeast Cochise County with the support of the Arizona Commerce Authority"

Regional Competitiveness

\$52.2 million in capital improvement projects across the Cochise College district. The Douglas campus includes renovated student services facilities, new science facility with discipline specific laboratories, a new career-technical education building.

In 2008 Advance Call Center Technologies (ACT) located their 5th call center operation in Douglas generating \$9 million in capital investments and the creation of 350 jobs.

City of Douglas approval of a 3/10 of 1% sale tax increase as an economic development tool for the expansion of Advanced Call Center Technologies (ACT), 400 jobs created to date

Alstyle Apparel & Active Wear has invested \$40 million in a new manufacturing plant in Agua Prieta Sonora, Mexico that includes a 700,000 square foot facility that will have the capacity to produce in excess of 2 million pounds of fabric per week with total employment to reach 4,000 people.

Agua Prieta Sonora, is one of the fastest growing communities in Mexico with an annual growth of 5-8%. (source: INEGI)

Within 1-hour of U.S. Interstate 10/ Mexico Hwy #2 Connection to Hermosillo (3.5-Hours) and Cd. Chihuahua (5.5-Hours)

Agua Prieta Sonora, has remained one of the safest cities in Mexico to do business. Has yet to be included in U.S. State Dept. and/or Overseas Security Advisory Council travel alerts.

INFRASTRUCTURE TRADE

Ports of Entry can serve as an ideal mechanism for enhanced national security and catalysts for economic growth. Inadequate POEs, however are detrimental to efforts intended to protect the nation's physical and economic security.

Douglas' outdated POE is among the biggest obstacle to the welfare of the State and safety of the country.

Improvements to the Douglas POE must be made to contribute to the our national security, accommodate commercial demands, promote tourism, and improve the environment and quality of life in the Arizona-Mexico region.

Douglas Port of Entry Expansion Project: TENTATIVE SCHEDULE

- * 2012 – Apply for Design and Site Acquisition Funding
- * 2013 – Purchase Adjacent Land Parcels and Begin Design
- * 2015 – Begin Construction for Commercial Import / Export Facilities
- * 2016 – Move Commercial Import / Export Facilities From Existing Port and Connect to New Commercial Crossing Location in Agua Prieta. Begin Modernization and Expansion of Pedestrian and Privately Owned Vehicles Inspection Facilities
- * 2017 – Expansion and Modernization Complete

Infrastructure

U.S. Department of Transportation and the Arizona Department of Transportation have pledge \$3 million to complete roadway infrastructure for access to the federally propose Douglas Commercial Port of Entry.

Douglas Port of Entry Traffic Counts

Increase in Commercial Truck Traffic
Truck Increase Crossings
 FY: 2010 – 25,140
 2011 – 5% Increase

Value of Goods : 22% INCREASE
 FY: 2010 – 1.1 Billion
 FY: 2009 – 940 Million

Privately Owned Vehicles (POV):
 FY: 10 - 1.46 Million

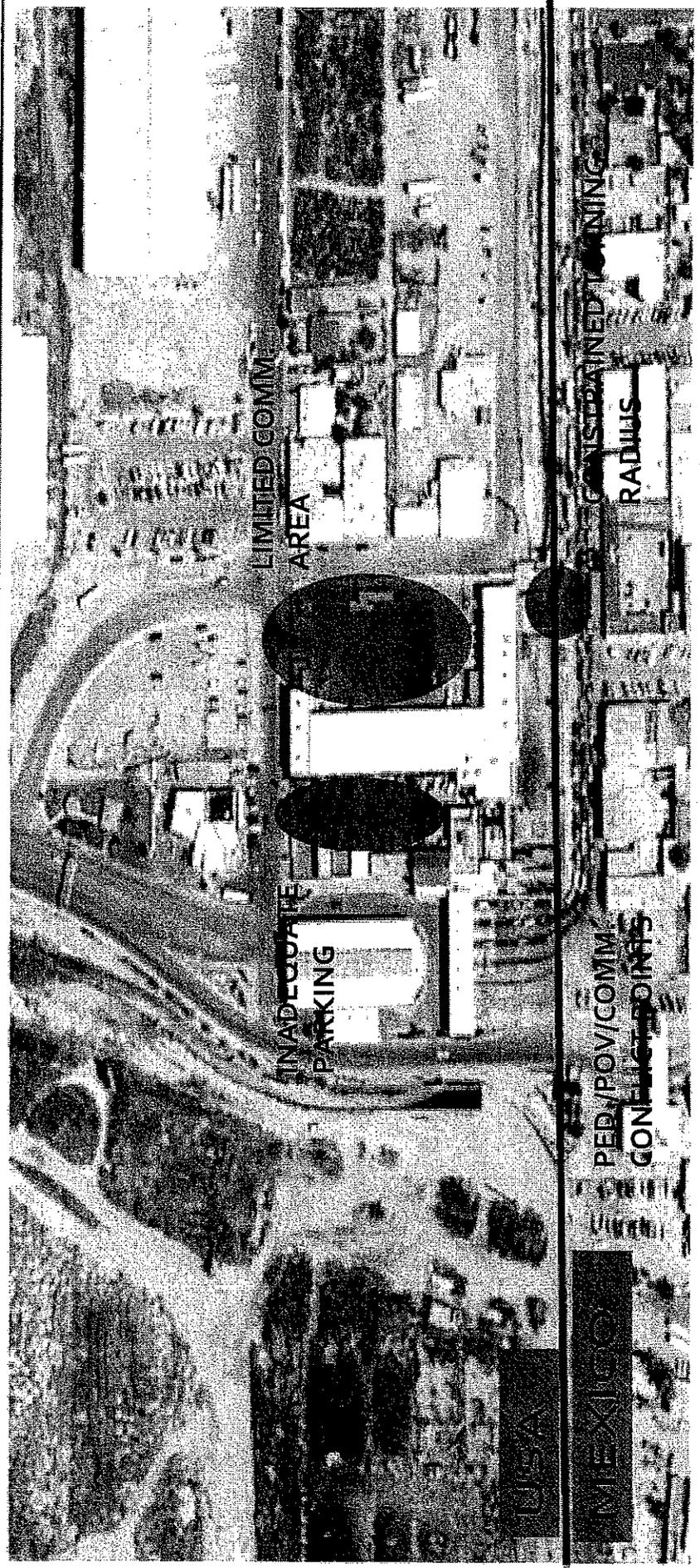
Pedestrians
 FY: 10 – 1.18 million

Buses
 FY: 10 – 2,050

Coordinated Border Infrastructure Program
Safe Accountable Flexible Efficient Transportation Equity Act (SAFETEA-LU)
MUST BE PRESERVE

Arizona International Development Authority
Strategizing and developing infrastructure opportunities that can be designed, financed and built as public-private partnerships

DOUBLE SPAN OF ENTRY DEFICIENCIES



ADDITIONAL DEFICIENCIES:

- INTERIOR SPACE DEFICIENCIES
- SECONDARY INSPEC NOT PROP. SCREENED
- LIMITED SPACE FOR VACIS
- LACKS PEDESTRIAN BUS FACILITY

INFRASTRUCTURE: POE CONNECTIVITY



● Chino Rd/U.S.191B – Realignment Study (Underway)

★ Douglas POE Project Site

★ ADOT Weight Station

Quality of Life

In recent years the Douglas region has been recognized as a top 100 small town in America (Biz Journals) for its City Council's business friendly policies and quality of life. In order for our community to continue to be "the premier southwestern border community" we need YOUR leadership:

Reductions in a communities share of ADOT Highway User Revenue Fund impacts our ability to provide adequate infrastructure

The Douglas and Arizona border region is one of the busiest border regions in terms of legal trade and travel. In fiscal year 2010 AZ ports of entry processed over 24 million people and 375,000 commercial trucks and handled over 7.7 million passenger vehicles.

The border region is NOT as the media portrays. We must acknowledge that violent crimes in border communities have remained flat and in some cases fallen over the past decade.

Statistics repeatedly show that some of the safest cities (Douglas, AZ) are on border;

*Part I crime were down 44% for FY 2011 compared to FY 2010
Violent crimes were down 29% for FY 2011 compared to FY 2010*

Continued recognition for the need to improve our land ports of entry

State of Arizona urge federal agencies to adequately coordinate and plan within the federal government funding cycle the modernization of the Douglas Port of Entry

June 2011

Oral Testimony
Border Situation Hearing
Washington, DC
April 15, 2011

Chm
Cong Bishop
Chm Chavez

~~Mister Chairmen~~, Members of these Committees, thank you for allowing the National Association of Former Border Patrol Officers to address this distinguished assembly.

I am here to speak for passage of Mr. Bishop's legislation, HR-¹⁵⁰⁵~~1502~~, "*National Security and Federal Lands Protection Act.*" ^{THIS BILL is Brilliant in its simplicity}
Why, because the primary purpose of ~~protecting~~ Border Security is to ensure National Security and promote Public Safety for all Americans, including Border Patrol Agents on the border.

Each of you represent constituents, towns and communities that have been adversely affected by Illegal Immigration and Drug smuggling. No community in the United States is safe from these transnational criminals and criminal organizations. As long as the external borders of the United States remain open to them, they will continue to come. The level of violence these groups are capable of and routinely employ is incomprehensible to any civilized person.

Border Patrol Agents in Arizona spend a significant amount of their time patrolling public lands because much of the land along the Arizona border is public land. These agents report that The Department of Homeland Security and Bureau of Customs and Border Protection are intentionally misrepresenting the situation along the Southern Border, especially concerning the relative safety of the border area and the number of aliens detected that get away.

Oral Testimony
Border Situation Hearing
Washington, DC
April 15, 2011

Therefore, I am here today to tell you what rank and file Border Patrol Officers are unwilling to tell you, even if subpoenaed and placed under oath, for fear of reprisal from their employer. The agents in the field are saying that the Nogales Arizona urban border area has become a more dangerous place to work and that the federal public lands surrounding Nogales have evolved into lawless areas routinely prowled by heavily armed drug and alien smugglers from Mexico.

Additionally, agents do not have unencumbered access on all public lands to patrol the border. The concept is simple: if you cannot access the border, you cannot patrol the border and therefore you cannot secure the border. Limited access areas, including Wilderness and Refuge areas, present a greater likelihood that agents will encounter armed criminals who will not hesitate to fire upon them and that the probability that if anyone is seriously injured they will surely die before that injured person can be safely transported or evacuated because of access issues. There is also the fact that they are reluctant to patrol these areas effectively because they may find themselves the subject of a dispute between their agency and the agency controlling the land they seek to patrol. To the agent on the ground, the very idea that a plant or some obscure animal is more important than their life is an unsettling reality that further discourages them in their efforts to secure the border. You need to protect our Border Patrol Agents.

An existing palpable concern is the perceived lack of interest on the part of the Department of Homeland Security to aggressively pursue criminals that attempt to kill or do kill Border Patrol Agents. To sweep these issues under the carpet is reprehensible.

Oral Testimony
Border Situation Hearing
Washington, DC
April 15, 2011

Here I have a copy of the Arizona Hunting and Trapping Regulations showing, and I quote: "*Homeland security issues along the international border may affect the quality of a person's hunt.*" The delineated area goes from the California Border to the New Mexico Border and includes all of the land south of Interstate Highways 8 and 10 and north as far as Arizona City, that line passing to the near west of Tucson.

We have recent reports of agents following the tracks of an All Terrain Vehicle that crossed the border illegally near Lukeville, Arizona. They followed the trail across public lands north into Maricopa County, (Phoenix), and apprehended a load of marijuana on an All Terrain Vehicle driven by a fifteen year old illegal alien with a rifle.

Department of Interior employees have erected vehicle barriers 70-80 miles north of the Mexican Border in the Table Top Wilderness to prevent smuggling vehicles from driving further north.

I could go on for hours with individual examples of why this legislation is necessary, however, my five minutes is nearly up.

We urge you to support Mr. Bishop's bill, HR-¹⁵⁰⁵~~1482~~, to protect federal lands and our Border Patrol Agents by signing on as a cosponsor as soon as possible to give the Border Patrol Agent on the ground the unencumbered access to federal public lands within 100 miles of the border they must have to secure the border and provide them the reassurance that the United States Congress is behind them in that effort.

National Association of Former Border Patrol Officers
NAFBPO.org
Recommended Viewing Arizona-New Mexico Border
June 29, 2011

Border Security videos on line.

The Perfect Drug Smuggling Corridor

<http://www.youtube.com/watch?v=iVOb0Bsfh3I>

The Inadequacy of a 5 Mile Buffer for Border Security

<http://www.youtube.com/watch?v=vg7EwacCJiM>

Wilderness – How Much Is Enough?

<http://www.youtube.com/watch?v=1QXTo7xc0nY>

Border Wilderness – Too Dangerous for the Public

<http://www.youtube.com/watch?v=wY6sPP7m8rA>

Wilderness Threatens Border Security

<http://www.youtube.com/watch?v=kKYcrK3p5O8>

Trash On The Border

<http://www.youtube.com/watch?v=a9iwjitsNyQ>

The Price of Admission – Wilderness Rape Trees

<http://www.youtube.com/watch?v=s5-q3vQZ38o>

Realities of Wilderness on the Border – Organ Pipe Cactus National Monument

<http://www.youtube.com/watch?v=Qvu5H0bipbk>

Realities of Wilderness on the Border – HIDTA Report

<http://www.youtube.com/watch?v=3Yf2mH3Yf4w>

Border Situation Report Public Lands Arizona

<http://www.youtube.com/watch?v=Liqgwckn81w>

Congressional Testimony Public Lands Arizona

<http://www.youtube.com/watch?v=N-FPUGibvqI>

Written Testimony Submission
Oversight and Government Reform and Committee on Natural Resources
April 15, 2011
Room 2154 Rayburn House Office Building
By
George Zachary Taylor
National Association of Former Border Patrol Officers

Page 1

There is a tremendous difference of opinion between what the Law Enforcement Officers working along the Arizona-Mexico Border believe is the current state of National Security and Public Safety there and what the Department of Homeland Security Officials represent as the current state of National Security and Public Safety along that very same border.

In this written testimony I will cover some important points that the time constraints at the hearing do not permit in my oral presentation.

I entered on duty with the U.S. Border Patrol in 1976 at Brackettville, Texas, transferred to McAllen, Texas, in 1979, and was then promoted and transferred to Nogales, Arizona, in 1988, where I was again promoted in 1988. I retired as a Supervisory Border Patrol Agent at Nogales, Arizona in 2003. I continue to live north of Nogales overlooking the dual Cities of Nogales and the Mexican Border. During my entire tenure with the U.S. Border Patrol I was a field agent and field supervisor. Working the field provides insights and experience that cannot be developed in any other assignment in the Border Patrol. In that capacity no one needs to tell you what is happening along the border you live it on a day to day basis. I always found it somewhat amusing that apparently intelligent people that were visiting the border area for the first time would tell me what was taking place in my world. Primarily, I saw the wide disparity between what perceptions as a whole were concerning the border and what reality on the ground actually was. As time has gone by that disparity has widened to the point where we find ourselves today.

Today I am writing as a founding member of National Association of Former Border Patrol Officers which is a non-partisan, non political group of former officers dedicated to protecting America by giving Americans the facts as we see them. We support legislation that will help America and we oppose legislation that will hurt America. We support Mr. Bishop's Bill, cited as the "*National Security and Federal Lands Protection Act.*" This legislation is necessary to promote the securing of the external borders of the United States and to protect our Border Patrol Agents while they engage in that endeavor. This bill is needed to protect the Agents working on the federal public lands along the border.

After living and working on the Mexican Border for approximately 35 years I have not seen a better representation of the impact illegal immigration has on the environment than does the oral presentation by Rosemary Jenks of Numbers USA that was presented at the Brownsville, Texas, Field Hearing on April 28, 2008. For our purposes today this view of the situation is timeless: <http://www.youtube.com/watch?v=N-FPUGibvqI>

Also at that hearing was testimony that I presented regarding the situation at the border: <http://www.youtube.com/watch?v=Liqqwckn81w> , or, <http://www.youtube.com/watch?v=5ukMz2Q49sE> , in 2008.

These presentations are highly recommended to anyone seeking to better understand the origins of why we are here today. The problem is historic, apparent, it is ongoing and it must be addressed effectively by Congress.

Some useful information can be gleaned from radio, television, newspapers and various blogs. The problem is that so much of what is available is biased to the extent that it is useless because it is written with a political motive rather than presenting the whole picture. Politicizing the situation makes it more difficult to draw a distinction between fact and fiction and therefore fact is more difficult to discern by the ordinary observer. Good or bad these are the mediums we are working with today. Occasionally the alert eye can spot a dot on the radar screen that connects with a corresponding dot observed elsewhere. Once a collection of these dots are assembled a picture begins to emerge on the landscape when viewed by the experienced eye. In some pursuits this is called intelligence gathering. It is descriptively called connecting the dots. Unfortunately, this process takes time and diligence and few people having both resources available to them over time. I have been connecting the dots from my perspective with a law enforcement officer's point of view for about 43 years now and will share some insights with you about the situation on the border. What I am going to relate to you is not a secret at all but it is obviously hidden in plain sight. To illustrate this phenomenon I am attaching 15 current news articles that provide a glimpse into the extent of the problems that currently exist.

It is true that foreign nationals and citizens alike are using our public lands in the United States to grow marijuana, principally U.S. Forest Service lands. It is true that illegal alien smugglers and illegal drug smugglers heavily use the federal public lands along the external borders of the United States. It is true that they are causing extensive damage to the ecosystems and the various attractive features of these federal public lands. It is also true that no one is saying they want this destruction to continue. So, why is the smuggling, violence and destruction increasing at such a rapid pace? You already know that drug and alien smuggling is an evil enterprise. It involves rape, prostitution, human slavery, kidnapping, extortion, robbery, assault and murder on a daily basis within the United States. The evidence is everywhere of this evil. So why does it continue? I will follow with some snapshots of what the root of the problem is.

The answer, in a word, is money. If love of money is the root of all evil, logically it is at the heart of the extreme evil that takes place along our southern border on a daily basis.

Drug and illegal alien smuggling is a for profit business. The drug and illegal alien smuggling business feeds the demand of a service and commodity market which in our case is located in the interior of the United States. It is fueled by greed. The point of sale is inside the United States to the market where the demand for these services and commodities exists. This is where the sale is made. To avoid tortuous details I will simply say that demand drives supply and price for the commodity or service is determined by demand. Inside the United States, where the financial transaction is consummated, are interests that are making huge amounts of money from this business and never directly interact with the service or the commodity. To them, it is a tremendously profitable, low risk business enterprise. It is in their best interest for our borders to remain open and no one else's. It is an organized, criminal enterprise.

This situation has created two polarized factions. On one side you have the people that want these evil businesses to stop. On the other side you have people that want their highly profitable businesses to continue. The organized, criminal enterprise has amassed huge amounts of money and can influence public opinion by buying people to support issues that will allow their enterprise to continue. This is a simplification of the origin of the how problem came about and why it continues to grow.

As Americans we naturally look for solutions to these evil enterprises in our federal government. In the federal government are agencies. Governing the illegal alien smuggling business through these agencies, in this case, now is principally centered in the Department of Homeland Security.

We know 19 mid-eastern aliens that should not have been in the United States brought down the World Trade Center which lead to the creation of the Department of Homeland Security. The Department of Homeland Security was born and justified in crises created by the illegal immigration situation. Illegal Immigration is the reason DHS exists.

We know that a considerable amount of the funds granted to the Department of Homeland Security by Congress are to address the illegal alien situation in the United States by enforcing immigration law.

Commissioner Bersin of Bureau of Customs and Border Protection has said that the function of his agency is to manage the illegal immigration situation. Note, he did not say the agency function is to put these evil businessmen out of business. Yet, our Border Patrol Agents are being slaughtered while patrolling on the southern border as he presides over the management of the illegal immigration situation from Washington, D.C.

Moreover, no town, city or state within the United States is safe from the influence of these criminal enterprises flowing from drug and illegal alien smuggling that are allowed to exist and prosper in America.

From a strictly political and agency management point of view, why would Commissioner Bersin or Secretary Napolitano want to solve the illegal immigration situation in the United States and remove the primary purpose for their agency and jeopardize a significant part of their budget, especially when they see the escalating situation as an opportunity to justify increased funding? Managerially speaking, to DHS, isn't illegal immigration a cash cow? Without illegal immigration, how large would the DHS budget be?

Next we have to factor in the various other agencies that have a 'budgetary' interest in the illegal immigration situation on Public Lands. The first hint as to the extent of this problem is the laundry list of laws that Congressman Bishop's Bill specifically enumerates.

Various agency representatives are keenly aware of 'the cash cow' of congressional funding and how to pull the teat. They too do not want to give up their seat at the table of funding distribution when illegal immigration is the subject.

Witness the mitigation funds DHS negotiated with Department of Interior to mitigate damages done by Border Patrol Agents in southwestern Arizona while they were attempting to secure the border. Were those funds transferred improperly? Surely they were not appropriated for that purpose, were they?

Then we have the issue of an MOU. A Memorandum of Understanding is nothing more than a piece of paper. It is a distraction from the real issue. The real issue is unencumbered access to all federal public lands along the border. Unencumbered access is necessary to secure the border. These agencies do not want to release any of their influence or authority through legislation so they appear to solve this issue indirectly. That is how and why this MOU was invented. Any one could sue either signer or group of signers to an MOU, citing a violation of the controlling statute and win their case in court. Not only that, the federal government would probably reimburse their costs after they won in court. Beware anyone advocating an MOU that contradicts statute.

There is the snapshot of some of the forces that are moving and shaking around the issue of the drug and illegal alien smuggling across federal public lands. Obviously the real issue here that is at stake is National Security and Public Safety which the Congress and these agencies have been fully aware of for years.

Now I am going to cut to the chase and talk about cause and effect and how certain events take place from the point of view of an experienced Field Supervisory Border Patrol Agent. I am going to present part of my view of the Border Patrol Agent Brian Terry murder that you probably will not hear anywhere else. For ongoing operational security concerns there are some details that I will not divulge. Please pay attention.

West of Nogales, Arizona, on the U.S. Mexico border lies the Pajarita Wilderness. The Pajarita Wilderness is an open corridor to criminals seeking to operate in the Tumacacori Highlands to the north. Immediately to the North of the Pajarita Wilderness is the Proposed Tumacacori Highlands Wilderness area, comprised of the Atascosa Mountains and the Tumacacori Mountains. Peck Canyon, from Corral Nuevo through Hells Gate, to Peck Well and eastward separates the two mountain ranges, north to south. House of Representatives Bills HR-3287 and HR-2593 sought to make these mountains permanent Wilderness designations and basic protections were being considered and to some extent implemented in 2007-2008.

Wilderness does not permit use of any mechanized equipment, not even a helicopter or bicycle. Wilderness is supposed to not reflect the hand of man. Several years before the temporary Wilderness designation was granted to this area the drug and alien smugglers had already established a relatively tenuous presence. When law enforcement was essentially removed a vacuum was created. The criminals quickly filled the vacuum in their absence when temporary Wilderness designation was granted. Problem is, in filling the vacuum they attracted other drug and alien smugglers who began to contest the access rights through the area. With law enforcement out of the equation violence ensued, the law of the gun emerged and the area became lawless. The violence continued to escalate. Thousands of pounds of illegal drugs and thousands of illegal aliens from all over the world were traversing the area and the smugglers saw it was good for their business and they hired armed criminals to protect their interests which prompted a similar response from the criminals preying on the drug and illegal aliens smugglers. Something like predators fighting over a territory for the rights to wreak mayhem in that territory. But the official reports touted by Homeland Security ignored these federal public land issues.

As the violence became more common it began to spread out and become more prevalent. Wounded, robbed, raped and murdered humans began showing up in the periphery, on streets, in yards and at homes. God only knows what atrocities those mountains hold secret for we are only aware of a small fraction of the carnage and human suffering, and even that which is known is under reported by the press and public agencies.

The enforcement absence because of lack of access in the Pajarita Wilderness facilitates the occupation of the Tumacacori Highlands by an emboldened criminal element. While they were robbing, raping and murdering they one day shot at a few agents near Pena Blanca Lake, then in Bellatosa Canyon, then near Wise Mesa, reportedly near Rock Corral Canyon and eventually they shot another agent December 2009 in Ramanote

Canyon and nothing happened. Then they shot and killed Agent Brian Terry at Peck Well in December 2010. Their expectation at that time, based on past practice, would likely be that nothing would happen. All of these places are on federal public land.

Consider this: Brian Terry's team knew the night of December 14, 2010, that the people they were looking for had been in gun fights with the Border Patrol on previous occasions. Brian Terry's team knew these were ruthless killers. Brian Terry's supervisors knew how dangerous these criminals were based on what they had already done. The agency knew how remote and difficult the terrain in Peck Canyon and the surrounding area was because in the December 2009 agent shooting it took them several hours to lift out the wounded agent after the helicopters arrived on scene. Reasonable preparations should have been made and put in place before Brian Terry and his team went out on December 14, 2010. Specifically, training and preparations should have been made and put in place to extract wounded by helicopter in a very short time frame. Such preparations were not made and I understand they were not even considered.

Reasonably experienced Border Agents obviously did not have a hand in planning or executing the operations plan that lead to Brian Terry's murder. That operation appears to me to have been a token effort to appease critics or give the impression of dealing with an inconvenient problem by throwing resources at the problem. What else would you expect from an agency that seeks to manage the drug and illegal alien smuggling situation rather than resolve it?

