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**February 26, 2013**

**What Would a Secure Border Look Like?**  
**Committee on Homeland Security, Subcommittee on Border and Maritime Security**

This hearing raises an important question for Members of Congress concerned about border security: What would a secure border look like? The United States spends billions of dollars and expends extraordinary effort to secure the border; and the Department of Homeland Security collects tables full of enforcement data. Yet after years of grappling with this question, no consensus exists about how to measure border security or how to evaluate existing enforcement efforts. Thus, while the White House asserts that our borders today “are more secure than at any time in the past several decades,”<sup>1</sup> Chairman Miller and others have warned against “accepting empty promises on border security,” and asked “how the American people can be assured that the border is truly secure?”<sup>2</sup>

My testimony begins by describing how to measure border security and identifies several concrete steps that could be taken to develop better border metrics. The second part of my testimony reviews recent border security and immigration enforcement efforts and identifies possible gaps in these efforts. I conclude by offering a tentative assessment of the current state of border security.

### **Border Security Metrics**

The relationship between border security and unauthorized migration is a key issue for many people interested in immigration reform.<sup>3</sup> Two questions loom large in this discussion: how many unauthorized migrants enter the United States?<sup>4</sup> Of those attempting entry, how many does U.S. Customs and Border Protection (CBP) apprehend?

These questions sound simple, but they are difficult to answer for the obvious reason that unauthorized aliens seek to avoid detection. This missing information means analysts do not know the precise scope of the illegal migration problem, nor can they calculate CBP’s enforcement success rate.

These challenges are well known. Several members of this Committee have called on the Department of Homeland Security (DHS) to develop clear, measurable, outcomes-based metrics to evaluate progress with respect to immigration control. Unfortunately, the illicit nature of unauthorized migration along with the complexity of DHS’s border security mission and the size and diversity of U.S. borders mean that *no single, quantitative, off-the-shelf indicator accurately and reliably provides a metric or “score” for border enforcement*. Instead, we assess border security by *estimating* unauthorized flows and apprehension rates, and there likely will always be some disagreement about these estimates.<sup>5</sup>

Nonetheless, researchers have done substantial work on how to make such estimates. Three different types of data may be involved: administrative enforcement data, survey data, and proxy data (see *Types of Data*, below). By drawing on multiple data sources, analysts may develop models of border flows that are likely to provide more accurate assessments of border security than any single type of data

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<sup>1</sup> The White House, “Fixing the Immigration System for America’s 21<sup>st</sup> Century Economy,” accessed Feb. 24, 2013, <http://www.whitehouse.gov/issues/fixing-immigration-system-america-s-21st-century-economy>

<sup>2</sup> Candice Miller, “Real Immigration Reform Begins with Strong Border Security,” Press Release, Feb. 12, 2013.

<sup>3</sup> Immigration control is just one aspect of DHS’s border security mission, which also encompasses combatting crime and illegal drugs, detecting and interdicting terrorists, and facilitating legal travel and trade, among other goals. See CRS Report R42969, *Border Security: Understanding Threats at U.S. Borders*, by Marc R. Rosenblum, Jerome P. Bjelopera, and Kristin M. Finklea.

<sup>4</sup> An unknown proportion of unauthorized migrants enter surreptitiously through ports of entry, and an estimated one-third to one-half of unauthorized migrants enter legally and overstay a visa. See CRS Report RS22446, *Nonimmigrant Overstays: Brief Syntheses of the Issue*, by Ruth Ellen Wasem.

<sup>5</sup> Moreover, while the *number* of illegal entries may be objectively (though not precisely) estimated, how people *evaluate* the diverse economic, social, cultural, and other effects of unauthorized migration is inherently subjective. See CRS Report R42969, *Border Security: Understanding Threats at U.S. Borders*, by Marc R. Rosenblum, Jerome P. Bjelopera, and Kristin M. Finklea.

in isolation (see *Analysis of Raw Data*, below). Model-based estimates can improve on single-measure estimates, and they could be further strengthened by modifying how DHS collects and manages data, and by making certain DHS data more widely available to analysts and researchers (see *Developing Better Border Security Metrics*, below).

### *Types of Data*

#### 1) Administrative Enforcement Data

Administrative enforcement data are records of DHS's enforcement actions and other interactions with unauthorized migrants. The best example of this type of data is alien apprehensions. For almost 100 years, the U.S. Border Patrol (USBP) has apprehended removable and deportable aliens and made a record of these enforcement actions. An advantage of using enforcement data to estimate border security is that these data usually can be measured with a good deal of certainty: border patrol knows how many people its agents apprehended last year and records such numbers at the sector and station level, along with information about where and how people were apprehended.<sup>6</sup>

Yet apprehensions are not a perfect indicator of illegal flows because they exclude two of the groups of greatest interest: aliens who successfully enter and remain in the United States (i.e., enforcement failures) and aliens who are deterred from entering the United States—including perhaps because they never even initiate a trip (i.e., certain enforcement successes). A further limitation to apprehensions data is that they count events, not unique individuals, so the same person may appear multiple times in the dataset after multiple entry attempts.

Fundamentally, apprehensions data do not measure illegal flows. They describe certain enforcement outcomes. Thus, we do not know if a decline in apprehensions is a good thing, because fewer people are attempting to enter, or a bad thing, because more of them are succeeding.<sup>7</sup> To varying degrees, the same problem is true of other types of administrative enforcement data.

In addition to apprehensions data, CBP (including USBP) and U.S. Immigration and Customs Enforcement (ICE) collect several additional types of enforcement data. Although they display some of the same limitations as apprehensions, each may contribute to an estimate of illegal border flows:

- **USBP estimates of “got aways” and “turn backs.”** Border patrol stations and sectors estimate the number of illegal entrants who successfully travel to the U.S. interior and who USBP ceased pursuing. Stations and sectors also estimate the number of people who illegally cross the border but then cross back to Mexico. USBP uses these additional data, along with apprehensions, to *estimate the total number of known illegal entries*. Yet got away and turn back data, like apprehensions data, are a function of enforcement resources, and (unlike apprehensions) these data may be highly dependent on the subjective judgments of agents doing the counting. CBP recently made its estimates of got aways and turn backs for FY2006-FY2011 available to the public for the first time.<sup>8</sup>
- **USBP estimates of unique apprehensions and recidivists.** Since late 1999, the border patrol has used biometric technology to record the identity and track individual case histories of most people apprehended by USBP.<sup>9</sup> Border patrol uses these data to track the total number of unique individuals apprehended per year and to estimate the number of recidivists, defined by USBP as unique aliens who are apprehended more than one time in a single fiscal year. Data on *unique*

<sup>6</sup> For a full list of administrative data collected by the border patrol, see Panel on Survey Options for Estimating the Flow of Unauthorized Crossings at the U.S.-Mexico Border, *Options for Estimating Illegal Entries at the U.S.-Mexico Border*, Washington, DC: National Research Council, 2012 (hereafter: NRC, *Options for Estimating Illegal Entries*).

<sup>7</sup> See Edward Alden and Bryan Roberts, “Are U.S. Borders Secure? Why We Don’t Know and How to Find Out,” *Foreign Affairs* 90, 4 (2011): pp. 19-26.

<sup>8</sup> For a fuller discussion, see U.S. Government Accountability Office (GAO), *Border Patrol: Key Elements of Strategic Plan not Yet in Place to Inform Border Security Status and Resource Needs*, GAO-13-25, December 2012.

<sup>9</sup> These records are stored in the DHS Automated Biometric Identification System (IDENT) database, discussed in greater detail below (see *Growth and Integration of DHS Databases*). With over 150 million unique records as of January 2013, IDENT is the largest biometric database in the world, according to US-VISIT Office of Congressional Affairs, January 24, 2013.

apprehensions avoid the “overcount” problem in the counting of apprehension *events*. The ratio of unique apprehensions to total apprehensions and the number of recidivists apprehended both may offer insight into whether aliens who have been previously apprehended are deterred from making additional illegal entries—a key question for border metrics. CBP released recidivist and unique apprehensions data to CRS in 2011 (the first time such data were made publicly available), but has not released updated data for FY2012.

