



Securing the border

By: Todd Landfried – April 23, 2013

Border security is the most contentious part of immigration reform. The passage of several immigration laws in Arizona and across the country were in direct response to a perception of a porous border, lax federal enforcement and business and workers abusing the system. By making laws as draconian as possible — through walls, punishing employers, and expensive detention and deportation policies — unauthorized immigrants will avoid the state or "self-deport."

Thirty-five other state legislatures tried to follow Arizona's lead and introduced enforcement only bills in 2011 and 2012. An astounding 84% of them failed to pass into law. State legislatures realized the economic and social damage these laws inflicted on Arizona and consciously decided that wasn't a path they needed to follow.

National efforts to promote the facts on immigration's costs and benefits have been increasingly successful in stopping similar Arizona-style laws in many states. However, it has done little to stem the obsession with border security.

This begs three very important questions. First, why do people come here illegally in the first place? Second, will more enforcement alone secure the border and how will we know when the border is actually secure? Third, are there other reforms that could contribute to a secure border?

Some immigrants come here illegally because there is no legal way for them to legally enter. There is no green card category for workers with a high school degree or lower who have no family in the U.S. Family wait time for immigrants from the Philippines and Mexico can exceed 20 years. For many people there simply is no line to get in.

Analyses from the Cato Institute, Princeton's Mexican Migration Project, and others show nearly 85% of those who come here to work do so to make better lives for their families — just as our ancestors did. But the economy has a strong impact on when they choose to come, with crossing declining every year since 2005. Thanks to increased enforcement and the recession, border crossings are at their lowest point in 40 years.

In recent years, federal enforcement of immigration laws has increased dramatically. The introduction of federal programs such as E-Verify, the Criminal Alien Program (CAP), the National Fugitive Operations Program (NFOP), the 287(g) program, Secure Communities Program, and others have resulted in record-breaking arrests, prosecutions, and deportations - about 400,000 last year.

The costs of this strategy are staggering. The 2012 budget for the country's two border enforcement agencies exceeds \$17.9 billion, a 15-fold increase over their budgets in 1986 and 24% higher than the combined FBI, Drug Enforcement Administration (DEA), and Alcohol, Tobacco and Firearms (ATF) budgets. The Corps of Engineers estimates the costs to construct and maintain a southern border fence for its 25-year lifespan is \$47 billion.

Setting border enforcement priorities means defining success and setting goals. "Knowing it when we see it" is not a component of good public policy. "Operational control" of the borders means that any unauthorized entrant will be stopped by border agents within five miles, and is generally accepted by experts as a reasonable definition of border security. The Yuma, San Diego and El Centro sectors have successfully achieved this level of control. Although problems exist and better oversight is necessary, their methods could be used as a model for enforcement along all land borders of the U.S. and in tribal areas.

But enforcement-only methods do nothing to stem the demand for labor on our side of the border. Even in a time of high employment, immigrants fill important niches in the labor market in construction, agriculture, manufacturing, and other sectors. In lieu of a legal process, some immigrants and businessmen will break the law to get the job and employees they want — it's basic supply and demand.

Creating a legal pathway for non-violent and healthy immigrants to enter and work in the U.S. — both permanently and temporarily — will draw away the vast majority of illegal crossers into the legal economy.

Adjusting quotas to meet market demand, streamlining the hiring process for employers and the immigrant workers will accomplish several important things. Under such a system, immigrants will legally enter the country through ports of entry, with documentation, pay all taxes, obtain drivers licenses and insurance. With fewer desert crossers, the Border Patrol can concentrate resources on real threats such as drug smugglers and other criminals. Breaking the human smuggling business on the Mexico border by giving migrants a legal, safe and cheap way to enter the U.S. will make both sides of the border safer and deprive the cartels of millions of dollars in resources.

Security isn't just about fences and agents, it's also about managing demand. Strong enforcement coupled with an easy to navigate and more accessible immigration system will meet our economic and security needs.