All of these events are inconvenient for the Department of Homeland Security because their mere existence speaks volumes against their assertion that the border is safe by any measure. However, when it was discovered that non lethal force was encouraged for use by the agents, (Bean Bags), and the military rifles found at the scene used by the criminals were walked into Mexico by Agents of the Department of Justice, the whole matter predictably went into protecting the government mode and away from the investigation mode and will be there until as much of the truth as can be discerned is pried out of those agencies.

In the meantime the root problem remains, Federal Wildlife Refuges, Wilderness and Designated Wildernesses of various varieties serve to keep Border Patrol Agents from effectively and safely securing the border and apprehending those that have already crossed the border. A reading of the statutes creating these variously protected public lands clearly reveals that these rules and laws prevent agents from engaging in the work necessary to secure the border on federal public lands. The concept is so simple it is painful to observe that anyone can misunderstand it. To secure the border, agents must have necessary unencumbered access to federal public lands. That is why Congressman Bishop's Bill has a long list of laws that are in the way of securing the border.

Agents need unencumbered access to all federal public lands within 100 miles of the external border to safely patrol them. This is why Congressman Bishop's Bill must pass and send a clear message that Americans want the border secured and they are willing to give the Border Patrol Agent on the ground the tools necessary to secure the border.

Attachments:

- 1.- Federal Agents Told to Reduce Border Arrests, Arizona Sheriff Says, One Page
- 2.- Sheriff Larry Dever article from AFGE Local 2544 website, One Page
- 3.- Undercover Agent Shot by Drug Suspects in Peoria, Arizona, One Page
- 4.- Feds Finding It Harder and Harder to combat escalating presence of Mexican drug cartels in New York City, Three Pages
- 5.- Gwinnett County, Georgia is experiencing an illegal alien crime wave, Four Pages.
- 6.- Barriers aren't just for the border now, Four Pages
- 7.- Danger on the U.S.-Mexico Border, Three Pages.
- 8.- 2 Suspected Immigrants Found Dead, One Page.
- 9.- Police fired at during chase involving suspected human smugglers, One Page.
- 10.- Mexican Woman Has Foot Severed by Train in Rio Rico, One Page.
- 11.- The Washington Times, Human Bondage Hits U.S. Heartland, Four Pages.
- 12.- Tucson Weekly, Spilling Over? As federal officials talk tough, local officers express concern about cartel violence, Three Pages.
- 13.- The Best and Worst of FOIA gate, Two Pages.
- 14.- Fox News Phoenix, Sheriff Calls "Operation Desert Sky" a Success, One Page.

And Last But Not Least by Far

- 15.- How a Big U.S. Bank Laundered Billions from Mexico's Murderous Drug Gangs, Eight Pages of prescient information.



Print Close

EXCLUSIVE: Federal Agents Told to Reduce Border Arrests, Arizona Sheriff Says

By Jana Winter

Published April 01, 2011 | FoxNews.com

An Arizona sheriff says U.S. Border Patrol officials have repeatedly told him they have been ordered to reduce – at times even stop – arrests of illegal immigrants caught trying to cross the U.S. border.

Cochise County Sheriff Larry Dever told FoxNews.com that a supervisor with the U.S. Border Patrol told him as recently as this month that the federal agency's office on Arizona's southern border was under orders to keep apprehension numbers down during specific reporting time periods.

"The senior supervisor agent is telling me about how their mission is now to scare people back," Dever said in an interview with FoxNews.com. "He said, 'I had to go back to my guys and tell them not to catch anybody, that their job is to chase people away. ... They were not to catch anyone, arrest anyone. Their job was to set up posture, to intimidate people, to get them to go back.'"

Dever said his recent conversation with the Border Patrol supervisor was the latest in a series of communications on the subject that he has had with various federal agents over the last two years. Dever said he plans to relay the substance of these conversations when he testifies under oath next month before the Senate Committee on Homeland Security and Governmental Affairs.

"I will raise my hand to tell the truth and swear to God, and nothing is more serious or important than that," he said. "I'm going to tell them that, here's what I hear and see every day: I had conversation with agent A, B, C, D and this is what they told me."

Dever's charges were vigorously denied by a commander with the U.S. Customs and Border Protection.

"The claim that Border Patrol supervisors have been instructed to underreport or manipulate our statistics is unequivocally false," Jeffery Self, commander of the U.S. Customs and Border Protection Joint Field Command in Arizona, said in a written statement.

"I took an oath that I take very seriously, and I find it insulting that anyone, especially a fellow law enforcement officer, would imply that we would put the protection of the American public and security of our nation's borders in danger just for a numbers game," he said. "Our mission does not waiver based on political climate, and it never will. To suggest that we are ambiguous in enforcing our laws belittles the work of more than 6,000 CBP employees in Arizona who dedicate their lives to protect our borders every day."

In recent days, Homeland Security Secretary Janet Napolitano has said the U.S.-Mexican border is more secure than ever, and Homeland Security officials have used recent statistics to support those claims.

"There is a perception that the border is worse now than it ever has been," Napolitano said at the El Paso border crossing last week. "That is wrong. The border is better now than it ever has been."

Dever doesn't agree.

"Janet Napolitano says the border is more secure than it's ever been. I've been here for 60 years, and I'm telling you that's not true," he said.

The sheriff of Santa Cruz County, which borders Dever's Cochise County to the west, said, "This is news to me," when asked about reports that border agents were being told to turn illegal immigrants back to Mexico rather than arrest them.

"It comes as a complete surprise that that would be something that's going around," Santa Cruz County Sheriff Tony Estrada said. "I meet with Dever all the time and I have great respect for him, so I expect he'd come forward and say what he knows and give the source."

"Not knowing who the source is, how reliable that source is, I really don't have much of a position," Estrada said. "I've been around a real long time and haven't heard anything like this. By the same token, you learn new things every day."

Both sheriffs are elected officials. Dever is a Republican, Estrada, a Democrat.

Others have questioned the methodology and conclusions of the Homeland Security numbers showing the border is more secure.

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Larry Dever

04-07-11 Update: Sheriff Dever is now under assault from BP management. It is likely that management has already launched an intensive "investigation" directed at finding the source of Dever's information. If that person is found, he or she will be faced with giving a statement under oath about his or her dealings with Sheriff Dever. Low-level managers have very little protection, and speaking out on a topic that is unpopular with upper management is career suicide. Just remember, for years now we have been told from the highest ranking managers in our agency that "every apprehension is a FAILURE" (Johnny Williams - former INS Western Region Director), and that we "are NOT immigration officers" (current CBP Deputy Commissioner David Aguilar to Border Patrol agents when he was the Chief of the Border Patrol).

Aguilar crony and then Laredo Sector Chief Carlos Carrillo echoed that it wasn't our job to catch illegal aliens. An uproar ensued, and Carrillo promptly retired. Aguilar has been more careful about what he says since his famous nationwide tour a few years ago, but the cat was out of the bag with us at that point. We have been told that - Apprehensions = failure, we are not "immigration" officers, we should not "lower" ourselves to the status of an immigration officer, and our primary job is not apprehending illegal aliens. Couple all this with Secretary Napolitano's recent public announcement about what she expects our apprehension numbers to be this fiscal year, and it's not hard to figure this thing out. Dever will be faced with exposing his source or eating crow. We fully expect that his source is wishing he or she hadn't said anything about now.

Lastly, it is appalling when some managers trot out the old tired line about how conversations about these topics somehow hurt the reputation of the "hard working" and "dedicated" agents. We have news for them. We don't make the rules. We have to follow all the rules made by the politicians and management. We don't like many of their rules. We don't like the constant political gamesmanship that goes on in regards to illegal immigration. We don't like that we are so closely tied to political bureaucrats who often aren't interested in truly letting us do our jobs effectively and succeeding at our mission.

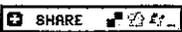
Read the latest here.

04-01-11 Sheriff Dever is right. We have seen so many slick shenanigans pulled in regards to "got-aways" and entry numbers that at times it seems David Copperfield is running the Border Patrol. Creating the illusion that all is well and you can start having family picnics in the areas where we work has been going on far too long. Has there been improvement in some areas? Absolutely. Is the border anywhere near "under control"? Absolutely not. Do some in management play games with numbers and cater to the wishes of politicians like Janet Napolitano and David Aguilar? Resoundingly, yes. Time for the foolish political games to stop. Read the article here.

April 11, 2011 |

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Valley & State

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Undercover agent shot by drug suspects in Peoria

by Lisa Halverstadt and Mary Shinn - Apr. 8, 2011 08:50 PM
The Arizona Republic

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A special agent of the state Attorney General was shot late Friday while following two cars believed to be involved in a Mexican drug cartel, the Arizona Department of Public Safety said.

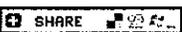
The undercover agent was shot in the shoulder and neck around 4:15 p.m by one of the suspects he was following in the area of 91st Avenue and Mountain View Road in Peoria, DPS Capt. Steve Harrison said.

When the suspects realized they were being followed, they began driving aggressively, Harrison said. The driver of a white pickup truck circled back behind the officer and began ramming the agent's car. The second car, a gold Chrysler Pacifica, remained in front of the agent. The truck then pulled parallel with agent's car and the driver shot the agent, Harrison said. The agent was treated and released from the hospital, said Amy Rezzonico, an AG's spokeswoman.

Harrison said the agent is part of a multi-agency drug task force and that other officers in the area were monitoring him and responded when he was shot.

The driver of the white truck has been arrested, and police were still looking for the occupants of the Pacifica late Friday.

Peoria police and DPS are investigating the shooting.

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Exclusive

Feds finding it harder and harder to combat escalating presence of Mexican drug cartels in New York

BY Edgar Sandoval
DAILY NEWS STAFF WRITER

Monday, April 11th 2011, 4:00 AM



Meneghini/AP

Federal officers escort accused drug trafficker and two other alleged drug cartel members in Mexico City in November. New York feds have more than doubled the time spent breaking up the growing network between local gangs and Mexican drug cartels.

U.S. Immigration and Customs Enforcement agents went from spending 13,472 hours in 2009 to more than 30,000 hours last year looking into street criminals-turned-lackeys of Mexican drug rings, officials said.

ICE also added three agents in the past few years to fight the drug gangs' escalating presence.

The shift in manpower and time was based on intelligence showing local gangs' illicit activities had evolved into more sophisticated and businesslike enterprises.

ICE agents also have seen a rise in dirty money and weapons confiscated in the New York area.

Last year, the feds seized more than \$35 million and 57 firearms, a record number in New York, according to ICE figures.

"We spent these hours investigating violent, transnational street gang members who are now working closely with sophisticated drug-trafficking organizations," said James Hayes, special agent in charge of Homeland Security investigations in New York.

"We see more and more a correlation between Mexican drug organizations and gangs here in New York," Hayes added.

"New York is a big market for drugs. Mexican cartels want to increase their presence here."

For decades, New York was a Colombian drug playground. But when federal agents caught on to their Caribbean corridor, Colombian drug cartels had to rethink smuggling routes and enlisted their Mexican counterparts, who had access to porous border towns, officials said.

Mexican kingpins established roots in the city by recruiting local gangs - like MS 13 and the Latin Kings - with the promise of hefty paydays, feds say.

"Mexican cartels went from being relatively small players to playing a much larger role in the transportation of drugs into the country," said Michael Sanders of the Drug Enforcement Administration.

Some former drug gang members said the money pushes many idle youth into working for gangs hired by Mexican cartels.

"These kids have no future. The promise of money seems like a good way out, and next thing you know you're involved in a dangerous drug world," said Frank Hernandez, 53, of the Bronx, who spent several years in prison for selling drugs.

Paco, a former gang member who won't use his real name for fear of rival drug gangs, said New York's appetite for drugs kept him hooked.

"It's hard to stay clean and away from the gangs and the easy money," Paco said.

"The drugs come from Mexico, and we sell them here. It never ends."

esandoval@nydailynews.com

From NYDailyNews.com

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Girl, 11, lured into park bathroom in Moreno Valley, Calif. and gang raped by 7 teens: cops

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"We see more and more a correlation between Mexican drug organizations and gangs here in New York," Hayes added.

"New York is a big market for drugs. Mexican cartels want to increase their presence here."

For decades, New York was a Colombian drug playground. But when federal agents caught on to their Caribbean corridor, Colombian drug cartels had to rethink smuggling routes and enlisted their Mexican counterparts, who had access to porous border towns, officials said.

Mexican kingpins established roots in the city by recruiting local gangs - like MS 13 and the Latin Kings - with the promise of hefty paydays, feds say.

"Mexican cartels went from being relatively small players to playing a much larger role in the transportation of drugs into the country," said Michael Sanders of the Drug Enforcement Administration.

Some former drug gang members said the money pushes many idle youth into working for gangs hired by Mexican cartels.

"These kids have no future. The promise of money seems like a good way out, and next thing you know you're involved in a dangerous drug world," said Frank Hernandez, 53, of the Bronx, who spent several years in prison for selling drugs.

Paco, a former gang member who won't use his real name for fear of rival drug gangs, said New York's appetite for drugs kept him hooked.

"It's hard to stay clean and away from the gangs and the easy money," Paco said.

"The drugs come from Mexico, and we sell them here. It never ends."



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Gwinnett County, Georgia is experiencing an illegal alien crime wave

By Dave Gibson, Immigration Reform Examiner

March 18th, 2011 11:45 pm ET

Last month, two very high profile crimes in which children were killed occurred in Gwinnett County, Georgia. In addition to the tragic loss of young lives, both cases had something else in common...both of the suspects charged in each of the horrific crimes were illegal aliens.

-On February 9, Gwinnett County police responded to a gruesome crime scene and found two boys, 1-year-old Edward Garcia and 3-year-old Bradley Garcia stabbed to death, and the boys' father and 3-year-old brother also suffering from severe stab wounds.

The surviving toddler was taken by helicopter to Children's Healthcare of Atlanta at Egleston, and the father, Elvis Garcia, 23, was also taken to a local hospital. Both survived.

Police arrested Antonio Cardenas-Rico, 28, and charged him with two counts of murder.

However, the father's story quickly unraveled and police soon charged Garcia with killing his own sons.

Elvis Garcia is now awaiting trial, charged with two counts of murder and one count of aggravated assault.

While the murder charges against Antonio Cardenas-Rico (also an illegal alien) were dropped, he is also currently being held in the Gwinnett County Detention Center on unrelated drug charges.

-On February 17, firefighters responded to a house fire in Lilburn in which three children, ages 18 months to 4 years, died from smoke inhalation. It was quickly determined that the deadly fire was the result of an explosion from chemicals used to make methamphetamine.

Narcotics investigators also found more than \$192,000 hidden in the walls of the home, nine pounds of liquid meth and one pound of "finished" product.

Gwinnett County police are now searching for Ivan Gonzalez, 26, who has been charged with murder and arson. He was apparently living with the children's mother, Neibi Brito, 22, who has been charged with drug trafficking.

Gonzalez is believed to be hiding in Mexico.

The two cases have highlighted how Gwinnett County has been overrun with illegal aliens in recent years, and the ensuing crime wave that has county residents understandably worried.

On November 16, 2009, the Gwinnett County Sheriff's Department (GCSD) joined the federal program which allows local law enforcement to identify and report illegal aliens in their custody, known as 287 (g).

Since that day, the GCSD has identified 3,918 illegal aliens in their custody. Those detainees accounted for a total of 8,641 various charges.

What follows is a list of the most serious crimes with which those illegal aliens were charged:

- Felony drug charges...321
- Rape...31
- Child molestation...61
- Other sex crimes...40
- DUI...627
- Aggravated assault...97
- Robbery...49
- Battery...222
- Murder...5

Mexico represents the country of origin for most of the illegal aliens arrested in the county since the GCSD began identifying and reporting them, with 2,651. Honduras follows with 358, then Guatemala with 357 and El Salvador with 219.

An examination of GCSD's online records showed that between March 16-18, immigration holds were placed on the following inmates:

- Julio Cesar Picasso-Sanchez...charged with passing emergency vehicle, failure to yield after stop sign.
- Santiago Arnaldo Domingo...charged with driving without a license, open container of alcohol, DUI.
- Jose Alfredo Gutierrez-Munoz...charged with driving without a license, HOV lane violation.
- Freddy Manuel Suarez...charged with passing emergency vehicle, driving while license suspended/revoked.
- Gregoria Lara-Gomez...charged with driving without a license.
- Juan Jaime Martinez...charged with driving without a license.

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-Gabriel Nava-Garcia...charged with DUI, driving without a license, driving witho...ut headlights.

-Juan Martin Rendon...charged with improper equipment, driving without a license.

-Armando Basilio-Castro...charged with driving without a license.

-Jorge Barajas...charged with failure to appear.

-Moises Reyes-Oxlaj...charged with failure to appear, driving without a license.

-Rudy Lopez-Cabrera...charged with open container of alcohol, DUI, driving without a license.

-Luis Albarran...charged with DUI.

-Silvano Guillen...charged with improper equipment, driving without a license.

-Seung Woo Park...charged with three counts of armed robbery, 11 counts of unlawfully entering an automobile, 11 counts of possession of tools for commission of crime, probation violation.

The fact that 15 arrestees were identified as suspected illegal aliens over a three day period in a county jail that is 1,600 miles from the Mexican border is truly amazing, and speaks to how illegal immigration is no longer a problem isolated to the American southwest, but is now a national crisis.

If there is any one group of Americans who have the right to be angry with the federal government, it is the people of Gwinnett County who are being victimized by illegal aliens on a daily basis.

They are being robbed, their children are being raped, they are being over-burdened financially with undoubtedly higher auto insurance rates and on top it all off—they have to shoulder the costs of incarcerating these criminal aliens who should not have been in the country in the first place.

Tags: Illegal Alien Crime

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70 miles north of the line, they protect sensitive lands from illegal crossers' trash

Barriers aren't just for the border now

Brady McCombs Arizona Daily Star | Posted: Tuesday, January 25, 2011 2:00 pm

Editor's note: This story first appeared Sunday as an exclusive for our print readers.

TABLE TOP WILDERNESS AREA - The landscape of saguaros, mesquite trees and prickly pear cactus here has a new feature - steel railroad rails welded into crisscrosses and connected by flat rails.

This rusting structure is a vehicle barrier designed to stop drug and people smugglers who barrel across the desert in trucks. The barriers are common at the international line - there are more than 139 miles of them along Arizona's stretch of U.S.-Mexico border.

But this isn't the border.

This 1.3-mile stretch of "Normandy-style" vehicle barriers was recently erected 70 miles north of the border on the Bureau of Land Management's Sonoran Desert Monument, just south of Interstate 8 and southwest of Casa Grande.

It is likely the first time border barriers have been used this far north, and the latest example of how managing public lands along the U.S.-Mexico border is now as much about dealing with trash and trails left behind by illegal border crossers as it is about monitoring endangered animals or watering holes.

BLM officials put up the barrier to redirect traffic around the federally protected Table Top Wilderness Area, where cars are prohibited. They know it won't stop drugs from reaching cities across the United States, but they couldn't sit back and watch the beautiful landscape get trampled.

Skinny, knee-high signs proclaim Table Top as protected wilderness.

"The public might respect our little signs, but they are not an issue for the smugglers," said Damian Hayes, a BLM law enforcement ranger who patrols the area.

The barrier is on the southern boundary of Table Top, which borders the northern edge of the Tohono O'odham Nation. Smugglers have carved a grid of illegal roads through the wilderness area as they cross the O'odham land and cut through Table Top on their way toward Phoenix, inflicting serious damage to the habitat.

The recently completed barrier has already diverted vehicle smuggling around the wilderness area, and BLM crews have begun restoring the lands damaged by the roads, Hayes said.

"It's been amazing that it's done exactly what it was intended to do," said Hayes, who has patrolled the area for four years. "It's hard to gauge exactly where they are going, but they are definitely not using the wilderness area."

The problem isn't unique to the Table Top Wilderness. From Organ Pipe Cactus National Monument in Southwestern Arizona to Buenos Aires National Wildlife Refuge southwest of Tucson to the multiple patches of Coronado National Forest across Arizona's border, land managers grapple with a multitude of issues related to being the busiest stretch of border for illegal immigration and drug smuggling. Including the Tohono O'odham Nation, nearly 86 percent of the Arizona-Mexico borderlands are federal or tribal lands.

Dealing with border issues is nothing new - Arizona has been the route of choice for a decade. But the national attention about

how federal public-land managers deal with the cross-border traffic and work with federal law enforcement agencies has amplified in the past year with two high-profile killings in which suspects may have passed through federal lands.

BLM officials put up signs south of I-8 in the Table Top Wilderness Area warning visitors that the area was an active human- and drug-smuggling corridor and that they may encounter "armed criminals and smuggling vehicles." The signs became political fodder in the 2010 election and became a symbol to some that the United States had ceded territory to smugglers.

When BLM officials took them down and replaced them in October with toned-down notices, they were criticized for trying to make it seem that the problem had gone away. The irony - similar signs have been up for years across Southern Arizona.

The agency is considering putting up more vehicle barriers in Ironwood Forest Monument just northwest of Tucson. There are already vehicle barriers or fences up along the international border in the Organ Pipe Cactus National Monument, Cabeza Prieta National Wildlife Refuge, Buenos Aires National Wildlife Refuge and the Coronado National Forest.

Materials to build vehicle barriers are plentiful - hundreds of miles of old barriers were uprooted in the past three years to make way for Department of Homeland Security border fences and walls. Some of that excess supply went into the Table Top barriers, which cost the BLM about \$66,000 each, said spokesman Dennis Godfrey.

Threat to employees

"The United States and Mexico border is 1,969 miles long," says a woman narrating over vaguely Mexican-sounding music and video of cactus and mesquite at the border. "It is a land that is both beautiful and fragile with a rich diversity of plants and animals.

"The management and protection of many of these areas has been entrusted to federal and state agencies," she says, as logos of the U.S. Fish and Wildlife Service, the BLM and the National Park Service, among others, flash on the screen.

"The employees working for these agencies not only have to protect the land and serve the public, but also have to deal with a unique situation: a tremendous amount of drug smuggling and illegal immigration in a harsh desert environment. These illegal activities pose a very real threat to employees."

This video - titled "Working along the United States-Mexico border" - is shown to federal employees and volunteers to make them aware of the situation and how to protect themselves.

Though illegal crossings have dipped along with the economy in recent years, federal lands in Arizona continue to be high-risk areas for illegal immigration and drug smuggling, says a November report from the Government Accountability Office.

The number of apprehensions by the Border Patrol on federal lands has not kept up with the number of estimated illegal entries there, the report found. Border Patrol agents made more than 91,000 apprehensions on federal lands in the Tucson Sector in fiscal 2009, but the agency estimated there were nearly three times as many illegal entries on these lands, the report said.

There's no way around it - working or volunteering on public lands near Arizona's border carries a level of risk.

At Organ Pipe, where ranger Kris Eggle was fatally shot in 2002 by a drug smuggler, about half the 330,000-acre park is closed to the public. That's an improvement over 2007, when the park was 97 percent closed, but still nothing like the 1980s, when park staffers planned their work around the seasons - not law enforcement schedules.

The monument is divided into three zones: red zones where staffers can go only with security escorts; blue zones where staffers must go with at least one other person and call hourly to check in; and white zones that are open to the public and where the staff can work freely.

When staffers need to work in the red zones and none of the monument's 20 law enforcement officers is available, Organ Pipe Superintendent Lee Baiza has to contract security officers to escort them.

"It adds to the cost of doing business," Baiza said.

And it prevents or delays the staff from getting regular land-management work done. The Quitobaquito natural spring, about 100 yards north of border on the monument, is prime habitat for the endangered pupfish. Monument staffers sometimes have to travel

18 miles from the visitor center to make sure water levels there are adequate.

But since the spring is in the monument's red zone, staffers can't go alone without being accompanied by law enforcement officers. Staffers have to inform officers days ahead of such trips, too, so the officers can patrol the area one or two days before to make sure it's safe.

Monument officials outline these security concerns in recruitment material sent out to college students considering participating in field work at the monument, Baiza said. For some, it's not a big deal; for others, it's a deal-breaker.

"It's not just anybody that comes," Baiza said.

Federal law enforcement officers at the six border public lands visited by GAO officials this year said they spend 75 to 97 percent of their time responding to threats from illegal cross-border activity, the report found. At Organ Pipe, drug smugglers regularly use the visitor center parking lot as a staging area, says a Border Patrol threat assessment in the GAO report.

Keeping up with all the trash left behind keeps the BLM's Kathy Pedrick busy. Since 2002, the BLM has run an organized a trash-pickup program called the Southern Arizona Project. In fiscal 2009, the project picked up 234 tons of trash.

"They'll leave backpacks, food, whatever they want to jettison before a vehicle takes them," said Pedrick, special assistant to the BLM state director and chairperson of the Borderland Management Task Force, a group of officials from federal agencies that meets every two months to discuss border issues.

The estimated 2,000 tons of trash left behind by smugglers and illegal immigrants has harmed the fragile Sonoran Desert, landing Buenos Aires, Organ Pipe and Cabeza Prieta on lists of most imperiled federal lands at different points this decade.

There is even a website devoted to the trash (www.azbordertrash.gov). The site, run by the Arizona Department of Environmental Quality, is designed to coordinate cleanups and track results.

Under more pressure

While the strain of dealing with illegal cross-border activity is nothing new, the pressure on border land managers has escalated in the last year, led by a Republican lawmaker from Utah.

