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THE WALL: THE REAL COSTS OF A BARRIER BETWEEN THE U.S. AND MEXICO

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P R O C E E D I N G S

MS. FELBAB-BROWN: (in progress) and I thank you for coming this morning to join us about a conversation about the wall, border security, and many issues such as immigration, the U.S. economy, and security issues surrounding the wall. I want to thank our fantastic communications team for preparing the video that you just saw and also further images that you will see.

President Trump starting 2018 by again renewing his calls for the wall on the U.S. southern border with Mexico. This was one of his key campaign promises, at the time calling for a brick and cement structure running the entire length of the 2000 mile U.S.-Mexico border and arguing that Mexico will pay the price tag for the wall. Recently, some of the administration's wording has changed, including that the structure could look more like a fence. There are some indications that the President might prefer a see through structure, and as well that perhaps that the barrier might not run the entire 2000 mile length -- you saw some of the very difficult terrain in the previous images and how difficult that is to do -- that it might merely replace the existing 700 mile fence perhaps with some 200 mile extension, at least in the initial 10 years, with a price tag that the administration estimates correctly at \$18 billion. There are vast differences in the price estimates and that's something that we can talk about in the question and answer period, but it is probably a safe guess that \$18 billion is a significant underestimate of the actual cost, especially if one factors in the need for repairing the structure, as is always the case. And it also implies very difficult and highly problematic tradeoffs, such as taking money away from the Coast Guard for far more vital security elements.

And the president has once again suggested that Mexico will pay for the border wall, which it will not. There is no way to make Mexico pay for the wall nor is it at all politically feasible for any Mexican government to agree to such a proposition, especially in a presidential election year.

But fundamentally the wall is not simply about the monies that are being spent, it entails many other costs that go far beyond a financial cost. And it's not going to accomplish the promises that the President has made. It will not enhance UN security, it will not stop contraband or people reaching the United States, it's not going to improve U.S. economic well being. While it will fail at great expense in those costs and great opportunity costs, it comes with other problems, such as hurting the lives of U.S. border communities, Native American communities, as well as damaging the environment.

Why will the wall not stop the flow of drugs? For the very same reason the existing fence doesn't stop it, traffickers will simply go above, under, and over it. They will use technologies such as drones and catapults to flow drugs over and they will build tunnels that go under the wall. Even if the land border could somehow be made more secure and these technologies were not available, traffickers would simply move people and goods and drugs by boat, as is already happening and as traditionally was the case going far down the U.S. coast -- far up the U.S. coast I should say. And crucially drugs and contraband, as well as people being smuggled into the United States, will go through the legal ports of entry, of which there are 52. Already the vast majority of the amount of drugs smuggled into the United States from Mexico that doesn't come by mail, such as fentanyl from China, comes through the legal ports of entry. These ports of entry process literally millions of people, cars, trucks, trains every week. It's simply not physically feasible to check all this movement of people and goods, even if improving the quality and speed and efficiency of searches at ports of entry is crucial, far more important than any physical structure between the ports of entry.

Why will the wall not enhance U.S. security from criminal groups? Because security at the end of the day is far more crucially dependent on good cooperation with Mexico. Already today Mexico turns many more undocumented Central Americans, often very unfortunate people who come to try to enter the United States, then was turned away at the U.S.-Mexico border. If Mexico drops this cooperation that was very hard to

achieve and took a long time, many more people would be attempting to cross into the United States. Similarly, security against drug trafficking groups, criminal groups, very much depends on the United States finally being able to build up good cooperation, intelligence sharing, ability to mount joint coordinated actions, and also crucially the capacity of the United States law enforcement institutions to work with their colleagues in Mexico to help reduce the corruption and increase the efficiency of those law enforcement institutions in Mexico. All of that will be lost if the administration resorts to very hostile relations, very hostile environment with Mexico. Building up this cooperation took decades. It was very difficult and there were some very cold moments in the U.S.-Mexico relations. And people like Ambassador Tony Wayne in the audience worked very hard to improve that cooperation. That could easily be lost.

Far more important, in fact, than security from trafficking is counterterrorism cooperation. And that's something that the United States and Mexico always enjoyed, even during those cold difficult times. But that also involves, in fact, security enhancing capacity of institutions such as the U.S. Coast Guard. The far greater terrorist threat is not someone closing the border from Mexico, but very dangerous equipment reaching, for example, U.S. ports. Yet the president wants to take money away from the Coast Guard, from other institutions, such as Border Patrol, and to devote it to the physical structure, by far the least efficient, least significant element of border security.