- **Total apprehensions.** Data on total apprehensions (i.e., including apprehensions away from the border) offer additional insight into the number of aliens arriving in the United States, though they are subject to the same limitations as data on border apprehensions. About 90% of alien apprehensions between FY1990 and FY2006 occurred at the Southwest border; but with the recent expansion of ICE’s interior enforcement programs (see below, *Interior Enforcement Programs*) and decline in inflows, interior apprehensions accounted for over a third of all apprehensions in 2009 and 2010, and for half of all apprehensions in 2011.<sup>10</sup>

## 2) Survey data

Several large-scale surveys offer insight into illegal migration flows and the effects of enforcement by interviewing migrants and potential migrants about their histories and intentions. An advantage to surveys is that they may collect much more information about their subjects than is found in administrative enforcement data. In addition, because surveys are conducted within the U.S. interior as well as in migrant countries of origin, surveys may be better able than CBP data to capture information about successful illegal inflows and about the deterrent effects of enforcement. Partly for these reasons, DHS recently commissioned a comprehensive study by the National Research Council (NRC) on the use of surveys and related methodologies to estimate the number of illegal U.S.-Mexico border crossings.<sup>11</sup>

As the NRC study describes, data collected within the United States, including the U.S. Census’s American Community Survey (ACS) and its Current Population Survey (CPS) are used to estimate the size of the unauthorized population in the United States by comparing the number of foreign-born identified in these surveys to known legal migration flows.<sup>12</sup> Three different Mexican national surveys also may be used to estimate the number of *emigrants* from that country, which may be compared to known legal outflows to generate an analogous estimate.<sup>13</sup> And a pair of binational (U.S.-Mexican) and one Mexican survey focus specifically on migrants and potential migrants, drawing samples from the border region and from migrant-sending and –receiving communities.<sup>14</sup> These targeted surveys ask a number of questions about U.S. immigration enforcement and how it affects respondents’ migration histories and future plans.

While analysts must account for the likelihood that unauthorized migrants may be less than forthcoming with interviewers and also may be under-represented in certain survey samples, a large body of social science research has made use of these data and developed widely accepted methodologies to account for these and other challenges. One limitation of survey data is that typically it is not collected

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<sup>10</sup> CRS calculations based on data from Department of Homeland Security (DHS) Office of Immigration Statistics (OIS), *Yearbook of Immigration Statistics* FY2011, Washington, DC, 2011.

<sup>11</sup> NRC, *Options for Estimating Illegal Entries*.

<sup>12</sup> Ibid. Also see CRS Report RL33874, *Unauthorized Aliens Residing in the United States: Estimates Since 1986*, by Ruth Ellen Wasem.

<sup>13</sup> The NRC focused on Mexican surveys because Mexican nationals are estimated to account for about 90% of attempted unauthorized border crossings on the U.S.-Mexico border, though that proportion appears to have fallen in recent years. The Mexican surveys are the “long questionnaire” of the Mexican Census of Housing and Population, the National Survey of Occupation and Employment (ENOE), the National Survey of Population Dynamics of Population Dynamics (ENADID), and the longitudinal Mexican Family Life Survey (MxFLS). Also see Andrew R. Morral, Henry H. Willis, and Peter Brownell, *Measuring Illegal Border Crossing Between Ports of Entry*, RAND Homeland Security and Defense Center, Santa Monica, CA, 2011.

<sup>14</sup> The binational surveys are the Mexican Migration Field Research Program (MMFRP) based at the University of California-San Diego and the Mexican Migration Project (MMP) based at Princeton University; the Mexican survey is the Survey of Migration and the Northern Border (EMIF-N).

and analyzed quickly enough to generate timely estimates. And some surveys do not have large enough samples to generate reliable estimates of certain variables. Nonetheless, the NRC concluded that DHS should use survey data and modeling approaches in combination with enforcement data to develop better estimates of unauthorized border flows.<sup>15</sup>

### 3) Proxy data

The great majority of persons who illegally cross the border to enter the United States make use of human smugglers.<sup>16</sup> The prices charged by smugglers therefore may be used as a proxy (i.e., indirect) indicator of the effectiveness of border enforcement efforts (along with the demand for illegal flows) because more effective enforcement should increase the costs and risks to smugglers, with smugglers passing such costs along to their clients in the form of higher fees.<sup>17</sup> Border patrol apprehension records and several surveys identified above contain information about smuggling fees.

#### *Analysis of Raw Data to Estimate Illegal Flows*

None of the raw data sources described above, by themselves, reliably describe illegal border crossers or enforcement rates. But these data sources may be analyzed to produce such estimates. This section describes three methods for conducting this type of analysis.

#### 1) Ratio of apprehensions and turn backs to estimated known illegal flows

The border patrol's estimates of turn backs, got aways, and apprehensions—while problematic for the reasons discussed above—offer a rough tool for estimating its *enforcement success rate*: i.e., apprehensions (or apprehensions plus turn backs) divided by total estimated known illegal flows. Between 2005 and 2010, the border patrol used essentially this methodology to describe the portions of the border under “operational control.” In particular, the agency rated its “ability to detect, respond, and interdict illegal activity at the border or after entry into the United States” on a five-point scale.<sup>18</sup> Portions of the border that were rated in one of the top two categories on this scale were described as being under “effective” or “operational” control: about 1,107 miles (57% of the Southwest border) in FY2010.<sup>19</sup> Beginning in FY2011, the border patrol determined that this metric was ineffective, and the agency no longer reports on miles of the border under operational control.

#### 2) Capture-recapture models

Capture-recapture models initially were developed by ecologists to estimate the size of wildlife populations. Social scientists working in the 1990s showed that a similar methodology can be used to estimate the total flow of unauthorized migrants based on the ratio of persons re-apprehended after an initial enforcement action to the total number of persons apprehended.<sup>20</sup>

An advantage to the simple capture-recapture method is that it relies on observable administrative enforcement data—apprehensions and repeat apprehensions—to calculate border metrics of interest: illegal flows and apprehension rates. Yet the models are highly sensitive to a pair of assumptions about migrant behavior: that virtually all intending unauthorized migrants eventually succeed, and that the odds

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<sup>15</sup> NRC, *Options for Estimating Illegal Entries*, p. S-5.

<sup>16</sup> See Princeton University Mexican Migration Project, “Access to Border-Crossing Guides and Family/Friends on First Undocumented Trip,” <http://mmp.opr.princeton.edu/results/002coyote-en.aspx>.

<sup>17</sup> See Bryan Roberts, Gordon Hanson, and Derekh Cornwell, et al., *An Analysis of Migrant Smuggling Costs along the Southwest border*, DHS Office of Immigration Statistics, Washington, DC, November 2010, <http://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf>. Also see Morral et al., *Measuring Illegal Border Crossing*.

<sup>18</sup> U.S. Government Accountability Office, *Border Security: Preliminary Observations on Border Control Measures for the Southwest Border*, GAO-11-374T, February 15, 2011, p. 7.

<sup>19</sup> U.S. Congress, House Committee on Homeland Security Feb. 15, 2010.

<sup>20</sup> Thomas J. Espenshade, “Using INS Border Apprehension Data to Measure the Flow of Undocumented Migrants Crossing the U.S.-Mexico Frontier,” *International Migration Review*, vol. 29, no. 2 (Summer 1995), pp. 545-565.

of being apprehended are the same across multiple attempts to cross the border.<sup>21</sup> Both of these assumptions, while supported by certain research, may not hold in some cases; and *underestimating* the number of migrants deterred causes the model to *over-estimate* illegal flows. Thus, in order to produce accurate estimates of illegal flows based on the capture-re-capture method, analysts must supplement administrative data on apprehensions and repeat apprehensions with solid data on the odds of being apprehended and the number of migrants deterred, adjusting the model accordingly.<sup>22</sup>

### 3) Regression models

Social scientists also used survey data about aliens' migration histories and intentions to analyze factors that are associated with a person's propensity to migrate illegally. For example, how are demographic and economic characteristics such as gender, age, and employment opportunities correlated with an individual's reported illegal migration history or a person's intentions to migrate illegally in the future? How are migration plans associated with people's perceptions of border enforcement, or with the actual allocation of enforcement resources?<sup>23</sup>

An advantage to regression analysis is that well-designed studies may offer insight into questions with great policy relevance, as these examples illustrate. Yet many regression techniques require large samples to be effective, and they may be sensitive to specific time periods or migrant cohorts. And while research based on survey data offers important insight into migration dynamics, researchers generally have not had access to real-time and large-scale data sets—including administrative enforcement data in particular—that might provide additional information to policymakers seeking to evaluate border security.

### *Developing Better Border Security Metrics*

Each of these analytic approaches offers insight beyond basic enforcement, survey, or proxy data, but none appears to have met Congress's request for a clear and credible metric of border security. What can be done to develop such a measure? Capture-recapture models would be improved by better data on deterrence at the border, and our overall understanding of border security would benefit from better information about illegal flows through ports of entry. Three concrete steps that would improve border metrics would be for DHS to structure certain enforcement programs to support better data collection, for DHS to structure its enforcement databases to support better data analysis, and for DHS to make these and existing data available to the broader research community.

