

**WRITTEN STATEMENT OF
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FOR THE
U.S. SENATE HOMELAND SECURITY AND GOVERNMENT AFFAIRS COMMITTEE
PHOENIX FIELD HEARING REGARDING SOUTHERN BORDER VIOLENCE
APRIL 20, 2009**

Senator Lieberman, Senator McCain and other distinguished guests, let me begin by thanking you for the opportunity to speak to you regarding my concerns with the situation on our border with Mexico. I am joined today by the Director of the Arizona Department of Public Safety, Roger Vanderpool; the Adjutant General of the Arizona National Guard, Major General Hugo Salazar; and the Executive Director of the Arizona-Mexico Commission, Margie Emmermann.

As you know, Arizona's border with Mexico extends approximately 370 miles in a largely open region with little population and terrain varying from low deserts to mountains. The multiple transportation avenues for trafficking in drugs and immigrants make Arizona a particularly attractive state to those engaging in these illegal activities.

Due to the vigilance of law enforcement, the violence that has affected so much of Northern Mexico has not been nearly as much of a factor as it otherwise would have been. I am grateful for the work of federal authorities and our own resources such as the Arizona Department of Public Safety, county sheriffs and municipal police departments, all of which keep a watchful eye and ear while we work, rest and recreate. Arizona's law enforcement community truly has been cohesive and integrated in its approach to the border, and that cohesion and integration has led to better results for Arizonans.

The nature of this cohesion and integration is probably best exemplified by the combined effect of federal, state and local law enforcement agencies working together in the Arizona Counter Terrorism Information Center, commonly known as the AcTIC. The AcTIC plays a vital role in strengthening the intelligence and analytical process that is then used to support inter-jurisdictional operations and cooperative efforts designed to anticipate and prevent terrorist—including "narcoterrorist"—activities.

In addition to law enforcement, Arizona has other assets in play including approximately 150 National Guard personnel at work in support of these law enforcement entities. According to DPS Director Vanderpool, "the Guard's support has been a lifesaver to Arizona law enforcement's efforts on the border in support roles such as intelligence analysis and aerial reconnaissance." As you are aware, in March I requested Defense Secretary Gates increase the National Guard count of soldiers participating in drug interdiction and counter-drug activities from 150 to 400 personnel. More on that later.

Despite the vast array of assets in Arizona, I cannot tell you that we are immune from the spillover effects of the Mexican drug wars. We have seen clear signs of such spillover—and the signs of the kind of violence and depravity that may await us are frightening and completely unacceptable. Arizona's reputation as "ground zero" for illegal narcotics smuggling, human smuggling and kidnapping is directly related to our border status, and the growing threat posed by criminal syndicates south of the border.

In pointing these facts out, I am not diminishing the relative success of law enforcement north of the border. Instead, I am suggesting that we must acknowledge that the demands on law enforcement are growing in both quantity and complexity. The relative peace and safety that Arizonans have enjoyed because of the dedication and vigilance of law enforcement should not lull the federal government into a level of activity and response which is completely inconsistent with the danger confronting us. The inherently violent drug trade poses a threat to law enforcement officials and innocent families beyond those persons who willfully participate in the illegal trafficking. Our porous border makes entry into the U.S. easy and it seems reasonable to believe that the criminal drug syndicates may also – if it is not happening already – be a welcoming partner even to terrorist ventures.

Beyond the ravages of violence, the border challenges have had devastating effects on commerce, particularly tourism. Fear has led to a reduction in travel activities which has great effects on businesses both north and south of the border. Less quantifiable, but possibly even worse, is the impact on families both in Mexico and Arizona, too afraid to travel to see one another.

In thinking about how to address these challenges, let me offer the following five suggestions:

Number 1 –Additional or Ongoing Resource Needs

I believe the request I have made to Secretary Gates to bolster our National Guard's Joint Counter – Narcotics/Terrorism Task Force is a prudent and justified measure. I was extremely disappointed last week to learn it had been effectively denied. Despite the apparent denial, I ask for the support of you and your colleagues in funding my request and those coming from other southwestern Governors regarding increased appropriations for these National Guard operations. Contrary to some allegations, my proposal to use skilled National Guard resources to assist law enforcement is not at all the same thing as "militarizing" the border. State and federal taxpayers have trained these men and women and we ought to take advantage of their abilities to effectively support law enforcement's primary role.

Your increased financial and personnel support for intergovernmental ventures such as the AcTIC provides opportunities to prevent incidents before they ever happen. Another intergovernmental effort which deserves significant attention is the special relationship we share with the Tohono O'odham Nation. Ensuring the tribe has adequate resources to fulfill its role in partnership with federal, state and local authorities is absolutely essential to a comprehensive and effective strategy.