A month after Robert Krentz was killed on his Cochise County ranch, U.S. Rep. Rob Bishop introduced a bill that would give Border Patrol agents total access to public lands, where they now must adhere to some restrictions. He justified the legislation based on authorities' belief that the person who killed Krentz fled into Mexico through the San Bernardino National Wildlife Refuge, 17 miles east of Douglas.

Bishop was the ranking member of the House Natural Resources subcommittee on national parks, forests and public lands. He was recently named chairman.

In June, Bishop's office sent a press release saying the Buenos Aires National Wildlife Refuge had just days earlier announced the closure of 3,500 acres to the public due to dangers posed by Mexican drug smugglers. The press release missed a key fact: This section of the Buenos Aires Refuge has been closed since October 2006.

The erroneous report prompted several national media outlets to report a 4-year-old story as if it were new. The office of Buenos Aires refuge manager Sally Gall was flooded with inquiries, forcing the refuge to issue a press release to clarify things. The increased pressure from Bishop and others and the spreading of inaccuracies has given border public lands in Arizona a bad image, Gall said.

"Yes, there probably is increased drug traffic and the drug issue is definitely a concern, but I just think it's created a lot more fear in people than what was needed," Gall said. "It portrayed this area as really dangerous and that people should fear coming here."

In fact, illegal immigration has slowed so much through the refuge that Gall and the refuge staff will consider reopening the closed section later this year, after National Guard troops stationed there leave, she said. The estimated number of illegal crossings has dropped to about 100 per day, compared with more than 1,000 a day just a few years ago, she said.

Since last fall the GAO has been evaluating the relationship between federal land managers and federal law enforcement, issuing

two reports in the past four months about an improving but flawed relationship.

The first report concluded that federal rules governing public lands along the border cause some delays but do not prevent the Border Patrol from handling its assignment to secure the border.

The Dec. 14 fatal shooting of Border Patrol agent Brian Terry near Peck Canyon northwest of Nogales added fuel to the fire, too, since it apparently occurred within the Coronado National Forest. The exact location of the shooting has not been made public by the FBI or the Border Patrol.

Bishop sent out a statement the day after, lamenting the murder: "It's no secret why criminal organizations entering the U.S. from Mexico strategically target federal lands as the most ideal and secure route to traffic drugs, smuggle humans and carry out a host of other criminal acts. Strict environmental regulations are enabling a culture of unprecedented lawlessness that has led to numerous deaths on federal lands, including yesterday's tragic death of agent Terry."

All the increased attention on the border creates an opportunity for federal officials in Arizona to educate people across the country about the reality on the ground, Pedrick said.

"The fact that people are aware and recognizing the problem," Pedrick said, "can help solve the problem."

Contact reporter Brady McCombs at 573-4213 or bmccombs@azstarnet.com

On StarNet: Find extensive coverage of border and immigration issues at azstarnet.com/border

Danger on the U.S.-Mexico border

By Sheriff Clint McDonald, Thursday, March 31, 7:34 PM

There is a storm brewing along our border with Mexico, and our nation is relegating responsibility for quelling that storm to some of our poorest communities. In a visit to El Paso last week, Homeland Security Secretary Janet Napolitano claimed that there has been no “spillover” violence from Mexico into the United States. Regardless of the veracity, her point is irrelevant.

It is not spillover violence but spillover *effects* of hostilities in Mexico that pose the real threat to the United States.

Spillover effects are the direct results of Mexican violence that influence U.S. citizens living in communities along the border. For example, Mexican gangs fighting to control territory around the frontier village of El Porvenir, in Chihuahua, have threatened for almost a year to kill its residents. To escape the violence, nearly the entire village eventually relocated to Texas border communities — without, of course, being screened or processed. The results include schoolchildren fearing for their safety as their Mexican schoolmates talk of violence and murder, school buses “tailed” by armed private security guards and criminals relocating to the United States with their families and conducting their operations from this country. The single greatest spillover effect: U.S. citizens living in fear.

While border security is undeniably a federal responsibility, spillover effects are principally dealt with by local jurisdictions — and along the U.S.-Mexico border, this is mostly sheriff’s offices operating in large, sparsely populated county areas supported by small tax bases.

Border counties are among the poorest in the United States and can barely afford to hire and equip sufficient, qualified law enforcement personnel to meet citizens’ needs.

While billions of federal dollars are spent each year to increase the number and technical capabilities of Border Patrol agents, little is being done to improve security beyond the border area. An increase in border patrol agents gives the appearance of more security. But what about the soil past those agents’ narrow jurisdiction?

Consider: Together, the seven West Texas counties to the east of El Paso County comprise 27,370 square miles, some 3,140 square miles larger than the state of West Virginia. Yet they employ fewer than 70 law enforcement officers year-round. This translates to one officer to patrol 396 square miles. And these are the counties that endure the greatest spillover effects of Mexican violence, as innocents and others seek refuge.

Much is said about the need for immigration reform, but comprehensive reform remains stalled. Border security is promoted as an aspect of this issue, but no one is taking on the real deficiencies. Efforts among all agencies — federal, state, local and tribal — must be aligned and provided adequate resources. A unified effort requires interagency adherence to a comprehensive national border security strategy that outlines goals, measurable objectives, well-defined priorities and common methods.

Without a comprehensive security plan from which officials at all levels can draw, we cannot create the conditions for true security. When Congress appropriates emergency funds, as it did in August, it sounds like a lot is being done. But in the absence of an agreed-upon plan, lawmakers will continue to spend on projects that fail to contribute efficiently to progress, and it's not clear how we justify the resources needed to adequately staff, train and equip law enforcement agencies for coordinated border security operations.

U.S. border security cannot continue to be left to various law enforcement agencies that employ different procedures, lexicons and equipment, and whose objectives and priorities may conflict. Conducting operations in jurisdictional stovepipes precludes interagency coordination and cooperation. Maintaining the status quo means we will continue to give up miles of U.S. territory to criminals who threaten our citizens as they pass through our border counties to the depths of our country.

Napolitano announced on her El Paso trip that the Department of Homeland Security will deploy as many as 550 more border agents in the next year. Meanwhile, a handful of deputies and I will be the principal non-federal law enforcement within a border county of nearly 2,400 square miles. We will not have the benefit of the new technologies developed for Customs and Border Protection agents, nor the information they process.

In short, our nation is not developing the law enforcement teams capable of securing our borders.

Americans rightly expect a unified effort among all law enforcement agencies operating along the border. We will not get there until our leaders in Washington recognize that need.

The writer is sheriff of Terrell County, Tex., and a past president of the Texas Border Sheriff's Coalition.

http://www.washingtonpost.com/opinions/danger-on-the-us-mexico-border/2011/03/30/AFQp4KCC_print.html

2 suspected immigrants found dead

By JB Miller

For the Nogales International

Published Friday, March 25, 2011 11:10 AM CDT



The sheriff's office is investigating the reported assault of a migrant woman from El Salvador and the deaths of two suspected border-crossers, one found by chance when deputies responded to a report of another set of human remains discovered near Tubac.

At 5:33 a.m. on March 17, the U.S. Border Patrol asked deputies to respond to the vicinity of Ruby Road and Tres Bellotas Road after agents found a woman on Dead Horse Ridge, a half-mile northeast of Tres Bellotas Ranch in Arivaca. Haydee Alvarado-Rodriguez, 38, of Santa Ana, El Salvador, was subsequently transported to University Medical Center in Tucson for treatment of injuries she allegedly received from her guide after she crossed into the United States illegally the day before.

Alvarado-Rodriguez told investigators at approximately 2 p.m. the guide struck her on the head with a rock after she refused his advances. She then lost consciousness and awoke a short time later.

"In an interview conducted with Ms. Alvarado-Rodriguez she denied and is certain she was not sexually assaulted," said Lt. Raoul Rodriguez of the Santa Cruz County Sheriff's Office.

Later that morning at 11:35 a.m., sheriff's dispatch received a call from a hiker who reported finding skeletal remains approximately 5 miles south of Arivaca Road. Deputies responded to Hunter's Access Road and Forest Service Road 3146 in Tubac where they proceeded to the location and retrieved the remains.

Rodriguez said as officers were leaving the area, they discovered additional skeletal remains one mile away from the initial reported location. He said the remains included a skull, vertebrae, and a portion of a hip, all of which were transported to the Medical Examiner's Office in Tucson to determine the cause of death.

Rodriguez said that due to the location of the remains, they are believed to belong to undocumented border-crossers. If confirmed, they would be the fifth and sixth undocumented immigrants found dead in Santa Cruz County so far in 2011

<http://www.nogalesinternational.com/articles/2011/03/25/news/doc4d8cbb12de3dd821713206.txt>



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[Home](#) > **BREAKING NEWS: Police fired at during chase involving suspected human smugglers**

BREAKING NEWS: Police fired at during chase involving suspected human smugglers

March 15, 2011

SIERRA VISTA — Individuals involved in a suspected human smuggling operation eluded local police and other assisting authorities after fleeing from a home on Swan Drive on Tuesday afternoon.

The investigation is still unfolding, but law enforcement radio traffic indicated that the pursuit took officers onto Quail Run Drive, Avenida Cochise and Buffalo Soldier Trail. Spike strips were laid at several locations before the suspects managed to get west of Buffalo Soldier Trail onto Fort Huachuca and into the Garden Canyon area.

Fort Huachuca Military Police were called in to assist in locating the SUV, as was a U.S. Border Patrol helicopter. Scanner traffic indicated shots were fired at the helicopter.

The suspects remain at large late Tuesday night with the search and investigation continuing through the night.

Sierra Vista Police Sgt. Brett Mitchell said officers were unsure if any other suspects remained inside the residence on Swan Drive after the two suspects in the SUV fled. Officers were gearing up to prepare to enter the residence at about 5 p.m.

More information is expected to be made available Wednesday.

Mexican woman has foot severed by train in Rio Rico

By the Nogales International

Published Monday, March 14, 2011 8:15 PM CDT



An 18-year-old woman from Mexico was flown to University Medical Center in Tucson on advanced life support Saturday after her foot was severed by a train in Rio Rico.

At 7:14 p.m. on Saturday, Union Pacific Police called sheriff's dispatch to report two people carrying a third person along the railroad tracks in the area of Ojo Court. The person being carried appeared to have an injured or severed foot, the caller said.

The Santa Cruz County Sheriff's Office later identified the victim as Ines Flores-Melo, 18, from Coicoyan de las Flores, Oaxaca, Mexico, and said she was traveling with a group of illegal immigrants when she tried to board a northbound train, fell and lost her left foot.

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The Washington Times



House panel subpoenas ATF for documents on gun program

Human bondage hits U.S. heartland

Illicit trade for labor, sex generates billions in profits

By [Chuck Neubauer](#)

The Washington Times

8:18 p.m., Sunday, March 27, 2011



People were shocked when federal prosecutors charged the owners of a motel in Oacoma, S.D., a town of fewer than 500, with keeping Philippine women in virtual slavery, forcing them to work 20-hour days under the threat of violence and taking back their paychecks after they had been endorsed to deposit in their own accounts.

Prosecutors said the enslaved women performed cleaning and front-desk duties at the motel and were expected to work second jobs at fast-food restaurants. Every aspect of their lives, according to records in the 2007 case, was controlled, including what they ate, where they lived, what they wore and to whom they spoke.

Human traffickers had crept unnoticed into the small Lyman County community, located on the west bank of the Missouri River 80 miles southeast of Pierre, the state's capital. But the townsfolk soon learned that Interstate 90, which roars right by Oacoma, is part of the "Midwest Pipeline," the superhighway used to deliver trafficking victims to cities across the country.

In November, federal prosecutors struck again in South Dakota, this time bringing sex-trafficking charges against a couple in Tea, a city of 4,600 also just off Interstate 90. They were convicted of using coercion and threats to force underage girls, some as young as 15, into prostitution.

"It was a shock to me to learn that people had been trafficked through South Dakota," said state Sen. Joni Cutler, a Sioux Falls Republican who sponsored legislation in January making human trafficking a state crime. She said South Dakotans like to think of the state as a place "where everybody knows everybody or is related."

"We don't want a quiet, rural area like South Dakota to become a place where people are trafficked," she said.

South Dakota Gov. Dennis Daugaard signed the Cutler bill into law on March 16.

Human trafficking generates billions of dollars each year in illicit profits, in the United States and globally, through the entrapment and exploitation of millions of people, mostly women and children. The growing illegal trade in human beings for sex or forced labor isn't limited to either rural outposts or the world's largest cities.

Young women have been forced into prostitution over the past year through deception, fraud, coercion, threats and

physical violence in Denton County, Texas; rural Tennessee; St. Paul, Minn.; Norcross, Ga.; Memphis, Tenn.; Fremont, Calif.; Harrisburg, Pa.; New York City; Los Angeles; Honolulu; Woodbridge, Va.; Gaithersburg; Annapolis; and many other cities.

Just last week, a 36-year-old Mexican national was sentenced to 40 years in prison by a federal judge in Georgia on charges that he tricked girls into leaving their families in Mexico, beat them and forced them into more than 20 acts of prostitution a night in Atlanta. The man had promised to get them jobs in restaurants. Five co-defendants previously pleaded guilty in the case.

In Columbus, Ohio, dozens of illegal immigrants from Russia, Estonia, Belarus and Ukraine were forced to work as housekeepers and laundry workers after their passports were seized. In Buford, Ga., Nigerian women were forced to work as nannies and housekeepers after being threatened and physically abused. In Falls Church, 20 Indonesian women were sold as housekeepers after their passports were seized; some were sexually assaulted and their families were threatened.

Tougher laws

Texas state Sen. Leticia Van de Putte, San Antonio Democrat, introduced legislation this month to strengthen laws against human trafficking. She said 25 percent of the people trafficked into the United States pass through the state.

"We are trying to get at those who profit from selling our children," she said, adding that she became interested in the issue in 2004 when two runaways from Oregon - a 16 year-old-boy and his 14 year-old-sister - were forced into prostitution.

"Nobody wants to think there is human slavery in their neighborhood," she said.

Attorney General Eric H. Holder Jr. said nearly every country is affected by human trafficking, either as a source or destination of the many victims. He told a human trafficking conference in Arlington last year that the problem was "an affront to human dignity" and warned that in the United States, "it is, unfortunately, growing."

"Human trafficking has become big business - generating billions of dollars each year through the entrapment and exploitation of millions," Mr. Holder said. "The poorest and most vulnerable among us are being robbed of basic rights to dignity, security and opportunity."

Assistant Attorney General Thomas E. Perez, who heads the Justice Department's Civil Rights Division, compared human trafficking to drug and gun smuggling in that it frequently involves complex organized-crime cartels. In October, during the 10th anniversary celebration of the passage of the Trafficking Victims Protection Act, he said, the number of prosecuted cases has risen from four in 2001 to more than 50 last year.

"We're not just bringing more cases, we're bringing cases of unprecedented scope and impact, taking on international organized criminal networks," he said. "But this work isn't about how many cases we've charged or how well we work together; it's about the human lives restored to freedom and dignity."

Nathan Wilson, creator of the Project Meridian Foundation, which seeks to assist law enforcement in identifying traffickers and their victims, said the illegal trade in human beings for sexual exploitation or forced labor has reached epidemic proportions.

"Sex trafficking has become so widespread that no country, no race, no religion, no class and no child is immune," he said, adding that 1.6 million children younger than 18 - native and foreign born - have been caught in the sex trade in the United States. But, he said, the actual number of victims is hard to quantify because of the lengths to which traffickers go to keep their crimes hidden.

Billions in profits

The Washington, D.C.-based Polaris Project, which advocates stronger federal and state laws on human trafficking and provides help to victims, has said traffickers generate billions of dollars in profits by victimizing millions of people around the world and in the United States. It has said human trafficking is one of the fastest-growing criminal industries in the world.

With an estimated annual revenue of \$32 billion, law enforcement authorities, government agencies and others have said human trafficking is tied with arms dealing as the second-largest criminal industry in the world - behind only drug smuggling.

U.S. Immigration and Customs Enforcement (ICE), the lead agency for investigating and dismantling human-trafficking organizations, has estimated that 800,000 people are trafficked into commercial-sex trade and forced-labor situations throughout the world every year.

ICE Deputy Assistant Director James C. Spero described human trafficking as "a global problem ... driven by profit." He said the agency opened 650 trafficking investigations during fiscal 2010, up from 560 in 2009 and 430 in 2008, and he is still trying to determine the scope of the trafficking problem.

"You don't know what you don't know," he said.

In a 2010 report, the State Department also said human trafficking claimed 800,000 victims every year. Earlier reports estimated that 80 percent of the victims were female and half of them were minors. The department also said in the 2010 report that 17,500 people were thought to be trafficked into the United States each year.

Secretary of State Hillary Rodham Clinton has said some Americans are trapped by abusive employers and others are held in sexual slavery and that the department has sent "a clear message to all of our countrymen and women: Human trafficking is not someone else's problem."

The report, for the first time, ranked the United States as a "Tier 1" country, meaning it fully complies with the Trafficking Victims Protection Act, but also identified it as a "source, transit and destination country" for human traffickers.

Lucrative way

The complex criminal nature of human trafficking as noted by Mr. Perez also has been reported by the Congressional Research Service, which said last year that in many parts of the world, "trafficking in money, weapons and people is largely conducted by criminal gangs or mafia groups." The research service called human trafficking a "lucrative way" for organized criminal groups to fund other illicit activities.

"In Latin America, Mexican drug cartels are increasingly involved in the trafficking of people as well as drugs," the report said. The Congressional Research Service also said the links between organized crime and terrorism may be significant, noting that the language school that provided some visas for the Sept. 11, 2001, hijackers also is reported to have provided visas for prostitutes of a human trafficking ring.

A Department of Health and Human Services fact sheet said that after drug dealing, human trafficking is tied with the illegal arms industry as the world's second-largest criminal industry and is the fastest growing.

That rapid rise is worrisome to Mr. Wilson, who said he is concerned that profits from human trafficking could be used to fund terrorists. He said trafficking profits were used to fund terrorists in Iraq and that some of the proceeds from businesses such as prostitution "may be diverted toward supporting terrorist groups."

Mr. Spero said ICE had not found any evidence that terrorists were benefiting from human trafficking, but acknowledged that any financial crime has the potential to be exploited by terrorists.

The Justice Department also has identified human trafficking as one of the threats posed by international organized

crime networks. It said in a 2010 report that global crime cartels were involved in Asian massage parlors in Massachusetts, Ukrainian criminal networks exploited janitorial service workers in Pennsylvania, and an Uzbek organized-crime ring exploited Philippine, Dominican Republic and Jamaican guest workers in 14 states.

The department said human traffickers know no boundaries or borders. It said the crimes exploit men, women and children, whether they be citizens, guest workers or illegal immigrants - extracting profit from the toil of others in farm fields, factories, strip clubs, suburban mansions, brothels and bars.

Major piece

William Carroll, a former district director for the now-defunct U.S. Immigration and Naturalization Service, said human trafficking is a "major piece of operating income for the cartels and other organized criminal organizations. He said the cartels are attracted to its lucrative nature and because it does not require a distribution system like drugs.

Justice brought 52 human trafficking cases in fiscal 2010, its largest single-year total. It noted in its latest report that human traffickers often prey on those who are poor, frequently unemployed or underemployed, and who may lack access to social safety nets.

"Victims are often lured by traffickers with false promises of good jobs and better lives, and then forced to work under brutal and inhumane conditions," the department said, noting that Somali gangs forced girls younger than 14 into prostitution in Minnesota, Tennessee and Ohio - passing them around like chattel for sex with other gang members or to paying customers.

Calling the trafficking of children for sex as "intolerable," U.S. Attorney Jerry E. Martin, whose office brought the case against the Somali gangs, said the problem is widespread and difficult to prosecute. The victims, he said, "are not likely to complain to the police."

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Tucson Weekly

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March 31, 2011

Spilling Over?

As federal officials talk tough, local officers express concern about cartel violence

by Leo W. Banks

We have a mess on the Arizona–Mexico border, and the people of Arizona can't make an honest assessment of it without pondering the concept of spillover.

The word has become a mantra that appears in just about every pronouncement by the feds, and it gets repeated by a compliant mainstream media.

In a speech in January, Alan Bersin, commissioner of U.S. Customs and Border Protection, said he's thought a lot about why so many Americans think the border is out of control.

"The answer has to be," he said, "that the violence in northern Mexico is real and unprecedented. Because of that violence, the threat that it will spill over is there. While we haven't seen the spillover violence, the risk is clearly there."

Last week in El Paso, Homeland Security Secretary Janet Napolitano repeated the no-spillover canard. This came on the heels of the bizarre challenge she issued to the drug cartels in January, saying, "Don't even think about bringing your violence and tactics across this border. You will be met by an overwhelming response."

If by "violence and tactics," Napolitano means the shootouts and mass murders that have become commonplace in Mexico's drug war, fair enough; violence of that proportion has not spilled over here.

But otherwise, this mantra presents a misleading image—of a federal phalanx at the border capable of preventing anything bad from entering this country.

However, the whole reason the Arizona–Mexico border today is fraught with danger is *because* of spillover.

"I don't know how people are defining spillover, but it's here now and ongoing," says Nogales Police Chief Jeff Kirkham. "The fingers of the cartels reach all the way to the Tucson and the Phoenix metropolitan areas, and other states."

The conflict in Southern Arizona is a fight to control American land. We're experiencing constant incursions by armed cartel soldiers. In a *Washington Post* story last May, Robert Boatright, deputy chief of Border Patrol's Tucson Sector, said border agents here have "close to daily" encounters with armed smugglers.

These are hardened men—mostly "prior deportees," as Border Patrol calls them—who know Arizona's borderlands as well as their own faces. They're motivated enough to use our remotest lands as contraband highways, and athletic enough to vanish into the canyons when agents give chase.

And if challenged on the hugely profitable routes they've fought and shed blood to "own" for their particular gang, they will shoot. This became clear with the murder of Border Patrol agent Brian Terry, part of an elite BORTAC team sent into the Peck Canyon Corridor outside of Nogales on Dec. 14.

"Certainly, most Americans don't know these incursions go on all the time, but they do,"

click to enlarge



Marijuana backpacks wrapped in burlap.

says Kirkham. "It's sad that conditions on our border have gotten to where we have to send in special interdiction teams. But these incursions are a significant threat that needs to be solved."

A dramatic example of spillover occurred in Tucson on Aug. 5, 2009, when 15-year-old Brenda Arenas was murdered in an attempted southside carjacking. In late January 2011, three Mexican nationals, admitted drug-smugglers suspected in the slaying, surrendered to American officials at Nogales.

Why? One of the men told a Tucson TV station that their cartel bosses told them they were bringing too much attention, and they had a choice: Turn yourselves in, or we'll kill you. They chose to roll the dice with American jurisprudence. They were dropped off at the border crossing and booked into the Santa Cruz County Jail.

"I've never heard of anything like that happening in my 43 years in law enforcement in Nogales," says Sheriff Tony Estrada.

The spillover is everywhere. In the past year in Pinal County, Sheriff Paul Babeu reports that violent crimes related to drug-smuggling include two-officer involved shootings, two cartel hits in Casa Grande, the killing of two illegals transporting drugs, and the shooting of a Phoenix kidnap victim unable to meet a ransom demand. In Maricopa County, authorities recently confirmed that a man found beheaded in a Chandler apartment in October had been murdered for stealing from a cartel.

In Cochise County, Sheriff Larry Dever counts the unsolved March 27, 2010, murder of rancher Rob Krentz as spillover, along with break-ins and home invasions along the Chiricahua Corridor above Douglas.

The toll from these crimes, he says, falls on more than the immediate victims and involves more than material possessions. They damage the sense of security and well-being of everyone in the area. And violent episodes in Mexico compound the impact, because so many Southern Arizonans have friends, acquaintances or family in Sonora.

"These events are changing lives forever, and I count that as spillover, too," says Dever.

The 262-mile-wide Tucson Sector is prime spillover country, especially on federal lands. Last November, the Government Accountability Office, the watchdog arm of Congress, issued a report stating that Border Patrol agents had arrested 91,000 aliens on federal land in Arizona in fiscal 2009.

But entries outpaced arrests by three to one. The report stated that not only is illegal cross-border activity "a significant threat" to federal lands in Arizona, but it "may be increasing."

Another GAO document, released in mid-February, said Border Patrol had achieved "varying levels of operational control"—defined as a high likelihood of crossers being apprehended—over only 44 percent of the roughly 2,000-mile Southwest border.

The good news is that the border land under control increased by 126 miles per year from 2005 to 2010. About 68 percent of the Tucson Sector is under control—but that still leaves 32 percent, or about 86 miles, relatively open to illegal activity.

The drug cartels are exploiting the gaps, and they're a different beast from a few years ago, says Richard Valdemar, a retired Los Angeles County sheriff's detective now living in Bullhead City. They've become more militarized, and include elements of former police and the Mexican army and marines.

"Having a military presence on the border loyal to the cartels is a whole different thing from a law-enforcement presence," says Valdemar, former supervisor of Los Angeles County's prison gang unit who now works training police on gang activities. "We're not talking about some guy with a Saturday-night special popping a few rounds off at Border Patrol."

On the weaponry, Kirkham agrees: "It's amazing how much firepower they have. We're talking AK-47s; we're talking MAC-10s, fully auto."

Valdemar says this militarization—and the apparent end to the taboo against killing American law enforcement—requires a strong response to stop incursions at our border. Instead, he says, we erect signs warning citizens about

traveling on heavily trafficked federal lands, or we close lands to the public because of the danger.