Why will the wall not reduce crime in the United States? Because violent crime in the U.S. is not in any significant way linked to legal or illegal immigration into the United States. Although President Trump has repeatedly reigned against the carnage of crime in U.S. cities overall U.S. violent crime has gone substantially down. We are far lower than we were at any point since 1991, with the exception of 2015 when three cities experienced significant spikes in homicides, driving homicide increases in the entire country -- Baltimore, Chicago, and Washington, D.C. Washington, D.C. has since

improved, Chicago has slightly improved, Baltimore this year has the highest per capita murder rate in a long time. But in none of the three cities it was immigration, whether documented or undocumented, the immigrants that drove the rise in violent crime. Rather, what the three cities have in common were high income and racial inequality, declining population, high poverty and unemployment rates well above the national average, and very historically troubled relations between the residents and police. These conditions are conducive to rise in crime. There is no evidence whatsoever that undocumented residents account for significant amount of violent crime in the United States. In fact, the vast majority of criminological studies consistently show that most homicides and most violent crime in the U.S. at several times the rate is perpetrated by native born Americans.

Instead it is the anti-community policing that the Trump administration is promoting, attacking sanctuary cities, such as New York, have far lower homicide rates than many non-sanctuary cities, pardoning police lawbreakers, such as Sheriff Arpaio, and crucially forcing local police departments to prioritize raids in Latino communities, hunting down even peaceful, productive, undocumented residents that jeopardize years of improvements in U.S. law enforcement and years of improvement in violent crime in the country. There is powerful and consistent evidence across the United States, and in fact across all countries, that if people begin to question the fairness, equity, and legitimacy of law enforcement they stop reporting crime. And when they stop reporting crime homicides increase. Thus, in fact, the policing practices and immigration rates that president promotes are very likely to worsen crime in the United States.

Why will the wall not help the U.S. economy or U.S. workers? Yes, there is some evidence that immigration has some negative effect on a small segment of the U.S. population, namely high school dropouts and prior immigrants. They often compete for the very same low skill jobs as the newest immigrants that arrive. However, the right response for those small segments of population that are negatively affected in terms of

employment and wages is of course to help them with vocational training, with providing them with medical insurance, and other capacity to locate jobs that are more productive and more rewarding.

To a large extent undocumented workers work the unpleasant backbreaking jobs that native born American workers are not willing to perform. In agriculture, in seafood processing factories, in landscaping, or taking care of the elderly and the terminally ill, often very psychologically demanding jobs as well as hard physical jobs. These economic sectors will be hurt by mass deportation, but also the quality of life in the U.S., the quality of U.S. society will be affected. Crucially, however, immigrant workers have a very important net positive effect on the economy. The native born population is declining both in numbers and in productivity at the same time the longevity is increasing. What it of course means is that immigrants and their children will account for the vast majority of the future and current labor force growth, unless of course the President gets his way and significantly reduces also legal migration.

In that case, however, there will be very significant burdens in terms of expensive benefits, such as Medicare and Social Security. Essentially we need immigrants now to pay for those benefits so that we, you, I in the future can enjoy them, having paid for them. And, in fact, undocumented workers contribute; they often pay Social Security even though they might not be able to draw the benefits of those payments later in the future.

NAFTA too, which is currently under renegotiations, and the President has repeatedly threatened to withdraw from it, has not siphoned off a large amount of U.S. jobs. Yes, it has caused some dislocation and forced some workers to find other jobs, but it's created many others. The estimates vary, but perhaps as many as five million jobs depend on NAFTA. Crucially, however, NAFTA not only creates new jobs it also enables the creation of integrated value production lines across Mexico, the United States, and Canada which make U.S. companies more competitive, and that creates

jobs. But it also allows for the importation of cheaper goods. If NAFTA ended some of the most disadvantaged U.S. citizens, those who voted for Donald Trump, the lower middle class white families, will pay the greatest burden for an end to NAFTA because a variety of consumer goods will become far more expensive. And certain segments of the economy, such as manufacturing and farming would be particularly badly hurt. Car manufacturers, farming, they are crucial dependents on exports to Mexico and Canada.

But there are other costs that we often don't hear very much about, and that's, for example, Native communities you saw pictures of beforehand. There are 26 federally recognized native communities in the U.S., 8 indigenous people in Mexico who live along the border. The wall, already the existing fence, cuts through their tribal homeland. It separates family members from their relatives and it damages their sacred sites and separates them from their sacred sites. And it also damages the natural environment, which is very much part of their heritage. The border area, places of Big Bend that you saw images from, as well as the so called Sky Islands in the Arizona, New Mexico area, are some of the greatest bio diversity places in the United States with perhaps a hundred species of animals endangered.

