

RAÚL M. GRIJALVA  
7TH DISTRICT OF ARIZONA

COMMITTEE ON NATURAL RESOURCES  
Subcommittee on Water and Power  
Subcommittee on Parks, Forests and  
Public Lands – *Ranking Member*

COMMITTEE ON EDUCATION AND THE WORKFORCE  
Subcommittee on Early Childhood,  
Elementary and Secondary Education  
Subcommittee on Higher Education and  
Workforce Training

CONGRESSIONAL PROGRESSIVE CAUCUS,  
Co-Chair



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0307**

Agenda Item #7

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July 7, 2011

The Honorable Janet Napolitano  
Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528

Dear Secretary Napolitano,

I write to you today concerning the ongoing security and economic development efforts underway in Arizona and along our nation's southwestern border. As you know, these issues are foremost in the thoughts of people across the country.

As a past governor of Arizona, you personally understand how important ports of entry are to our border communities. As Secretary of Homeland Security, you understand the importance and significance that ports of entry have for efforts to protect our borders and the nation as a whole.

You may agree with me, then, that our land ports of entry have been neglected for far too long. This neglect has serious economic and security implications. Border commerce is vital to our entire national economy. U.S.-Mexico trade is a vital economic lifeline not only for border states but for private companies all over the country. Mexico is America's third largest trading partner behind Canada and China. Last year, U.S.-Mexico trade totaled \$397 billion.

Trade between the United States and Mexico creates and supports jobs for millions of Americans and Mexicans. In 2010, Mexican shoppers purchased over \$2.4 billion in goods and services in the State of Arizona, accounting for approximately 60,000 jobs in the retail sector alone. Delays and other inefficiencies at our ports of entry led to significant costs for the U.S. and Mexican economies.

A 2008 draft study by the Department of Commerce found the following: "Today, border wait times at the five busiest southern border [ports of entry] average over one hour, which result in an average economic output loss of \$116 million per minute of delay. In 2008, these delays cost the U.S. economy nearly 26,000 jobs and \$6 billion in output, \$1.4 billion in wages, and \$600 million in tax revenue *annually*. By 2017, average wait times could increase to nearly 100 minutes, costing U.S. more than 54,000 jobs and \$12 billion in output, \$3 billion in wages, and \$1.2 billion in tax revenue *annually*. The *cumulative* loss in output due to border delays over the next ten years is estimated to be \$86 billion" [emphasis in the original].

The growth of international trade has outpaced our ports' workload capacity, resulting in congestion and delays. This increased congestion hurts businesses that rely on safe and efficient cross-border traffic. To reverse these alarming economic trends, a comprehensive set of options must be explored:

- **Expand Physical Infrastructure:** We need to widen bridges and U.S. and Mexican access roads, expand primary and secondary facilities, and lengthen dedicated cargo and FAST lanes. For example, the San Luis Port of Entry (San Luis I) has long been one of the most congested ports of entry along the entire U.S.-Mexico border. As early as 2006, I wrote to the president and the General Services Administration stressing the need for upgrades because of the tremendous growth on both sides of the border. Now, some five years later, the situation is worse. In 2009, the outdated and overburdened San Luis I crossing processed more than 39,644 trucks, 2.25 million cars and close to 7 million people (including 2.5 million pedestrians). Increased border commerce, low staffing levels and aging infrastructure have meant our border crossers now routinely face waits of 2 to 3 hours in both directions. The situation at San Luis I has become untenable.
- **Increase Staffing and Operating Hours:** We need to increase the number of officers, agriculture specialists and support staff along the border in tandem with infrastructure improvements. To take just one example, although the Nogales West (Mariposa) Port of Entry is undergoing a \$200 million reconfiguration program, Customs and Border Patrol (CBP) does not have the staff to operate the existing facility properly, much less when it expands by 50 percent later this year and again in 2013. According to a 2007 study by the Government Accountability Office, the CBP model estimates a need of up to several thousand more officers and agricultural specialist to operate its ports of entry nationwide.

