

**CENTER FOR
STRATEGIC AND INTERNATIONAL STUDIES (CSIS)**

**SECURING THE BORDER:
A SMARTER LAW ENFORCEMENT APPROACH**

**WELCOME/MODERATOR:
RICK “OZZIE” NELSON,
SENIOR FELLOW, CSIS**

**KEYNOTE SPEAKER:
JANET NAPOLITANO,
SECRETARY, DEPARTMENT OF HOMELAND SECURITY**

**DISCUSSANTS:
JOHN MORTON,
ASST. SECRETARY, IMMIGRATION AND CUSTOMS ENFORCEMENT**

**GIL KERLIKOWSKE,
DIRECTOR, OFFICE OF NATIONAL DRUG CONTROL POLICY**

**DAVID AGUILAR,
DEPUTY COMMISSIONER, CUSTOMS AND BORDER PROTECTION**

**ROBERT L. DAVIS,
PRESIDENT, MAJOR CITIES CHIEFS ASSOCIATION**

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RICK “OZZIE” NELSON: Welcome, everyone. We thank you for coming to what is a really terrific event. My name is Rick “Ozzie” Nelson, I’m the director of the homeland security and counterterrorism program here at CSIS and we’re absolutely honored and privileged to have Secretary Napolitano here to talk about “Securing the Border: A Smarter Law Enforcement Approach.”

I’d first like to thank the sponsor of the Statesmen’s Forum, which is The Lavrentiadis Group, who has supported the Statesmen’s Forum throughout the year, and we appreciate that. Obviously, a lot has been going on in the world of border security, particularly in the Southwest border area, and obviously, as the former governor of Arizona and now the secretary of homeland security, we have, obviously, a very, very unique perspective on this. And it’ll certainly be a learning event for all of us.

How we’ll move forward, Secretary Napolitano is going to give her remarks first. I’m not going to go through a lengthy introduction because we do have a tight timeline. When she’s done with her remarks, she’ll return to her seat and then we’ll go into questions and answers directly for the panel.

I will be the moderator. I’m going to run a tight ship. It’ll be questions and answers. There will be no statements and answers, so if that upsets anybody, I apologize in advance for that, but we’re on a short timeline. So without further ado, I’m going to go ahead and introduce Secretary Napolitano. Thank you very much for coming. (Applause.)

SECRETARY JANET NAPOLITANO: Well, thank you, and it is a pleasure to be here, and thank you to the Major City Chiefs Association and the CSIS for hosting this event today. One addition I think I would make to the program is that after I sit down and before questions, I think we’ll introduce the other panelists, who come from really the direct, hands on, frontline responsibilities in the areas that I’m going to speak about.

I want to especially thank John Morton, the assistant secretary for ICE, and David Aguilar from CPB. They are here today, as well as the director of National Drug Control Policy, Gil Kerlikowske, who is expert in this area and a very effective advocate for smart and effective law enforcement. Thank you, Gil. And I’m also happy to welcome Rob Davis, president of the Major City Chiefs Association; a great community leader in the city of San Jose; really doing some important and novel things with the police department there.

Indeed, the Major City Chiefs Association has been a great partner with the Department of Homeland Security. We are proud to be able to support the 56 big-city police chiefs that you represent and to support the more than 800,000 sworn officers that are present in those departments, so thank you, chief.

Before I open it up for discussion, I'd like to speak about some of the immigration and border-related challenges that law enforcement faces. First, let me begin by saying that border security and enforcement is primarily the responsibility of the federal government. And unfortunately, for decades, we have not had an effective strategy that is border-wide. We've not devoted the attention, personnel and resources that have been required to cover the border all the way from Brownsville to San Diego.

Now, from day one, the Obama administration has taken its responsibility here seriously. It has developed and implemented a clear strategy to obtain that personnel, those resources, that equipment and technology that's truly required for the federal government to meet its responsibility along our nation's border. So today, I want to discuss our strategy and the strong and smart measures that DHS has already taken to improve enforcement both at the border and within the interior of the country. I'd like to detail what progress we've made and the next steps that we are taking.

Now, let's begin with the current challenges. Our Southwest border states have endured more than their share of challenges. And I know this from personal experience, having worked directly on border issues since 1993 – first as the United States attorney for Arizona, then as the Arizona attorney general, then as the governor of Arizona, and now, of course, as secretary of homeland security.

I was actually raised in another border state, New Mexico, so I have spent almost all of my life along that Southwest border. I have walked it, I have driven it, I have flown it, I have even ridden it on horseback. This is a border that I know extremely well. And I share the frustration that border communities feel about the challenges that exist in that region, as shown by the cartel-related violence in Mexico and the tragic murder of Rob Krentz in Cochise County, Arizona, just a few months ago.

You do not need to live along the border to feel that frustration. All across the country, in every region, every city and town, Americans want the federal government doing everything it can to secure our borders and to enforce our immigration laws smartly and effectively. No one is happy with the status quo. I'm certainly not and neither is the president.

But as someone who has seen and heard just about every idea, slogan and political theater about the border and immigration enforcement over the past 20 years, I can tell you that this administration has pursued a broad, new enforcement and security strategy with a greater urgency and care than anything I have seen since I began my career in public service. And the strategy is showing real progress.