Finally, the federal government must continue to enhance its commitment to border security. While Border States like Arizona are willing to assist, the primary role belongs to the federal government through activities/agencies such as the Border Patrol and Immigration and Customs Enforcement. Please ensure Arizona has adequate resources to interdict drug and human smuggling operations throughout southern Arizona, not just at the largest crossing sites. Recent developments regarding increased federal support are heartening, however, the efforts need to be bolstered. While personnel redeployment is one method to meet challenges, we urge you to ensure that the federal government does not "rob Peter to pay Paul." Make

sure that resource and personnel gaps are closed throughout the border region without creating deficits elsewhere that will lead to other vital services/duties not being completed. On this note, I want to thank you Senator Lieberman for your stance that additional funding is called for in the light of the clear and present danger to the U.S.

In summarizing this section of my remarks, please remember that while technology and physical barriers are important tools in dealing with border challenges—tools that I certainly welcome—boots on the ground combined with solid intel is really what facilitates adequate response and effective prevention.

Number 2 – Modernization of Ports of Entry

The Ports of Entry between Arizona and Mexico should be fully modernized and outfitted to balance appropriate traffic flow with the need for inspections and other security measures. The fairly recent announcements regarding the Mariposa Port is, generally, a great development. While I certainly do not believe we should operate as if smugglers and other “bad guys” will only be using our main ports, we should not neglect the infrastructure and operations at these sites which can help thwart illegal trade passing through the most obvious of crossing opportunities. Just as importantly, we should also not take the ports for granted as opportunities to enhance the conduct of efficient and effective international commerce and trade which benefits the entire region. Congress should make a clear multi-year commitment to port construction and modernization throughout the southwest. And, by the way...this commitment should not involve additional financial burdens for cash-strapped state or local governments.

Number 3 – A Fair and Effective Immigration Policy

While Congress works to establish a sensible immigration policy, it is absolutely essential to secure our borders. Our border security challenges are significantly compounded by our inability to develop a long-term strategy for fair and appropriate legal immigration and the prevention of illegal crossings. I recognize the issues associated with immigration policy are thorny ones, but I must say that without federal action on the matter, states—particularly border states—are in very vulnerable positions. At a minimum, the federal government must do more to further discourage tactics and methods designed to thwart proper immigration procedures. Specifically, the federal government should make prosecution of human trafficking activities—including both those persons arranging the smuggling as well as those participating in it—a top priority.

Number 4 – Appropriate Support for Unique Burdens of Border States

In addition to addressing immigration policy itself, the federal government must also respond to the disproportionate fiscal burdens shouldered by border states in education, health care, human services, law enforcement and corrections. Until a more secure border situation can be achieved, along with the implementation of a sound immigration strategy/policy, the federal government should appropriate funds to help offset the verifiable costs state and local governments incur because of or associated with illegal immigrants. State and local governments in Arizona racks up millions of dollars in additional expenditures every year

directly resulting from federal immigration and border operations not being adequate to control illegal entry in this state.

Number 5 – A Review of Our National Drug Policy

Finally, the United States must carefully analyze our National Drug Policy. We must admit that if it were not for our voracious appetite for illegal drugs, the situation along our southern border would be vastly different. Actions by individual states are not the answers we need—disjointed policies will likely not be effective and might very well produce more harm than good. As a citizen leader, I struggle with what course of action to advocate to you. Our fascination with mood and mind altering substances—alcohol and tobacco included—has not made our country better. In fact, I believe the evidence would suggest we are worse off at least in terms of public health. Addiction, other long-term health consequences and the negative impacts on productivity and safety make drug use an incredibly negative characteristic of modern American society. On the other hand, the price we pay for illegal trafficking of these drugs is enormous. Entire criminal syndicates operate on the enormous profits coming from illegal drug trade. The price our society pays in both violent and property crimes associated with the drug trade is enormous and growing. Our prisons and jails are full of people either directly or indirectly tied to illegal drug use.

Addressing these matters requires a comprehensive national look at what works and what does not in terms of enforcement, prevention, treatment and other relevant concerns. I believe our national policy makers must take this matter up and pursue it analytically, seriously and expeditiously.

In closing, I want to thank you again for the opportunity to address you. I did not come today to dazzle you with statistics, horrify you with anecdotes or to toot the state's horn on things we have done. Instead, during my brief time addressing you, I wanted to share a few perspectives that may be of value in your deliberations on how to address our challenges on the border. I pray that God will bless you and all your colleagues with wisdom in addressing these and all other challenges facing our great nation.