## U.S. HOUSE OF REPRESENTATIVES

## NATURAL RESOURCES COMMITTEE REPUBLICANS

FOR IMMEDIATE RELEASE CONTACT: <u>Jill Strait</u> or <u>Spencer Pederson</u> Monday, May 24, 2010 202-226-2311

## **Public Land Restrictions Lead to Dangers Along Northern Border**

**WASHINGTON D.C.** – While much attention has been given to national security threats on public lands along the southern border, similar problems also exist along the U.S. northern border. As the longest contiguous border in North America, over 1,000 miles of the U.S.-Canada border are on federal land. In most places, it is delineated by no more than a ditch or clear-cut through a forest and touches 13 states (not including Alaska), 12 National Parks and 4 Indian reservations.

Unfortunately, much like the <u>southern border</u>, the Department of Homeland Security (DHS) and U.S. Border Patrol are frequently unable to effectively monitor this land due to environmental regulations. These protections have enabled criminals to target the areas for illegal and other dangerous activities. And this remote Department of Interior (DOI) and Department of Agriculture land can be targeted by drug smugglers, human traffickers and potential terrorists.

"The most basic function of the Department of Homeland Security is to protect the United States from threat against those who seek to disrupt the American way of life. Unfortunately, restrictive policies created and enforced by the Interior Department and federal land managers are preventing the U.S. Border Patrol from providing the maximum amount of security on some of our most vulnerable border areas located on federal lands. Until these policies are reversed, the safety and security of this country remain in jeopardy," said National Parks, Forests and Public Lands Subcommittee Ranking Member Rob Bishop (UT-01).

For example, in a <u>letter</u> to House Republicans, Department of Homeland Security Secretary Janet Napolitano explained how Border Patrol in the Spokane Sector was prohibited from using motorized vehicles to monitor the northern border due to endangered grizzly bears in the area:

"The sector is currently working with DOI and USFS regarding Endangered Species Act (ESA) issues related to Grizzly bear and road use on USFS managed lands. Government biologists claim agents in vehicles on some roads are detrimental to bears...The USBP is most willing to work in a creative and careful manner, acknowledging their effectiveness along the northern border is not related to continual presence in an area, but to effective intelligence and good relationships with local communities. The sector, however, must occasionally have some motorized presence in those areas. A related and important issue is retaining access to critical areas. Where desired by the land

managers, we encourage the closing of needed roads by gating rather than destruction of these valuable national assets. The sector must maintain the ability to respond via motor vehicle when required."

A 2007 GAO report entitled <u>Security Vulnerabilities at Unmanned and Unmonitored U.S.</u> <u>Border Locations</u>, also noted the contradiction between environmental policies and proper border monitoring in the north:

"Although CBP [Customs and Border Patrol] is ultimately responsible for protecting federal lands adjacent to the border, CBP officials told GAO that certain legal, environmental, and cultural considerations limit options for enforcement—for example, environmental restrictions and tribal sovereignty rights."

The national security threat from the North is real.

- Abu Mezer, who was charged in 1997 with plotting to bomb the New York City Subway, had earlier been caught <u>crossing the northern border</u> through the North Cascades National Park in Washington state.
- In 2005, a 360-foot <u>drug smuggling</u> tunnel was discovered that stretched from Canada to Washington state. While not on federal land, this illustrates how drug smugglers are attempting to enter the U.S. from Canada.

The criminals entering the U.S. along northern border present distinctively different and in some cases more technologically advanced threats. Most illegal border crossings on the U.S.-Mexico border are by foot, ATV or SUV. But along the northern border, helicopters and small planes are a common means of entering and exiting the U.S. illegally. Public lands are generally isolated and make ideal taking off and landing areas for criminals.

In 2006, Immigration and Customs Enforcement (ICE) Special Agent Jeffery Copp testified before the House Resources Committee:

"The National Forest and National Park lands that these organizations use provide multiple landing sites for helicopters, where discovery is difficult because of the remote, mountainous, and forested nature of the terrain."

Due to the inability of DOI and USDA to allow Border Patrol agents to have operational control of the border, House Republicans introduced legislation (H.R. 5016) to ensure that the agencies do not impede or restrict Border Patrol from effectively doing their to job to secure the both the southern and northern border on public lands.

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