At present, as GAO noted, Organ Pipe Cactus National Monument is 55 percent closed, and the chief ranger at the Sonoran Desert National Monument proposed closing that entire 480,000-acre preserve, on the Interstate 8 smuggling corridor. Border sheriffs call those lands "almost America."

"To the cartels, that's weakness," Valdemar says. "They already think we're decadent, soft and unmanly. Then to cede parts of our own country only encourages them to be more violent. They think we're fucking punks."

As for the future, Valdemar, Dever and Kirkham all say they expect more spillover violence.

"There are certainly going to be more incidents, because we now have interdiction efforts meeting it head-on," says Kirkham. "Whether it's human beings or drugs, they're becoming more desperate to get their product across, one way or another."

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Fox News: March 31, 2011

My good friends, Maricopa County is not a border county. Yet, relatively untrained civilians worked with the Maricopa County Sheriff's Office to make significant border related arrests. Obviously, they only interdicted a fraction of the illegal activity present north of the border counties.

Zack Taylor, NAFBPO.org



Sheriff Calls "Operation Desert Sky" a Success

Updated: Thursday, 31 Mar 2011, 5:47 PM MDT
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PHOENIX - Just days after Maricopa County Sheriff Joe Arpaio announced a plan to have posse members search for drugs by air, he's calling the mission a success.

On Monday, Sheriff Arpaio announced "Operation Desert Sky."

About 30 posse members volunteered their time and aircraft to help deputies patrol the desert.

On Thursday, Arpaio showed off the mission's haul so far: more than a ton of marijuana, 115 arrests.

Six of those arrests were illegal immigrants smuggling drugs.

"So it is a big problem when you talk about drugs (slash) illegal immigration, it's getting more connected every day," said Arpaio.

Of the 115 arrests, 80 of the suspects were illegal immigrants.

The best and worst of FOIAgate

By Mike Riggs - The Daily Caller 4:00 PM 03/30/2011

1.) DHS attorney Reid Cox attempted to "steal" evidence from a FOIAgate hearing (page 107)

After months of investigating, the House Oversight Committee has released its report on allegations of FOIA abuse in the Department of Homeland Security. At 150 pages (PDF), "A New Era of Openness? How and Why Political Staff at DHS Interfered with the FOIA Process" is chock-full of testimony and evidence to make your jaw drop. In order to help our readers get to the juiciest parts, The Daily Caller has compiled a list of the most fascinating facts from the committee's report, including evidence of incompetence, theft, and intentional deceit.

"After a witness interview on March 4, 2011, a Department lawyer attempted to remove Committee documents from the interview room. All documents entered as exhibits during the interview were obtained by the Committee in the course of its investigation into political interference with the Department's FOIA function," reads the Oversight Committee's report.

"After the interview concluded and the court reporter packed her equipment, Attorney Reid Cox attempted to leave the room with the Committee's exhibits in his bag. Committee staff asked Cox if he had the exhibits in his bag, and he confirmed that he did. Cox was admonished by Republican and Democratic staff that [sic] he was not permitted to leave with the exhibits. Democratic staff advised Cox that the exhibits are Committee documents and as such, they are the property of the Committee and cannot be removed without permission. Cox explained that the Department disagreed with that position and he moved toward the door." Cox later returned to the committee room to give the following statement:

As counsel for DHS, I object to counsel for the committee's refusal to allow exhibits they had shown to the witness and that all are e-mail messages from DHS personnel to DHS personnel on their official DHS-issued accounts and use of e-mail services. These are not committee records, these are, rather, DHS records; and so there is no reason the committee should be able to prevent us from taking them, since they have shown them to the witness and used them in this interview.

I mean, I guess I would note also for the record that because the committee – because the records have no origination nor creation or editing by the committee, other than redactions, it seems to me the committee has no reason to be able to exercise any control over those documents, and that they retain the nature of being DHS documents.

2.) Napolitano's personal FOIA team has no idea how FOIA works (page 24)

Front office staff know very almost nothing about the Freedom of Information Act according to various testimonies.

One front office staffer described her colleagues' grasp of the act thusly: "And they [sic] were questions, you know, what does this exemption mean? What does this processing mean? Questions about – again, the weekly report standard was the same since 2006, but asking, this request came in on Tuesday, when is the response due? When are we going to send the response out? So, again, it was a basic explanation of what the Freedom of Information Act requires and what it does not require."

Meanwhile, a career FOIA staffer explained to the Oversight Committee that the Front Office wanted to be able to redact or deny FOIA requests based on the politics of the requester.

"Do you know anything about this investigation or why it is of interest/significant," a Napolitano aide asked a career FOIA staffer. The career FOIA staffer responded that requesters' identities are moot, telling Oversight, "Typically disclosure to one is a disclosure to all. So why a requester wants them doesn't – can't factor into our analysis of whether or not they are releasable. Whether or not the requester falls – the identity of the requester, for example, doesn't matter with respect to releasability."

When the front office's questions persisted, a career FOIA staffer scheduled a meeting to help the political staff learn more about FOIA. The political staff treated the meeting as a joke. "This woman is a lunatic," wrote Napolitano staffer Amy Schlossman to colleague John Sandweg. "You have to attend this mtg—if nothing else, for the comic relief."

3.) Secretary Napolitano's political staff encourage FOIA underlings to deceive their direct supervisors (page 86)

Mark Dorgan is a career DHS employee and a FOIA specialist. His boss, Catherine Papoi, is a FOIA chief, meaning she supervises the FOIA process for career DHS employees (career means "non-political").

"In January 2010, Dorgan was detailed to the Office of the Secretary to serve as the point of contact for FOIA requests with Front Office equities (Political employees and those closest to Napolitano comprise the front office.) Dorgan's move to the Front Office was intended to help 'streamline the Front Office processing,' decrease delays, and help answer Front Office questions on FOIA."

Shortly after joining Napolitano's team, Dorgan requested a transfer. According to Papoi, Dorgan was repeatedly asked by Napolitano's team to route requests around his FOIA colleagues in order not to raise their suspicions about inappropriate redactions. "They repeatedly asked him to go around my office, to not make waves, statements of that nature," Papoi testified.

In July 2010, after just six months working in the front office at DHS, Dorgan was transferred back to his old job.

Read more: <http://dailycaller.com/2011/03/30/the-best-and-worst-of-foiagate/#ixzz1IFs1yb6T>

guardian.co.uk The Observer

How a big US bank laundered billions from Mexico's murderous drug gangs

As the violence spread, billions of dollars of cartel cash began to seep into the global financial system. But a special investigation by the Observer reveals how the increasingly frantic warnings of one London whistleblower were ignored

Ed Vulliamy
The Observer, Sunday 3 April 2011

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A soldier guards marijuana that is being incinerated in Tijuana, Mexico. Photograph: Guillermo Arias/AP

On 10 April 2006, a DC-9 jet landed in the port city of Ciudad del Carmen, on the Gulf of Mexico, as the sun was setting. Mexican soldiers, waiting to intercept it, found 128 cases packed with 5.7 tons of cocaine, valued at \$100m. But something else – more important and far-reaching – was discovered in the paper trail behind the purchase of the plane by the Sinaloa narco-trafficking cartel.

During a 22-month investigation by agents from the US Drug Enforcement Administration, the Internal Revenue Service and others, it emerged that the cocaine smugglers had bought the plane with money they had laundered through one of the biggest banks in the United States: Wachovia, now part of the giant Wells Fargo.

The authorities uncovered billions of dollars in wire transfers, traveller's cheques and cash shipments through Mexican exchanges into Wachovia accounts. Wachovia was put under immediate investigation for failing to maintain an effective anti-money laundering programme. Of special significance was that the period concerned began in 2004, which coincided with the first escalation of violence along the US-Mexico border that ignited the current drugs war.

Criminal proceedings were brought against Wachovia, though not against any individual, but the case never came to court. In March 2010, Wachovia settled the biggest action brought under the US bank secrecy act, through the US district court in Miami. Now that the year's "deferred prosecution" has expired, the bank is in effect in the clear. It paid federal authorities \$110m in forfeiture, for allowing transactions later proved to be connected to drug smuggling, and incurred a \$50m fine for failing to

monitor cash used to ship 22 tons of cocaine.

More shocking, and more important, the bank was sanctioned for failing to apply the proper anti-laundering strictures to the transfer of \$378.4bn – a sum equivalent to one-third of Mexico's gross national product – into dollar accounts from so-called *casas de cambio* (CDCs) in Mexico, currency exchange houses with which the bank did business.

"Wachovia's blatant disregard for our banking laws gave international cocaine cartels a virtual *carte blanche* to finance their operations," said Jeffrey Sloman, the federal prosecutor. Yet the total fine was less than 2% of the bank's \$12.3bn profit for 2009. On 24 March 2010, Wells Fargo stock traded at \$30.86 – up 1% on the week of the court settlement.

The conclusion to the case was only the tip of an iceberg, demonstrating the role of the "legal" banking sector in swilling hundreds of billions of dollars – the blood money from the murderous drug trade in Mexico and other places in the world – around their global operations, now bailed out by the taxpayer.

At the height of the 2008 banking crisis, Antonio Maria Costa, then head of the United Nations office on drugs and crime, said he had evidence to suggest the proceeds from drugs and crime were "the only liquid investment capital" available to banks on the brink of collapse. "Inter-bank loans were funded by money that originated from the drugs trade," he said. "There were signs that some banks were rescued that way."

Wachovia was acquired by Wells Fargo during the 2008 crash, just as Wells Fargo became a beneficiary of \$25bn in taxpayers' money. Wachovia's prosecutors were clear, however, that there was no suggestion Wells Fargo had behaved improperly; it had co-operated fully with the investigation. Mexico is the US's third largest international trading partner and Wachovia was understandably interested in this volume of legitimate trade.

José Luis Marmolejo, who prosecuted those running one of the *casas de cambio* at the Mexican end, said: "Wachovia handled all the transfers. They never reported any as suspicious."

"As early as 2004, Wachovia understood the risk," the bank admitted in the statement of settlement with the federal government, but, "despite these warnings, Wachovia remained in the business". There is, of course, the legitimate use of CDCs as a way into the Hispanic market. In 2005 the World Bank said that Mexico was receiving \$8.1bn in remittances.

During research into the Wachovia Mexican case, the *Observer* obtained documents previously provided to financial regulators. It emerged that the alarm that was ignored came from, among other places, London, as a result of the diligence of one of the most important whistleblowers of our time. A man who, in a series of interviews with the *Observer*, adds detail to the documents, laying bare the story of how Wachovia was at the centre of one of the world's biggest money-laundering operations.

Martin Woods, a Liverpudlian in his mid-40s, joined the London office of Wachovia Bank in February 2005 as a senior anti-money laundering officer. He had previously served with the Metropolitan police drug squad. As a detective he joined the money-laundering investigation team of the National Crime Squad, where he worked on the British end of the Bank of New York money-laundering scandal in the late 1990s.

Woods talks like a police officer – in the best sense of the word: punctilious, exact, with a roguish humour, but moral at the core. He was an ideal appointment for any bank

eager to operate a diligent and effective risk management policy against the lucrative scourge of high finance: laundering, knowing or otherwise, the vast proceeds of criminality, tax-evasion, and dealing in arms and drugs.

Woods had a police officer's eye and a police officer's instincts – not those of a banker. And this influenced not only his methods, but his mentality. "I think that a lot of things matter more than money – and that marks you out in a culture which appears to prevail in many of the banks in the world," he says.

Woods was set apart by his *modus operandi*. His speciality, he explains, was his application of a "know your client", or KYC, policing strategy to identifying dirty money. "KYC is a fundamental approach to anti-money laundering, going after tax evasion or counter-terrorist financing. Who are your clients? Is the documentation right? Good, responsible banking involved always knowing your customer and it still does."

When he looked at Wachovia, the first thing Woods noticed was a deficiency in KYC information. And among his first reports to his superiors at the bank's headquarters in Charlotte, North Carolina, were observations on a shortfall in KYC at Wachovia's operation in London, which he set about correcting, while at the same time implementing what was known as an enhanced transaction monitoring programme, gathering more information on clients whose money came through the bank's offices in the City, in sterling or euros. By August 2006, Woods had identified a number of suspicious transactions relating to *casas de cambio* customers in Mexico.

Primarily, these involved deposits of traveller's cheques in euros. They had sequential numbers and deposited larger amounts of money than any innocent travelling person would need, with inadequate or no KYC information on them and what seemed to a trained eye to be dubious signatures. "It was basic work," he says. "They didn't answer the obvious questions: 'Is the transaction real, or does it look synthetic? Does the traveller's cheque meet the protocols? Is it all there, and if not, why not?'"

Woods discussed the matter with Wachovia's global head of anti-money laundering for correspondent banking, who believed the cheques could signify tax evasion. He then undertook what banks call a "look back" at previous transactions and saw fit to submit a series of SARs, or suspicious activity reports, to the authorities in the UK and his superiors in Charlotte, urging the blocking of named parties and large series of sequentially numbered traveller's cheques from Mexico. He issued a number of SARs in 2006, of which 50 related to the *casas de cambio* in Mexico. To his amazement, the response from Wachovia's Miami office, the centre for Latin American business, was anything but supportive – he felt it was quite the reverse.

As it turned out, however, Woods was on the right track. Wachovia's business in Mexico was coming under closer and closer scrutiny by US federal law enforcement. Wachovia was issued with a number of subpoenas for information on its Mexican operation. Woods has subsequently been informed that Wachovia had six or seven thousand subpoenas. He says this was "An absurd number. So at what point does someone at the highest level not get the feeling that something is very, very wrong?"

In April and May 2007, Wachovia – as a result of increasing interest and pressure from the US attorney's office – began to close its relationship with some of the *casas de cambio*. But rather than launch an internal investigation into Woods's alerts over Mexico, Woods claims Wachovia hung its own money-laundering expert out to dry. The records show that during 2007 Woods "continued to submit more SARs related to the *casas de cambio*".

In July 2007, all of Wachovia's remaining 10 Mexican *casa de cambio* clients operating through London suddenly stopped doing so. Later in 2007, after the investigation of Wachovia was reported in the US financial media, the bank decided to end its remaining relationships with the Mexican *casas de cambio* globally. By this time, Woods says, he found his personal situation within the bank untenable; while the bank acted on one level to protect itself from the federal investigation into its shortcomings, on another, it rounded on the man who had been among the first to spot them.

On 16 June Woods was told by Wachovia's head of compliance that his latest SAR need not have been filed, that he had no legal requirement to investigate an overseas case and no right of access to documents held overseas from Britain, even if they were held by Wachovia.

Woods's life went into freefall. He went to hospital with a prolapsed disc, reported sick and was told by the bank that he not done so in the appropriate manner, as directed by the employees' handbook. He was off work for three weeks, returning in August 2007 to find a letter from the bank's compliance managing director, which was unrelenting in its tone and words of warning.

The letter addressed itself to what the manager called "specific examples of your failure to perform at an acceptable standard". Woods, on the edge of a breakdown, was put on sick leave by his GP; he was later given psychiatric treatment, enrolled on a stress management course and put on medication.

Late in 2007, Woods attended a function at Scotland Yard where colleagues from the US were being entertained. There, he sought out a representative of the Drug Enforcement Administration and told him about the *casas de cambio*, the SARs and his employer's reaction. The Federal Reserve and officials of the office of comptroller of currency in Washington DC then "spent a lot of time examining the SARs" that had been sent by Woods to Charlotte from London.

"They got back in touch with me a while afterwards and we began to put the pieces of the jigsaw together," says Woods. What they found was – as Costa says – the tip of the iceberg of what was happening to drug money in the banking industry, but at least it was visible and it had a name: Wachovia.

In June 2005, the DEA, the criminal division of the Internal Revenue Service and the US attorney's office in southern Florida began investigating wire transfers from Mexico to the US. They were traced back to correspondent bank accounts held by *casas de cambio* at Wachovia. The CDC accounts were supervised and managed by a business unit of Wachovia in the bank's Miami offices.

"Through CDCs," said the court document, "persons in Mexico can use hard currency and ... wire transfer the value of that currency to US bank accounts to purchase items in the United States or other countries. The nature of the CDC business allows money launderers the opportunity to move drug dollars that are in Mexico into CDCs and ultimately into the US banking system.

"On numerous occasions," say the court papers, "monies were deposited into a CDC by a drug-trafficking organisation. Using false identities, the CDC then wired that money through its Wachovia correspondent bank accounts for the purchase of airplanes for drug-trafficking organisations." The court settlement of 2010 would detail that "nearly \$13m went through correspondent bank accounts at Wachovia for the purchase of aircraft to be used in the illegal narcotics trade. From these aircraft, more than 20,000kg of cocaine were seized."

All this occurred despite the fact that Wachovia's office was in Miami, designated by the US government as a "high-intensity money laundering and related financial crime area", and a "high-intensity drug trafficking area". Since the drug cartel war began in 2005, Mexico had been designated a high-risk source of money laundering.

"As early as 2004," the court settlement would read, "Wachovia understood the risk that was associated with doing business with the Mexican CDCs. Wachovia was aware of the general industry warnings. As early as July 2005, Wachovia was aware that other large US banks were exiting the CDC business based on [anti-money laundering] concerns ... despite these warnings, Wachovia remained in business."

On 16 March 2010, Douglas Edwards, senior vice-president of Wachovia Bank, put his signature to page 10 of a 25-page settlement, in which the bank admitted its role as outlined by the prosecutors. On page 11, he signed again, as senior vice-president of Wells Fargo. The documents show Wachovia providing three services to 22 CDCs in Mexico: wire transfers, a "bulk cash service" and a "pouch deposit service", to accept "deposit items drawn on US banks, eg cheques and traveller's cheques", as spotted by Woods.

"For the time period of 1 May 2004 through 31 May 2007, Wachovia processed at least \$373.6bn in CDCs, \$4.7bn in bulk cash" – a total of more than \$378.3bn, a sum that dwarfs the budgets debated by US state and UK local authorities to provide services to citizens.

The document gives a fascinating insight into how the laundering of drug money works. It details how investigators "found readily identifiable evidence of red flags of large-scale money laundering". There were "structured wire transfers" whereby "it was commonplace in the CDC accounts for round-number wire transfers to be made on the same day or in close succession, by the same wire senders, for the ... same account".

Over two days, 10 wire transfers by four individuals "went through Wachovia for deposit into an aircraft broker's account. All of the transfers were in round numbers. None of the individuals of business that wired money had any connection to the aircraft or the entity that allegedly owned the aircraft. The investigation has further revealed that the identities of the individuals who sent the money were false and that the business was a shell entity. That plane was subsequently seized with approximately 2,000kg of cocaine on board."

Many of the sequentially numbered traveller's cheques, of the kind dealt with by Woods, contained "unusual markings" or "lacked any legible signature". Also, "many of the CDCs that used Wachovia's bulk cash service sent significantly more cash to Wachovia than what Wachovia had expected. More specifically, many of the CDCs exceeded their monthly activity by at least 50%."

Recognising these "red flags", the US attorney's office in Miami, the IRS and the DEA began investigating Wachovia, later joined by FinCEN, one of the US Treasury's agencies to fight money laundering, while the office of the comptroller of the currency carried out a parallel investigation. The violations they found were, says the document, "serious and systemic and allowed certain Wachovia customers to launder millions of dollars of proceeds from the sale of illegal narcotics through Wachovia accounts over an extended time period. The investigation has identified that at least \$110m in drug proceeds were funnelled through the CDC accounts held at Wachovia."

The settlement concludes by discussing Wachovia's "considerable co-operation and remedial actions" since the prosecution was initiated, after the bank was bought by

Wells Fargo. "In consideration of Wachovia's remedial actions," concludes the prosecutor, "the United States shall recommend to the court ... that prosecution of Wachovia on the information filed ... be deferred for a period of 12 months."

But while the federal prosecution proceeded, Woods had remained out in the cold. On Christmas Eve 2008, his lawyers filed tribunal proceedings against Wachovia for bullying and detrimental treatment of a whistleblower. The case was settled in May 2009, by which time Woods felt as though he was "the most toxic person in the bank". Wachovia agreed to pay an undisclosed amount, in return for which Woods left the bank and said he would not make public the terms of the settlement.

After years of tribulation, Woods was finally formally vindicated, though not by Wachovia: a letter arrived from John Dugan, the comptroller of the currency in Washington DC, dated 19 March 2010 – three days after the settlement in Miami. Dugan said he was "writing to personally recognise and express my appreciation for the role you played in the actions brought against Wachovia Bank for violations of the bank secrecy act ... Not only did the information that you provided facilitate our investigation, but you demonstrated great personal courage and integrity by speaking up. Without the efforts of individuals like you, actions such as the one taken against Wachovia would not be possible."

The so-called "deferred prosecution" detailed in the Miami document is a form of probation whereby if the bank abides by the law for a year, charges are dropped. So this March the bank was in the clear. The week that the deferred prosecution expired, a spokeswoman for Wells Fargo said the parent bank had no comment to make on the documentation pertaining to Woods's case, or his allegations. She added that there was no comment on Sloman's remarks to the court; a provision in the settlement stipulated Wachovia was not allowed to issue public statements that contradicted it.

But the settlement leaves a sour taste in many mouths – and certainly in Woods's. The deferred prosecution is part of this "cop-out all round", he says. "The regulatory authorities do not have to spend any more time on it, and they don't have to push it as far as a criminal trial. They just issue criminal proceedings, and settle. The law enforcement people do what they are supposed to do, but what's the point? All those people dealing with all that money from drug-trafficking and murder, and no one goes to jail?"

One of the foremost figures in the training of anti-money laundering officers is Robert Mazur, lead infiltrator for US law enforcement of the Colombian Medellín cartel during the epic prosecution and collapse of the BCCI banking business in 1991 (his story was made famous by his memoir, *The Infiltrator*, which became a movie).

Mazur, whose firm Chase and Associates works closely with law enforcement agencies and trains officers for bank anti-money laundering, cast a keen eye over the case against Wachovia, and he says now that "the only thing that will make the banks properly vigilant to what is happening is when they hear the rattle of handcuffs in the boardroom".

Mazur said that "a lot of the law enforcement people were disappointed to see a settlement" between the administration and Wachovia. "But I know there were external circumstances that worked to Wachovia's benefit, not least that the US banking system was on the edge of collapse."

What concerns Mazur is that what law enforcement agencies and politicians hope to achieve against the cartels is limited, and falls short of the obvious attack the US could

make in its war on drugs: go after the money. "We're thinking way too small," Mazur says. "I train law enforcement officers, thousands of them every year, and they say to me that if they tried to do half of what I did, they'd be arrested. But I tell them: 'You got to think big. The headlines you will be reading in seven years' time will be the result of the work you begin now.' With BCCI, we had to spend two years setting it up, two years doing undercover work, and another two years getting it to trial. If they want to do something big, like go after the money, that's how long it takes."

But Mazur warns: "If you look at the career ladders of law enforcement, there's no incentive to go after the big money. People move every two to three years. The DEA is focused on drug trafficking rather than money laundering. You get a quicker result that way – they want to get the traffickers and seize their assets. But this is like treating a sick plant by cutting off a few branches – it just grows new ones. Going after the big money is cutting down the plant – it's a harder door to knock on, it's a longer haul, and it won't get you the short-term riches."

The office of the comptroller of the currency is still examining whether individuals in Wachovia are criminally liable. Sources at FinCEN say that a so-called "look-back" is in process, as directed by the settlement and agreed to by Wachovia, into the \$378.4bn that was not directly associated with the aircraft purchases and cocaine hauls, but neither was it subject to the proper anti-laundering checks. A FinCEN source says that \$20bn already examined appears to have "suspicious origins". But this is just the beginning.

Antonio Maria Costa, who was executive director of the UN's office on drugs and crime from May 2002 to August 2010, charts the history of the contamination of the global banking industry by drug and criminal money since his first initiatives to try to curb it from the European commission during the 1990s. "The connection between organised crime and financial institutions started in the late 1970s, early 1980s," he says, "when the mafia became globalised."

Until then, criminal money had circulated largely in cash, with the authorities making the occasional, spectacular "sting" or haul. During Costa's time as director for economics and finance at the EC in Brussels, from 1987, inroads were made against penetration of banks by criminal laundering, and "criminal money started moving back to cash, out of the financial institutions and banks. Then two things happened: the financial crisis in Russia, after the emergence of the Russian mafia, and the crises of 2003 and 2007-08.

"With these crises," says Costa, "the banking sector was short of liquidity, the banks exposed themselves to the criminal syndicates, who had cash in hand."

Costa questions the readiness of governments and their regulatory structures to challenge this large-scale corruption of the global economy: "Government regulators showed what they were capable of when the issue suddenly changed to laundering money for terrorism – on that, they suddenly became serious and changed their attitude."

Hardly surprising, then, that Wachovia does not appear to be the end of the line. In August 2010, it emerged in quarterly disclosures by HSBC that the US justice department was seeking to fine it for anti-money laundering compliance problems reported to include dealings with Mexico.

"Wachovia had my résumé, they knew who I was," says Woods. "But they did not want to know – their attitude was, 'Why are you doing this?' They should have been on my side, because they were compliance people, not commercial people. But really they were commercial people all along. We're talking about hundreds of millions of dollars. This is the biggest money-laundering scandal of our time.

