



The Senate of the State of Texas

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Senator Eliot Shapleigh
District 29

March 19, 2008

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Secretary Michael Chertoff
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U.S. Department of Homeland Security
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VIA E-MAIL & U.S. POSTAL SERVICE

RE: El Paso Sector Tactical Infrastructure EA

Dear Secretary Chertoff:

As a fifth-generation El Pasoan, I ask you to stop building border walls, which are now called "muros de odio," on our southern border. For our country to prosper, we must lead the way in the safe, fast and secure movement of people and products in a post-9/11 world. To achieve success, our borders need adequate staffing, state-of-the-art technology, modern infrastructure and effective enforcement. Your proposed border wall policy will hurt American interests all across the Americas for a whole generation. Thus, do no harm and let a new President and a new Congress provide a better, comprehensive solution.

History has shown that anti-immigration sentiment almost always follows a threat to national security. In the 1850s, the Know Nothing movement gained momentum in response to Protestants' fears of the new wave of Irish and German Catholics. The Know Nothings sought to not only severely restrict immigration from Catholic countries, but to also prohibit non-Protestants from holding political office or teaching public school. Soon after the beginning of World War II, Franklin D. Roosevelt signed Executive Order 9066, which resulted in the forcible internment of 120,000 Japanese nationals and Japanese Americans in ten camps around the country. During the Iranian hostage crisis of 1980-81, President Carter ordered all Iranian students in the United States to report to INS offices and show the lawfulness of their presence in the country. In January 1991, the Attorney General mandated the photographing and fingerprinting of virtually all non-immigrants bearing Iraqi and Kuwaiti travel documents before



they were allowed enter the country. Today, the events of 9/11 have caused the United States to re-think immigration once again. And despite the fact that none of the 9/11 terrorists have arrived in the United States through Mexico, the focus over the past several years has been on our southwestern border.

In my view, the symbolism of the new wall will create a generation of hostility when our nation most needs a generation of support. During an October 2006 visit to The University of Texas–Permian Basin, the former Soviet President and Nobel Prize winner Mikhail Gorbachev commented on the importance of innovative ideas to control the flow of immigration and argued against the building of a fence along the U.S.-Mexico border. In a reference to President Reagan's 1987 visit to the Berlin Wall, when Reagan told Mr. Gorbachev, "this wall should be torn down," Mr. Gorbachev said, "I don't think the U.S. is so weak and so much lacks confidence as not to be able to find a different solution... Now the United States seems to be building almost the Wall of China between itself and this other nation with which it has been associated for many decades and has had cooperation and interaction with."

Already, in churches and homes from Chihuahua to Buenos Aires, your walls are called "muros de odio," symbols of a new hatred for which America is now known. For centuries, America has served as a symbol of freedom and democracy throughout the world, especially with a trading partner with which Texas does more trade each year than with all the European Union combined. How long will it take for our great nation to repair the ill will that these walls have engendered around the world?

In addition to the negative moral and cultural implications, there are many technical reasons to not build this border fence. On September 29, 2006, the Senate approved the Secure Fence Act (H.R. 6061), which authorized the building of 700 miles of fence along the U.S. southwestern border. Many land and business owners, law enforcement officials, and environmentalists oppose the new law. A *Washington Post* article published in October of 2006 highlighted the new law's most significant flaws:

- The passage of H.R. 6061 ignores the availability of cheaper and more effective technology to guard the border.
- The cost of maintaining the fence would be extremely expensive, especially in areas where summer flash floods are likely to repeatedly uproot sections of the fence.
- Such a barrier would have a negative ecological impact on the region's wildlife (for example, by impeding pronghorn sheep and jaguar from roaming freely between the United States and Mexico)
- In order to build the fence, new roads would have to be built in some regions of the border, thus creating new routes to illegally enter the United States.

- The deadline for completion of the fence is unrealistic as land owners and environmentalists will continue to file lawsuits. In addition, the Department of Homeland Security has had to file lawsuits against Texas land owners to gain temporary access to the land for surveying purposes. These have already delayed plans for the fence.

Based on the cost of the existing fence along the San Diego-Mexico border, the House Appropriations Committee estimates that the fence will cost approximately \$9 million a mile. The fence in San Diego was originally estimated to cost \$14 million but logistical and legal hurdles led to huge cost overruns. The first nine miles have already cost \$39 million, and the fence remains unfinished. Although the California legislature has appropriated an additional \$35 million to complete the fence—bringing the total cost to \$74 million, or more than \$5 million a mile—decade-long litigation has delayed its completion.

Using the House Appropriations Committee's estimate, the total cost of the fence would be \$6.3 billion. However, a study released by the Congressional Research Service estimates the cost of building and maintaining the fence would be about \$49 billion; this number does not include the costs of purchasing private lands and any costs associated with using private contractors (versus the U.S. Army Corps of Engineers).

Recent polls indicate that voters are growing wary and resentful of fences and similar fear-based initiatives to generate support for anti-immigration policies. According to a report by the International Relations Americas Program, the majority of respondents acknowledged that the U.S. government utilizes Americans' fears when developing its foreign policies. The respondents also agreed that the U.S. should draft foreign policy "in terms of being a good neighbor with other countries because cooperative relationships are ultimately in the best interests of the United States."

In addition to hindering cultural ties, building a wall impedes the main objectives of international trade agreements, such as the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA)—to promote economic growth, increase exports by eliminating barriers to trade and investment, and create jobs that support expanded trade. According to the Office of Trade and Industry Information (OTII), export-supported jobs account for an estimated 7.9 percent of Texas' total private-sector employment. Further, according to data released in 2001, 22.7 percent of all manufacturing workers in Texas depend on exports for their jobs.

Since Mexico's entry into GATT and NAFTA in 1986 and 1993 respectively, Mexico has become the United States' number one trade partner. In 2005, Mexico was Texas' largest market. Last year alone, Mexico received exports of \$50.1 billion (39 percent) of Texas' total merchandise export. In sum, while achieving adequate security is a central issue along the border, security policies should not include highly fortified barriers that impede economic growth along the U.S.-Mexico Border or the legitimate flow of commerce and people in and out of Mexico.

On October 30, 2001, only days after the devastation of 9/11, I wrote George Bush to share support and ideas (letter enclosed). In that letter, we outlined real solutions from real Americans—one stop inspection stations, 24/7 use of existing border infrastructure, better trained staff and most of all, pre-clearance technology to identify and cross safe goods and secure travelers—all proven strategies to speed the movement of secure people and products.

By now, moving people and products faster, safer and smarter in a post-9/11 world should be a top U.S. priority. Instead we have cabinet level leaders who say “grow up” when we who live, work and raise families on the Border strive daily to make real solutions a reality.

In ten months, America will have a new President and a new Congress. Let us stop ill-conceived walls founded in current notions of racism until new leadership moves us to be the beacon of hope to the world once again. Let us make the case for safer, faster ports to move people and products in a 21st Century world. And most of all, let us work together, strengthened by the proud legacy of Franklin D. Roosevelt and John F. Kennedy to reach out to our neighbors, family and friends in all the Americas to build lasting bridges of friendship, safety and prosperity—not walls of hatred and division.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Eliot Shapleigh".

Eliot Shapleigh

Enc: 2001 letter to President George Bush

ES/sj