### 1) Structure Certain Enforcement Programs to Support Data Collection

Without compromising its law enforcement and security practices, DHS could design certain enforcement actions to allow the agency (and others) to draw inferences about the underlying population of migrants. In other words, certain enforcement and surveillance actions could be allocated based on a statistical sampling framework. Just as pollsters draw inferences about public opinion based on a sample of interviews, DHS could draw inferences about the immigration status of a population or the security of the border based on a sample of enforcement and surveillance actions.

CBP Office of Field Operation's (OFO's) Compliance Examination (COMPEX) program illustrates how enforcement may be designed with data collection in mind. At certain ports of entry, in addition to targeting high-risk vehicles and passengers, OFO selects a random sample that has been

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<sup>21</sup> Ibid.

<sup>22</sup> See NRC, *Options for Estimating Illegal Entries*. According to data provided by CBP Office of Legislative Affairs December 20, 2011, CBP reportedly plans to use a modified capture-recapture model along these lines as one element of the "border conditions index" (BCI), which is currently being developed. The BCI is designed to provide a more comprehensive picture of border security, encompassing a capture-recapture estimate of illegal migration inflows between ports of entry, a measure of wait times and volatility at ports of entry as well as illegal flows through ports of entry, and a measure of quality of life in border communities, based in part on border area crime rates.

<sup>23</sup> See for example, Wayne A. Cornelius and Idean Salehyan, "Does border enforcement deter unauthorized immigration? The case of Mexican migration to the United States of America," *Regulation & Governance* 1.2 (2007): pp. 139-153; Manuela Angelucci, "U.S. Border Enforcement and the Net Flow of Mexican Illegal Migration," *Economic Development and Cultural Change*, 60, 2 (2012):311-357. Also see Morral, et al., *Measuring Illegal Border Crossing Between Ports of Entry*.

cleared for admission and subjects travelers to a post-entry inspection. Because the sample is selected at random, OFO can infer that the proportion of otherwise-cleared entrants found to be carrying illegal goods or hidden passengers is equivalent to the proportion in the overall population of cleared vehicles (though some independent analysts have argued that COMPEX's sample is too small to accurately measure such violations).<sup>24</sup>

Many other DHS programs include a combination of risk-based and random targeting because randomness makes enforcement unpredictable. For this reason, as a recent RAND study observed, other border enforcement programs could be designed to include statistical sampling frames without compromising security.<sup>25</sup> For example, in addition to allocating agents based on a geographic needs assessment, border patrol could assign additional agents to certain segments at random. To the extent that the initial allocation was well-designed, increased apprehensions in the enhanced segments would be an indicator of illegal flows in the unenhanced segments. Similar resource surges could be tested in CBP's Outbound Inspections Program and its deployment of surveillance equipment and unmanned aerial vehicles (UAVs), among other programs.

A second way enforcement data can be used to draw conclusions about the underlying population is through universal deployment. For example, Secure Communities and the Criminal Alien Program<sup>26</sup> together are now deployed in virtually every law enforcement jurisdiction in the country, and screen persons arrested and booked into jails in the United States. For this reason, apart from ICE's use of these programs for enforcement purposes, they offer unique insight into the unauthorized population by providing a real-time census of the immigration status of almost everyone arrested in the United States.<sup>27</sup>

A third possible tool for collecting additional data about illegal border flows is to field "red team" penetration testers: agents posing as unauthorized migrants who attempt to enter without the knowledge of CBP personnel in the region. Over repeated trials, the ability of such teams to enter successfully could be an indicator of aliens' success rate.<sup>28</sup>

## 2) Structure DHS Databases to Support Data Analysis

In general, ICE and CBP databases are structured for law enforcement purposes, and not for analytic purposes. As a previous NRC analysis of how DHS enforcement actions affect Department of Justice budgeting explained, a core problem is that DHS databases are organized to track events (as in apprehensions), rather than case histories, and therefore cannot examine person-specific flows through the system.<sup>29</sup> As a result, according to CRS conversations with ICE officials, the agency cannot readily answer critical analytic questions, such as how enforcement outcomes (time in detention, final case disposition, probability of re-apprehension) differ across jurisdictions and/or enforcement programs.<sup>30</sup>

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<sup>24</sup> For a fuller discussion, see GAO, *Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry*, GAO-08-219, November 2007. COMPEX reportedly samples about 250,000 travelers per year out of over 200 million travelers at land ports of entry, or less than 0.1%.

<sup>25</sup> See Morral, et al., *Measuring Illegal Border Crossing Between Ports of Entry*.

<sup>26</sup> For a description of these programs, see in *Interior Enforcement Programs* (in this testimony, below) and CRS Report R42057, *Interior Immigration Enforcement: Programs Targeting Criminal Aliens*, by Marc R. Rosenblum and William Kandel.

<sup>27</sup> Note, however, that Secure Communities does not accurately identify the subset of unauthorized aliens who enter without inspection and have never had any contact with DHS. In addition, Secure Communities only provides an accurate estimate of the unauthorized population to the extent that unauthorized migrants are equally likely as lawful aliens and U.S. citizens to be arrested and to have their status checked.

<sup>28</sup> See Morral, et al., *Measuring Illegal Border Crossing Between Ports of Entry*.

<sup>29</sup> Committee on Estimating Costs of Immigration Enforcement in the Department of Justice 2011, *Budgeting for Immigration Enforcement: A Path to Better Performance*, Washington, DC: National Research Council, pp. 112-113.

<sup>30</sup> The House Appropriations Committee report on the FY2013 DHS Appropriations Bill requested that DHS report on enforcement outcomes by program and in this manner. See U.S. Congress, House Committee on Appropriations, *Department of Homeland Security Appropriations, 2013*, report to accompany H.R. 5855, 112th Cong., 2nd sess., May 23, 2012, H.Rept. 112-492 (Washington: GPO, 2012), p. 56.

CBP appears to have begun addressing this problem in its analysis of its “consequence delivery system.”<sup>31</sup> According to CBP officials, CBP tracks recidivism rates broken down by sector and by initial enforcement disposition. Thus, for example, CBP should be able to calculate whether an alien subject to voluntary departure was more likely to be re-apprehended than an alien subject to formal removal or an alien facing immigration-related criminal charges. This analysis may inform Congress’s understanding of border security and of the cost effectiveness of different enforcement strategies, but CRS has not been able to review or analyze these data, so CRS cannot comment on their usefulness.

Following the creation of DHS, data management problems have been exacerbated by certain limits on integration.<sup>32</sup> One noteworthy illustration of this problem is that DHS’s Office of Immigration Statistics (OIS) and ICE report two different numbers each year for “total removals,” with ICE defining this number to include ICE voluntary departures, but not CBP expedited removals; and OIS reporting the sum of ICE and CBP removals, but not ICE voluntary departures. DHS’s Office of Immigration Statistics may seem like a logical agency to manage such department-wide data management and analysis; but different DHS agencies manage their own data, and OIS does not reliably play this role.

### 3) Make DHS Administrative Data Available to Outside Researchers

Most DHS administrative data are not available to outside researchers at a level of aggregation that can be used for research and program evaluation purposes. In many cases, even data at the national or sector level are not released in a timely or predictable manner. This lack of data may impede researchers’ and Congress’s ability to evaluate border security and may contribute to doubts and confusion about the border. Increased public access to reliable information about immigration enforcement, as well as DHS’ strategic planning, also would provide additional structure to the immigration policy debate.<sup>33</sup>

At least in part, data are not released because they are considered law enforcement sensitive and/or to protect the privacy of enforcement subjects. Yet as the NRC has recently observed, numerous mechanisms exist to release “clean” versions of these data, including by purging the small number of serious criminals from the dataset or masking certain fields, among other options.<sup>34</sup> Congress could support data sharing by authorizing funds for this type of data cleaning. While DHS analysts reportedly are engaged in their own model-building exercises which may meet Congress’s need for better metrics, releasing more administrative data to independent researchers would substantially expand the number of scholars able to work on this question, and would ensure that research and analysis on border metrics are subject to rigorous external peer review.

## Recent Investments in Border Security and Immigration Enforcement<sup>35</sup>

Congress and DHS have made substantial investments in border security and immigration enforcement over the last 25 years, and particularly since the last time Congress debated comprehensive immigration reform in 2005-2007.

