

May 17, 2017

Dear Member of Congress,

We, the undersigned organizations, urge you to oppose the House Anti-Border Corruption Reauthorization Act (H.R.2213) and the Senate Boots on the Border Act (S. 595)—measures that would eliminate critical polygraph requirements, widely used by federal law enforcement, for some U.S. Customs and Border Protection (CBP) applicants. CBP, an agency with serious corruption and integrity issues, cannot be trusted to take shortcuts by weakening hiring standards.

Watering down CBP hiring standards through polygraph loopholes is dangerous and risks employing CBP officers and agents who jeopardize national security and public safety; compromising the largest law enforcement agency in the country. Indeed, these bills threaten to repeat recent disastrous history when agents hired during a late 2000s CBP surge were found to be corrupt—some working for international drug trafficking organizations—and prone to abuses such as excessive uses of force and sexual assault. In response, Congress enacted the Anti-Border Corruption Act of 2010 that mandated polygraphs for all persons applying for CBP law enforcement positions.

Other federal law enforcement agencies, including the FBI, DEA, ATF, and Secret Service, make no exceptions for polygraph testing of applicants. However, S. 595 and H.R.2213 would allow CBP to exempt subgroups of federal/state/local law enforcement and certain military and National Guard personnel, despite the fact that some of these applicants have never taken a polygraph exam or one as stringent as the one used in federal law enforcement.

The polygraph is an integral component of CBP vetting and has prevented corrupt or corruption-prone applicants from being hired and deployed. Two-thirds of applicants fail the CBP polygraph and hundreds have admitted to serious criminal activity during the screening process. Former CBP head of Internal Affairs James Tomsheck confirmed that applicants have revealed engagement with drug cartels and smuggling activities during their polygraph exams. He also stated that “[s]ome of the most significant corruption cases and excessive use-of-force problems were CBP officers or Border Patrol agents who had been in the military and had served in combat.”

CBP is facing staggering integrity and professionalism challenges. According to the Government Accountability Office, between 2005-2012 there were 2,170 reported incidents of arrests of CBP personnel for misconduct. That’s nearly one CBP officer or agent arrested for misconduct every single day for seven years. Almost 200 current or former CBP employees

were arrested or indicted since October 2004 for corruption-related activities, such as the smuggling of immigrants and drugs, of whom 125 had been convicted as of October 2012.

DHS's own CBP Integrity Advisory Panel of outside law enforcement experts concluded in 2015 that "there is data indicating that arrests for corruption of CBP personnel far exceed, on a per capita basis, such arrests at other federal law enforcement agencies." In its final report issued in 2016, the panel recommended that current polygraph testing be expanded to include post-employment tests that are best practices at the FBI and agencies in the U.S. intelligence community.

CBP has a horrendous track record of abuse and impunity. Since January 2010, more than 50 people have died in encounters with CBP personnel. Not only have many CBP agents and officers been implicated in excessive use of force incidents, but the rate of sexual misconduct by CBP personnel is significantly higher than other law enforcement agencies.

CBP undoubtedly faces recruitment and retention problems. But increasing hiring at the expense of the public's trust, creates serious national-security vulnerabilities, jeopardizes public safety, and degrades the quality of life for border residents.

Sincerely,

African American Ministers In Action  
All Peoples Community Center  
Alliance San Diego  
American Immigration Lawyers Association  
America's Voice  
Arkansas United Community Coalition  
Asian Americans Advancing Justice - AAJC  
Asian Americans Advancing Justice-LA  
Asian Pacific American Labor Alliance  
Asian Pacific Institute on Gender Based Violence  
Border Action Network  
California Coalition Against Sexual Assault  
Casa de Esperanza: National Latin@ Network  
Center for American Progress  
Chicago Religious Leadership Network on Latin America - CRLN  
Christian Church (Disciples of Christ) Refugee and Immigration Ministries  
Church World Service  
Coalición de Derechos Humanos

**Coalition for Humane Immigrant Rights (CHIRLA)**  
**Columban Center for Advocacy and Outreach**  
**Conference of Major Superiors of Men**  
**Friends Committee on National Legislation**  
**Green Valley/Sahuarita Samaritans**  
**Hope Border Institute**  
**Illinois Coalition for Immigrant and Refugee Rights**  
**Immigrant Legal Resource Center**  
**Indivisible Highland Park**  
**Inland Empire - Immigrant Youth Collective (IEIYC)**  
**Jesuit Conference of Canada and the United States**  
**Kids in Need of Defense**  
**Kino Border Initiative**  
**Latin America Working Group (LAWG)**  
**League of United Latin American Citizens**  
**March and Rally LA**  
**Maryknoll Office for Global Concerns**  
**Mi Familia Vota**  
**National Advocacy Center of the Sisters of the Good Shepherd**  
**National Council of La Raza (NCLR)**  
**National Immigrant Justice Center**  
**National Immigration Law Center**  
**NETWORK Lobby for Catholic Social Justice**  
**New Mexico Faith Coalition for Immigrant Justice**  
**NM Comunidades en Acción y de Fe (CAFe)**  
**North County Immigration Task Force**  
**OneAmerica**  
**Pangea Legal Services**  
**People Organized for Westside Renewal (POWER)**  
**Pilgrim United Church of Christ, Carlsbad CA**  
**Pilipino Workers Center of Southern California**  
**Playa Vista Job Opportunities and Business Services (PVJOBS)**  
**Presbyterian Peace Fellowship**  
**San Diego Immigrant Rights Consortium**  
**Sierra Club**  
**Sisters of Mercy of the Americas – Institute Justice Team**  
**Somali Bantu Association of America**  
**Southern Border Communities Coalition**  
**Survivors of Torture, International**

**Texas Unitarian Universalist Justice Ministry**  
**The Community Legal Research Center**  
**The Good Shepherd United Church of Christ**  
**The United Methodist Church - General Board of Church and Society**  
**UndocuBlack Network**  
**Unitarian Universalist Service Committee**  
**United Farm Workers of America**  
**United We Dream**  
**Voto Latino**  
**Women's Refugee Commission**