"These are the proceeds of murder and misery in Mexico, and of drugs sold around the world," he says. "All the law enforcement people wanted to see this come to trial. But no one goes to jail. "What does the settlement do to fight the cartels? Nothing – it doesn't make the job of law enforcement easier and it encourages the cartels and anyone who wants to make money by laundering their blood dollars. Where's the risk? There is none.

"Is it in the interest of the American people to encourage both the drug cartels and the banks in this way? Is it in the interest of the Mexican people? It's simple: if you don't see the correlation between the money laundering by banks and the 30,000 people killed in Mexico, you're missing the point."

Woods feels unable to rest on his laurels. He tours the world for a consultancy he now runs, Hermes Forensic Solutions, counselling and speaking to banks on the dangers of laundering criminal money, and how to spot and stop it. "New York and London," says Woods, "have become the world's two biggest laundries of criminal and drug money, and offshore tax havens. Not the Cayman Islands, not the Isle of Man or Jersey. The big laundering is right through the City of London and Wall Street.

"After the Wachovia case, no one in the regulatory community has sat down with me and asked, 'What happened?' or 'What can we do to avoid this happening to other banks?' They are not interested. They are the same people who attack the whistleblowers and this is a position the [British] Financial Services Authority at least has adopted on legal advice: it has been advised that the confidentiality of banking and bankers takes primacy over the public information disclosure act. That is how the priorities work: secrecy first, public interest second.

"Meanwhile, the drug industry has two products: money and suffering. On one hand, you have massive profits and enrichment. On the other, you have massive suffering, misery and death. You cannot separate one from the other.

"What happened at Wachovia was symptomatic of the failure of the entire regulatory system to apply the kind of proper governance and adequate risk management which would have prevented not just the laundering of blood money, but the global crisis."

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APPENDIX F:

July 27, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE 2011

Date: Wednesday, July 27, 2011

Time: 9:00 A.M.

Place: HHR 1

AGENDA

1. Call to Order - Opening Remarks
2. Presentations:
 - Charles Ryan, Director, Arizona Department of Corrections - Project Update
 - John Halikowski, Director, Arizona Department of Transportation - Project Update
 - Sheriff Joe Arpaio, Maricopa County
 - Sheriff Paul Babeu, Pinal County
 - Sheriff Larry Dever, Cochise County
 - Representative David W. Stevens - Concerning the Committee Website
 - Senator Steve Smith - Concerning the Arizona Border Fence Donation Website
3. Overview of the Following Bills Passed in the Fiftieth Legislature - First Regular Session by Bill Boyd, Senate Legislative Research Analyst:
 - SB1406 - interstate compact; border fence, Chapter 309
 - SB1495 - Arizona state guard; establishment, Chapter 311
 - SB1546 - eminent domain on federal property., Chapter 356
4. Set Date for Next Formal Meeting
5. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 Sheriff Joseph M. Arpaio
 Sheriff Paul Babeu
 Sheriff Larry Dever
 John Halikowski

Representative Russ Jones, CoChair
 Representative David Stevens
 Representative Andrew Tobin
 Robert Halliday
 Sheriff Ralph Ogden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

7/21/11
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ARIZONA STATE LEGISLATURE

JOINT BORDER SECURITY ADVISORY COMMITTEE 2011

**Minutes of the Meeting
Wednesday, July 27, 2011
9:00 a.m., House Hearing Room 1**

Members Present:

Senator Al Melvin, CoChair
Senator Gail Griffin
Senator Steve Smith
Bas Aja
Sheriff Joseph M. Arpaio
Steven Henry for Sheriff Paul Babeu
Terry Connor for John Halikowski

Representative David Stevens
Representative Mesnard for Representative Andrew Tobin
Robert Halliday
Sheriff Ralph Ogden
Gilbert Orrantia
Charles Ryan

Members Absent:

Representative Russ Jones, CoChair
Sheriff Larry Dever
Major General Hugo Salazar

Staff:

Joe DeMenna, House Military Affairs and Public Safety Committee Assistant Analyst
Bill Boyd, Senate Government Committee Analyst
Bill Ritz, Senate Banking and Insurance Committee Analyst

Chairman Melvin called the meeting to order at 9:07 a.m. and attendance was noted.

PRESENTATIONS

Charles Ryan, Director, Arizona Department of Corrections (ADC) - Project Update

Mr. Ryan distributed "Arizona Department of Corrections" (Attachment A) and discussed the ADC Border Clean-Up Project.

John Halikowski, Director, Arizona Department of Transportation - Project Update

Kevin Biesty, Government Relations Director, Arizona Department of Transportation (ADOT), distributed "ADOT Transportation Technology Group/Traffic Operations Center" (Attachment B).

Senator Melvin gave a brief overview of the different kinds and locations of operations centers and their uses.

Sheriff Joe Arpaio, Maricopa County, gave a brief overview of his background. He discussed the issues of immigration and the laws relating to employer sanctions and human smuggling.

Chief Deputy Steven Henry of Pinal County addressed the Committee on behalf of Sheriff Paul Babeu. He spoke of their tactical and regional actions regarding border security and the interagency cooperation.

Captain Eben Bratcher, Yuma County Sheriff's Office, addressed the Committee on behalf of Sheriff Ralph Ogden. He spoke of their concerns regarding the increase in drug and human smuggling and the resources needed for progress to be made to stop the increase.

Representative Stevens gave an overview of the Committee website.

Senator Melvin read the mission statement of the Committee (Attachment C) and explained that information from the individual law enforcement agencies will be added to the website. He stated that work is in progress to make the website more user friendly.

Senator Smith gave an overview of the Arizona Border Fence Donation Website. He said that the website is a work in progress and constantly being improved.

Senator Melvin discussed the fences needed for the different types of terrain.

Overview of the Following Bills Passed in the Fiftieth Legislature - First Regular Session

Bill Boyd, Senate Legislative Research Analyst, explained the purpose of the following bills passed in the Fiftieth Legislature, First Regular Session:

SB1406 - interstate compact; border fence (Laws 2011, Chapter 309)

SB1495 - Arizona state guard; establishment (Laws 2011, Chapter 311)

SB1546 - eminent domain on federal property (Laws 2011, Chapter 356)

Set Date for Next Formal Meeting

Senator Melvin announced that meetings for this Committee will be held on the last Wednesday of each month in House Hearing Room 1 at 9:00 a.m.

Discussion

Senator Melvin discussed inviting a former border patrol agent to address the Committee regarding the border issues. He stated his desire to invite people that live near the border to address the Committee.

Senator Griffin discussed several newspaper articles of border related incidents from her area of southern Arizona and the lack of documentation of the numbers of illegal immigrants who don't get caught. She spoke of the benefits of the National Guard being visible in the area of the border and the need to improve cell phone accessibility. **Senator Griffin** discussed the different languages present in the graffiti and the warning signs posted by the Federal Government.

Chief Deputy Henry explained the necessity of air assets.

Bas Aja, Executive Vice President, Arizona Cattlemen's Association, discussed the Department of Homeland Security's (DHS) recent activities in relation to Arizona. He encouraged the Committee to invite a representative from DHS to address the Committee.

Discussion was held regarding the recent wildfires and illegal border crossers.

There being no further business, the meeting was adjourned at 10:09 a.m.

Respectfully submitted,

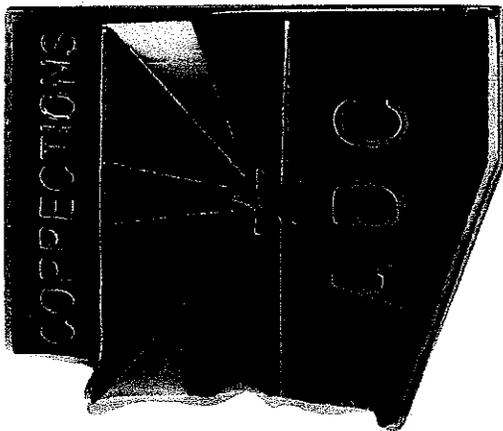
Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

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JOINT BORDER SECURITY
ADVISORY COMMITTEE 2011
July 27, 2011
Page 1

Arizona Department of Corrections



**ADC Border Clean-Up Project
April – June 2011**

**Joint Border Security Advisory Committee
July 27, 2011**



Tucson Sector Border Area Cleanup

- **Partnership:** Arizona Game and Fish Department.
- **Location/Area:** Nogales, Santa Cruz County Land Areas 36A & 36B.
- **Purpose:** To clean up State Trust land and off-set damages to fences caused by drug and human smugglers' vehicles avoiding law enforcement apprehension and to enhance law enforcement access to these areas.
- **Description:** To clean up debris left by illegal immigrants, repair fences, and install cattle guards.
- **Nogales Project April 2011 - Ongoing:**
 - 9-12 inmates, each working approx 6 hours per day, four days a week.
 - ADC supervision includes at least one ADC Correctional Officer.
 - As of June 24, 2011, this inmate work crew had worked approximately 2,400 hours at 48 different sites. As a result, 87,115 pounds of debris (2,193 bags) have been removed and one cattle guard has been installed.

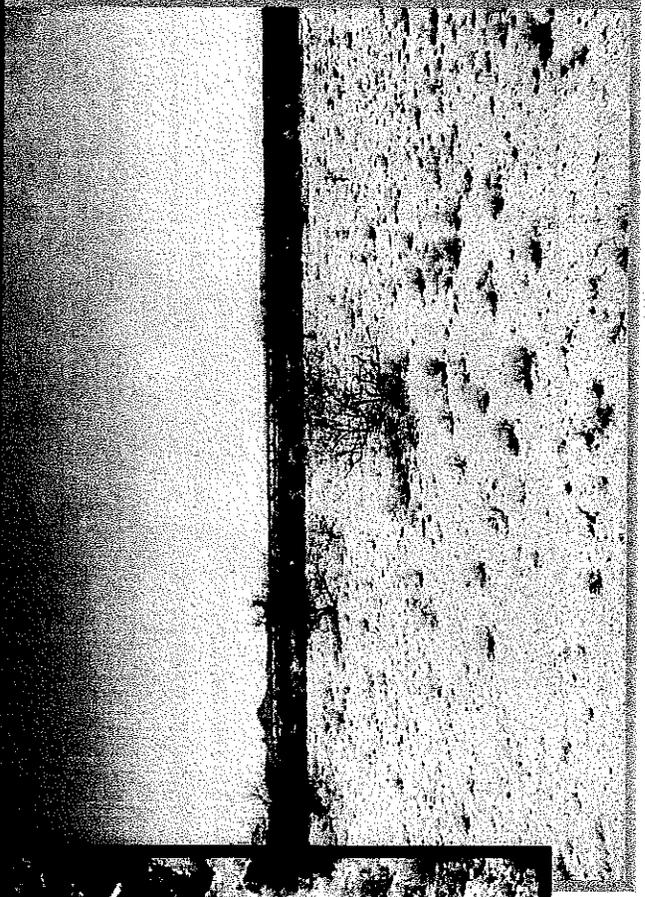
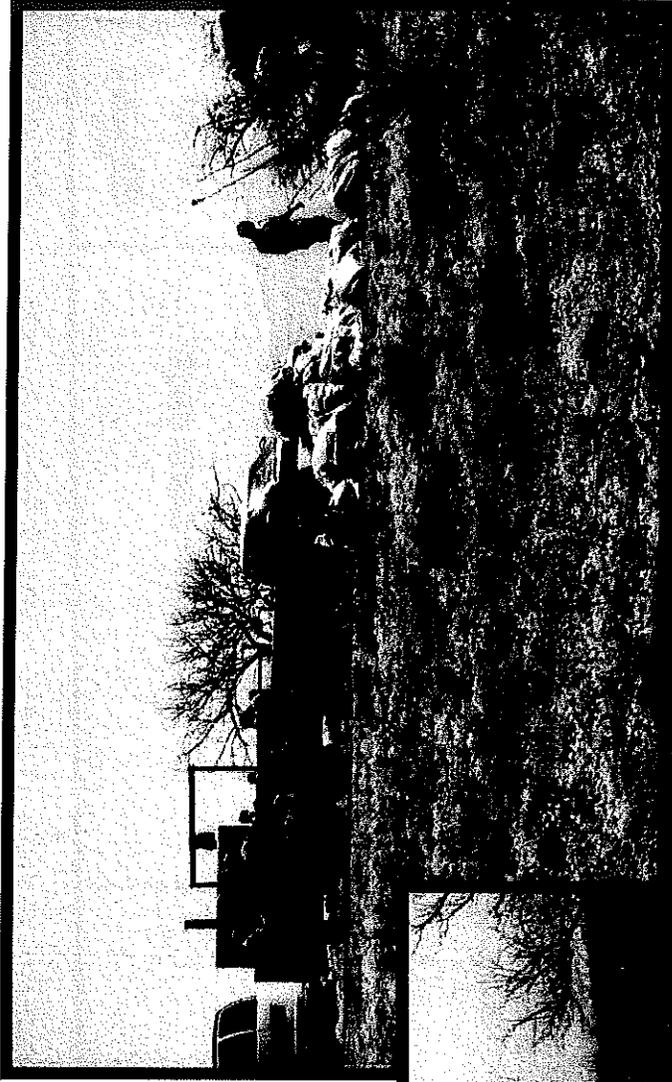


**Tucson Sector
Border Area Cleanup
Nogales Project
Before Photographs**



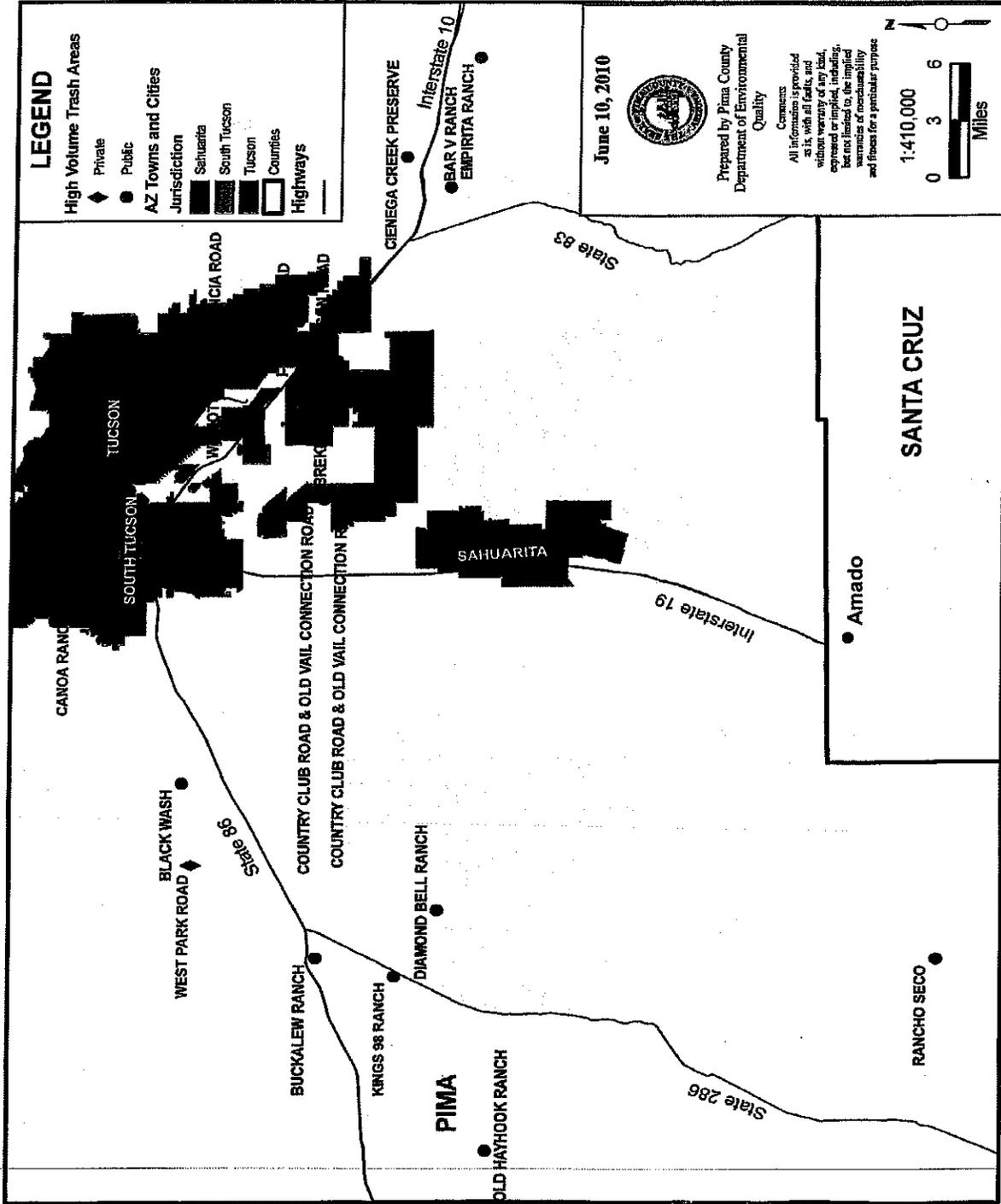
**Tucson Sector Border Area Cleanup
Nogales Project/Inmate Work Crews**

Tucson Sector Border Area Cleanup Nogales Project After Photographs



High Volume Migrant Trash Areas in Pima County

Additional Tucson Sector Border Area Cleanup Projects are planned in Pima County, Arizona.



Other ADC Projects

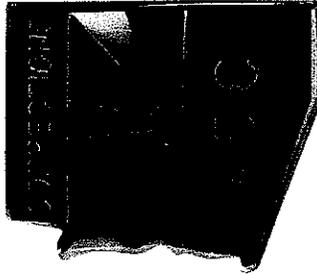
- ADC is continuing to partner with local governments and Law Enforcement on additional border clean-up projects to thin out vegetation and/or eradicate staging area drop sites littered with clothing, water jugs, and human waste in Pima County, Santa Cruz County, Cochise County, and Yuma County.
- Project areas include:
 - State Trust Land 2 miles east of ASPC-Douglas.
 - “West End” and “Park Area” in very close proximity to the International Border Fence, Yuma Station.



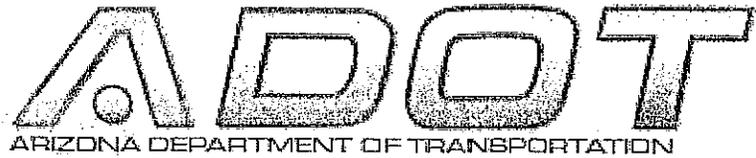
ARIZONA DEPARTMENT OF CORRECTIONS



Questions?



1601 West Jefferson Street
Phoenix, Arizona 85007
602-542-5225
<http://www.azcorrections.gov>



ADOT Transportation Technology Group / Traffic Operations Center

July 22, 2011

- The Traffic Operations Center (TOC) includes a staff of 30 people with a core function of supporting public safety. This group includes the Control Room, Project Development, IT, and Administration Sections.
- The 2,100-square-foot control room includes 32 wall mounted video monitors and large screens used to display traffic speed and weather information. There are four workstations in the control room; operators at two of the stations monitor traffic in the Phoenix metropolitan area and the operators at the other two stations monitor traffic throughout the remainder of the state.
 - There are 15 operators who work various shifts to ensure that there is 24 hour coverage in the control room.
 - TOC Section staff constantly monitors the Department of Public Safety (DPS) Computer Aided Dispatch (CAD) system, speed maps, and closed-circuit television (CCTV) monitors.
 - When staff becomes aware of an incident, they use cameras to verify the incident and determine the appropriate response (e.g., dispatch DPS and/or ADOT staff, post messages on one or more Dynamic Message Signs, enter information into the Highway Condition Reporting System which automatically places this information into the 5-1-1 system, etc.).
 - Five valley and three Tucson television stations have access to live CCTV camera feeds from ADOT's cameras to show freeway conditions.
 - The control room of the Traffic Operations Center forms ADOT's nexus of public safety services and bridges ADOT to other public safety agencies.
- Control Room.
 - 24/7 operations with a statewide focus.
 - Monthly tasks include:

▪ Incident notifications and call outs	20,446
▪ Planned Dynamic Messages Signs	528
▪ Unplanned Dynamic Messages Signs	1,319
▪ Roadway Damage, Debris Pickup, Dead Animal, Equipment Outage	466
▪ Special Events	5
- AZ511 System
 - Operate and maintain 511 Traveler Information systems:
 - 511 telephone. More than 1 million calls in 2010 - 95K+/month.
 - Az511.gov website. More than 300 million hits in 2010 - 25M+/month.
- Transportation Technology Group / Traffic Operations Center Goals
 - Assist in maintaining the security and safety of the public.
 - Reduce congestion in urban areas.
 - Provide statewide incident management.
 - Provide quality and timely information to the public.
 - Design and construct quality Intelligent Transportation Systems projects in a timely manner.
 - Develop and retain a high performing, successful workforce.
 - Support and maintain Intelligent Transportation Systems infrastructure.

APPENDIX G:

August 31, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE 2011

Date: Wednesday, August 31, 2011
Time: 10:00 A.M.
Place: HHR 1

AGENDA

1. Call to Order - Opening Remarks
2. Presentations:
 - Robert Halliday, Director, Arizona Department of Public Safety
 - Colonel John Eggen, Wing Commander, Civil Air Patrol - Arizona Wing
3. Discussion
4. Set Date for Next Formal Meeting
5. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 Sheriff Joseph M. Arpaio
 Sheriff Paul Babeu
 Sheriff Larry Dever
 John Halikowski

Representative Russ Jones, CoChair
 Representative Javan Mesnard
 Representative David Stevens
 Robert Halliday
 Sheriff Ralph Ogden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

8/25/11
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Representative Russ Jones, CoChair
 Representative Javan Mesnard
 Representative David Stevens
 Robert Halliday
 Sheriff Ralph Ogden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

ARIZONA STATE LEGISLATURE

JOINT BORDER SECURITY ADVISORY COMMITTEE 2011

Minutes of the Meeting
Wednesday, August 31, 2011
10:00 a.m., House Hearing Room 1

Members Present:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Sheriff Joseph M. Arpaio
 Sheriff Paul Babeu
 Sheriff Larry Dever
 John Halikowski

Representative Russ Jones, CoChair
 Representative David Stevens
 Robert Halliday
 Sheriff Ralph Ogden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

Members Absent:

Bas Aja
 Representative Javan Mesnard

Staff:

Joe DeMenna, House Assistant Research Analyst
 Bill Ritz, Senate Research Analyst

CoChairman Jones called the meeting to order at 10:07 a.m.

Presentations

Robert Halliday, Director, Arizona Department of Public Safety (DPS), distributed a handout "2011 Organization" (Attachment A), gave an overview of DPS and answered questions posed by the Committee.

Jack Hegarty, Lieutenant Colonel, Highway Patrol Division, Arizona DPS, explained how DPS is organized and answered questions posed by the Committee regarding the following subject areas:

- Director's Office
- Highway Patrol Division
- Criminal Investigations Division
- Technical Services Division
- 588 Patrol Officers
- Aviation Division number of calls for service
- Aviation Division kinds of calls
- Interagency Cooperation
- Interdiction Program
- Border Region Operations
- Budget restrictions and impacts

Sheriff Larry Dever, Cochise County, Arizona, discussed the importance of the Committee and that he had heard from sheriffs in states in the eastern part of the United States and their problems with illegal aliens.

Sheriff Paul Babeu, Pinal County, Arizona, discussed the following points:

- Operation Jump Start
- Smuggling and the Cartels
- The dangers of a neighboring country being under siege
- The Fast and Furious Program

Sheriff Joe Arpaio, Maricopa County Sheriff, discussed the issue of illegal aliens who are already in the United States.

Colonel John Eggen, Wing Commander, Civil Air Patrol (CAP) - Arizona Wing, distributed "Arizona Wing CAP" (Attachment B), answered questions posed by the Committee and discussed the following subjects:

- Arizona Wing Unit Locations
- Operations of the CAP
- CAP available assets
- Cost effective support
- Arizona Wing resources
- CAP missions and goals
- CAP capabilities
- CAP member qualifications

Wesley Waddle, Lieutenant Colonel, Legislative Liaison, CAP, gave a brief overview of his background.

Senator Steve Smith discussed the Border Fence Project and stressed the importance of the project and distributed information regarding Washington Lobbying Day—America's Sheriffs on Border Security and Immigration Enforcement (Attachment C).

Senator Al Melvin discussed the Committee website and recent updates. He explained future plans to form the following subcommittees:

- Border Fence Construction and Maintenance
- Arizona State Guard
- Border Statistics
- Websites – Committee and Fence
- Border Fence Fund Raising

Representative Russ Jones discussed the location and subject matter of future meetings.

Senator Gail Griffin read and discussed news clippings regarding border security.