Let me point to a few reasons why. First, we have dispensed with the rhetoric and we've just gotten to work. Now, for too long, we heard bumper-sticker slogans about being tough. But looking tough just doesn't get the job done. We decided that we needed to add some smarts to toughness and to make some changes to build a coordinated and comprehensive strategy that included CBP, ICE, the Department of Justice family and our state and local partners. The statistics today reflect that this approach is working. And I'll get to a few of those in a minute.

But second, and the most important reason we are seeing progress, is because of the men and women working on the front line each day. And I'd like to pause on this for just a moment. We know that law enforcement in border states throughout the country faces a tall order when it comes to border-related crime and smuggling.

The men and women who wear a badge and put themselves in harm's way each day do it because they, like each of us, want to do the right thing for our country and they want to make a real difference. We count on them for this and they perform their duties with a professionalism and skill that goes above and beyond every single day. They depend on us for our support and for a tough and smart federal enforcement strategy. We owe them nothing less. We are giving them nothing less. And I will continue to do so as long as the president and I and everyone else on this dais hold these positions.

We also know there are thousands and thousands of businesses around the country that are trying to follow the law and hire a legal workforce. These are small businesses – farmers, food-growers, producers and ranchers that are the backbone of our economy. They, like our men and women in law enforcement, must have our full support. They deserve nothing less than a regime that cracks down swiftly on businesses that knowingly hire illegal workers to gain an unfair workplace advantage.

To our partners in the business community who are doing the right thing, I say we are with you. The government has stepped up our efforts through I-9 audits and intelligent workplace enforcement to level the playing field. We will not yield in this arena because we all have a role to play.

Businesses have a role, state and local law enforcement have a role, and of course, as I started out, the biggest responsibility rests with the federal government. It's a responsibility we take seriously. It's why we have taken the steps we have already taken and it's why we are committed to doing even more and are constantly looking for ways to improve our federal enforcement policy.

So let me start with a status update on the smart, effective approach we've been taking over the past 18 months. The personnel we deployed, the technology and resources we've invested, the states we are helping through better information-sharing and increased grant-funding – it's a very different picture now than it was before.

Now, you might not get this impression from those looking to score political points by saying that border and immigration enforcement are spinning out of control. And I say the numbers tell the story and they do not lie. The border patrol is better staffed and more strategically deployed today than ever before. Since 2004, the number of agents has risen. It's actually doubled from about 10,000 to 20,000 today – actually, a little more than 20,000.

We've deployed more U.S. Immigration and Customs Enforcement personnel than ever before to work strategically on investigations, intelligence and interagency taskforces to combat smuggling and human trafficking. We've also deployed more technology than ever to detect smugglers and their cargo. More airplanes, more helicopters, more unmanned aerial vehicles are

working the border than ever before. And for the first time, DHS is screening 100 percent of southbound rail shipments for illegal weapons, drugs and cash.

In terms of infrastructure, the 652 miles of fencing that Congress asked Homeland Security to build is nearly complete. The remaining six miles are expected by the end of the year. The federal government is also collaborating with state and local law enforcement along the border more closely than ever before. And recognize, I was in state and local law enforcement before I moved to Washington, D.C., a year-and-a-half ago.

We are leveraging the resources and capabilities of over 50 law enforcement agencies to deter, deny and disrupt transnational criminal organizations. And we've increased the funding for state and local law enforcement that they can use to combat border-related crime through Operation Stonegarden.

On top of all of this, the administration has partnered with the government of Mexico in ways that are simply unprecedented. We're conducting more operations together, sharing more information and putting pressure on the Mexican drug trafficking organizations that run smuggling operations into virtually every community in the United States. These efforts have produced results.

Apprehensions of illegal crossers – the best indication of how many are crossing – are at a fraction of their all-time high. They were down 23 percent last year from the year before. Last year, seizures of cartel-related contraband rose significantly across the board. We seized 14 percent more illegal bulk cash, 29 percent more illegal weapons and 15 percent more illegal drugs than the year before.

And these kinds of numbers tell the story about our strategy: We are focusing our energy on the most dangerous threats to communities. So the numbers of apprehensions and removals are beginning to reflect this strategy. In short, we are doing a number of things and we are also removing a record number of criminals from our country.

By all measurable standards, crime levels in United States border towns have actually remained flat or have dropped. We've also made important changes to the way that we conduct interior enforcement. We're done it in a way that is smarter and more effective than before. We've strengthened oversight across the board, fostering consistency in immigration enforcement and clearly prioritizing enforcement against convicted criminal aliens who pose the most danger to our communities.

We've expanded the secure communities program, which uses biometric information to identify and remove criminal aliens in state prisons and local jails. Since it began in October of 2008, it has identified almost 35,000 aliens charged with or convicted of the most serious, violent or major drug offenses. Over 8500 of the most serious convicted criminal aliens had been removed from the United States through secure communities.

