

STATEMENT OF
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BEFORE

THE HOUSE COMMITTEE ON RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS, RECREATION, AND PUBLIC LANDS

REGARDING

“NATIONAL PARK SERVICE INVOLVEMENT IN BORDER SECURITY: IS IT THEIR RESPONSIBILITY”

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CHAIRMAN PEARCE, it is my honor to have the opportunity to appear before you today to discuss the successes and challenges of border security demonstrated by the operations and law enforcement initiatives of the Office of Border Patrol (OBP), a component of U.S. Customs and Border Protection (CBP), and our coordination and collaboration with the National Park Service (NPS) in this effort. My name is Luis E. Barker, and I am the Deputy Chief of Border Patrol. I would like to begin by giving you a brief overview of our agency and mission.

CBP, as the guardian of the Nation's borders, safeguards the homeland—foremost, by protecting the American public against terrorists and the instruments of terror; while at the same time enforcing the laws of the United States and fostering the Nation's economic security through lawful travel and trade. Contributing to all this is the Border Patrol's time-honored duty of interdicting illegal aliens and drugs and those who attempt to smuggle them across our borders. We cannot protect against the entry of terrorists and the instruments of terror without also reducing illegal migration across our borders.

To carry out its missions, the OBP has a clear strategic goal: to establish and maintain operational control of the borders of the United States. Recognizing that we cannot control our borders by merely enforcing at the “line,” our strategy incorporates a “defense in depth” component, to include transportation checks away from the physical border. Checkpoints, critical to our patrol efforts, are a good example of this, as they deny major routes of egress from the borders to smugglers intent on delivering people, drugs, and other contraband into the interior of the United States. Permanent checkpoints allow CBP OBP to establish an important second layer of defense and help deter illegal entries through improved enforcement.

A key part of our strategy has been to strengthen our ability to evaluate Border Patrol operations at a national level, and to rapidly deploy resources through a centralized chain of command. We have increased the effectiveness of our agents by using intelligence driven operations to deploy these resources, recognizing that border awareness and cooperation with our law enforcement partners is critical. Partnerships include Immigration and Customs Enforcement (ICE), Department of the Interior (DOI)—including our colleagues in the National Park Service (NPS)—DEA, FBI, Department of Transportation, other interagency partners, state, local, tribal law enforcement agencies and state Homeland Security offices. All our partners play a vital role in having and disseminating information and tactical intelligence that assists in a nimble and reasonable response, which is essential to mission success.

Last fiscal year, Border Patrol apprehended approximately 1.2 million individuals attempting to enter our borders illegally. So far this fiscal year, we have made 880,469 arrests, representing a 1% increase over this same time period last year, and a 32% increase over FY03. Many of these individuals, in their quest to reach interior cities, enter through private and public lands, which lie adjacent to, or in close proximity to the international borders, presenting an enforcement challenge to our agents and park officials, as well as a danger to themselves and the general public.

Approximately 43% of the southwest border consists of federal or tribal lands, 40% of which is managed by the Department of the Interior and its Bureaus, including the NPS. Approximately 14% of the northern border and 31% of the coastal border from Texas to Florida and the Caribbean are managed by Interior Bureaus. All of our borders have National Parks adjacent to them.

Securing the border, particularly in rural areas such as parklands, takes the right mixture of personnel, equipment, technology and infrastructure, including all-weather roads, lights, and fencing. The ability to access and patrol, responding to high-threat areas in order to deter, detect and interdict smugglers of aliens, drugs and other contraband is critical to our enforcement mission. When entering on federal public lands, some of which is managed as Wilderness, our agents are challenged with performing their duties in environmentally sensitive areas. In training and through procedural policy, our agents receive instruction and guidance on these sensitivities, yet must balance their duty to mission and enforcement responsibilities.

Our agents often times, like our fellow officers in the NPS or other Interior Bureaus, work alone in very remote areas, and depend upon one another for enforcement backup. We recognize the need to share pertinent intelligence, and periodically conduct joint operations to interdict and seize illegal aliens, smugglers and drugs to both accomplish our border enforcement mission and to protect the environment. For example, Border Patrol has worked closely with Organ Pipe Cactus National Monument (OPNM), Cabeza Prieta National Wildlife Refuge, and other federal land managers during the implementation of the Arizona Border Control Initiative (ABCI) in Tucson and Yuma Sectors. We have coordinated with land managers to open temporary camps in backcountry areas where agents can stay for extended periods of time and conducted joint law enforcement operations within OPMN personnel. The NPS and other land management agencies provided environmental awareness training to Border Patrol supervisors at the beginning of the ABCI, and followed up with training materials for agents to receive at field locations.

Federal land managers are charged with protecting these natural and cultural resources and ensuring that environmental impacts are minimal. To accomplish both our mission and the mission of the NPS, we must work together. To that end, we have collaborated with the DOI and USDA Forest Service to build a successful partnership to address common issues and identify potential solutions. In our Tucson and Yuma Sectors, the Borderlands Management Task Force (BMTF) was created to foster an intergovernmental working relationship among agencies charged with border responsibilities, provide expertise, experience and information to address common border issues, and educate our agencies and interested parties about border issues and recommendations for the implementation of possible solutions. It is comprised primarily of federal land managers and law enforcement personnel, Border Patrol, DOD, and Tribe officials. The BMTF meets regularly throughout the year and has been a very successful forum.

To ensure we have on-going and open dialogue, we have co-hosted meetings and conferences along all our borders over the past two years, allowing us to educate one another on our missions, share information, network with local personnel, establish lines of communication, and identify local issues and solutions. For example, OBP and DOI have co-hosted conferences in the Great Lakes area to address land and maritime issues, in the high plains area of Montana, and in Miami to discuss concerns in south Florida, including Everglades NP and Biscayne NP. OBP has since provided Dry Tortugas NP with humanitarian supplies, such as clothing, for illegal aliens that land on the island seeking entry into the United States. Cooperative efforts at the local level have increased significantly as a result of the conferences. In addition, we are currently drafting a Memorandum of Understanding to ensure we have a clear understanding of authorities and responsibilities, and how we can better coordinate our activities between Departments.

Nationally, CBP Border Patrol is tasked with a very complex, sensitive, and difficult job, which historically has presented immense challenges. We face these challenges every day with vigilance, dedication to service, and integrity as we work to strengthen national security and protect America and its citizens. Thank you for the opportunity to present this testimony today and for your support of Border Patrol, CBP and DHS. I would be pleased to respond to any questions that you might have.