There being no further business, the meeting was adjourned at 12:02 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

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JOINT BORDER SECURITY
ADVISORY COMMITTEE 2011
August 31, 2011
Page 1

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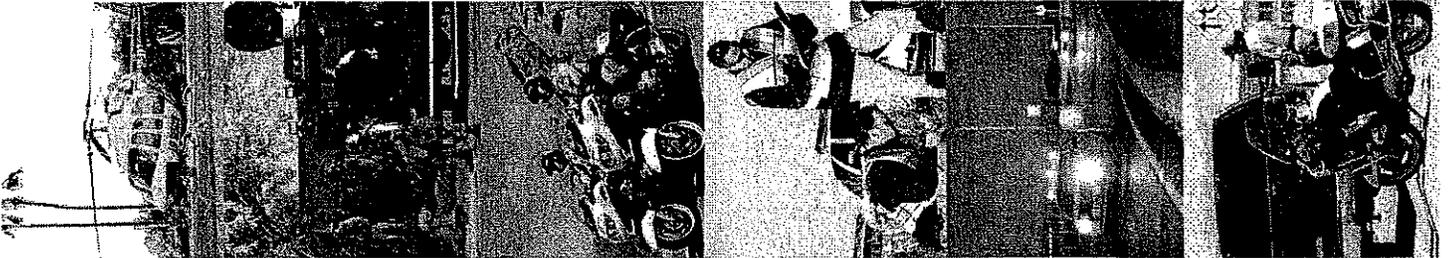
August 2011

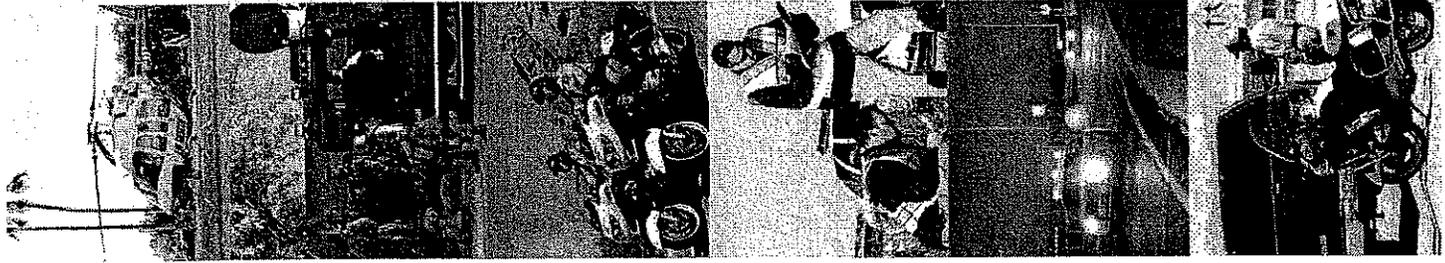
ARIZONA DEPARTMENT OF PUBLIC SAFETY

Director, Colonel Robert Halliday



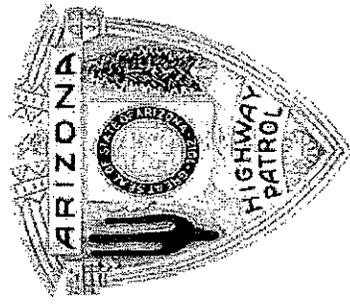
Arizona Department of
Public Safety





Arizona Department of Public Safety was established by Executive Order of Arizona Governor Jack Williams on July 1, 1969, and consolidated the following functions/responsibilities:

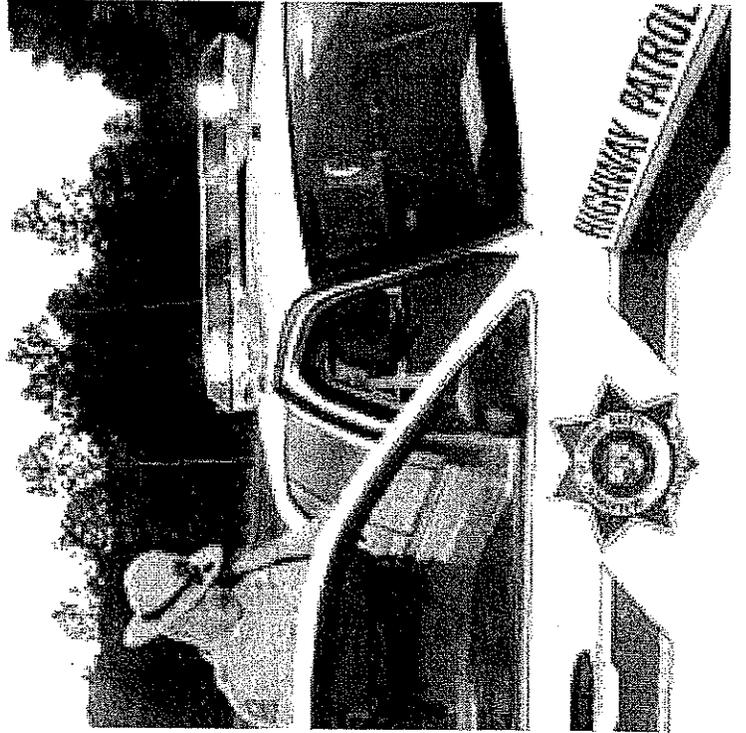
- Arizona Highway Patrol
(In existence since 1931)
- State Law Enforcement
Division of Liquor, Licenses,
& Control
- Narcotics Division of the
State Department of Law



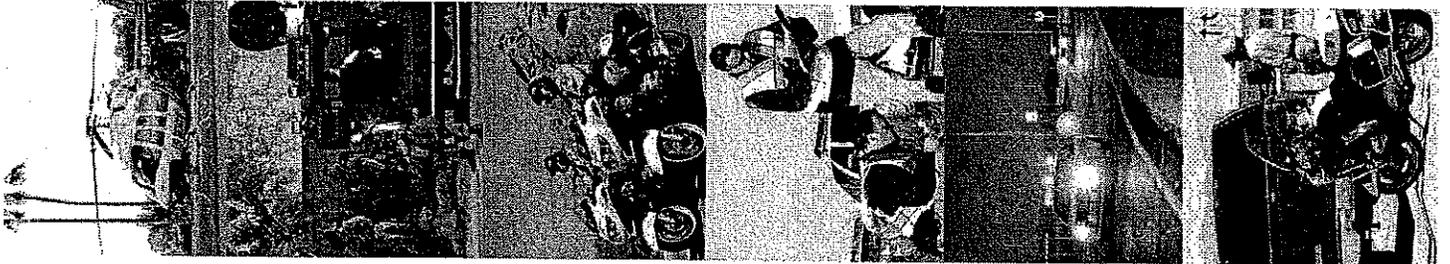
Arizona Department of
Public Safety

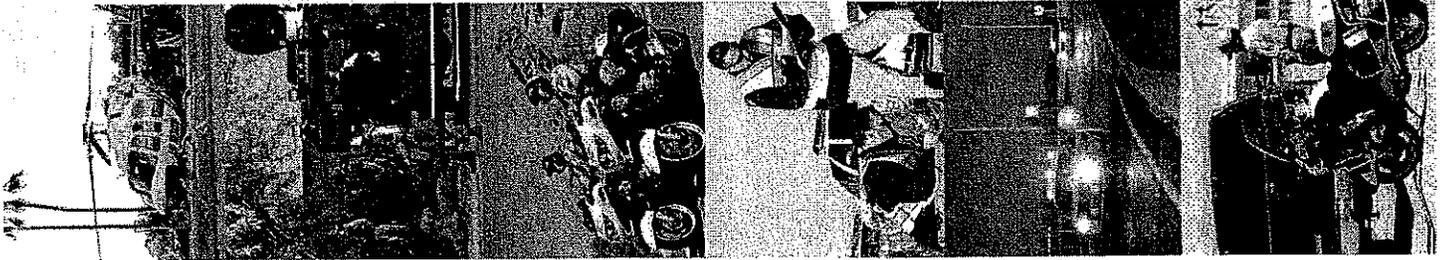
2011 Organization

- Director's Office
- Highway Patrol Division
- Criminal Investigations Division
- Technical Services Division



Arizona Department of
Public Safety





Mission

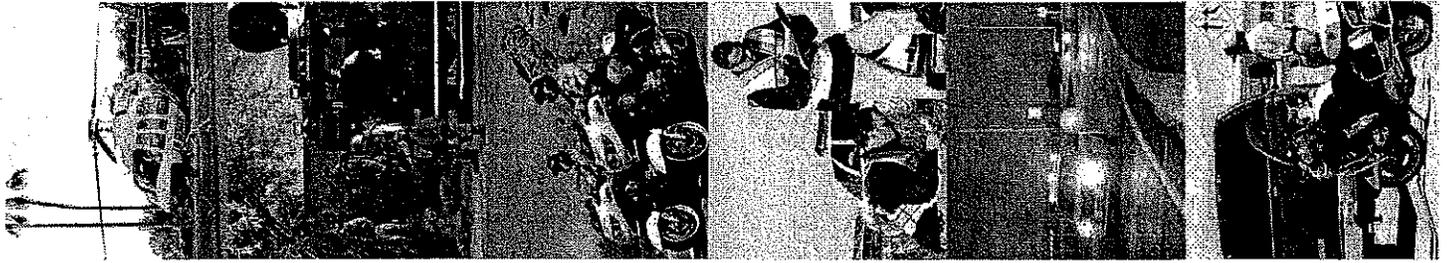
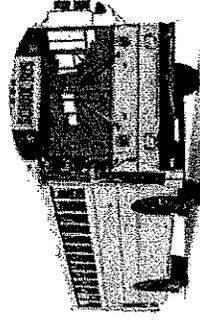
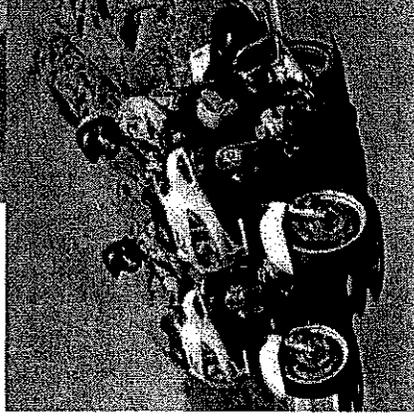
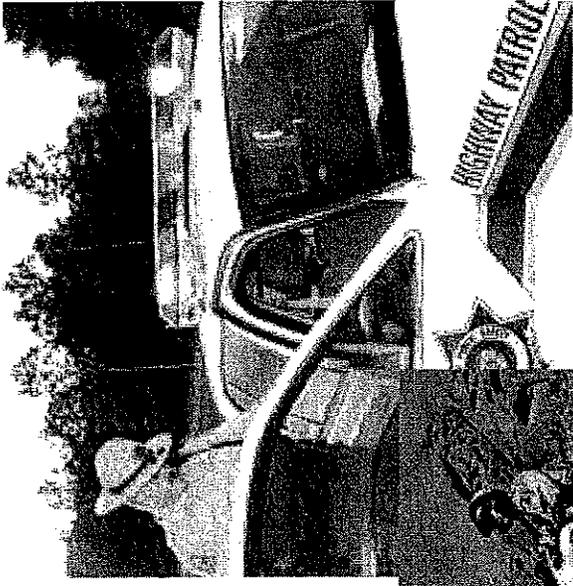
To protect human life and property by enforcing state laws, deterring criminal activity, assuring highway and public safety, and providing vital scientific, technical, and operational support to other criminal justice agencies.



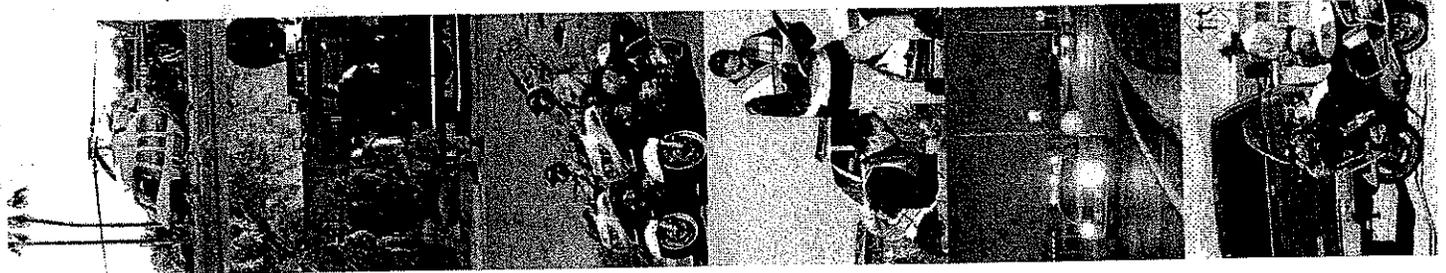
Arizona Department of
Public Safety

Highway Patrol Overview:

- Patrol Bureaus
- Commercial Enforcement
- Aviation
- DUI Enforcement
- Motorist Assists
- Collision Investigation
- Interdiction
- Training
- School Bus/Driver/Tow Truck



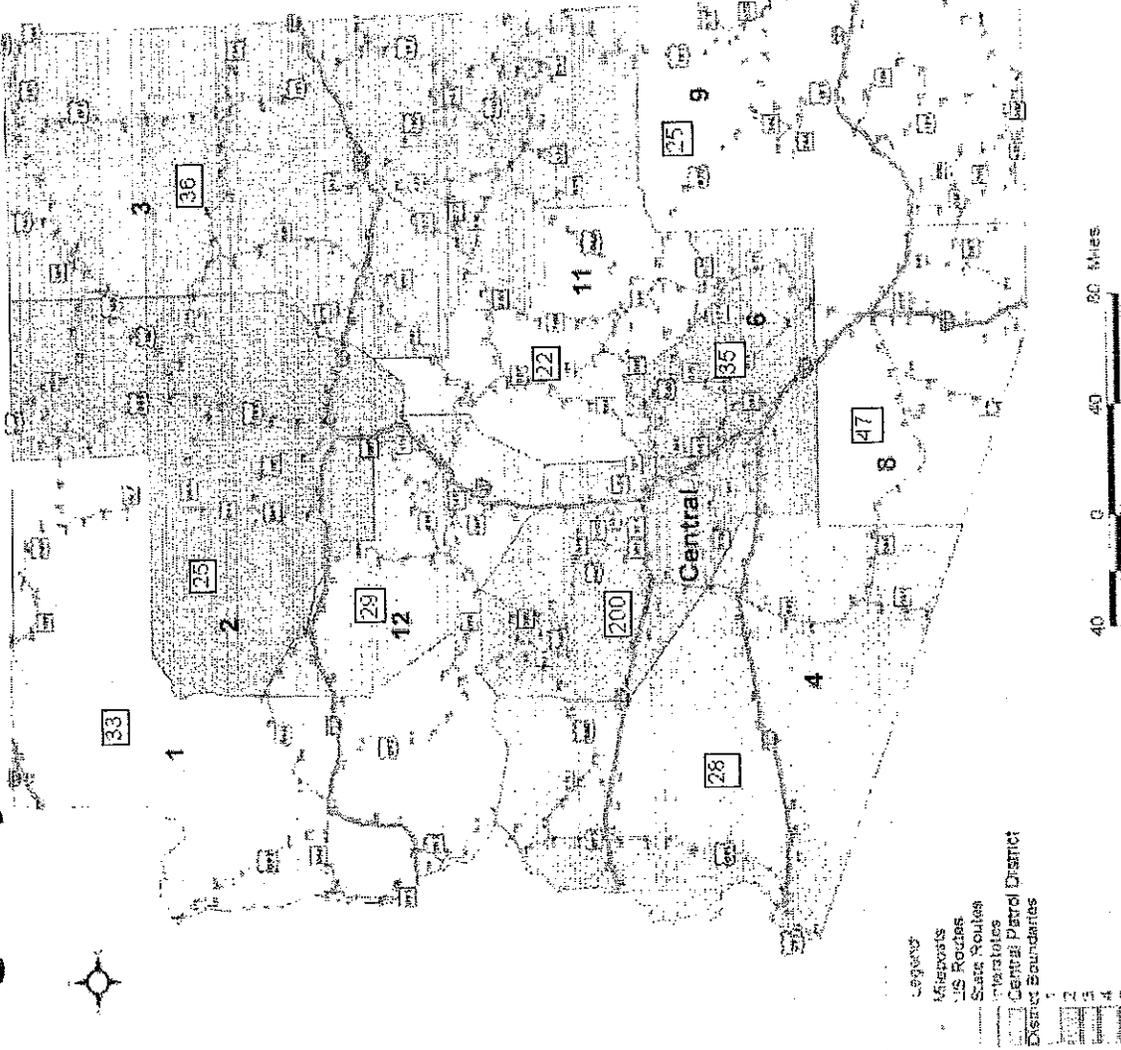
Arizona Department of
Public Safety



Highway Patrol District Boundaries

Patrol Officers by District

Yuma	28
Casa Grande	35
Tucson	47
Sierra Vista	25
Phoenix	200
Kingman	33
Flagstaff	25
Holbrook	36
Globe	22
Prescott	29
Truck Enforcement	81
Interdiction	27
Total	588



Commercial Vehicle Enforcement	81
Highway Interdiction	27
Total Officer Strength	588

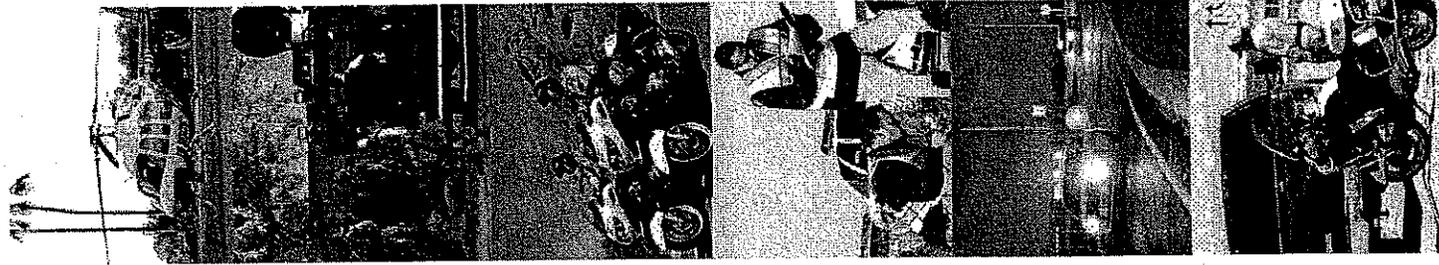
Legend
 - - - - - Mexico
 - - - - - US Routes
 - - - - - State Routes
 - - - - - Interstate
 - - - - - Central Patrol District
 - - - - - District Boundaries
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12

Commercial Vehicle Enforcement

- 80 officers statewide
- USDOT partially funded
- DPS is lead Motor Carrier Safety Assistance Program agency for Arizona
- Provide training to another 200 officers statewide including ADOT inspectors
- Conduct 45,000 inspections annually, oversee over 70,000 inspections statewide
- Partnership with Az Trucking Association in Share The Road program and other education and enforcement efforts
- Student Transportation – School Bus inspections, driver certification
- Tow truck inspection, regulation



Arizona Department of
Public Safety

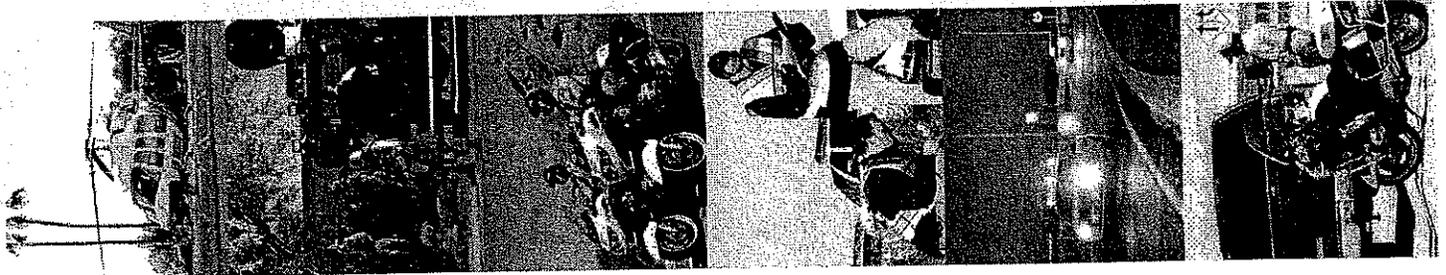


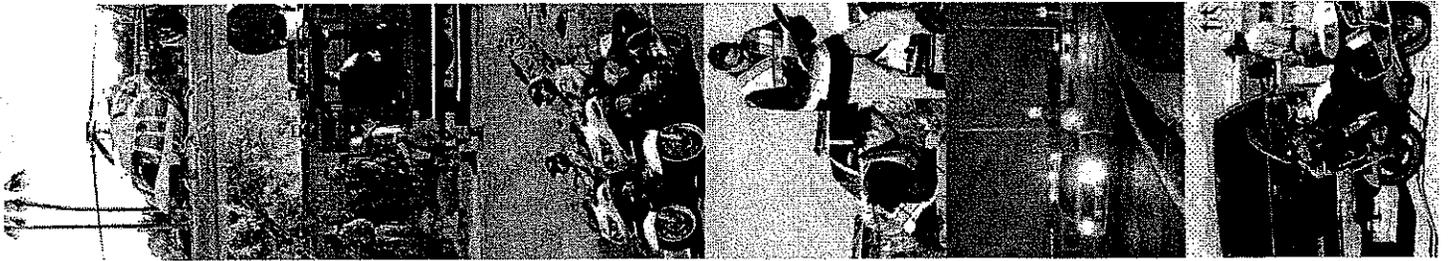
Roadside Criminal Interdiction Program

- K9 officers deployed statewide
- Commercial Vehicle Interdiction squad
- Support training for agencies statewide and nationally
- Model program for USDOT/DIAP
- Support for County Attorney RICO
- Cooperation with a variety of law enforcement agencies and prosecution offices



Arizona Department of
Public Safety





Snapshot of 30 days Activity

\$222,000.00 in U.S. currency

\$59,480.00 in U.S. currency

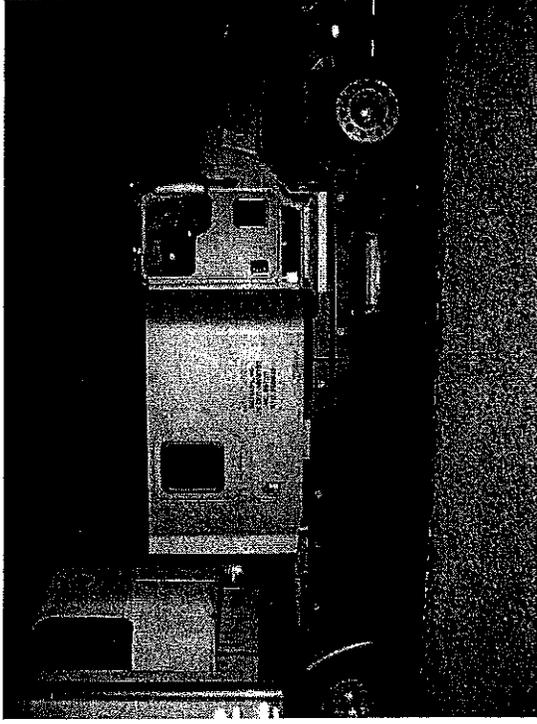
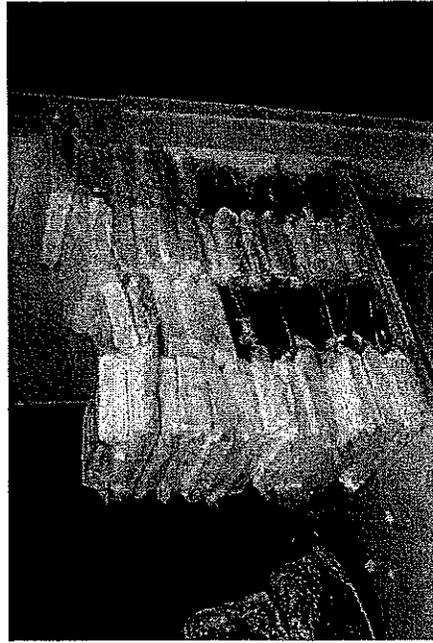
96.5 pounds of Cocaine