We've changed the way, as I mentioned, we approach worksite enforcement, moving away from raids that emphasized the number of workers arrested, and focusing instead on the

employers who exploit undocumented workers or commit criminal offenses. Already this year, we have arrested more than 100 employers. We've refocused our fugitive operations, prioritizing criminal fugitives. As a result, whereas in fiscal year 2008 only a quarter of all fugitives arrested were convicted criminals, in fiscal year 2010 more than – or much closer to one half of the fugitives arrested are convicted criminals.

We have also expanded E-Verify, which continues to grow by roughly 1,000 employers each week. We have made it more accurate, cracking down on identity fraud and abuse. Our goal for this system is that it be effective, convenient for employers and accurate, so that employers have a reliable system and those who are here legally won't be inconvenienced or denied a job because of flawed or incorrect data.

So in addition to the positive results we've achieved from our border security strategy, our interior enforcement efforts have also shown positive results. So far this year, ICE has removed more than 117,000 aliens convicted of crimes, 37 percent more than during the same timeframe last year. Indeed, of all the aliens removed so far in fiscal year 2010, as I said before, half are convicted criminals. And in fiscal year 2009, ICE conducted more than 1400 I-9 audits of employers suspected of hiring illegal labor, triple the number as the previous year.

So as we've taken unprecedented actions to increase border security and improve interior enforcement, we are not satisfied. There is more work to do. That is why – and that's what I'd like to move to, now, the new measures that we need to take.

It's why President Obama has recently requested \$500 million more to bolster law enforcement and security along the Southwest border and will deploy 1200 National Guard troops to assist the ongoing efforts to secure the border and combat the cartels. These are common-sense measures to strengthen and expand efforts that have already proven successful. And today, I'd like to announce several new steps in our enforcement efforts.

The first is a new partnership with the Major Cities Chiefs Association to create a Southwest border law enforcement compact. This will boost law enforcement at the border by creating a mechanism, a way for state and local law enforcement agencies that aren't on the border to detail officers to state and local law enforcement agencies who are on the border.

We're also creating a system that will fully interlink the information systems of all state, local and tribal law enforcement entities operating along the Southwest border with those of DHS and of DOJ. This will make sure that officers on the front line have the best information we can give them and that they can share what they learned back up the chain.

We're also establishing a suspicious activities reporting, or SARs program, for the Southwest border. This will help local officers recognize and track incidents related to criminal activity by drug traffickers and utilize this information for targeted law enforcement operations on both sides of the border.

Next, we're strengthening the analytic capability of the state and major-urban-area fusion centers along the Southwest border so that they are better able to receive and share threat

information, improving our ability to recognize and mitigate emerging threats. Next, we're partnering with the Office of National Drug Control Policy to implement Project Roadrunner, an automated license-plate recognition system.

Project Roadrunner was conceived to target both north- and southbound drug trafficking and associated illegal activity along the Southwest border. We're focusing on money laundering and bulk cash-smuggling operations in transportation corridors along the Southwest border and targeting hot spots through roadside interdiction surges.

For that region, I have now ordered the deployment of additional border patrol agents, ICE investigators, air assets and other technologies to the Arizona border, to conduct targeted operations against the cartels that exploit this part of the border, specifically around the Tucson sector. We're also expanding the illegal drug program to additional Southwest border ports of entry, so drug traffickers whose trafficking activity can be tied to Mexico are returned to Mexico to face prosecution by Mexican authorities.

We're also expanding the joint criminal alien removal taskforces. These are comprised of ICE agents and local law enforcement and they identify and arrest convicted criminal aliens who are living in our communities. Now, this also involves deploying surge teams to work with state and local jails that are within 100 miles of the Southwest border, to ensure the identification of all removable convicted criminal aliens detained in those jails who, if released, would pose a danger to public safety.

I'm also proud to announce today that the Federal Aviation Administration has approved the use of CBP unmanned aircraft system flights along the Texas border and in the Gulf region. CBP plans to base an unmanned aircraft system, or UAS, at the Corpus Christi Naval Air Station as soon as all necessary arrangements are finalized to sustain a permanent UAS presence there.

These types of flights aren't useful everywhere, but in some places they're part of the right mix of infrastructure, manpower and technology that improves border security. This is the case for parts of the Texas border and we plan to move forward with using this technology there. And finally, we are increasing joint training programs with Mexican law enforcement, focusing on money-laundering organization investigations and human-trafficking and exploitation organizations.

I'd like to conclude on a part – on a point that I think bears repeating. There is a clear federal responsibility here and this administration has taken this responsibility seriously from the very start. We're attacking the challenges the border brings and we're doing so in ways that are smart and tough and strategic. The policies and resources we have put in place at the border and in the interior constitute the most serious and thorough immigration and border-related effort ever.

There is no magic bullet here, but we are addressing the problem in ways that are smart and unprecedented. Now, securing our border requires constant pressure. And maximizing our efforts, especially against traffickers and criminals, will require more than just federal, state and local resources. It will also require Congress, working across party lines, to enact changes to our

immigration laws so that we have a comprehensive set of reforms that meet the needs of our country.

And this administration is committed to taking that step. It's not just enough to address just one part of our broken immigration system without addressing the rest. For too long, all we've heard in this debate is tough talk without the smart, comprehensive steps we need to truly fix the immigration system.