### *Enforcement Appropriations*

Investments in congressional appropriations to DHS immigration enforcement programs are one indicator of this trend, and are summarized in **Appendix Table 1**. As **Table 1** indicates, DHS’s four immigration enforcement accounts (i.e., CBP, ICE, the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) program, and the E-Verify account within U.S. Citizenship and Immigration

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<sup>31</sup> For more information about the CBP’s consequence delivery system see “*Enforcement with Consequences*” in this testimony, below; also see CRS Report R42138, *Border Security: Immigration Enforcement Between Ports of Entry*, by Marc R. Rosenblum.

<sup>32</sup> For a fuller discussion see NRC, *Options for Estimating Illegal Entries*, pp. 5-12 – 5-14.

<sup>33</sup> See John Whitley, Bryan Roberts, and Robert Shea, “Immigration and Border Control: How Data-Driven Management Could Enhance Success,” Accessed February 24, 2013, <http://ssrn.com/abstract=2018580>.

<sup>34</sup> NRC, *Options for Estimating Illegal Entries*.

<sup>35</sup> For a fuller discussion of recent investments in border security and immigration enforcement, see CRS Congressional Distribution Memorandum, “Immigration Enforcement Since 2006,” by Marc R. Rosenblum, available to congressional staff from the author upon request.

Services) were appropriated a total of about \$114 billion for FY2006-FY2012. This total encompasses appropriations to CBP for FY2006-FY2012 of \$75 billion, including about \$17 billion for enforcement at ports of entry (including travel and trade facilitation as well as customs and immigration enforcement); \$21 billion for enforcement salaries and expenses between ports of entry (i.e., border patrol); \$5 billion for border security fencing, infrastructure, and technology; and \$5 billion for CBP air and marine acquisitions and operations. Appropriations to ICE totaled \$37 billion for this period, including \$16 billion for alien enforcement and removal operations (ERO).<sup>36</sup>

### *Growth and Integration of DHS Databases*

Among the many databases managed by DHS, two are noteworthy with respect to immigration enforcement because they are used extensively during the immigration process and are shared across several law enforcement agencies. The Automated Biometric Identification system (IDENT) is the central DHS-wide system for the storage and processing of biometric (i.e., fingerprints and digital photographs) and associated biographic (i.e., name, birthdate, nationality, and other descriptive information) data for national security, law enforcement, immigration enforcement, intelligence, and related uses. Whereas IDENT included only about 7 million records in 2004, increased deployment of biometric technology allowed the database to grow to 64 million entries at the end of 2006 and to over 150 million unique records as of January 2013, including over 6.4 million people on the US-VISIT watchlist.<sup>37</sup>

The Arrival and Departure Information System (ADIS) is the DHS-wide biographic database that includes records of encounters with DHS for aliens who have applied for entry, entered, or departed from the United States. Both databases are managed by the US-VISIT office, which also manages the US-VISIT entry-exit system. The ADIS database included about 169 million identities at the end of 2006, and included over 270 million unique identities as of January 2013.<sup>38</sup>

DHS databases are increasingly integrated for enforcement purposes. All US-VISIT workstations are now fully interoperable with the Federal Bureau of Investigation's (FBI's) Integrated Automated Fingerprint Identification System (IAFIS) database, used for criminal background checks. (IDENT data previously could be compared against the IAFIS database via a manual search.) Since 2009, ICE routinely has used the IDENT database to initiate immigration status checks when persons are booked into federal, state, and local jails through the Secure Communities program (see *Interior Enforcement Programs*, below). Since 2011, US-VISIT also conducts automatic searches against biometric records in the Department of Defense Automated Biometric Identification System (ABIS), a biometric database with national security and intelligence records.

### *Border Security Personnel*

A total of fewer than 19,000 CBP personnel (border patrol agents and port of entry officers) were posted to U.S. borders in 2004, the first year for which complete CBP data are available (see **Appendix Table 2**). As of FY2013, CBP personnel had grown to about 31,000 officers and agents, including a doubling to more than 21,000 border patrol agents (18,000 at the Southwest border). The personnel data in **Table 2** do not represent an exhaustive account of DHS and other law enforcement personnel at the border. In addition to border patrol agents and CBP officers, about 5,000 ICE agents are deployed to U.S. borders, along with numerous other federal law enforcement agents (including U.S. Marshals, Drug Enforcement Administration officials, among others) and various state and local law enforcement agents.

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<sup>36</sup> Also see Doris Meissner, Donald M. Kerwin, Muzaffar Chisthi, and Clare Bergeron, *Immigration Enforcement in the United States: The Rise of a Formidable Machinery*, Washington, DC: Migration Policy Institute, 2013.

<sup>37</sup> US-VISIT Office of Congressional Affairs, January 24, 2013. Individuals on the US-VISIT watchlist are the subjects of derogatory information in a DHS database. Such information includes arrest warrants, known or suspected terrorists, certain visa refusals, Department of Defense biometric watchlist records, smuggling information, overstay records, visa fraud, and other DHS enforcement data. CBP officers check certain travelers' biometric records against the US-VISIT watchlist during primary processing at ports of entry.

<sup>38</sup> *Ibid.*



### *Fencing, Infrastructure, and Technology*

CBP deploys fencing and tactical infrastructure at the Southwest border to impede illegal cross-border activity, disrupt smuggling operations, and establish a substantial probability of apprehending illegal entrants. The border patrol also utilizes surveillance technology to augment its ability to patrol the border. As noted in **Table 1**, Congress has expanded spending on border fencing, infrastructure, and technology programs from \$115 million in FY2006, to a high point of \$1.2 billion in FY2008, and \$400 million in FY2012. Appropriations to CBP's Office of Air and Marine increased more slowly, from \$653 million in FY2006 to a high of \$862 million in FY2010, to \$792 million in FY2012.

As **Appendix Figure 1** illustrates, a portion of this spending has gone to fund construction of new fencing at the Southwest border, with total miles of fencing increasing from 76 miles in FY2001 to 139.4 in FY2006 to 652 miles in FY2012. As of December 2012, border patrol maintains 35 permanent interior checkpoints and 173 tactical checkpoints. The border patrol also maintains 12 forward operating bases in remote areas to house personnel in close proximity to illegal crossing routes.<sup>39</sup> As of November 2012, border patrol reported 337 Remote Video Surveillance Systems (up from 269 in 2006), 198 short and medium range Mobile Vehicle Surveillance Systems and 41 long range mobile surveillance systems (up from zero in 2005), 15 agent portable medium range surveillance systems (up from zero in 2005), 15 Integrated Fixed Towers that were developed as part of the SBInet system (up from zero in 2005), and 13,406 unattended ground sensors (up from about 11,200 in 2005).<sup>40</sup> In addition, as of November 2012, CBP operated a total of 10 unmanned aerial vehicle systems (UAVs), up from zero in 2006.

### *Alien Detention*<sup>41</sup>

DHS's detention system has been strengthened in two main ways since 2006. First, funded detention bed space has grown by 63%, from 20,800 beds in FY2006 to 34,000 beds in FY2012.<sup>42</sup> The average daily detention population has also grown by a similar proportion during these years, from 19,409 to 32,953. Second, under a policy announced in 2005 and implemented in August 2006, DHS now detains 100% of removable non-Mexicans apprehended at the border until their final removal orders.<sup>43</sup>

### *Enforcement with Consequences*<sup>44</sup>

Historically, most Mexican aliens apprehended at the Southwest border were permitted to voluntarily return to Mexico. Since 2005, under a set of policies known as "enforcement with consequences," CBP systematically has limited the number of aliens released on bond or allowed to voluntarily return to Mexico. Instead, to the extent that resources permit, the agency subjects an increasing proportion of aliens apprehended at the border to one or more of the following "high-consequence" forms of enforcement: formal removal (including but not limited to standard removal proceedings, expedited removal, and reinstatement of removal),<sup>45</sup> criminal charges (including under expedited judicial processing through the Operation Streamline program),<sup>46</sup> and remote and lateral

<sup>39</sup> U.S. Border Patrol Office of Congressional Affairs, December 20, 2012.

<sup>40</sup> 2012 data from U.S. Border Patrol Office of Legislative Affairs November 8, 2012; FY2006 data from DHS Congressional Budget Justification 2006; 2005 data from GAO, "Border Security: Key Unresolved Issues Justify Reevaluation of Border Surveillance Technology Program," GAO-06-295, February 2006.

