
U.S. CUSTOMS & BORDER PROTECTION

U.S. Customs and Border Protection (CBP) is the agency charged with securing the nation's borders and ports of entry. In Fiscal Year (FY) 2003, CBP's first full year under the U.S. Department of Homeland Security (DHS), the agency had an enacted budget of [\\$5.8 billion](#); ten years later, in FY 2013, its budget nearly doubled to [\\$10.3 billion](#). President Trump's FY 2019 budget would represent the highest CBP discretionary funding level yet at [more than \\$14.4 billion](#). Housed within CBP, the U.S. Border Patrol (USBP) is by itself one of the largest agencies in the federal government with a budget of [about \\$4.4 billion](#). For a sense of the magnitude of CBP's budget today, the Federal Bureau of Investigation, the second largest non-DHS federal law enforcement agency in the country, had a budget of about [\\$9 billion for FY 2018](#).

Congress should evaluate this unprecedented request in proper context. In the last 18 years, our nation has experienced a steady and dramatic decline in border apprehensions of individuals attempting to illegally enter the U.S. not seen since the 1970s. Since 2000, the number of border apprehensions has decreased from about 1.6 million to just slightly more than 300,000 in FY 2017, and this dramatic downward trend has continued into FY 2018. DHS itself has recently reported that, "available data indicate that the southwest land border is more difficult to illegally cross today than ever before." Moreover, as overall border apprehensions continue their steady decline, the composition of who is coming to the border is also changing. Today, fewer Mexicans and single adults attempt to cross the border illegally than in the past, as there continues to be net negative migration from Mexico according to the Pew Research Center. At the same time, a greater share, as a percentage, of border apprehensions consist of Central Americans, including family units and unaccompanied minors seeking humanitarian relief under our nation's laws.

Topline Messages

- ***Lawmakers must publicly dispel the false narrative that our southern border is out of control.*** The facts tell a much different story, and we deserve funding levels and policies that account for these modern realities. The unauthorized immigrant population has grown older and is more likely than before to have established family and community ties in the United States.
- ***Our country already spends a significant amount of money to secure its borders.*** CBP is the largest federal law enforcement agency in the country, and has a budget larger than the remaining federal law enforcement agencies combined. In addition, the dramatic downward trend of border apprehensions in the last 20 years undermines the Trump Administration's already unsupported case for a border wall and a "deportation force" that requests 5,000 more border patrol agents.

What's in the President's FY 2019 Budget?

The Border Wall. The President's FY 2019 budget would provide \$1.6 billion for the construction of a 65-mile border wall system. One note, the FY 2018 appropriation for DHS **already provided \$445 million** for 25 new miles of pedestrian levee fencing in the Rio Grande Valley, as well as additional resources for 14 miles of secondary fencing in San Diego and about 45 miles of replacement fencing along the southwest border.

- There is No DACA Nexus in this Funding Round. During 2017 and 2018, DACA relief measures were included in conversations about increased spending for immigration enforcement. Critically, some members originally supported increased spending as part of bipartisan proposals that would have included the DREAM Act or other forms of permanent relief for DACA holders. Yet, those proposals are not currently being considered.
- **Border Patrol Agent Hiring.** In addition, the FY 2019 request would increase existing funding levels by \$211 million to support the **hiring of 750** new U.S. border patrol agents.
 - CBP Can't Justify the Need for More Border Patrol Agents. President Trump's executive order directs CBP to hire 5,000 new border patrol agents as soon as possible despite a [recent finding](#) by the DHS Inspector General that "[n]either CBP nor ICE could provide complete data to support the operational need or deployment strategies for the additional 15,000 agents and officers [of which 5,000 would be border patrol agents] they were directed to hire [by the Trump Administration]." Perhaps in recognition of this reality, Congressional appropriators denied a similar plus up of U.S. Border Patrol agents as part of the FY 2018 appropriation for DHS.
 - Border Patrol Agent Duties have been Diverted to Other Functions. The DHS Inspector General also makes the following observation: "[t]he use of Border Patrol Agents performing duties not directly tied to 'ensuring complete operational control of the border' [such as management and intelligence gathering] calls into question the [DHS's] operational need for 5,000 new agents." In FY 2017, the U.S. Border Patrol's 19,437 agents apprehended a total of 310,531 individuals, which amounts to about **1.3 apprehensions per month, per agent**. This number could decrease even further in FY 2018 as border apprehensions continue to decline.
 - CBP Already Can't Staff-up to Existing Authorized Levels. The FY 2019 request would provide an additional \$46.2 million for recruitment of U.S. Border Patrol agents, and another \$45.1 million for retention and relocation costs (the FY 2018 DHS appropriation allotted \$10 million for each). This figure underscores a key point: CBP has **been unable to hire** and retain the over 21,300 the border patrol agents it is *already* authorized to hire. Today, it employs about 19,400 border patrol agents, or **nearly 2,000 agents less than its authorized level** – to which President Trump would like to add 5,000 more border patrol agents.
 - Deep Concerns Persist About Border Patrol Hiring Practices. Calling into question CBP's ability to hire President Trump's 5,000 new border patrol agents, the DHS Inspector General has found that between FY 2013 and FY 2016, CBP spent about \$5.1 million completing more than 2,300 polygraphs for applicants with significant pre-test **admissions of wrongdoing**. According to a FOIA response, wrongdoing included hits for child pornography (26), sex with minors (16), domestic violence (6), felony theft including hush money incidents (9), and conspiracy to commit murder (1).
- **Border Technologies & Non-Wall Infrastructure.** The FY 2019 request would provide an **additional \$600** million for technologies like (a) \$183 million for aircraft and other aviation assets; (b) \$149 million for equipment and stations facility needs; and (c) \$182 million for surveillance technology, such as towers, radars, cameras, and sensors.