The immigration debate is about accountability. It's about meeting fundamental responsibilities. And as I mentioned earlier, the federal government needs to meet its responsibility to secure our borders. Employers who game the system and hire undocumented workers need to be held accountable. And yes, illegal immigrants also need to be held accountable by requiring them to register, get right with the law, pay their taxes, learn English before they can ever get in line to earn American citizenship.

Each of these components is related and that's why we need a single, functional immigration and border policy. We cannot have 50 different state policies. It simply will not work. Now, too often, politicians' bumper-sticker slogans are presented as real solutions. They are not. The American public knows better. It can be assured that this administration and the Department of Homeland Security will continue to take every action needed to secure the border and pursue real immigration reform.

And with that, and with that assurance, I'm happy to open up the floor along with Assistant Secretary Morton, Deputy Commissioner Aguilar, Director Kerlikowske, Major Cities Chief President Rob Davis to talk about this subject of such importance to the American people. Thank you very much. (Applause.)

MR. NELSON: Well, Madame Secretary, thank you very much for those very, very good remarks. And we appreciate the update on all the new initiatives and all the accomplishments. I think sometimes that gets lost in the media. We focus on all the negatives. We forget how much progress we have made and how good our forces in the field are doing on a daily basis. And I think that that was an excellent job of highlighting that.

You've already introduced the panel. I'll just go through them very quickly here, just to point out some of their highlights. But next to you, you have Director Kerlikowske, who's the director of the Office of National Drug Control Policy and the nation's sixth drug czar. In his position, he coordinates all federal aspects of the federal drug control programs and the implementation of the president's national drug control strategy. He has 37 years of law enforcement experience and prior to his, he was the chief of police in Seattle for eight years.

Next, we have Assistant Secretary John Morton. He leads the principal investigative component for DHS and also the second-largest investigative component of the U.S. government. He's a career attorney, DOJ experience and government service for many years. Then we have Deputy Commissioner Aguilar, a career border security officer for 30 years and now is the deputy commissioner of the Customs and Border Patrol.

And then lastly, we're very – it's actually one of the honors we have here is Chief Davis, who is the chief of police of San Jose, California and president of the Major Cities Chiefs Association, flew in on the red-eye today to be with us. And he's been with the police force there since 1980, so we're actually really privileged to have him here as well.

I'm going to go ahead and take the prerogative of opening up with a first question. And I want to tap into some of the local law enforcement experience we have at the table here and ask a question about information sharing. You talk a lot about information sharing at the federal government level and how difficult and challenging it is, although information sharing between state and local and the federal government is probably going to only be infinitely more difficult and infinitely more challenging.

And particularly when we look at the Southwest border, where you have multiple jurisdictions, including tribal elements and Mexican government and federal government, the challenges of getting the right information to the right people are significant. So I'd like to ask Director Kerlikowske and Chief Davis, to get your thoughts on what are some of the challenges of getting the information that you need to do your jobs there? And how are we overcoming those as a government? I'll start with you, Chief Davis.

ROBERT DAVIS: Thanks. When we discuss the issue of sharing information, clearly, from our perspective at Major City Chiefs, it's about relationships. You know, in terms of sharing information – criminal information – across platforms – be it state, local, whatever the case may be – we have had partners in the past.

We've seen the FBI and others that have brick-and-mortar presence in our communities and we have relationships with them. DHS, you know, has been around for coming up on a decade. We're still in the process of establishing those relationships. But make no mistake, there's been a huge amount of effort and a lot of success that's transpired over the last several years, as we have begun to create fusion centers and other mechanisms whereby local law enforcement can get together and begin to have a face-to-face contact with our state and federal partners. So that's the key there.

And the other problem, I think, for us – and I'll conclude on this – is that you look across the country and in California in particular, we're cutting services. We're cutting patrol officers. I'm standing to lose about 8 percent of my workforce in the next month here. So when you're trying to figure out where you're going to prioritize what you're doing, we really do have to get savvy and figure out how we can share information, take advantage of each others' resources.

It's going to be key to success in the future as we're dealing with dwindling budgets. So to the extent that local law enforcement can have that support from the federal government, to try and make sure that we're standing up the fusion centers and have those face-to-face relationships, that's where we need to be going.

MR. NELSON: Director Kerlikowske?

GIL KERLIKOWSE: You mentioned my 37 years. Thanks very much. (Laughter.) A couple things that I think are important: Rob mentioned fusion centers. The other, I think, hallmark of this administration in particular is to select people that have backgrounds at the state level and at the local level.

After 9/11, information sharing began to improve markedly, but I think that we've taken it a few steps further. And that is looking at this problem, especially the drug problem, quite holistically, and not looking at as just the border being 1,960 miles along that area. It is involving everyone in this effort, whether it was the Seattle Police Department in this new law enforcement compact that the secretary just mentioned.

All of this is meant to supplement and augment and work closely with the federal resources. And frankly, in that long experience, I have never seen better examples of the sharing of information, all in an effort to make sure that our communities are protected.