<sup>41</sup> For a fuller discussion, see CRS Report RL32369, *Immigration-Related Detention: Current Legislative Issues*, by Alison Siskin.

<sup>42</sup> *Ibid.*

<sup>43</sup> CBP, "DHS Secretary Announces End to 'Catch and Release' on Southern Border," [http://www.cbp.gov/xp/cgov/admin/c1\\_archive/messages/end\\_catch\\_release.xml](http://www.cbp.gov/xp/cgov/admin/c1_archive/messages/end_catch_release.xml).

<sup>44</sup> For a fuller discussion, see CRS Report R42138, *Border Security: Immigration Enforcement between Ports of Entry*, by Marc R. Rosenblum.

<sup>45</sup> Aliens formally removed from the United States are ineligible for a visa for at least 5 years (or 20 years for a second or subsequent removal), and may be subject to criminal charges and expedited enforcement practices upon reentry.

<sup>46</sup> Unauthorized aliens apprehended at the border may face federal immigration charges, but historically, most have not been charged with a crime. A total of 75,118 faced immigration-related charges in Southwest border districts in FY2011 (out of 340,000 apprehensions), up from 35,266 in FY2005 (out of 1.2 million apprehensions). See Administrative Office of the U.S. Courts, "Judicial Business of the U.S. Courts," <http://www.uscourts.gov/Statistics/JudicialBusiness.aspx>; Southwest border

repatriation through the Alien Transfer Exit Program (ATEP) and the Mexican Interior Repatriation Program (MIRP). As **Appendix Figure 2** illustrates, the proportion of aliens apprehended on the Southwest border granted voluntary return fell from 82% (956,470 out of 1,171,428) in 2005 to 41% (134,108 out of 327,577) in FY2011.<sup>47</sup> As the figure illustrates, one reason that the proportion of apprehensions subject to high-consequence enforcement has risen is that the total number of Southwest border apprehensions has fallen sharply. Nonetheless, as the figure also illustrates, CBP's effort to expand high-consequence enforcement has resulted in an *absolute* rise in removals, prosecutions, and lateral/interior repatriations since 2007, even during a period of falling border apprehensions.

#### *Interior Enforcement Programs*<sup>48</sup>

ICE operates four main programs to identify and remove aliens from within the United States:

- **Criminal Alien Program (CAP).** CAP officers interview aliens within prisons and screen them against DHS databases; initiate removal proceedings against certain aliens prior to the termination of their criminal sentences, and ensure that aliens are transferred to ICE and removed from the United States upon the completion of their sentence.
- **National Fugitive Operations Program (NFOP).** NFOP pursues at-large criminal aliens and fugitive aliens,<sup>49</sup> aliens who pose a threat to national security and community safety, members of transnational gangs, child sex offenders, and aliens with prior convictions for violent crimes.
- **287(g) Program.** Under this program, ICE delegates certain immigration enforcement functions to state and local law enforcement agencies pursuant to memorandums of agreement between such agencies and ICE. ICE trains and supervises the local officers, who may perform specific functions relating to the investigation, apprehension, or detention of aliens, during a predetermined time frame.
- **Secure Communities.** Secure Communities is an information sharing program between the Departments of Justice and Homeland Security that uses biometric data to check people's immigration records following an arrest. When initial checks indicate that an arrestee may be a removable alien, the ICE field office in the arresting jurisdiction is notified about the match and may contact the jurisdiction to initiate removal proceedings.

As **Appendix Figure 3** illustrates, ICE's interior enforcement programs have expanded exponentially in recent years. Whereas CAP and NFOP identified and administratively arrested (i.e., for removal) a total of fewer than 11,000 aliens in FY2004 (with the 287(g) program making no arrests and Secure Communities not yet created), Secure Communities alone was responsible for identifying 436,377 aliens who were potentially subject to removal in FY2012; and the other three programs were responsible for 269,765 administrative arrests.<sup>50</sup>

#### *Worksite Enforcement*<sup>51</sup>

Section 274A of the Immigration and Nationality Act (INA) establishes civil penalties for failing to comply with the INA's document verification requirements and for knowingly employing an unauthorized alien; and it provides criminal penalties for employers engaging in a pattern or practice of

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apprehensions from U.S. Border Patrol, "Fiscal Year Apprehensions Statistics." For a fuller discussion of immigration-related criminal charges, see CRS Report RL32480, *Immigration Consequences of Criminal Activity*, by Michael John Garcia.

<sup>47</sup> These figures should be interpreted as ratios, not as strict percentages, because aliens may face removal and/or criminal charges in a year other than the year in which they are apprehended. In addition, some aliens may face both formal removal and criminal charges, and some aliens may appear in the data set more than once.

<sup>48</sup> For a fuller discussion of interior immigration enforcement programs, see CRS Report R42057, *Interior Immigration Enforcement: Programs Targeting Criminal Aliens*, by Marc R. Rosenblum and William Kandel.

<sup>49</sup> Fugitive aliens are aliens who have failed to leave the United States following a final order or removal, or who have failed to report to ICE after receiving a notice to do so.

<sup>50</sup> CRS Report R42057, *Interior Immigration Enforcement: Programs Targeting Criminal Aliens*, by Marc R. Rosenblum and William Kandel.

<sup>51</sup> This section is based on CRS Report R40446, *Electronic Employment Eligibility Verification*, by Andorra Bruno, and CRS Report R40002, *Immigration-Related Worksite Enforcement: Performance Measures*, by Andorra Bruno.

knowingly employing unauthorized aliens. As **Appendix Figure 4** illustrates, 385 employers were subject to civil penalties in 2011, mainly for verification violations, up from zero in 2006. A total of \$10.5 million in administrative fines was imposed in FY2011—a figure which exceeds the level of fines imposed in FY2000 – FY2009 combined.

As **Appendix Figure 5** illustrates, administrative and criminal arrests in worksite enforcement operations increased between 2006 and 2008, but have declined since then. Worksite administrative arrests, which are mainly of unauthorized aliens for purposes of immigration enforcement, declined from 3,667 people arrested in FY2006 to 1,471 people arrested in FY2011. Worksite criminal arrests, which may be of unauthorized aliens charged with criminal violations or of citizens or lawful aliens charged with a pattern or practice of illegal hiring or with related criminal activities, were essentially flat, falling from 716 people in FY2006 to 713 people in FY2011. Within these numbers, there is some evidence that ICE in recent years has placed greater emphasis on arresting owners, managers, and corporate officials, rather than non-managerial employees.<sup>52</sup>

Other changes since 2006 related to worksite enforcement concern the E-Verify electronic verification system. Improvements to E-Verify, along with federal and state-level requirements that certain employers use the program,<sup>53</sup> have led to higher participation rates in the E-Verify program (see **Appendix Figure 6**). As figure 6 illustrates, participation in E-Verify grew from 5,272 employers representing 22,710 hiring sites on January 31, 2006 to 402,295 employers representing more than 1.2 million hiring sites on September 30, 2012. Between FY2007 and FY2012, the number of E-Verify queries increased more than six-fold, from 3.3 million to 21 million. For comparison purposes, there were about 50 million nonfarm hires in the United States in 2011, according to the Bureau of Labor Statistics.<sup>54</sup>

### **Gaps in Border Security and Immigration Enforcement**

Based on this review, where are the remaining gaps in border security and immigration enforcement? While a comprehensive answer to this question is beyond the scope of this testimony, comparing across the different border zones and looking at resources deployed at borders vs. elsewhere throughout the enforcement system leads to the following observations:

- Since 2002, far more resources have been devoted to enforcement between ports of entry than to enforcement and trade and travel facilitation at ports of entry or worksite enforcement. This comparison appears to hold across several different categories of comparison: personnel, appropriations, technology acquisitions, etc. Little is known about illegal flows through ports of entry, or how such flows are affected by tougher enforcement between the ports.
- While significant progress has been made to implement parts of the US-VISIT biometric entry-exit system by deploying biometric technology to virtually all ports of entry, most Canadian and Mexican nationals and most U.S. lawful permanent residents are not required to participate in US-VISIT at land ports of entry. In addition, CBP does not routinely collect biometric exit data from any departing travelers, and does not collect any data from travelers departing at land port of entry. While biographic data arguably allows DHS to track visa overstayers traveling by air and sea, no such system exists for land travelers.
- With an estimated 8 million unauthorized aliens in the workforce in 2010<sup>55</sup> and just a few hundred employers arrested or fined annually for immigration violations, the threat of worksite enforcement so far has not appeared to be an effective deterrent to illegal hiring.<sup>56</sup>

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<sup>52</sup> For a fuller discussion, see CRS Report R40002, *Immigration-Related Worksite Enforcement: Performance Measures*, by Andorra Bruno.

