

Border Metrics Avoided
Glenn Spencer – American Border Patrol
May 23, 2017

Sen. Elizabeth Dole, Floor of the Senate – Amnesty debate – June 28, 2007

The Secure Fence Act - 700 miles of fencing to be built, only two miles have been built. And so my strong view is that it's not just promises, it's proof that people want. The American People want to see results, control of our borders. So we need to establish standards, metrics and show that they have been achieved."

Office of Inspector General of the U.S. Department of Homeland Security - April 12, 2009

Recommendation #1 Require the Border Patrol to provide consistent and specific information in documenting its operational requirements for tactical infrastructure so that actual border fence construction can be linked to the Border Patrol's mission needs for operational control.

The Washington Times - Monday, March 1, 2010

Glenn Spencer, president of the American Border Patrol, a private organization that uses airplanes and high-tech equipment to monitor the U.S.-Mexico border, said the virtual fence failed because Homeland Security "did not set measurable goals for the system."

Senator John McCain

Senate Homeland Security Committee Hearing, Feb. 17, 2011

"We have to agree on certain criteria on what is successful securing of our border."

Rand Corporation, March 2011

"DHS leadership must define concrete sensible objectives and measures of success."

NumbersUSA – Feb. 11, 2012

At a recent congressional hearing, Richard Stana, the point man for border security at the Government Accountability Office, said using the number of apprehensions as a measure of success without knowing how many people crossed the border illegally is meaningless. "You have to have the numerator and denominator to judge success," Stana said.

Washington Free Beacon – July 23, 2012

Sen. John Cornyn (R., Texas) criticized the Senate immigration bill's

approach to border security during a House Homeland Security Committee hearing Tuesday morning....

“Without a coherent strategy or metrics to measure results, adding this many new Border Patrol agents could go down as one of the most massive wastes of money in the history of the federal government,” Cornyn said.

Operational Control

The Secure Fence Act of 2006

[if !supportLists](a) [endif]IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security shall take all actions the Secretary determines necessary and appropriate to achieve and maintain **operational control** over the entire international land and maritime borders of the United States...

[if !supportLists](b) [endif](b) **OPERATIONAL CONTROL DEFINED**.—In this section, the term

[if !supportLists](c) [endif]“operational control” means the **prevention of all unlawful entries into the United States**, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

[if !supportLists](d) [endif]

Operational Control – a concrete and sensible objective measure of success.

Success can be measured by the number of unlawful entries not prevented by the Department of Homeland Security.

President Trump’s Executive Order – Border Security and Immigration Enforcement Improvements

January 25, 2017

Mentions **operational control of the border eight times.**

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Avoidance of an objective measure?

SUBCOMMITTEE ON BORDER AND MARITIME SECURITY

February, 15, 2010

Securing Our Borders: Operational Control and the Path Forward

Chairman Candice Miller, Opening Statement

Homeland Security Secretary Janet Napolitano recently said, “...it’s important to recognize that ‘operational control’ is a very narrow term of art in Border Patrol lingo.” . .

Moreover, she said that operational control “should not be construed

as kind of an **overall assessment of what's happening at the border.**"

If that is true then I ask: what should we be using to gauge the effectiveness of our efforts to control the border?

How can we reassure the American people that their federal government is in fact accomplishing one its primary missions.

At the same Hearing

Rep. Jeff Duncan (R-SC): "But what I would like to try to get to is a further understanding from you of what **operational control** really means."

Border Patrol Chief Fisher: *"Congressman, I will say that part of our overall mission is to substantially increase the probability of apprehension of those people that seek to do harm to this country."*

Rep. **Rogers:** The law says you will prevent all illegals from coming in. And it's just as Mr. Duncan read. And my question is – why would the CBP develop a functioning definition that is different from that that is stated in the law?

Chief **Fisher:** Well, I don't know if I'm understanding your qualification on that, sir.

COMMENT: Chief Fisher was fully aware that congress said operational control "... means the prevention of all unlawful entries into the United States..." -- but he and others in DHS/CBP management seem to avoid that measure.

Arizona Republic, April 7, 2013 (online video)

Bob Robb: I was. The Department of Homeland Security used to characterize segments of the border as **under operational control or not**. A few years ago they quit doing that and it was widely anticipated that the department would come up with an alternative way of reaching the same results.

Secretary Napolitano seemed to indicate that that wouldn't be the case. That, instead, the department would just come up with a variety **of independent variables** and just leave those to their own standing, rather than looking at them and trying to come up with an overall characterization of how secure the border, or segments thereof happen to be.

And this is particularly surprising given that Congress seems to believe that **some way of measuring border security is necessary** to provide a trigger for comprehensive immigration reform.

Border and Maritime Security Subcommittee Hearing

May 24, 2016

Rep. Norma Torres (D-Ca)

“How is CBP defining operational control and situational awareness?”

Acting Border Patrol Chief Vitiello

Defines situational awareness – makes no attempt to define operational control.

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