MR. NELSON: Great, thank you very much both of you. Okay, go ahead and open it for questions. And it's a little bit difficult sometimes to see people with the lights. But we'll go ahead and start with the gentleman in the blue suit right here. (Laughter.) This town, everybody has a blue suit, huh? We have microphones coming around. Please state your name and where you're from. And direct your question. And then I'll kind of assign it to a panelist. That gives us a little flexibility.

Q: Yes, my name is Gregorio— (inaudible) — and I would like to see if Sec. Napolitano and Mr. Aguilar can tell us, which is the current status of the investigation in regards with the shootings at the border? And how do you think that more deployment of troops and personnel can avoid interference with the good relationship that you have currently with the Mexican government?

DAVID AGUILAR: Gregorio, thank you for that question and good afternoon everybody. One of the things that I think that we need to recognize is, as has been stated numerous times before, that we ask our men and women to deploy in a very complex environment of the border. It is an environment that is not only complex but is a tough area. They encounter various activities that until they encounter the activities they don't know what they are up against.

That being said, any time that there is loss of life, it is very, very regrettable. The incident that you speak to is in fact being investigated. It is being investigated and looked into thoroughly, jointly, with the law enforcement community throughout the area there. And once that is completed, we will put out the information in a very open fashion. So the investigation is ongoing as we speak.

As to the National Guard, the National Guard deployments that have worked throughout the last 20 years that we have worked with the National Guard has worked in a very coordinated fashion, to the point that it increases our capabilities in such a fashion that it puts more boots on the ground, more Border Patrol agent boots on the ground, support from the National Guard, but yet a clear division of them not arresting, not engaging in enforcement activities directly

attributed to any illegal crossings of either aliens, narcotics or things of that nature. We have experience in this. It has worked out very well. And I can assure this group that the National Guard, the citizen soldiers, will bring us a tremendous amount of capability in securing our borders.

MR. NELSON: Okay, great. We'll go to the next question. The gentleman in the front row right here, wait for a microphone, please.

Q: Thank you. (Inaudible) – Barrera with the Mexican News Agency. This is a question for Sec. Napolitano. Madame Secretary, I wonder if you can expand about two of the announcements that you made regarding the deployment of new personnel to Arizona and also the use of these – (inaudible) – in Texas. Could you give us precise numbers? And I wonder if, given the fail of the SBInet program so far, if the U.S. government has considered the possibility to expand the use of this type of – (inaudible) – along the border with Mexico.

SEC. NAPOLITANO: Well, part of it depends on Congress passing the supplemental that the president has requested. But that supplemental pays for 1,000 more Border Patrol agents, 160 more ICE investigators, 30 more port officers, 20 more K9 teams and two Predators to be used along the border. Many of those, as well as some existing forces, are surging into Arizona. But they are doing it in a coordinated way. So the numbers today may not be the same as the numbers next week or the numbers the week thereafter. But we can get you some numbers after this program.

The goal is, of course, to focus on the Tucson sector. Anybody that knows that border knows that we have done a pretty good job of closing off San Diego-Tijuana area and the El Paso area. But that has caused a lot of the drug trafficking organizations and human trafficking organizations to focus their roots into Arizona along that corridor. And our goal now is to shut that corridor down.

MR. NELSON: Great, thank you. Let's try this side of the room over here, back with the red dress in the corner.

Q: For Secretary Napolitano, Secretary of State Hillary Clinton has confirmed, and other sources within the administration have confirmed, that the administration will be filing a federal lawsuit against the state of Arizona. And I'm wondering, since you were governor of Arizona, spent so much time there, if you could comment on that.

MR. NELSON: I'm sorry, could you state your name and where you're from, too?

Q: Oh, sorry. Carolyn Presutti with Voice of America TV.

SEC. NAPOLITANO: Uh, no. (Laughter.)

MR. NELSON: All right, can we go to the next question? (Laughter.)

SEC. NAPOLITANO: Listen, questions about whether, how, when, whatever to challenge the Arizona law should be addressed to the Department of Justice. What I'm here saying today is that enforcement along this border in those border states is primarily a federal responsibility.

That we do that and need more manpower, more technology, more infrastructure to assist. That's part of our plan. We need to be working with Mexico. That's part of our plan. And we need to work with state and local law enforcement. That's part of our plan, as well, particularly when it comes to the organizations that are exploiting that border for their own gain.

MR. NELSON: No more questions for this side of the room. You guys are in the penalty box. (Laughter.) All right, we'll go back to the middle, here. Anybody have questions in the middle? Gentleman in the front row.

Q: David Silverberg, Homeland Security Today magazine. There have been reports of shots exchanged and so forth with Mexican military forces along the border, and of Mexican military forces escorting drug shipments, and so forth. Is there any – what impact is that having on these initiatives and on U.S.-Mexican relations along the border for the future?

SEC. NAPOLITANO: Why don't I take that, and also ask Deputy Commissioner Aguilar, also, to address that? Look, as noted, I've worked this border and this border area a long time. There are, from time to time, reports – some verified, some unverified – and it's awfully difficult out there to attribute the identity of any particular group that is moving along the border.

