

WILDERNESS, BORDER PATROL, AND NATIONAL SECURITY

As retired United States Border Patrol Officials, we are compelled to step forward and warn of threats to our National Security that are being promoted by activist environmental groups in New Mexico, and in Arizona where Congressman Raul Grijalva (D-AZ), has introduced HR 2593 and HR 3287. The purpose of the Arizona effort is to add areas of southern Arizona's Tumacacori Highlands into the wilderness system. In southern New Mexico the New Mexico Wilderness Alliance (NMWA) has expended time and money in an effort to create over 300,000 acres of wilderness in Dona Ana County. Both efforts would have major National Security implications by denying Border Patrol Agents access to areas along the border between the U.S. and Mexico.

Our National leaders are not unaware of these dangers. New Mexico Governor Bill Richardson has noted that border counties in his state face "an emergency condition with potential catastrophic consequences". The reasons for this conclusion are the results of alien and drug smuggling, destruction of public and private property and violence related to these illegal activities. Mike McConnell, Director of National Intelligence, and a member of the Bush Cabinet, made this danger abundantly clear in a copyrighted article in the El Paso Times as recently as August 22, 2007. The headline was "Intelligence Chief Sees Southwest Border as Terrorist Entryway."

The Border Patrol is under intense public and Governmental scrutiny to stem the flow of illegal aliens and contraband, including weapons of mass destruction. The legal authority to perform those duties is extensive, but the flow of people, drugs, and other contraband is relentless. The availability of advanced technical support will improve Border Patrol effectiveness, but the human element represented by well trained and dedicated agents remains the most important and effective element in defending our borders.

It is imperative that authority vested in agents, and their ability to defend our borders remain seamless and unencumbered. It is obvious that a wilderness designation, the most restrictive of all federal land designations, along our international border would create adverse impediments to efforts to perform these difficult and dangerous responsibilities.

In each wilderness debate, there has been a continued reference to a Memorandum of Understanding (MOU) that was agreed to between the Departments of Homeland Security, Interior, and Agriculture which provides for Border Patrol access to Federal lands. That MOU spells out clearly the ability to operate on such lands including designated wilderness. In wilderness designated areas, the Patrol has the right for entry if in pursuit, however, normal deterrent operations, including the maintenance and placement of technical surveillance equipment would require negotiations between the Agencies involved. Considering the urgency of protecting our borders, negotiating for access which could take up to 90 days is both unacceptable and dangerous.

This effort to create a wilderness designation for a large portion of our southern border did not originate from citizens of New Mexico and Arizona. It originated from the NMWA and Sky Island Alliance. These groups are offspring of a greater environmental movement founded by Mr. Dave Foreman who also founded “Earth first!” and authored the book “Ecodefense, a Field Guide to Monkey wrenching.”

These are the same folks who promoted the spiking of trees, the burning of high end condominiums, the destruction of new cars on parking lots, and the sinking of whaling ships.

Those of us who have for many years been involved in Border Patrol operations are well aware that any additional wilderness designations would result in the loss of current authorization for the Department of Homeland Security to enforce the law in those designated areas. That current authority is contained in Sec. 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (Title 8 U.S.C. 1103). That authority would be repealed with the designation of “wilderness”

In plain language, that means no fences, vehicle barriers, roads, lighting, cameras, sensors, or other surveillance and barrier tool, without prior approval of the Secretaries of Agriculture and Interior.

The Tumacacori Highlands of Arizona, and the Potrillo Mountains and Broad Canyon portion of the New Mexico proposal are not just idealistic areas where “earth and its community of life are undisturbed by man”. If they become wilderness, they will be heralded not only by those who believe wilderness designation should be made at any cost, but equally by human smugglers, drug runners, and those committed to the destruction of our Country.

Readers are encouraged to log on to www.landrights.org. Insert HR 2593 and/or HR 3287 to better understand the devastating effects that the passage of such legislation would have on Law Enforcement Agencies.

The cost to carry out the provisions of additional Wilderness areas in Arizona would be authorized at an unbelievable \$5,000,000.00 (million) for each fiscal year 2009 through 2013. The cost of similar designations in New Mexico has not been calculated.