



# National Border Patrol Council

## TESTIMONY OF BRANDON JUDD BEFORE THE HOUSE OVERSIGHT AND GOVERNMENT REFORM COMMITTEE

APRIL 27, 2017

Chairman DeSantis and Ranking Member Lynch I want to thank you for affording me the opportunity to testify this morning. My name is Brandon Judd and I am President of the National Border Patrol Council. The Council represents the 16,500 front line Border Patrol Agents. I am a nearly 20 year veteran of the Border Patrol and have served in California, Arizona, Maine and now Montana during my career.

### Background

In the mid 1980's, the United States faced its first illegal immigration crisis. The Border Patrol had less than 4,000 Agents who were charged with patrolling nearly 2,000 miles of United States/Mexico International Border. There were no barriers to impede vehicles from driving across the border and other than ranch barb wire fencing, there were no physical barriers to keep individuals from walking across the border illegally. The Border Patrol was completely overwhelmed. Congress chose to deal with the influx of illegal aliens entering the United States by passing the Immigration and Reform Act of 1986 (IRCA 1986). The Act promised to secure the border and ensure the United States was never put in same situation again.

In large part, the Act failed because the United States Government, including President Ronald Reagan, put the cart before the horse. By legalizing a few million persons who willfully entered the U.S. in violation of law or who willfully overstayed visas without securing the border first, the U.S. Government sent a clear message to the world that our laws could be made void if enough people enter the country illegally.

### Current Situation

Currently only 653 miles of the nearly 2,000 miles of the southern border has fencing. This fencing, which cost nearly \$7 billion since FY 2007, consists of:

- 353 miles of primary fencing
- 300 miles of anti-vehicle fencing that prevent smugglers from driving over the border
- 36 miles of secondary fencing
- 14 miles of tertiary fencing

I want to emphasize to the Committee that fencing is a tool that allows Agents to maximize their available manpower. It is not however a panacea to illegal immigration and drug trafficking. Illegal immigrants and drug traffickers routinely go over, under, and through the existing fencing that we already have in place. Fencing without the proper manpower to arrest those who penetrate it is not a prudent investment.

I hope we can explore manpower in greater depth in the question and answer period, but I want the Committee to know we are now over 1,700 Agents below the congressionally mandated floor of 21,370 Agents. To put this in perspective Mr. Chairman, I understand the largest city adjacent to your district is Jacksonville, Florida. The Jacksonville Sheriff's department has 1,600 sworn officers - that is the gap in manpower we are facing below a congressionally mandated floor.

I am deeply concerned that when Immigration and Customs Enforcement (ICE) starts hiring their additional 10,000 Agents, we will lose several thousand Border Patrol Agents to ICE overnight. The primary reason Agents will leave is that we lack pay parity with ICE and pay parity is directly under the jurisdiction of this Committee.

### **Additional Resources**

Front line Border Patrol Agents do not believe that the entire 2,000 miles of the southwest border needs to be fenced to achieve border security. Instead, here is what the men and women who work the border every day want from the Administration and Congress:

- **Manpower-**The President has proposed the hiring of an additional 5,000 Border Patrol Agents and we fully support the Border Patrol total force strength increasing to 26,370. We believe that 3,500 of these Agents need to go to our Southern Border and 1,500 to our Northern Border, where we are woefully understaffed.
- **Fencing-** Before we build an additional mile of primary fencing, we need a double fence behind the primary fencing that we already have. In areas where we have only a primary fence, it takes one Agent to control one linear mile. In areas where there is double fencing, one Agent can control three linear miles. Our Agents are our most effective asset, but they are also our most expensive and we need to maximize our manpower.

In addition to the 353 miles of primary fencing that we already have, we believe that we need an additional 300 miles of primary fencing. This fencing should be strategically placed in areas such as Del Rio and Laredo Texas and the Tohono O'odham Indian Reservation in Arizona.

- **Equipment-** Every day we deploy Agents with equipment that is inadequate. Let me give you two simple examples. Forty percent of our vehicles are past their service life. Patrolling off road for 10 hours a shift takes a toll and some of these vehicles are literally falling apart. The cost of replacing older vehicles would be \$250 million.

In many areas of the border, the Agents have no communications. Forget interoperability, we do not even have operability and this is a real threat to Agent safety. We estimate that we could dramatically increase border interoperability for \$125 million.

- **Training-** The average federal law enforcement academy is 20 weeks in length. The Bush Administration, in order to meet hiring targets, reduced our training from 20 weeks to 55 days if you spoke Spanish. This was an enormous mistake and we need to revert back to 20 week academy immediately.

In closing, I would like to add one additional request - and it is not about money. If you truly want border security, we have to be allowed to do our jobs. Please understand that I do not mean this as a partisan statement. I have tremendous respect for President Reagan, but he was simply wrong in 1986 to grant amnesty to millions before securing the border. Likewise President Obama's catch and release policy incentivized tens of thousands to illegally enter the United States.

I want to thank the Committee for holding this hearing and I would be happy to answer any questions you might have.