- Technology Expenditures Should Not be Rubberstamped. When deployed correctly, the use of smart and effective technologies along the southern border can generally be cost-effective, sensible, and efficient tools for achieving key border security objectives. However, Congress must not merely rubberstamp money for these technologies without clear accountability provisions. Consider that the DHS Inspector General has called [CBP drones “dubious achievers”](#) finding that, at an astounding \$12,255 per hour to operate a drone, drone surveillance was credited with assisting in less than 2 percent of border apprehensions.
- Taxpayers Already Foot Significant Border Technology Bills. U.S. Border Patrol’s ability to conduct surveillance has already dramatically increased in the last two decades, aided by a sophisticated inventory of technology and equipment. Some historical context of this inventory:

Now (FY 2016)	Then (FY 2000)
119 aircraft	56 aircraft
6 unmanned aerial vehicles	0 unmanned aerial vehicles
11,863 underground sensors	Little to none
179 mobile video surveillance capabilities	Little to none
39 mobile surveillance systems	1 mobile surveillance system
272 remote video surveillance systems	140 remote video surveillance systems

CBP-Related DHS Inspector General Reports (Since January 2017)

- [Special Report: Challenges Facing DHS in Its Attempt to Hire 15,000 Border Patrol Agents and Immigration Officers \(07-27-17\)](#). In this report the DHS Inspector General found that CBP and ICE have not demonstrated what operational purpose the hiring surge will address. According to the DHS Inspector General, neither CBP nor ICE could provide complete data to support the operational need or deployment strategies for the additional 15,000 agents and officers – 5,000 of which would be U.S. border patrol agents – they were directed to hire by the Trump Administration.
- [CBP Continues to Improve Its Ethics and Integrity Training, but Further Improvements are Needed \(05-31-17\)](#). The DHS Inspector General acknowledges some gains in CBP integrity and accountability measures, but finds that CBP has not effectively communicated or followed up with its field offices on its overall “Integrity and Personal Accountability Strategy,” which is intended to ensure that ethics and integrity training is provided for all CBP employees. The DHS Inspector General warns that if employees have not received or do not understand the importance of the integrity strategy, CBP cannot succeed in achieving this important initiative.
- [CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants \(08-04-17\)](#). Questioning the agency’s ability to hire 5,000 new U.S. border patrol agents as ordered by President Trump, this report finds that between FY2013 and FY2016 CBP spent about \$5.1 million completing more than 2,300 polygraphs for applicants with significant pre-test admissions of wrongdoing (including felony bribery convictions). The DHS Inspector General recommended that CBP improve its screening by establishing an in-person pre-security interview process and discontinue testing of unsuitable applicants.

- [Unclear Rules Regarding Executive Protection Details Raise Concerns \(09-14-17\)](#). Because of whistleblower complaints, the DHS Inspector General examined the use of executive security and logistics details by DHS component leadership and determined that two DHS components – ICE and CBP – have created their own internal authorizations for executive protection details, staffed them, and funded them, without clear legal authority. The DHS Inspector General notes that these services give the appearance to some observers of being more related to executive convenience and status than protection, and raise questions of impropriety since they operate without departmental guidance or written approval.
- [CBP's IT Systems & Infrastructure Did Not Fully Support Border Security Operations \(09-28-17\)](#). In reviewing CBP's information technology systems and infrastructure, the DHS Inspector General found that those systems did not fully support CBP's border security objectives. These are costly systems, whose deficient performance and network instability hampered, according to the DHS Inspector General, CBP operations nationwide.