Furthermore, of great alarm, military-style weapons are arming Mexico's brutal drug trafficking organizations. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has consistently found that the overwhelming majority of firearms recovered at crime scenes and traced by Mexican officials originate in the United States. Between 2004 and 2008, Mexican legal authorities recovered more than 23,000 firearms. Although only a fraction of recovered firearms were submitted to the Department of Justice for tracing, approximately 87% of traced firearms were determined to have originated in the United States.

These guns have contributed to Mexico's dangerous levels of violence. Since the state of the Administration of President Felipe Calderón in December 2006, according to Mexican government estimates, 34,612 people have died in organized crime-related killings in Mexico. As the U.S. partners with Mexico to combat drug-related violence, we must enhance our efforts to curb firearm trafficking from the United States to Mexico. Key steps toward stemming the southbound flow of guns are:

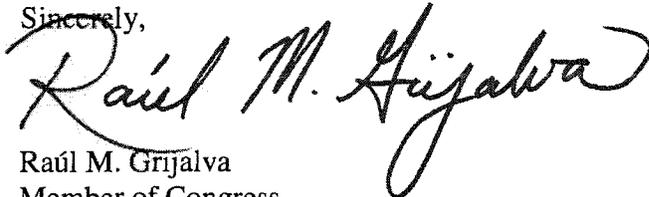
- **Closing the Gun Show Loophole:** Currently, licensed gun dealers are required to run criminal background checks on all buyers, but a loophole in the law enables criminals to avoid these checks if they buy from gun-sellers who don't have licenses. Often operating at gun shows, these unlicensed sellers give criminals the opportunity to sidestep the background check system and easily purchase guns. This is especially dangerous in the

Southwest border region. ATF Assistant Director for Field Operations William Hoover said in Congressional testimony on February 7, 2008, that “the increased incidence of firearms trafficking to Mexico [from the U.S.] is [in part] influenced by a readily accessible source of firearms and ammunition originating in mostly the secondary market such as gun shows, flea markets and private sales.” These sobering facts lead me to support the Gun Show Loophole Closing Act of 2011. I urge you to support this legislation.

- **Report Multiple Sales of Long Guns:** AFT has testified before Congress that the Mexican drug cartels’ weapon of choice includes AR-15s, AK-47s, and other high-capacity “long guns,” and that these weapons are overwhelmingly traced to U.S. sources. The Department’s Office of Inspector General (OIG) recently reported that Mexican cartels are buying these assault rifles in multiples and recommended that ATF try to obtain multiple long gun sale reports to help develop investigative leads. As you know, current federal law requires federally licensed dealers to complete “multiple handgun sale reports” whenever the same person buys more than one handgun from a dealer within five business days. In the Federal Register notice dated December 17, 2010 [OMB Number 1140-NEW] AFT proposed the “Report of Multiple Sale or Other Disposition of Certain Rifles,” I urge you to support this new policy which will translate into a significant step that will give AFT key information for investigating and cracking down on illegal gun traffickers.

At this critical moment, we cannot afford to slide backwards. I know you share my sense of urgency and look forward to working closely with you as we continue our efforts to have a secure and prosperous border.

Sincerely,

A handwritten signature in black ink that reads "Raúl M. Grijalva". The signature is written in a cursive style with a large, sweeping initial "R".

Raúl M. Grijalva  
Member of Congress

# **KNOW THE FACTS ON BORDER SECURITY**

**Staffing for the approximately 150 land ports of entry connecting the US to Mexico and Canada is dramatically underfunded.**

**With staffing numbers soaring for Border Patrol, without a correlated increase in the staffing for CBP at the ports of entry, the results are a weakening of our nation's layered strategies for securing the homeland.**

**Increased staffing for Border Patrol without equal increases for CBP officers at our ports redirects criminal activities of smuggling narcotics, money, guns, and people from the areas between our ports to the ports of entry themselves.**

**The border is the front line of Homeland Security efforts to stop terrorists, criminals, illegal aliens, weapons, and more.** Protecting the U.S. from threats is one of CBP's most critical missions at our ports of entry. However, many people wrongly assume that CBP is only a trade facilitator.