But as individual incidents arise, we deal with our Mexican counterparts about that in an appropriate way. Let me say this, however: Our cooperation with and working on – day-to-day working relationship with Mexican federal law enforcement has never been stronger. And as someone said earlier today, part of it is about relationships, and knowing the people who have, basically, the equivalent of my job on the Mexican side of the boundary – of the border.

And those relationships are very strong, and that's why we believe that, with these additional resources, with the smart, effective tactics and strategy we've been employing, will be deploying, and then working with Mexico, that is our best chance to finally get at these drug cartels that have played havoc with both countries for far too long. But Chief Aguilar, did you want to say anything about that?

MR. AGUILAR: On the issue of working with our Mexican partners and our neighbor, I can tell you that, after 32 years of service, our relationship with Mexico, overall, has never been better, whether it be with the military, with the SSP, with any other government agency that works with us. And that is what has brought us to where we are today.

There has been a brighter delineation, if you will, of the border that did, in the past, cause some problems of inadvertent entries of the Mexican military into the U.S., and frankly, us into Mexico, also. But that brighter delineation, by way of the infrastructure we have put in place, but more importantly, the collaborative effort that the secretary spoke to just now, where we

collaborate on the strategies, on the application of resources, on mirroring efforts in order to bring greater control to that border.

As far as to your question about shots exchanged, I can't remember the last time that, that happened. I can tell you that it has happened in the past, again, when there was those inadvertent actions that did occur. But I want to reinforce that our partnership with our Mexican partners has been just tremendous. And that is part of what is also getting us to better securing the border as we move forward.

MR. NELSON: Okay, we'll go to this side of the room over here. Okay, in the front row right here. And you guys are letting Assistant Secretary Morton off the hook. (Laughter.)

Q: Hi, Marisa Lena with Northrop Grumman, but formerly with Homeland Security international affairs. I want to take a slightly different tack and ask to the secretary or anyone, when I read the title of "securing the border," I know everyone assumes that the main topic is going to be the southern border, but with all due respect to his excellency, the ambassador of Mexico, we also have another neighbor. And I wonder if you might comment on how many of these new measures or different measures might be applied to the northern border?

SEC. NAPOLITANO: Let me take that and say that the measures I have described today are for the Southwest border. However, we have other measures we've applied at the northern border, including more deployment of mobile-type radar systems, more agents – we have met the congressional mandate for the number of agents that need to be at the northern border.

We have excellent cooperation, of course, with the RCMP. And we have an aggressive program underway, now, to improve and provide better equipment and technology at the actual ports of entry all along the northern border. I don't know if you wanted to add anything to that.

MR. AGUILAR: The only other thing I would add is the following: that we don't forget about the northern border. As the secretary pointed out, we're continually adding the border patrol agents and ICE agents. We have the best teams. We have IBITS and we work collectively with the Canadians – with CBSA, CRMP.

In addition to that, one of the areas that we're taking a look at, now, as we work progressively with them, is taking a look at that border not just as a juridical line – not just that line in the frozen tundra up there – but as it relates to flows – flows of people, flows of cargo and flows of transportation modes.

So that to every degree possible, we're looking at those flows, literally, from point of origin, as it transits towards the United States, as it arrives at the United States at the entry point, and then egress, to where we work collectively with foreign law enforcement, domestic law enforcement in partnership to ensure that we do everything possible not just at the juridical line, but throughout those flows. And ICE plays a big part in that. I don't know if you want to expand on that, Mr. Morton.

JOHN MORTON: Well, I'll just add that, first, with regard to the Canadian border, we do have three border enforcement security taskforces, if the president's budget is approved as requested this year, and you're going to see more. And you know, that focuses exclusively on transnational crime coming across the border with Canada.

But to pick up on the point the deputy commissioner made, it's much more aggressive than that. You know, when I come to work every day, now, I think about the border starting in our 44 offices overseas – you know, London, Paris. You know, our biggest foreign office by a long shot is in Mexico City. We have officers not only in Mexico City, but in cities throughout Mexico. And we have an extraordinary level of cooperation with the – our law enforcement partners in those places. And it's because the idea of thinking about border security simply in terms of the line in the sand just is outdated. As the deputy commissioner said, it is all about flows – flows of a lot of things that we want to encourage – trade, lawful travel – and flows that aren't so helpful and lawful and that we need to pay a lot of attention and try to shut them down.

MR. NELSON: Chief Davis, did you want to add anything to that?

MR. DAVIS: No, I think – well, just one quick thing, and that is the fact that, again, we're talking about relationships. We've heard how they are working with our partners both in Canada and Mexico. We have seen that there's much better cooperation between ICE and local law enforcement officials because of the fact that they've recognized some of our needs, in terms of how we're working with our communities and trying to mitigate those issues that come up whenever you're talking about immigration enforcement.

But I do think that the point simply needs to be made that, look, you're looking at a group of people here that have made a lot of strides and a lot of progress over the last several years. Nobody has been sitting around waiting for these problems to come at us. This hasn't just happened. All of these agencies have been very proactively involved.

And in fact, just one quick comment: We're very happy to have seen that the Department of Homeland Security is really focused on making sure that they are reaching out to local law enforcements. And I can prove that by the fact that we know the man at DHS on a first-name basis – Bart Johnson – who is working with using this effort. So the point simply is, if you're looking at us, saying what are we doing to work together? Well, local law enforcement, right – they're trying to support what it is that they're doing as well.