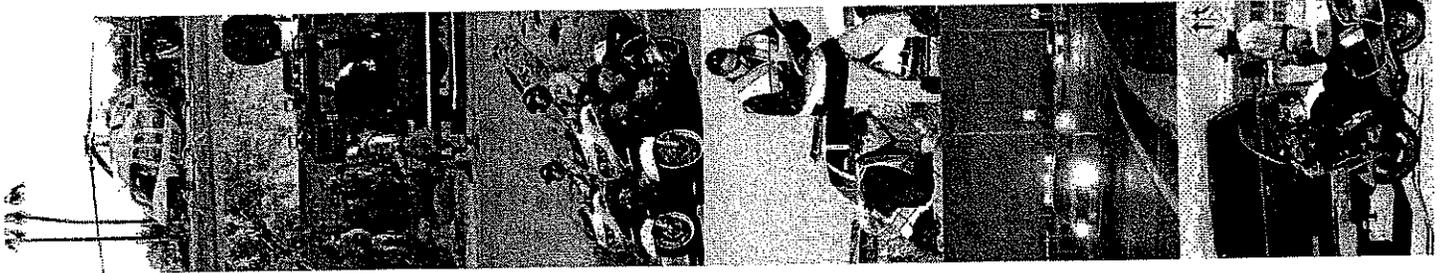
250 pounds of marijuana

184 pounds of marijuana

250 pounds of marijuana

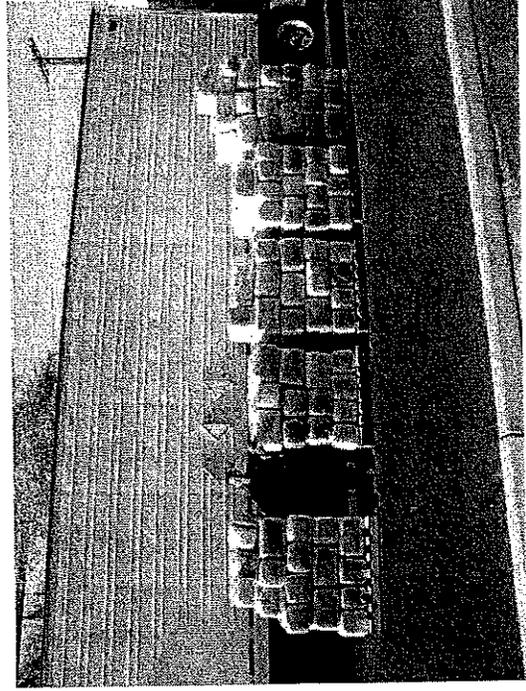
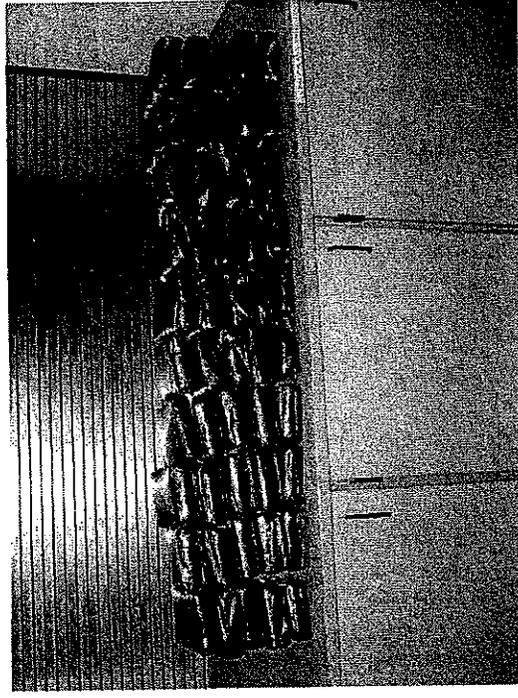
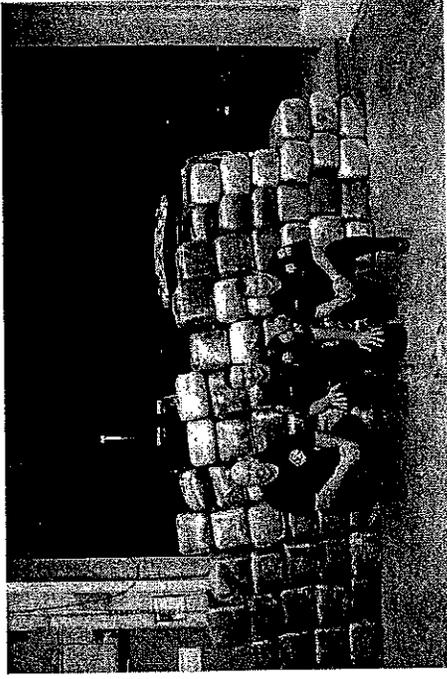
All Highway Patrol traffic stops





Significant Seizures in 2010

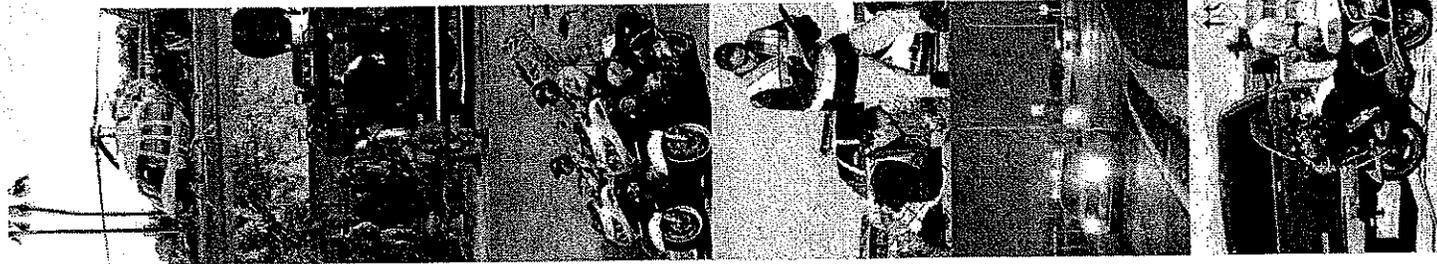
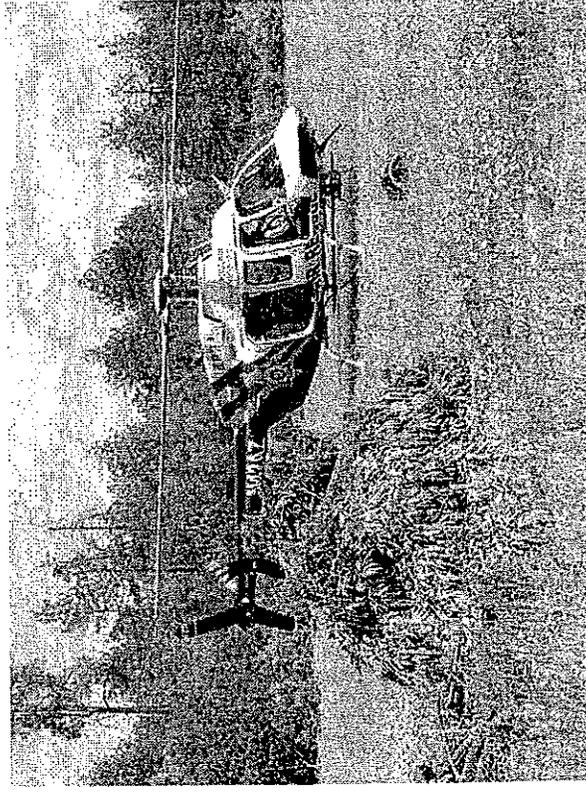
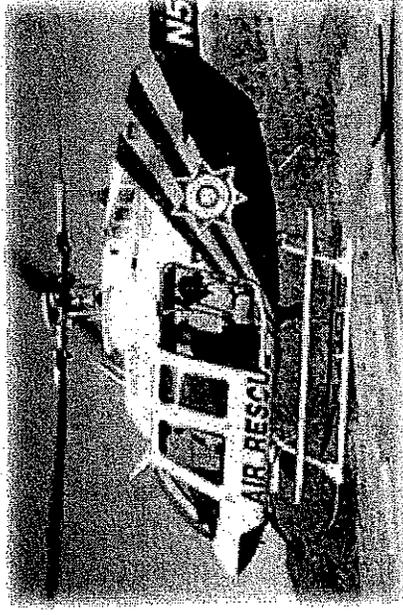
- 4000+ pounds MJ
- 83 kilos cocaine
- 1700+ pounds MJ

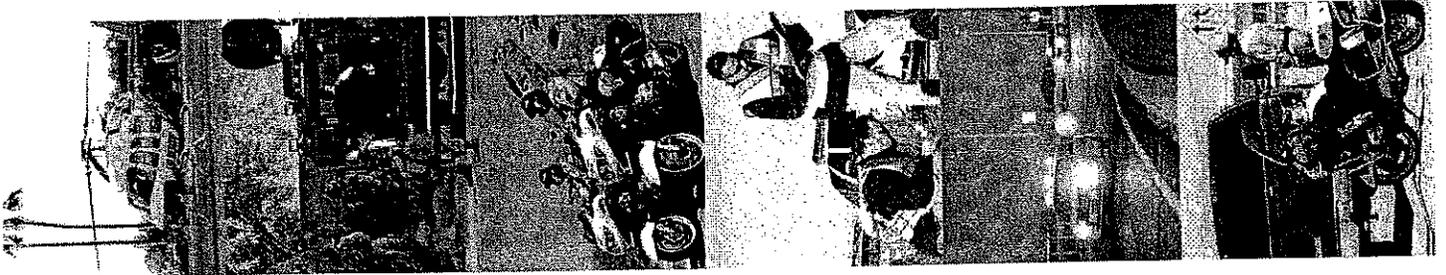


Arizona Department of
Public Safety

Aviation

- 5 Bell Helicopters- Phoenix, Flagstaff, Tucson, Kingman,
- 4 Fixed Wing Aircraft
- 5 Fixed Wing Pilots
- 10 Helicopter Pilots (22 in 2008)
- 20 Paramedic Officers
- 50% reduction in service levels since 2008
- Vast majority of calls for service are LE, not medical

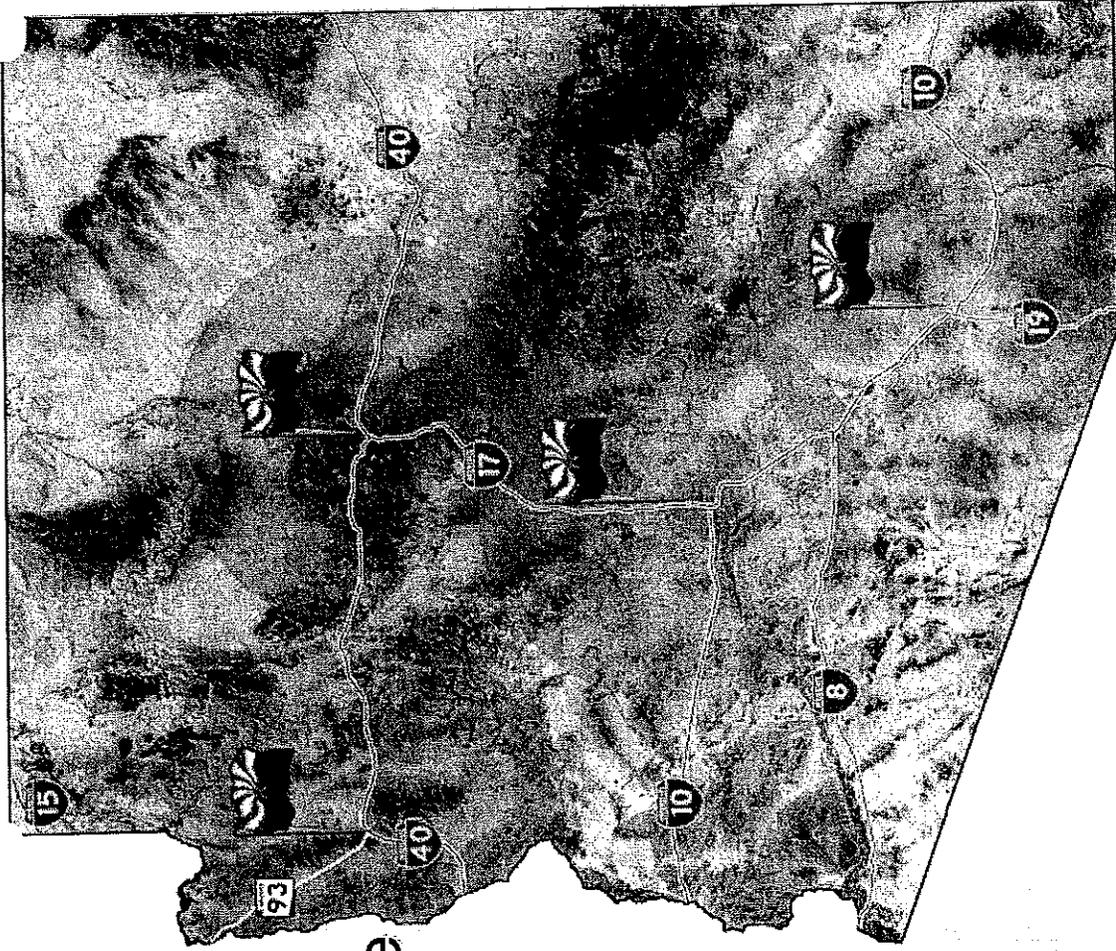




Typical Aviation

Activity per Month

- 40-50 calls for service (LE and Search & Rescue)
- 5 medical transports
- Most calls average 1.5 hours



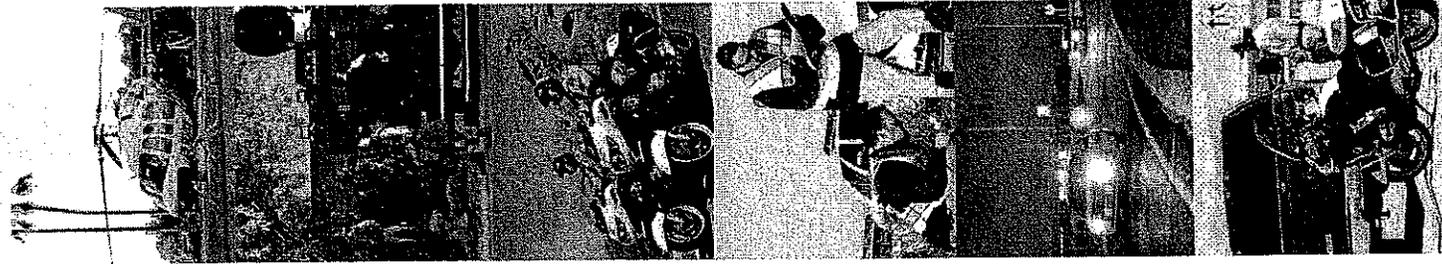
Arizona Department of
Public Safety

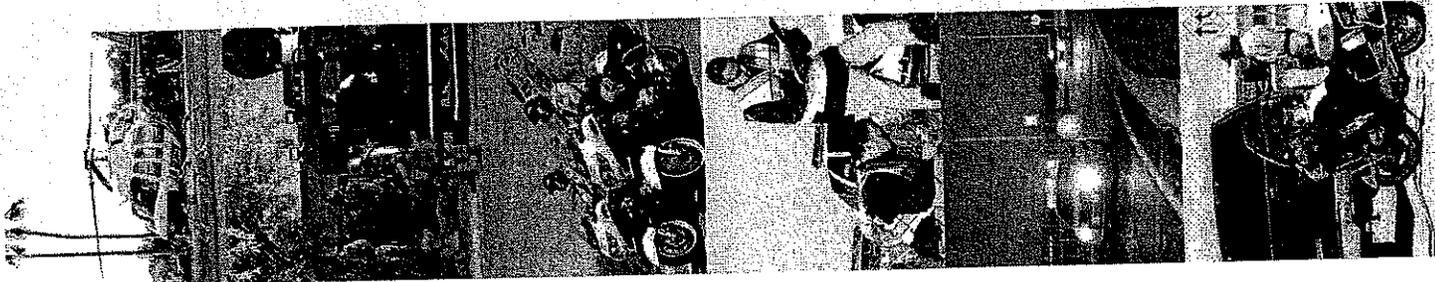
2010 Highway Patrol Snapshot

- 800 sworn positions filled
- 200 vacancies, most no longer funded
- Patrol about 6000 miles of highways
- About 1000 fatal crashes annually, 1/3 are DPS jurisdiction
- 500,000 traffic stops annually
- 27,000 traffic crash investigations
- 120,000 motorist assists
- 15,000 arrests and 5,000 DUI arrests
- 25,000 hours assisting other federal, county, city LE agencies or 12.5 FTE's.



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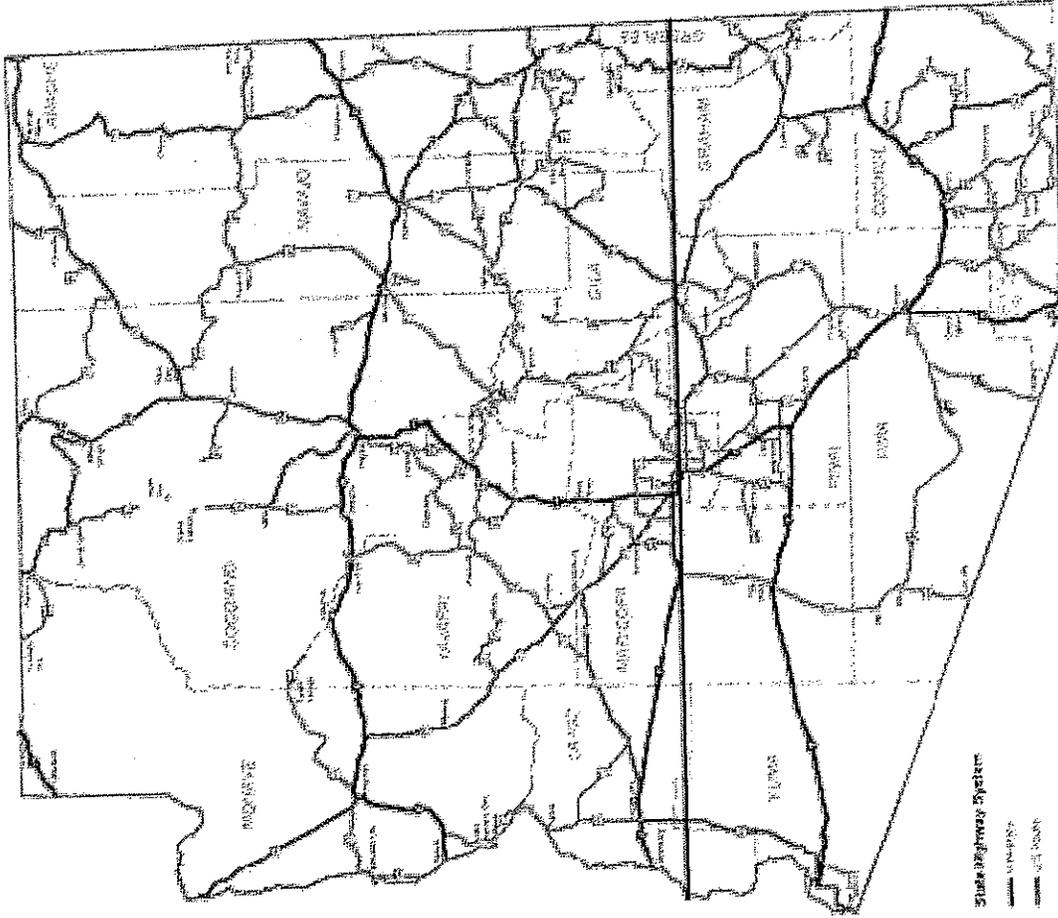




Border Region Operations

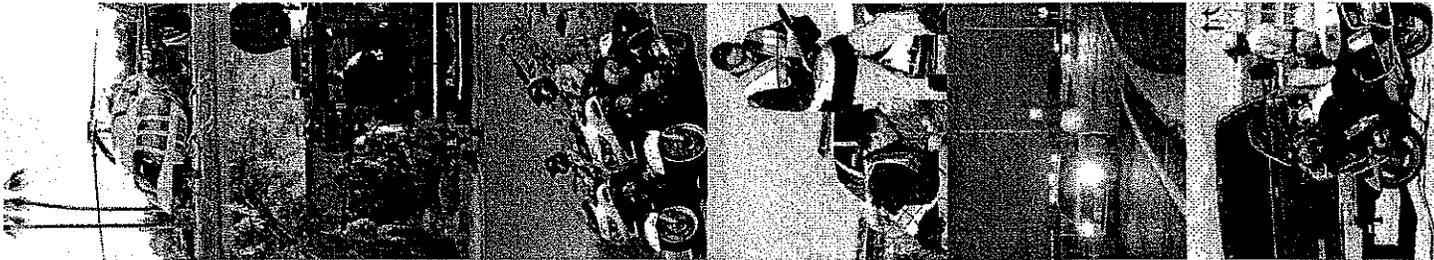
- Truck Enforcement
- Border Guardian
- Highway Interdiction
- Operation Safe Passage

State Highway System



State Highway System
 - Interstate
 - State Road
 - County Road
 - City/County Road
 - Local Road
 - State Road
 - County Road
 - City/County Road
 - Local Road





Criminal Investigations Overview

- Narcotics/General Investigations
- Intelligence
- GIITEM
- Special Operations
- Rocky Mountain Information Network (RMIN)



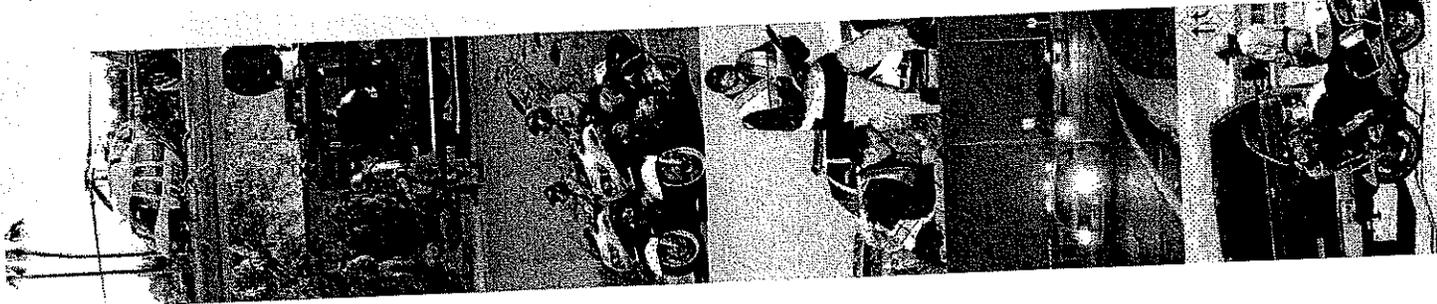
Arizona Department of
Public Safety

Narcotics/General Investigations

- Northern Investigations
- Central Investigations
- Southern Investigations
- Major Crimes
- Arizona Vehicle Theft Task Force

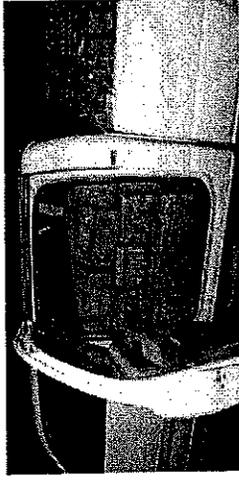


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Criminal Investigation Seizures

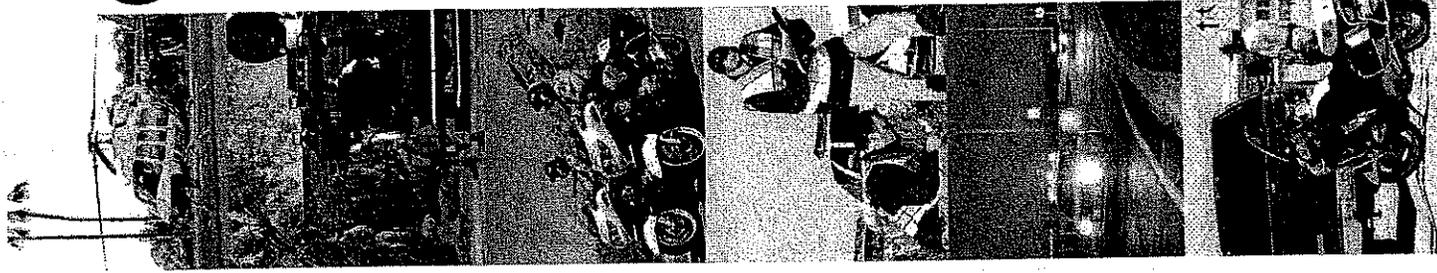
CY 2010



- Marijuana 109,000 lbs.
- Marijuana Plants 16,800 lbs.
- Heroin 91 lbs.
- Cocaine 447 lbs.
- Methamphetamine 233 lbs.
- U.S. Currency \$9,978,397
- Seized vehicles 609
- Weapons 303



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Public Safety



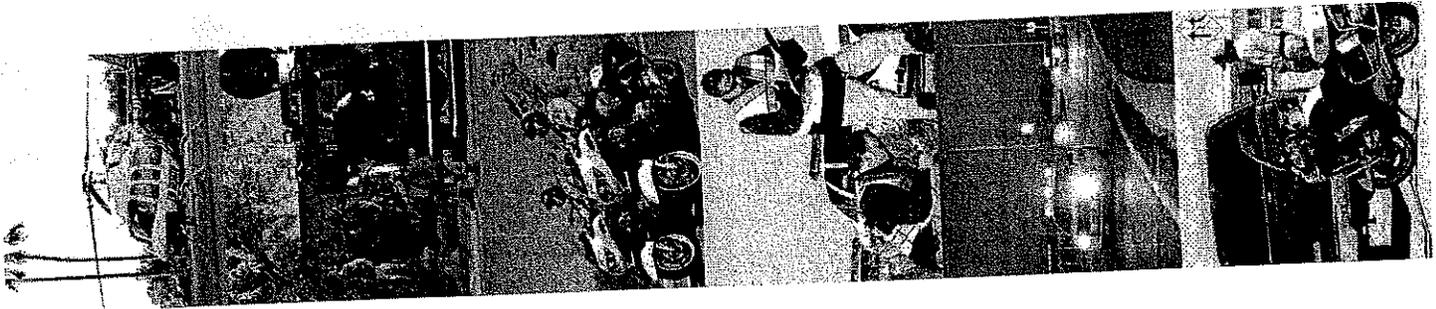
Task Force Participation

Participates in multiple Federal, State and Local Task Forces including:

- USMS Fugitive Task Force
- Prescott Area Narcotics Taskforce
- Pima County Border Crimes Taskforce
- DEA Financial Investigations Taskforce
- Vehicle Theft Task Force
- High Intensity Drug Trafficking Area (HIDTA)