**CBP officers are responsible for our economic security in addition to Homeland Security.** While protecting the U.S. from threats, CBP must efficiently facilitate trade and process the stream of legitimate goods and people that are entering and leaving our country, or the economic health of the U.S. would suffer drastically.

**Funding for CBP officers must increase in line with funding for Border Patrol agents or we will never be able to truly secure our borders.** Border Patrol is one major part of a multilayered and complex strategy for our homeland security. However, if we do not have adequate staffing at the ports, we are missing a KEY component of border security, which also contributes to the economic health of this country.

**Funding for CBP officers at our ports of entry and funding for Border Patrol between our ports of entry is NOT an "either or" proposition. To fund one and not the other is to neglect a major facet of the security of the United States.**

**The U.S. has reached a tipping point where our CBP personnel cannot develop any additional, creative solutions to staffing shortages, where no additional technology will help facilitate border crossings at cramped facilities without staffing, and where this country will face serious repercussions if something is not done to address staffing shortages now.**

**There is not current staffing or even CBP officers in the pipeline to cover the additional demand for officers at any ports of entry in the U.S., including Arizona.** For example, the Mariposa Port of Entry in Arizona will practically double its crossing capacity starting on October 1, 2011, going from 4 cargo lanes to 8, and from 4 passenger lanes to 6, even though construction on the Mariposa Port will not be fully completed until 2014.

**Funding MUST increase for CBP officers in the FY 2010 Supplemental Appropriations Bill and in future Appropriations Bill in order to achieve comprehensive border security.**

## SUPPORTING INFORMATION

**Staffing for the 150 land ports of entry connecting the United States with Mexico and Canada is dramatically underfunded, while staffing numbers are soaring for Border Patrol, resulting in a weakening of the layered and complex security along the border.**

- The White House requests funding for only 30 CBP officers in the FY 2010 Supplemental Appropriations Bill, while the Border Patrol could receive 1,000 agents
- Nogales, Arizona ports of entry need over 100 officers at today's staffing levels to fully operate the ports of entry
- Arizona alone would need 200 officers at today's staffing levels
- 30 additional CBP officers do not even begin to address attrition due to retirement, transfers, resignations, and terminations in one year just for Arizona, much less for the entire U.S.
- The number of Border Patrol agents has more than quintupled from 4,000 to a projected total of 22,800 in 2010. The agency's budget has exponentially increased over the same period from \$400 million to \$3.5 billion
- The budget for CBP officers has seen a relatively minimal boost. Funding for Customs increased from \$1.6 billion in 1993 to \$2.7 billion in 2010. Of that, 68 percent - nearly three quarters - was consumed by rising inflation
- *This imbalance severely compromises our national and economic security.*

**The border is the front line of Homeland Security efforts to stop terrorists, criminals, illegal aliens, weapons, and more.** Protecting the U.S. from threats is one of CBP's most critical missions at our ports of entry. However, many people wrongly assume that CBP is only a trade facilitator.

- **CBP Protects the U.S. from Terrorists and Acts of Terror:** CBP has installed almost 200 radiation portal monitors across the U.S. to stop materials that could be used for dirty bombs or other acts of terror. CBP screens 100 percent of the 361 million people that enter the U.S. each year to stop terrorist from entering our country
- **CBP Arrests Criminals Entering the U.S.:** Ports of entry apprehended more than 9,500 people wanted for a variety of charges, including serious criminal crimes such as murder, rape, and child molestation
- **CBP Stops the Southbound Flow of Money and Guns to Drug Cartels:** Outbound currency seizures amounted to more than \$57.9 million and outbound weapons seizures totaled 433. Outbound currency seizures went up 74 percent in a year-to-year comparison
- **CBP Stops Illegal Immigration and Drug Smuggling:** During FY 09, CBP officers seized more than 1.5 million pounds of narcotics and arrested 38,964 suspected criminals. FY09 saw a dramatic increase of over 50 percent in the amount of narcotics that criminals attempted to smuggle into the U.S.
- **CBP Stops Illegal Trade:** CBP initiated more than 18,000 trade enforcement seizures valued at more than \$300 million
- **CBP Protects Domestic Agriculture for Dangerous Pests and Diseases:** CBP agriculture specialists seized more than 1.5 million prohibited meat, plant materials or animal products, including 166,727 agricultural pests at ports of entry.