MR. NELSON: All right. Thank you very much. We'll go back over to this side of the room. The gentleman over there.

Q: Chris Strohm with Congress Daily. A question for Secretary Napolitano: As you know, Republicans in Congress say they won't support comprehensive immigration reform until the border is secure. So with that, can you give the timeline on when the border will be secure, or do you think that argument is political posturing and they keep moving the goalposts?

SEC. NAPOLITANO: Well, look, we think these resources we've asked for matter. We think that they matter because they will augment the efforts that have been underway over the

past years and accelerated over the past 18 months. And the plain fact of the matter is that the border is as secure now as it's ever been, but we know we can always do more. And that will always be the case. It's a big border. It's 1960 miles across that Southwest border. It's some of the roughest, toughest geographical terrain in the world, across that border.

And so the notion that you're going to seal that border, somehow, is something that anybody who's been involved in the actual doing of law enforcement – the front-line work of law enforcement – would say you're never going to totally seal that border, recognizing, also, that there's a lot of trade and commerce we want going back and forth. I mean, Mexico, for 22 of our states, is our number one or two trading partner.

I mean, it's huge, the amount of commerce that goes back and forth. But this will make our border even more secure, and we will keep evolving as, indeed, border threats keep evolving. But the notion that you're going to somehow seal the border, and only at that point will you discuss immigration reform – that is not an answer to the problem.

MR. NELSON: Okay, our next question – Arnaud, a colleague from CSIS.

Q: Thank you. Arnaud de Borchgrave, CSIS. My question is to Mr. Morton. How does one calculate the daily average of deportations of illegal immigrants? Is it done on a daily or weekly or monthly basis? What is the average? And what is the cost per deportation?

MR. MORTON: We remove, on any – in any given year, about 380,000 people, a little over 1,000 a day. And we calculate that daily – in some offices, actually, by the shift. So it's a major operation, and obviously, we keep very close track on it.

MR. NELSON: Okay, great. This will be the last question. I think it's time for the middle of the room, here. Gentleman in the front row – we'll give it to you.

SEC. NAPOLITANO: Is it a question for all of us?

MR. NELSON: Yeah, is it a question for all of us? Well, form it that way. (Chuckles.)

Q: Yes, thank you. In the next 24 months, in terms of your priorities –

MR. NELSON: Sorry, your name and where you're from?

Q: Sorry, Mike Conners, Booz Allen Hamilton. In the next 24 months, given your priorities and the fact that you've alluded to the dynamic nature of border security, do we have the proper mix of people, process and technology, now, with the changing nature of SBInet and other programs?

Where do we want to be in 24 months, in terms of border patrol personnel, mobile radars, the whole system of border security, especially as threat compression occurs and you close off certain routes and then the narcotics traffickers come up with semi-submersibles, small airplanes and other types of means to circumvent our systems? Thank you.

SEC. NAPOLITANO: I think that is actually a pretty good question for all of us, given all of our relevant experience. And look, border security requires manpower. It requires technology. It requires infrastructure. It requires properly trained law enforcement at all levels who are working together. And it requires prioritization, because we really want to focus on, as John Morton said, for example, removal of criminal aliens who pose a danger to the public safety of our communities.

And you know, so setting those priorities and making sure that everybody out to the front lines understands those priorities is another important part of the mix. I believe that the measures that we have taken and are taking now to augment our efforts will even further secure the land border between the United States and Mexico. But if you look at our charter, as the Department of Homeland Security, in addition to counterterrorism, which is always our number one priority, our next priority is securing our land borders, but also our air and our sea borders.

So we are already seeing and dealing with drug traffickers going out to the Pacific – increasing their routes there, increasing Atlantic traffic and the ultra-lights trying to come across the border. And we’re already working on the strategy and the technology necessary to shut that down, too. And we will not be satisfied and I will not be satisfied until those other routes are shut down, as well as the land routes. Gil?

MR. KERLIKOWSKA: Let me mention the other side of the coin. A little over four weeks ago, President Obama released his national drug control strategy from the Oval Office. Twenty-four months from now, what I’d like to see is Americans consuming less drugs. There are some ambitious goals in that. If we weren’t such a huge consumer nation, as Secretary Clinton, Secretary Napolitano and others have mentioned, we would be causing not only far less grief to people within our own borders; we would be causing far less grief to the people in Mexico.

MR. NELSON: Assistant Secretary Morton – we’ll just go down the row.

MR. MORTON: A few things I think you’ll see in the coming few years, from the perspective of ICE in process and technology – one of the biggest is that we’re in the process of transforming immigration enforcement when it comes to criminal offenders. And I think if we were to reconvene in two years, we would be in a situation in which Secure Communities is in almost every state and local prison or jail, and technology is allowing us to identify, at the moment of arrest and booking, who you’re dealing with.

Does the person have a criminal record? What is their immigration status? And that is going to have an enormously profound effect on the way we go about our business. We are going to, for the first time in our nation’s history, be able to get a full handle on criminal offenders who are not here lawfully.