Arizona Department of
Public Safety



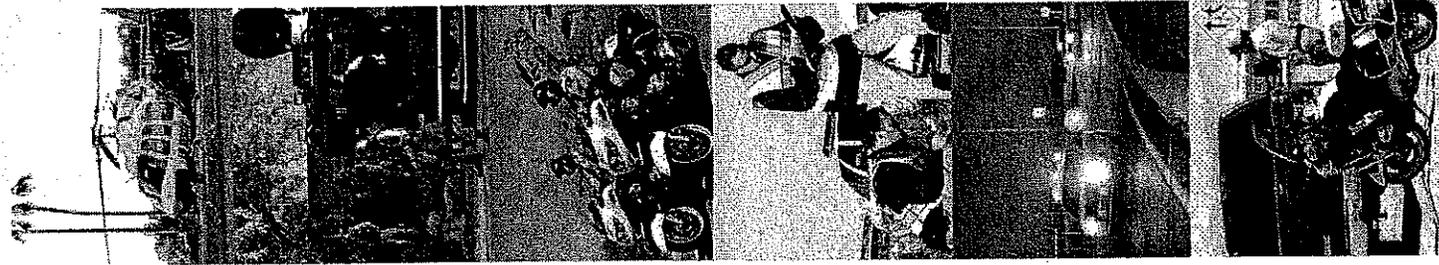
Intelligence

CID Intelligence District

- Arizona Counter Terrorism Information Center (ACTIC)
- High Intensity Drug Trafficking Area (HIDTA) – Intelligence Support Center (ISC)
- Support Intelligence



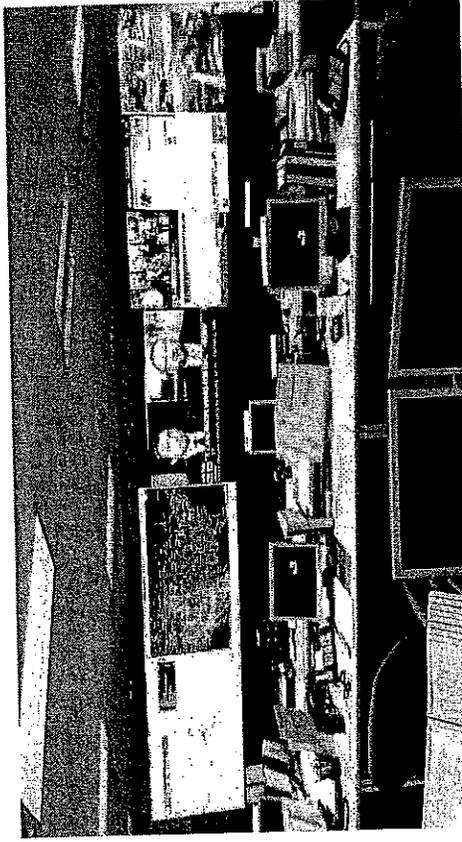
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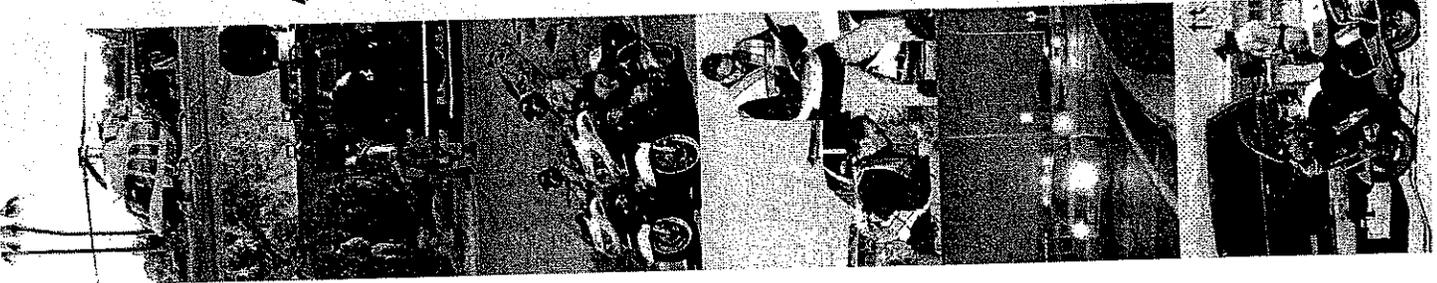
ACTIC

A joint effort between DPS, FBI, ICE, AZ DHS, PPD, MCSO, PFD and other participating agencies to provide intelligence and investigative support. (All threats)

- Terrorism Liaison Officer Program
- Watch Center (24/7)
- Computer Forensics
- Geo Spatial
- Haz Mat Unit

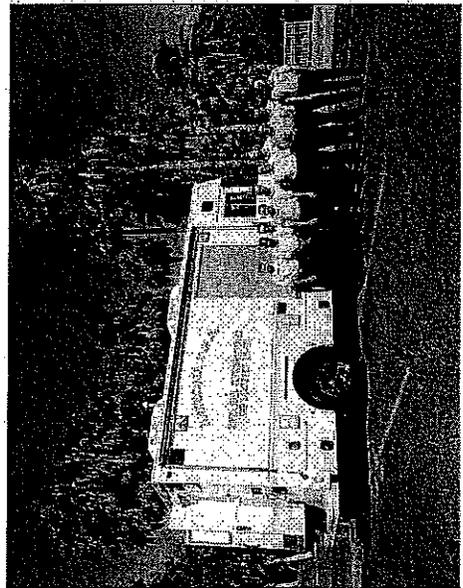
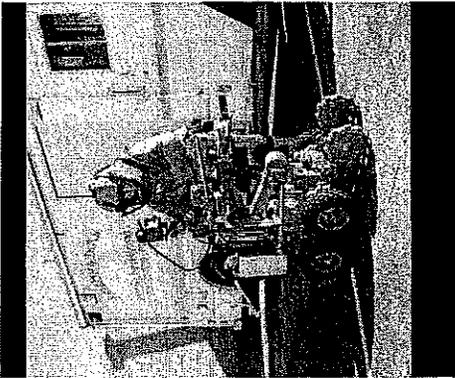


Arizona Department of
Public Safety



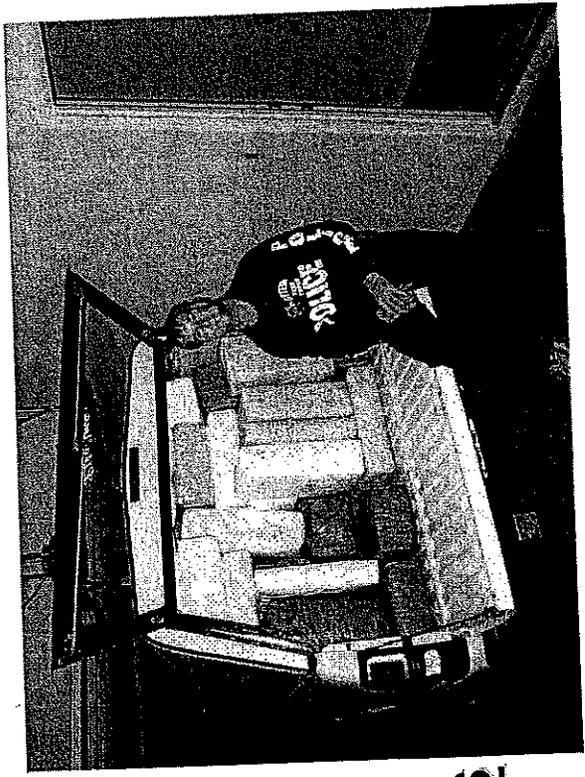
Special Operations

- Tactical (SWAT)
- Explosive Ordinance Detail
- Fugitive Detail (AZ Wanted)



Arizona Department of
Public Safety

Gang Intelligence and Immigration Team Enforcement Mission (GIITEM)

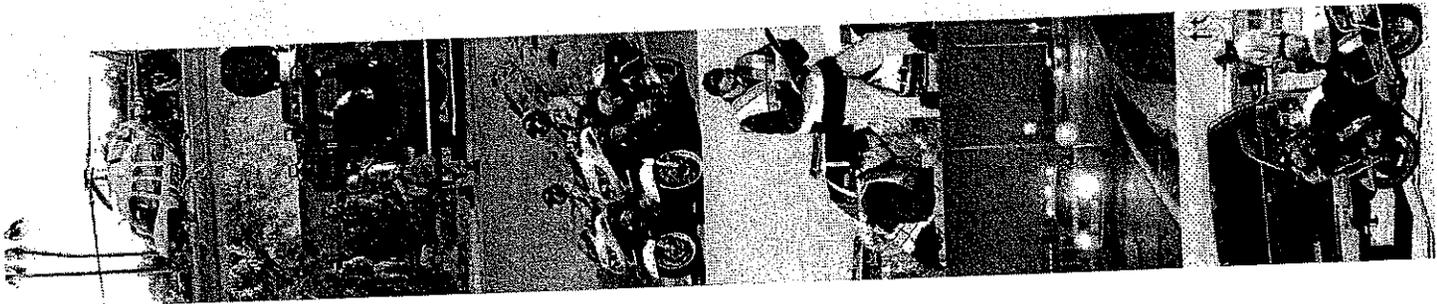


Districts

- North
- Central
- Southern

Additional Programs

- Intelligence
- Immigration (IIMPACT)



Arizona Department of
Public Safety

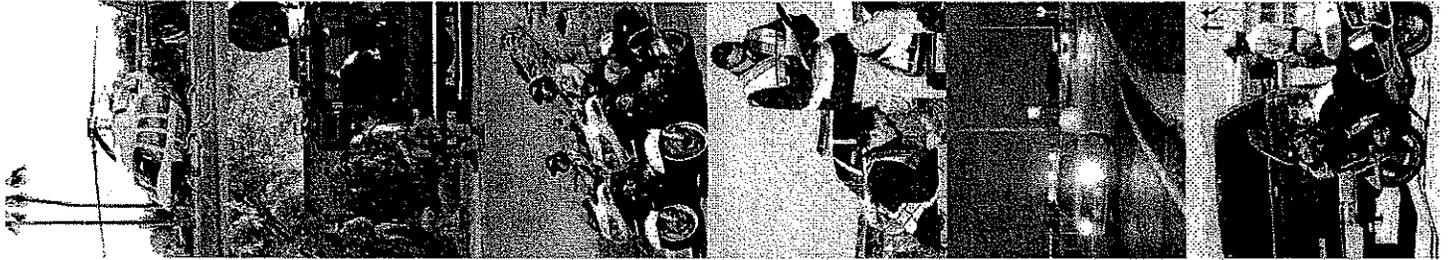
Gang Related Statistics

CY 2010

- Gang Members Arrested 247
- Immigration Related Arrests 2116
- Human Smuggling Arrests 511
- Drop Houses 65



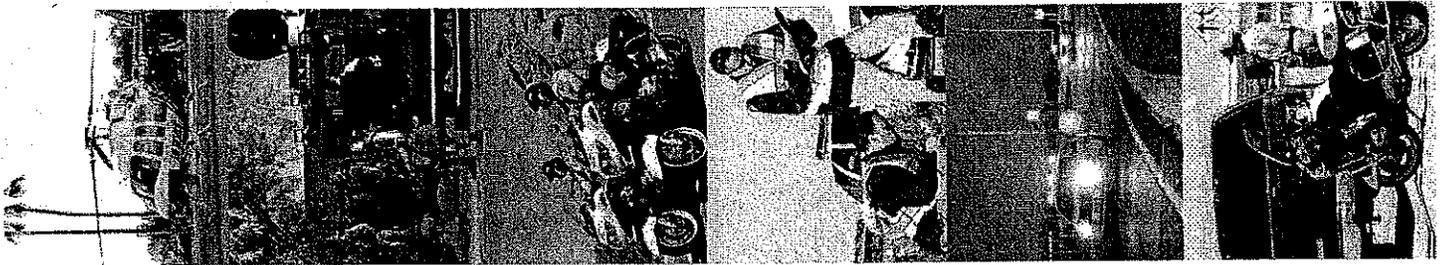
Arizona Department of
Public Safety



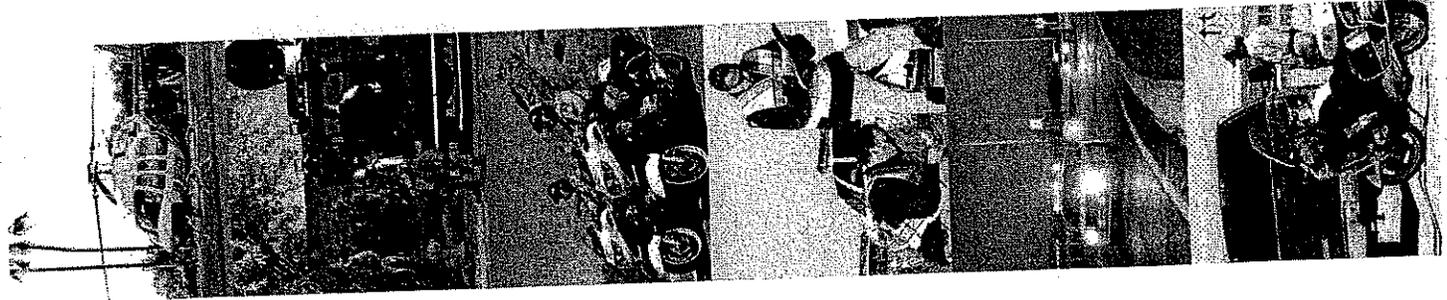
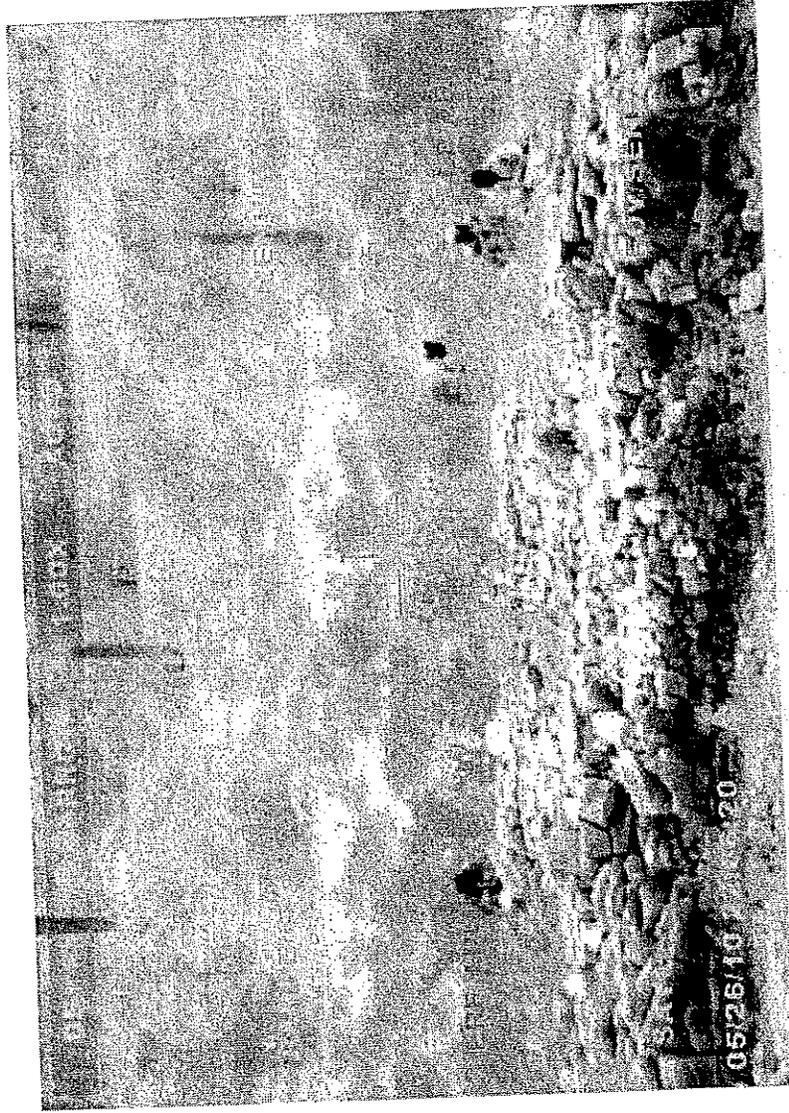
GIITEM



Arizona Department of
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GIITEM



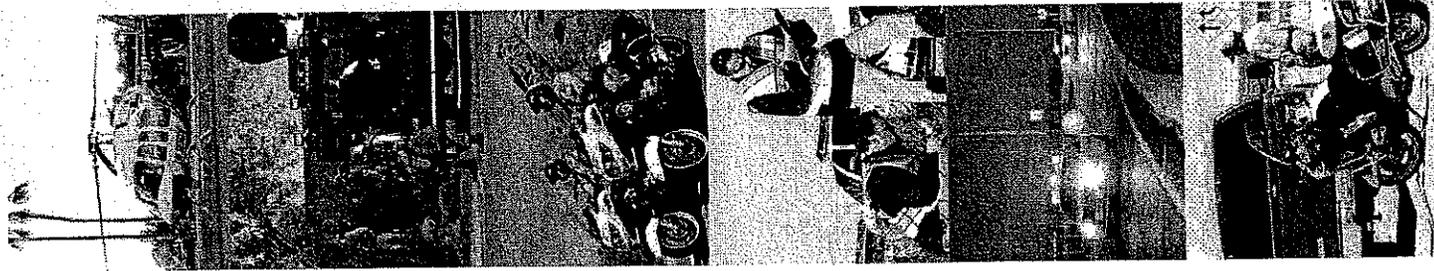
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Public Safety

Rocky Mountain Information Network (RMIN)

- Component of the National Intelligence sharing strategies
- Provides investigative/intelligence services to seven Rocky Mountain states and three Canadian Provinces.
- RISSSAFE - deconfliction



Arizona Department of
Public Safety



2011 CID Snapshot

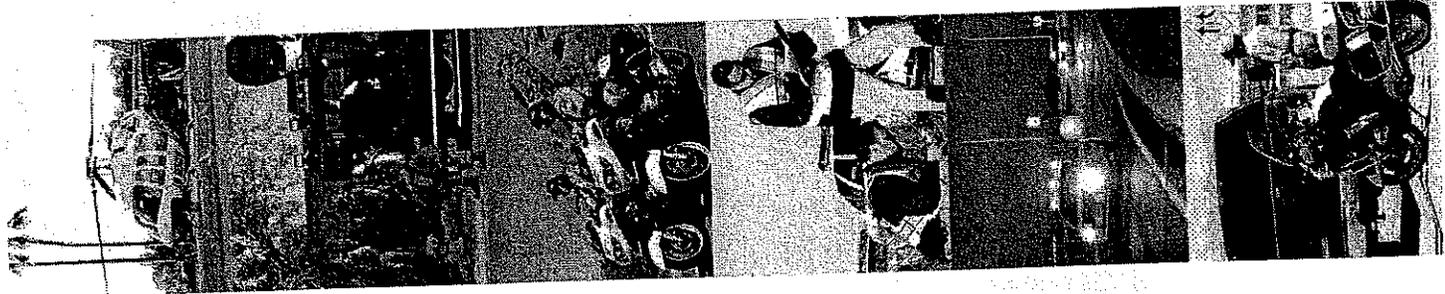
- 584 authorized positions (DPS & other agency)
- 430 filled positions (sworn, civilian & outside)
- 154 vacancies, most no longer funded

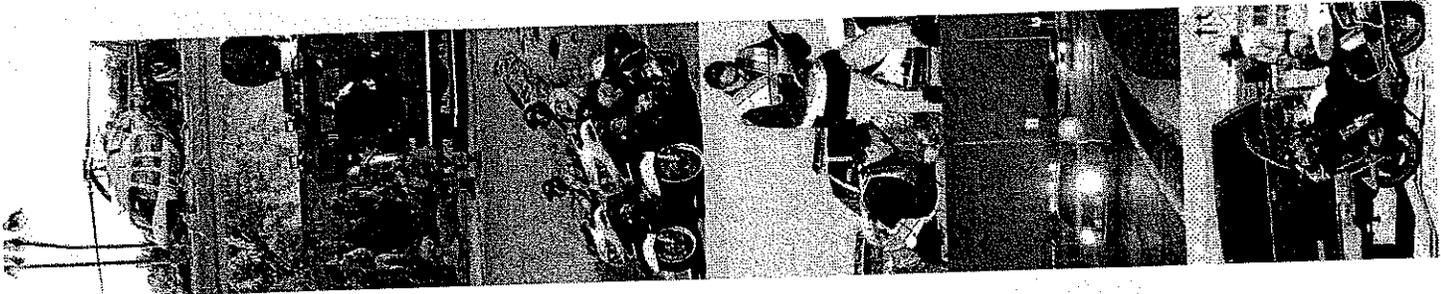
January 1, thru May 31, 2011

Marijuana-	41,284 lbs
Cocaine-	347.8 lbs
Meth-	345.4 lbs
Heroin	14.7 lbs
Cash-	\$5,309,000.45
Vehicles-	153
Weapons-	101



Arizona Department of
Public Safety





Questions



Arizona Department of
Public Safety

APPENDIX H:

September 28, 2011

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at <http://www.azleg.state.az.us/InterimCommittees.asp>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, September 28, 2011

Time: 9:00 A.M.

Place: SHR 109

AGENDA

1. Call to Order
2. Presentations:
 - Sheriff Joe Arpaio - Maricopa County Sheriff's Posse
 - Senator Al Melvin - Joint Border Security Advisory Committee website update
 - Senator Steve Smith - Arizona Border Fence Donation website update
 - Mike Ligon - Concerning Immigration and Naturalization Service and Customs and Border Protection
 - Dr. Bob Branch - Concerning Operation Fast and Furious
3. Review of various fence options
4. Discussion
5. Adjourn

Members:

Senator Al Melvin, CoChair
 Senator Gail Griffin
 Senator Steve Smith
 Bas Aja
 Sheriff Joseph M. Arpaio
 Sheriff Paul Babeu
 Sheriff Larry Dever
 John Halikowski

Representative Russ Jones, CoChair
 Representative Javan Mesnard
 Representative David Stevens
 Robert Halliday
 Sheriff Ralph Oaden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

9/22/11
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Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602)926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

Operation Fast and Furious

Robert Halliday
 Sheriff Ralph Oaden
 Gilbert Orrantia
 Charles Ryan
 Major General Hugo Salazar

ARIZONA STATE LEGISLATURE

JOINT BORDER SECURITY ADVISORY COMMITTEE

**Minutes of the Meeting
Wednesday, September 28, 2011
9:00 a.m., Senate Hearing Room 109**

Members Present:

Senator Al Melvin, CoChair
Senator Gail Griffin
Senator Steve Smith
Bas Aja
Sheriff Joseph M. Arpaio
Sheriff Paul Babeu
Sheriff Larry Dever
Kevin Biesty representing John Halikowski

Representative Russ Jones, CoChair
Representative David Stevens
Dennis Young representing Robert Halliday
Sheriff Ralph Ogden
Gilbert Orrantia
Charles Ryan

Members Absent:

Representative Javan Mesnard
Major General Hugo Salazar

Staff:

Joe DeMenna, House Assistant Research Analyst
Bill Ritz, Senate Research Analyst

Chairman Melvin called the meeting to order at 9:07 a.m.

PRESENTATIONS

Maricopa County Sheriff's Posse

Joe Arpaio, Maricopa County Sheriff, gave an overview of the Maricopa County Sheriff's Posse. He stated the value of the program and how it works. Sheriff Arpaio answered questions posed by the committee.

Brian Sands, Deputy Chief, Maricopa County Sheriff's Office, answered questions posed by the committee.

Joint Border Security Advisory Committee Website Update

Senator Melvin explained the updates that have been made to the committee website and asked for input to improve the website.

Arizona Border Fence Donation Website Update

Senator Smith gave an update on the status of the Arizona Border Fence Donation website and answered question posed by the committee. Senator Smith discussed his negotiations with fence companies.

Concerning Immigration and Naturalization Service and Customs and Border Protection

Mike Ligon, former Marine and former U.S. Customs and Border Protection officer, discussed his experiences working on the U.S./Mexico border and answered questions posed by the committee.

Concerning Operation Fast and Furious

Dr. Bob Branch discussed Operation Fast and Furious and answered questions posed by the committee.

Inmate Cleanup of Desert

Charles Ryan, Director, Arizona Department of Corrections, gave an update on the program that uses inmate labor to clean up trash from the Arizona desert.

Review of Various Fence Options

Senator Melvin gave a powerpoint presentation "Secura Fence System" (Attachment A) and discussed the different fence options shown in the presentation.

Discussion

Lieutenant Colonel Luther "Luke" Taylor, US Army Retired, discussed SB 1495 (Laws 2011, Ch.311) regarding the Arizona State Guard and the funding source.

Mike Fry, member, Arizona Oath Keepers, addressed the committee regarding his concerns with terrorists crossing the US/Mexico border.

The committee discussed the importance of keeping the subject of the border in the spotlight with possible involvement of the Coast Guard Reserve.

There being no further business, the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

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**JOINT BORDER SECURITY
ADVISORY COMMITTEE**
September 28, 2011
Page 1

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Shelley Ponce
Committee Secretary

APPENDIX I:

October 26, 2011

Agenda

APPENDIX J:

November 30, 2011

Agenda

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

JOINT BORDER SECURITY ADVISORY COMMITTEE

Date: Wednesday, November 30, 2011

Time: NOT MEETING

COMMITTEE WILL NOT MEET

Members:

Senator Al Melvin, CoChair
Senator Gail Griffin
Senator Steve Smith
Bas Aja
Sheriff Joseph M. Arpaio
Sheriff Paul Babeu
Sheriff Larry Dever
John Halikowski

Representative Russ Jones, CoChair
Representative Javan Mesnard
Representative David Stevens
Robert Halliday
Sheriff Ralph Ogden
Gilbert Orrantia
Charles Ryan
Major General Hugo Salazar

11/16/11
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For questions regarding this agenda, please contact Senate Research Department.
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