**CBP officers are responsible for our economic security in addition to our national security.** While protecting the U.S. from threats, CBP must efficiently facilitate trade and process the stream of legitimate goods and people that are entering and leaving our country, or the economic health of the U.S. will suffer.

- **361.2 million legitimate travelers nationwide**
- **108.5 million legitimate cars, trucks, buses, trains, vessels and aircraft.**
- **CBP is the second largest source of revenue for the United States** through collection of duties and tariffs, just after the Internal Revenue Service
- **\$1.7 trillion annually of imported goods**

- **CBP's Impact on Arizona:** Legal trade and travel processed by CBP officers accounts for approximately \$2.5 billion a year in Arizona business alone and 60,000 Arizona jobs.
- **CBP Protects Vital U.S. Companies from Intellectual Property Theft:** The domestic value of goods seized that violated a U.S. company's intellectual property rights equaled \$260.7 million, saving revenue, tax income for the U.S., and jobs for U.S. citizens.



Greater Nogales  
Santa Cruz County  
PORT AUTHORITY

July 2, 2010

Senator John McCain  
US Senator  
241 Russell  
Washington, D.C. 20510

Senator Jon Kyl  
US Senator  
730 Hart  
Washington, D.C. 20510

RE: Funding for Additional CBP Staffing

Dear Senators McCain and Kyl,

We have been informed that the House of Representatives has just passed the Budget Supplemental Bill which, among many other provisions, includes the funding for 500 new Customs and Border Protection (CBP) officers. On behalf of the Greater Nogales Santa Cruz County Port Authority I write to request that you support this initiative and that you work with your colleagues to ensure that the Senate version also includes the additional funding for the 500 new CBP officers.

In the original amendment submitted by the President, the Administration had requested an additional 1,000 Border Patrol Officers, and 160 Immigration and Citizenship Enforcement (ICE) officers. That submittal only included the funding necessary for an additional 30 CBP officers. We were simply dismayed that our ports of entry, where more than 300 million people per year and close to \$1 billion per day are processed at the border were getting so little attention.

While we whole heartedly agree with the need to secure the border, it is also imperative that ports of entry receive the same level of attention. As the Border Patrol deploys additional resources all along the border it forces all activities to focus at the ports of entry. Yet our ports of entry are outdated, lack the necessary staffing, and are in need of additional proven technologies to effectively and efficiently enforce the laws and manage the ports of entry.

As we have communicated with you before, our binational community is dependent on the ability of both goods and people to cross the border effectively and efficiently. Yet our wait times to cross the border are well over 45 minutes in a 24-hour cycle. That combined with the enhanced inspection and enforcement for southbound

traffic, it is not uncommon for someone who crosses the border daily to wait in excess of 2 to 4 hours to cross the border in one round trip. There is nothing worse than being stuck in line to cross the border and seeing booths that are not being staffed and operated.

You know that we are strong advocates for improvements in infrastructure, but to invest in infrastructure without the necessary staffing is simply unacceptable. We raise this issue as the Mariposa Reconfiguration project is well underway and we are seriously concerned that once the facilities are completed CBP will not have sufficient staff to operate it to its capacity.

We estimate that the Nogales port of entry system alone requires as many as 100 new CBP officers – today! CBP, like every other agency of this size, always has variations in staffing due to attrition, relocation, and various other causes. Furthermore, from recruitment to deployment a new officer can take well over a year before they are assigned to their post. Thus we ask that you work to ensure that Nogales receives a net gain of 100 officers.

***“Staffing to need” is the key.*** It is critical that CBP receive the funds for the additional staffing. Our ports of entry at Nogales are in dire need of additional staffing. We are planning a visit to Washington in the near future to communicate this urgent need and look forward to meeting with you at that time.

Respectfully,

A handwritten signature in cursive script that reads "James B. Manson".

James B. Manson  
Chairman