<sup>53</sup> On state-level E-Verify requirements, see CRS Report R41991, *State and Local Restrictions on Employing Unauthorized Aliens*, by Kate M. Manuel.

<sup>54</sup> U.S. Department of Labor, Bureau of Labor Statistics, "Job Openings and Labor Turnover—January 2012," news release, March 13, 2012, [http://www.bls.gov/news.release/archives/jolts\\_03132012.pdf](http://www.bls.gov/news.release/archives/jolts_03132012.pdf).

<sup>55</sup> See CRS Report R41207, *Unauthorized Aliens in the United States*, by Andorra Bruno.

<sup>56</sup> The legacy Immigration and Naturalization Service (INS) reported on the number of agent work-years devoted to worksite enforcement, but ICE does not report this information.

- Although a growing proportion of newly-hired workers are screened through the E-Verify system, the great majority of employers still do not use the system. Moreover, according to the most recent research on E-Verify accuracy rates, E-Verify appears to erroneously confirm about half of the unauthorized workers who are processed through the system, mainly because the system is vulnerable to identity fraud.<sup>57</sup>

### **Assessment of the State of Border Security and Concluding Comments**

How have these investments at the border and elsewhere affected illegal immigration inflows? Placed in a historical perspective, CBP's shift from low- to high-consequence enforcement mechanisms represents a dramatic departure from previous border practices. Arguably, the most significant change in the U.S. immigration enforcement system in recent years is the implementation of Secure Communities, which has exponentially increased DHS' ability to identify removable aliens within the United States.

DHS enforcement data indicate that total apprehensions of unauthorized aliens in FY2011 (641,633) was about one-third the level of apprehensions in 2000 (1,814,729) and about half the level it was in 2006 (1,206,457). Apprehensions at the Southwest border (364,768 in FY2012) were up slightly from 2011, but also remained at historically low levels. DHS estimates that the unauthorized population residing in the United States has fallen from about 12.4 million in 2007 to about 11.5 million in 2011.<sup>58</sup> And the Pew Hispanic Center estimates that net unauthorized migration from Mexico has fallen to about zero, or that outflows may now exceed inflows.<sup>59</sup>

To what extent is the apparent drop in illegal inflows a function of the enhanced enforcement efforts and spending described above? Answering this question is difficult because many new enforcement measures have coincided with the U.S. economic downturn and with relatively robust growth and favorable demographic conditions in Mexico and other countries of origin. And the effects of Secure Communities and certain consequence delivery programs may be too recent to have been registered in some enforcement data. Nonetheless, some recent research suggests that enforcement efforts likely help explain this downturn, particularly in recent years.<sup>60</sup>

One recent study sought to disentangle these factors by combining administrative enforcement data with community-level economic indicators in migrant-sending and receiving communities. The authors of the study reported preliminary findings that 40% of the reduction in illegal inflows between FY2004 and FY2010 was due to a stronger Mexican economy, 30% was due to the weaker U.S. economy, and 30% was due to increased U.S. border enforcement.<sup>61</sup> Detailed results are not available, however, because DHS has not cleared for publication the administrative data used in the paper.

Better border metrics may contribute in important ways to the immigration debate by providing additional information about the state of border security and about the effectiveness of different enforcement strategies. These are critical questions given the trade-offs Congress and DHS face between investing additional resources at the border versus within the interior of the United States, and at ports of entry versus between the ports, among other choices. Clear border metrics may also offer insight into returns on future enforcement investments, and what level of security realistically can be obtained at the border in the absence of broader immigration reforms.

<sup>57</sup> For a fuller discussion, see CRS Report R40446, *Electronic Employment Eligibility Verification*, by Andorra Bruno

<sup>58</sup> CRS Report RL33874, *Unauthorized Aliens Residing in the United States: Estimates Since 1986*, by Ruth Ellen Wasem.

<sup>59</sup> Jeffrey Passel, D'Vera Cohn and Ana Gonzalez-Barrera, "Net Migration from Mexico Falls to Zero—and Perhaps Less," Washington, DC: Pew Hispanic Center, May 3, 2012.

<sup>60</sup> Ibid. For a fuller discussion, see U.S. Congress, House Committee on Homeland Security, Subcommittee on Border and Maritime Security, *Measuring Border Security: U.S. Border Patrol's New Strategic Plan and the Path Forward*, testimony of Marc R. Rosenblum, 112<sup>th</sup> Congress, 2<sup>nd</sup> session, May 8, 2012. Also see Manuela Angelucci, "U.S. Border Enforcement and the Net Flow of Mexican Illegal Migration," *Economic Development and Cultural Change*, 60, 2 (2012):311-357.

<sup>61</sup> See Scott Borger, Gordon Hanson, and Bryan Roberts "The Decision to Emigrate From Mexico," presentation at the Society of Government Economists annual conference, November 6, 2012.

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**Appendix: Tables and Figures**

**Table 1. DHS Immigration Enforcement Appropriations, FY2006-FY2012**  
 \$ millions

Fiscal Year	CBP					ICE		US-VISIT	E-Verify (USCIS)
	Gross Total	At POE	Between POE	BSFIT	Air and Marine	Gross Total	ERO		
2006	\$7,891	\$1,605	\$1,778	\$115	\$653	\$4,224	\$1,358	\$337	NA
2007	\$9,302	\$1,860	\$2,278	\$1,188	\$778	\$3,483	\$1,984	\$362	\$114
2008	\$10,808	\$2,279	\$3,075	\$1,225	\$797	\$5,581	\$2,381	\$475	\$60
2009	\$11,948	\$2,561	\$3,501	\$875	\$800	\$5,948	\$2,481	\$300	\$100
2010	\$11,765	\$2,750	\$3,587	\$714	\$862	\$5,822	\$2,546	\$374	\$137
2011	\$11,174	\$2,913	\$3,583	\$574	\$801	\$5,835	\$2,618	\$335	\$103
2012	\$11,651	\$2,904	\$3,620	\$400	\$792	\$5,862	\$2,751	\$307	\$102
<b>Total</b>	<b>\$74,539</b>	<b>\$16,872</b>	<b>\$21,422</b>	<b>\$5,091</b>	<b>\$5,483</b>	<b>\$36,755</b>	<b>\$16,119</b>	<b>\$2,490</b>	<b>\$616</b>

**Sources:** CRS Reports R42644, R41982, R41189, R40642, RL34482, RL34004, and RL33428.

**Notes:** FY2006-FY2012 data include supplemental appropriations and rescissions. Gross totals for CBP and ICE include fees, trust funds, and mandatory appropriations. POE means ports of entry. BSFIT refers to the Border Security Fencing, Infrastructure, and Technology account. The BSFIT account was established in FY2007; FY2006 data are for appropriations to the SBInet program for tactical infrastructure and border technology. ERO refers to ICE's Enforcement and Removal Operations Program, which was known as the Detention and Removal Program prior to 2011. US-VISIT refers to the U.S. Visitor and Immigrant Status Indicator Technology program. E-Verify (formerly known as Basic Pilot and as the Employment Eligibility Verification program) was funded for the first time in FY2007. Data for enforcement at POEs, enforcement between POEs, and ERO are for relevant salaries and expenses (S&E) accounts within CBP and ICE. Data for BSFIT, US-VISIT, and E-Verify are for total appropriations to those programs within CBP, the National Protection Programs Directorate, and USCIS, respectively. Data for Air and Marine include the Air and Marine acquisitions account as well as Air and Marine S&E appropriations.