We’re already well underway with that. And it works. And it avoids some of the concerns, in the past, about profiling and targeted enforcement. The beauty of Secure

Communities is, every single person gets their fingerprints run. I'd get my fingerprints run; you'd get your fingerprints run. And the fingerprints don't lie.

MR. NELSON: Deputy Commissioner Aguilar?

MR. AGUILAR: I think it's important to bring a little bit of clarity to border security. Border security is about illegal immigration; it's about narcotics; it's about weapons – illegal; it's about illegal funds; and very importantly, it is about criminal organizations that are operating at our borders and between our borders. That's the first thing.

We have done a lot, and need to continue doing a lot, as the secretary is pushing and is saying, with personnel, tactical infrastructure and technology. The one thing that I would add that I think all of us would appreciate is not only that balance of personnel, technology and infrastructure, but also the balance of how we approach the border, and making sure that we meld our investigative functions with our interdictive (sic) functions on intelligence basis.

It is by melding those capabilities and those functions that we're going to bring the greatest force enhancement to this border. And then, going back to one other issue that I think is critical is technology. Technology – there are basically three ways to add to the border. There is a systems approach, which takes long. All of us are aware of what's happening with SBInet, and frankly, the disappointments with SBInet. So there's a systems approach; there's off-the-shelf; and there's evolving. It is a combination of all three of those that we need to approach in the right fashion that will get us to where we need to go.

So from a priorities standpoint, it's the personnel, the tactical infrastructure and the technology, by way of the three areas that I talked about. And then it is melding the interdiction, the investigative and the intelligence functions that we can bring to bear in a collective fashion domestically and with our foreign partners.

MR. NELSON: And the last word to our distinguished guest from California.

MR. DAVIS: Yes, thank you very much. I'll begin quickly by saying what we want to see and then what we don't want to see. Clearly, what we would like to see, in terms of local law enforcement – and specifically for the major city chiefs – again, these are the largest cities in the country – we do need to see comprehensive immigration reform coming from a federal response. I mean, very, very clearly, the secretary was clear when she mentioned it earlier: If we end up with 50 state laws on how it is that local law enforcement is supposed to be helping in this effort, we're going to have a huge problem.

Again, keep in mind local law enforcement across this country is getting squeezed. Again, I mentioned we're the 10th-largest city in the country. We're talking about cutting our patrol forces by 8 percent by August. What do you, as local community members, want your local law enforcement police department to be doing? Do you want us focusing on the robberies and the sexual assaults and the domestic violence and the burglaries and the traffic accidents, or do you want us to start shunting a lot of our resources to handling federal civil violations?

Remember, these immigration violations are civil in nature. Local law enforcement has the responsibility of providing for criminal response. So what we don't want to see is, we don't want to see local law enforcement agencies being required to enforce immigration laws. Clearly, each local law enforcement agency and their local communities need to decide what is best for them. We're not saying that there aren't problems.

We clearly hear the frustrations that are coming from across the country. And we've even heard frustrations from some sheriffs and others in the local border states. But understand that we can't put our local law enforcement in a position where, all of a sudden, we are shunting our very precious resources to deal with this issue. It's a federal issue. We're happy to help however we can. But it should not be the primary focus of local law enforcement to enforce immigration laws.

One other last point on this is, it's really beginning to hamper our community policing relationships. We've spent decades, in local law enforcement, trying to establish relationships with all of our different minority communities. San Jose – there are over a million people in San Jose. There is not a majority of anything. Thirty-two percent of our population is Hispanic; 20 percent is Asian. We've done great things to try to get inroads with these communities, and they don't always understand, because of language barriers and other things, what's taking place with this topic or this issue.

But local law enforcement is the one that they look to, and they're fearful of us if we're coming into neighborhoods to respond to calls because they think, somehow, we're trying to do other things. Be very clear: Local law enforcement will be the first ones to step up if there was a criminal issue going on. If ICE comes in and says, we're looking for a homicide suspect; he's an illegal immigrant or whatever the case may be, local law enforcement across this country will step up and help.

But do we want our local law enforcement agencies to be the primary focus of this enforcement on civil laws? And I'm telling you, with the resources and the budgets, et cetera, and community policing issues, that's just not the way to go. So we need to see the federal response – that's what we'd like to see within 24 months. But we clearly do not want to see 50 different state laws telling local law enforcement how it is that they're going to be going out there to solve this problem. It is a no-win situation for local law enforcement.

MR. NELSON: Secretary Napolitano, you had –

SEC. NAPOLITANO: Well, I just wanted to offer a friendly amendment for the chief – (laughter) – and that is Congress has seen fit to describe initial entries as misdemeanors. And so it's a minor offense. But the calculus is the same: Do you want local law enforcement spending their time – mandated to spend their time on those, as opposed to the homicide, rape, ag. assault, and at the expense of very extensive community policing efforts that are created to provide the public safety architecture for communities? I just wanted to clarify that one point.

MR. NELSON: Well, before we thank our guests, it's going to be imperative that everybody remains seated until Secretary Napolitano and her party leave. But we'd like to thank

you all very much for your time. We realize you're very busy and we appreciate your comments. (Applause.)

(END)