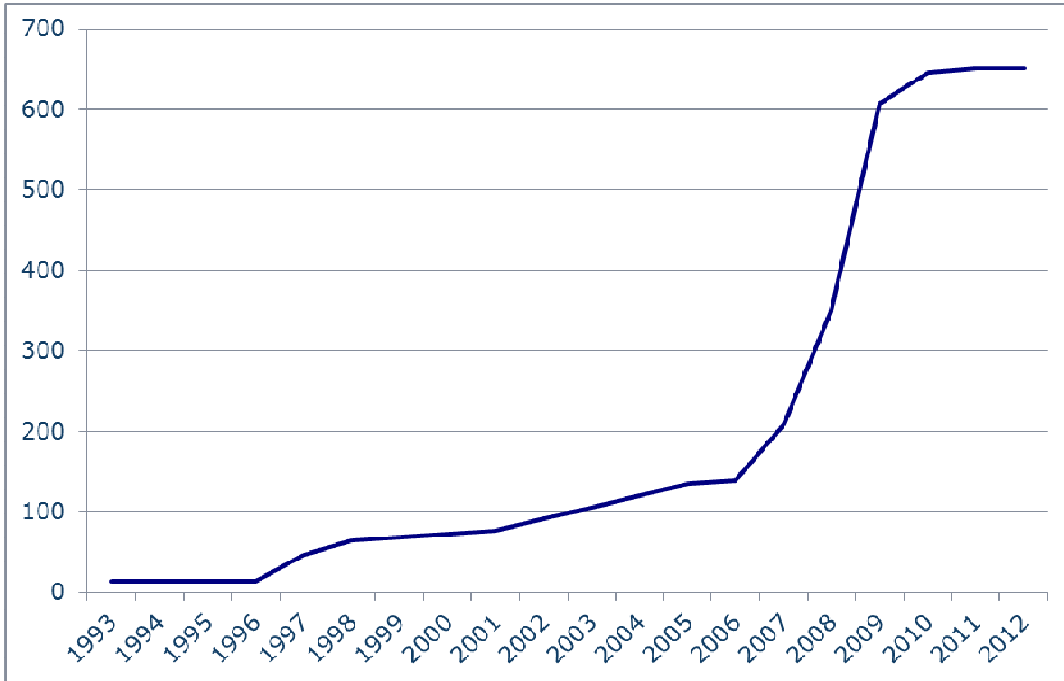
**Table 2. CBP Personnel by Location**

Fiscal Year	Border Patrol Agents			CBP Officers			Total CBP Border Personnel
	Total	Northern Border	SW Border	Total	Northern Border	SW Border	
2004	10,819	979	9,506	18,110	3,423	4,771	18,679
2005	11,264	988	9,891	18,134	3,351	4,733	19,003
2006	12,349	919	11,032	18,031	3,293	4,760	20,004
2007	14,925	1,098	13,297	18,452	3,258	4,979	22,632
2008	17,499	1,363	15,442	19,776	3,619	5,144	22,568
2009	20,119	1,887	17,408	21,339	4,028	5,660	28,983
2010	20,558	2,263	17,535	20,687	3,796	5,477	29,071
2011	21,444	2,237	18,506	20,582	3,710	5,551	30,004
2012	21,394	2,206	18,516	21,790	3,668	6,453	30,843
2013 (request)	21,370	2,212	18,462	21,775	3,662	6,444	30,780

**Source:** CBP Office of Congressional Affairs, January 9, 2013.

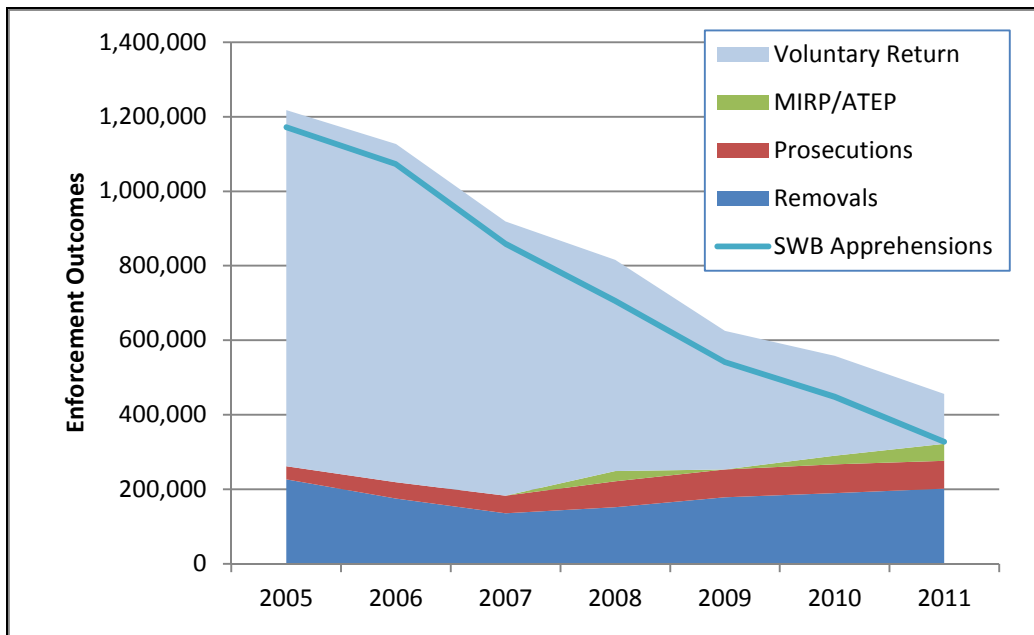
**Notes:** Border patrol agent and DBP officer total personnel numbers are based on all employees, including those posted at locations other than the Northern and Southwest borders. Total CBP *border* personnel is defined as the sum of border patrol agents and CBP officers posted to Southwest and Northern borders. FY2013 data are based on statutory floors and end of year requirements, and reflect minimum expected staffing levels for FY2013.

**Figure 1: Miles of Border Fencing on the Southwest Border, FY1993-FY2012**



**Source:** CRS Report R42138; USBP Office of Legislative Affairs.

**Figure 2. Southwest Border Immigration Enforcement Outcomes, FY2005-FY2011**

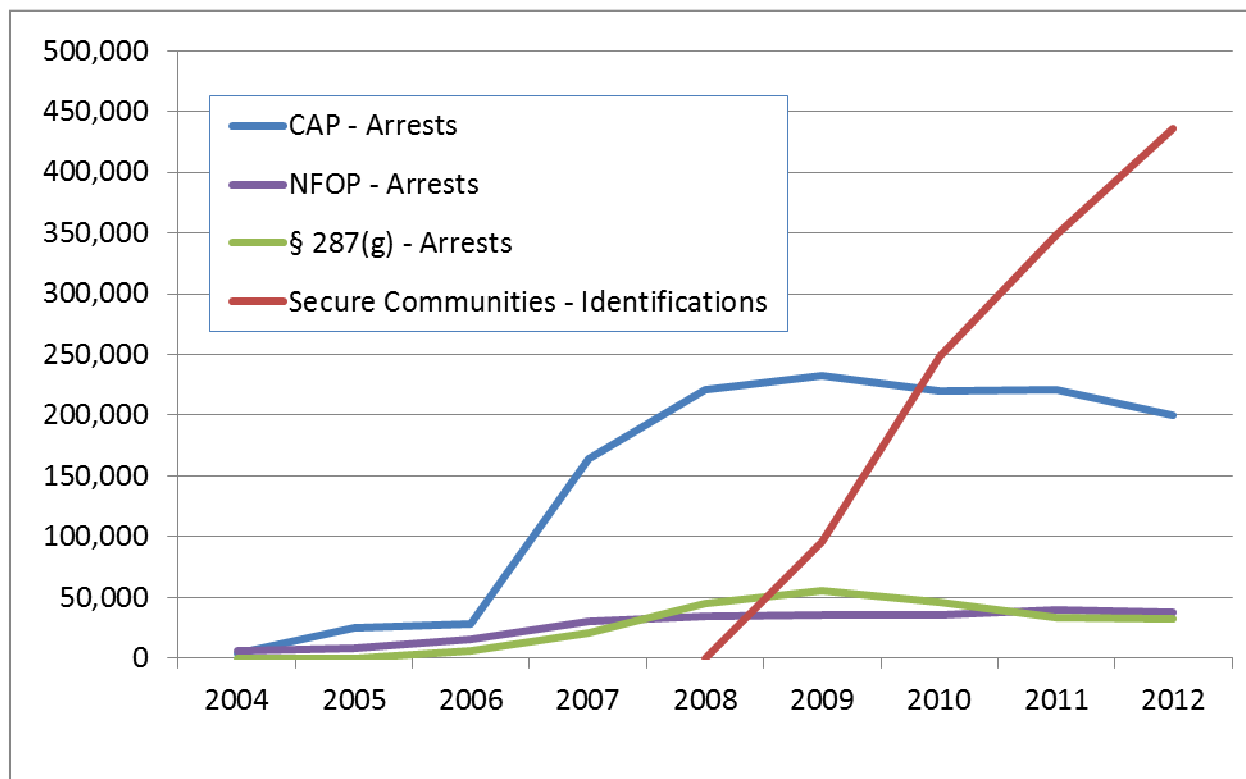


**Source:** CBP Office of Legislative Affairs August 14, 2012; ICE Office of Legislative Affairs September 14, 2012; Administrative Office of the U.S. Courts.

**Notes:** MIRP and ATEP data are incomplete for FY2005 – FY2007 and FY2009-FY2010. Immigration-related criminal cases may include some U.S. citizens and lawful aliens.

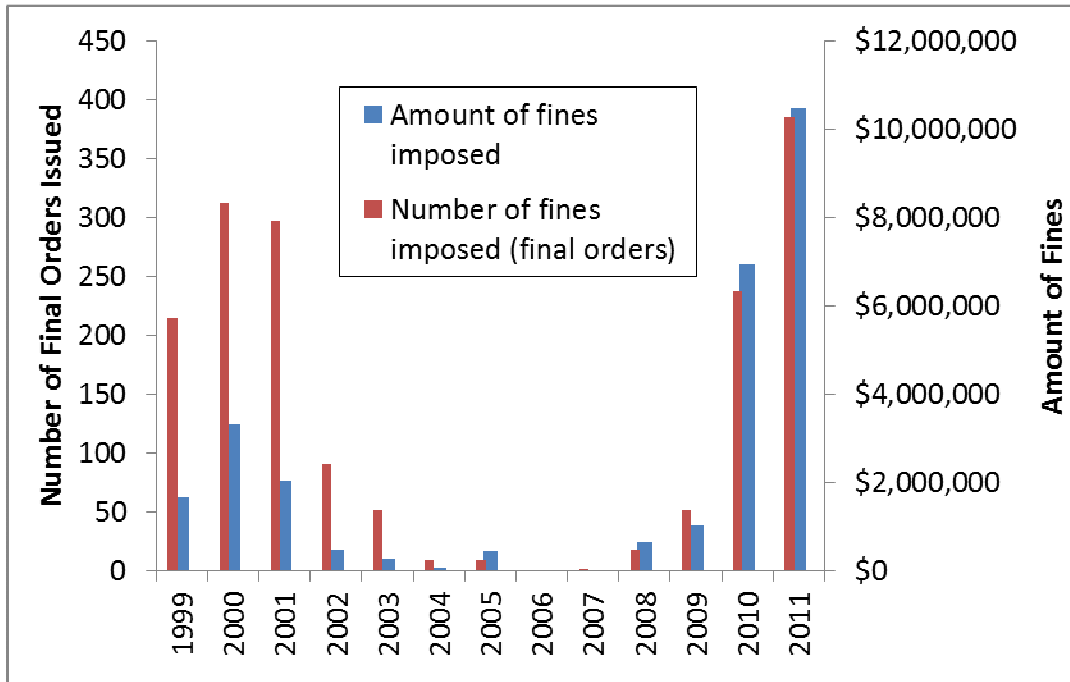


**Figure 3: Interior Immigration Enforcement Programs, FY2004-FY2012**



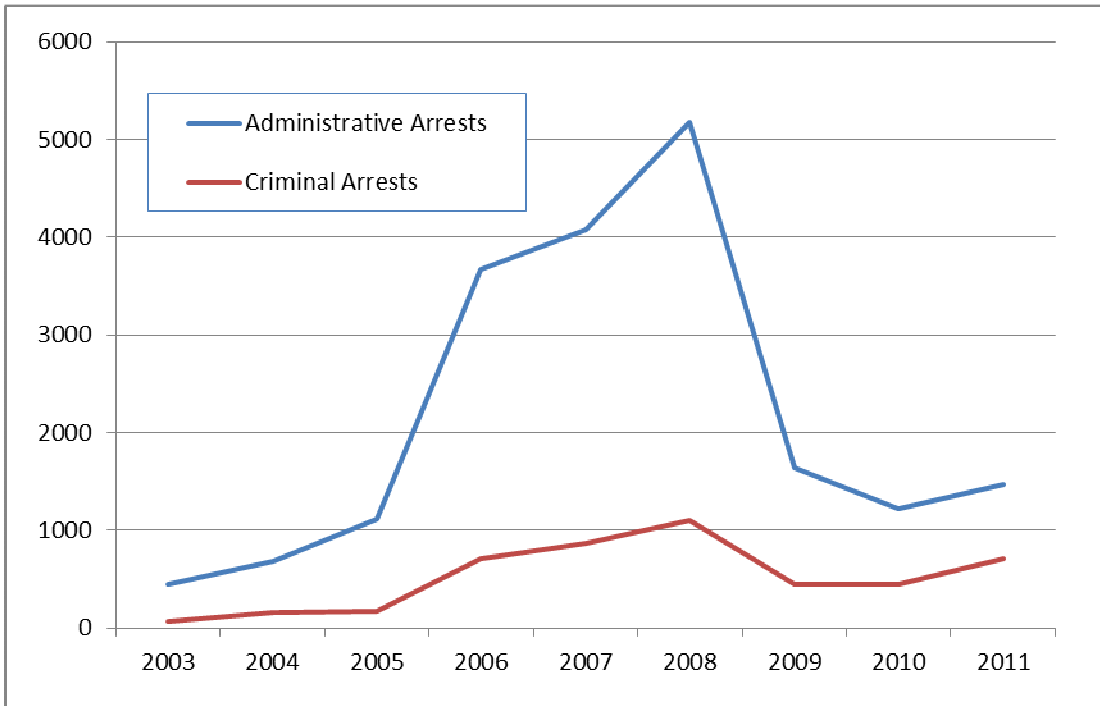
Source: CRS Report R42057.

**Figure 4: Administrative Fines Imposed Against Employers, FY1999-FY2012**



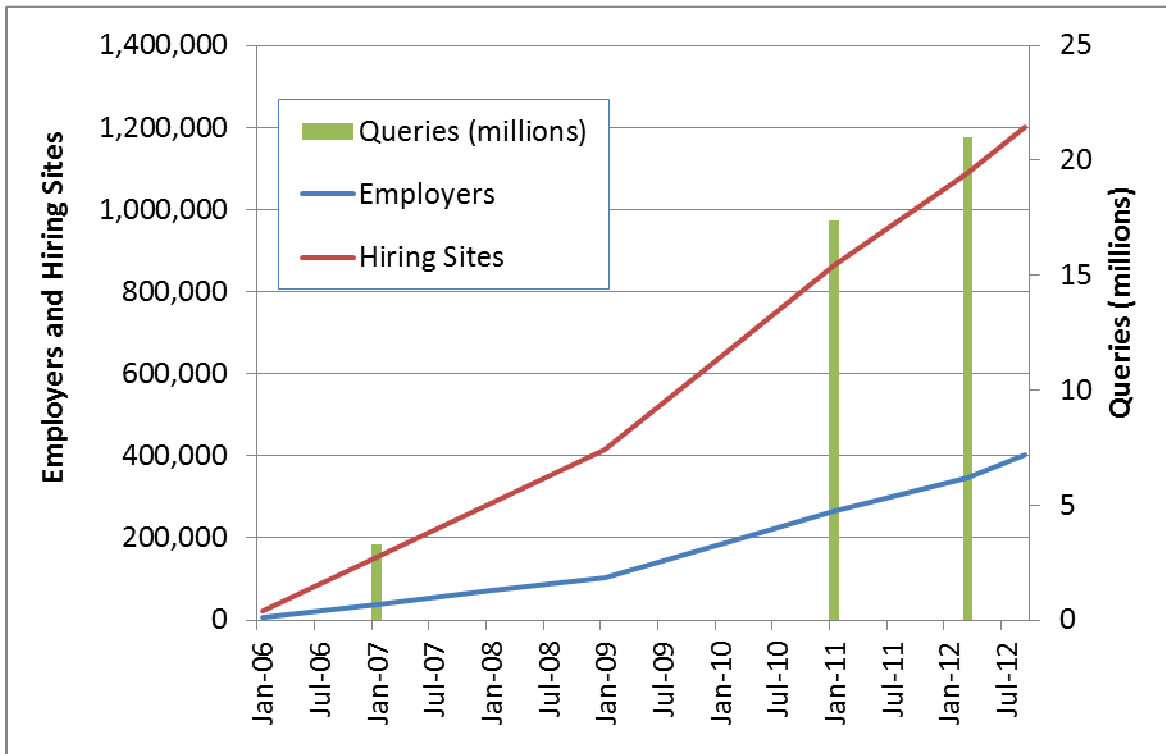
Source: CRS Report R40002.

**Figure 5: Administrative and Criminal Arrests in Worksite Enforcement Operations, FY2003-FY2011**



Source: CRS Report R40002.

**Figure 6: Use of the E-Verify Electronic Eligibility Verification System, 2006-2012**



Source: CRS Report R40446.