The wall does not merely affect those U.S. border communities and the border physical environment, it has deep reach into the United States. It's not simply about the physical structure, but about the very nature of society that the United States want to live in. The wall as the President embraces it, with his attacks on Muslims and other communities, with his resentment toward NAFTA, is not simply about creating a physical structure but about creating barriers and divisions in one's mind and promoting politics of exclusion and bigotry, the very opposite of the American creed. (Applause)

MS. PEÑA: Well, thank you so much for being here today. You know, we're hoping that it's going to be an exciting panel. It's certainly timely; it's been in the news all week long. It will probably be in the news as debate gets going on all the different bills for a DACA fix. So there are a lot of things that get intertwined here and

we're hoping that will shed some light on the deeper issues that are underlying the discussion over the border wall or border security. And then we want to hear from you guys what your concerns are, what your questions are. And hopefully the Congressman will be able to shed some light to the behind the scenes that's going on. He was at the White House with 24-25 other lawmakers meeting with President Trump, talking about budget talks to avert a government shutdown, finding a common ground to provide relief or legalization for dreamers, as well as strengthening border security. So we're hoping that you take away a lot of important ideas and thoughts about what's going on on the Hill and at the White House, and most importantly along the border. So thank you and let's get it going.

So I thought we would begin the discussion just basically be explaining what's going on in terms of basic things like definitions. Vanda, you talked about border security. You understand something very differently than the President apparently does in terms of what does border security do. So I thought we would begin by just getting to definitions. So we're going to talk about all the issues you raised in your essay and right now. We talk about, you know, what problem is the wall really trying to solve if border crossings are down, if drug traffickers will continue to evade authorities or finding ways to get their drugs in? Eminent domain, you know. There are 90 lawsuits that are still pending according to your count. And obviously the evolving nature of the threats to U.S. security, like terrorism and drug trafficking.

So, first of all, definitions. What does the President mean by the border wall, how do you achieve operational control of the border, and is \$18 billion enough? What is the actual price tag when you get done with maintenance and repairs and so forth?

MS. FELBAB-BROWN: Well, thank you. I'll let you, Congressman, speak about what the President means by the wall. You most recently were with him. Clearly his view has changed. I mentioned in my opening remarks that for a long time

during the campaign and into his first year he appeared to be insisting on a brick and cement physical structure. There perhaps is some movement now and suggestions that he prefers some see through structure. And the administration, as far as I know, has never specified what it consists by border security. It has never provided a definition. I would, however, argue that a lot of border security does not take place at the border, in fact it take place far away from the border, both in terms of screening of people who come to the U.S. on visas, for example, but also in terms of cooperation with countries that could be sources of flows, dangerous flows to the United States, and cooperation with neighbors. I spoke about the necessary cooperation with Mexico and the fact that a lot of the control takes place actually on the Mexico-Central America border. I spoke about the long-term U.S.-Mexico counterterrorism cooperation that survived decades of even very, very difficult relationships, with intelligence agencies sharing information and being able to apprehend potentially suspicious or dangerous individuals far away from the border, in fact at the territory. So all of the border security takes place very far away from the border. And the physical structure on the border itself is merely a very temporary delay at best for any flows of either dangerous contraband or people.

MR. CUELLAR: First of all, thank you so much for allowing me to be here with you all. And the Brookings Institute, again, thank you for allowing us to be here. I also want point out somebody in the audience. I think the ambassador is back there, Anthony Wayne. And I say this because I learned a lot from him when he was the Mexican ambassador.

And let me talk about some of the points. When we met with the president I told the president let me use a football analogy about the border. If you use football as an analogy, are you going to play defense on the one yard line, which we call the U.S.-Mexico border? And we spend right now \$18 billion roughly on border security when you include everything. The president wants to add \$18 billion for a fence, keeping in mind that we spend \$18 billion total right now for border security.

MS. PEÑA: That's the budget for CBP or?

MR. CUELLAR: CBP, ICE, anything we spend on the border, when you combine it all together. Now, if you go to play defense -- and I say offense also -- you have to go -- using football as analogy -- play on their 20 yard line instead of the 1 yard line. What does that mean? Exactly what you said, you expand the perimeter. And that is you work with countries that can help you. When people talk about the southern border strategy I always remind this -- and, Tony, this might look familiar -- is the southern border strategy that Mexico has with Guatemala. Because if you're trying to stop things from coming in you use their 20 yard line instead of your 1 yard line where we spend so much money on the U.S. border. If you're able to do that -- and I think you mentioned it also -- is Mexico at times has stopped more people -- deported more people than what the U.S. Border Patrol. So if they will play matador, you know, a bullfighter, and say olé, just go in, that means all those people who are trying to come in will be over here at the Border Patrol. And remember, some of the people that are coming in at the border, some of them will come through a bridge, some of them are going to come in between, some of them are going to try to evade, some of them are not going to evade because they're going to come in and say credible fear, asylum, or, you know, use one of those legal resources that they have. So they can use those so not all of them are going to try and evade. So you've got to understand what are you trying to stop.

MS. PEÑA: And, Congressman, how much money has the U.S. devoted to the Mexico southern border strategy?

MR. CUELLAR: Well, you know, keep in mind people talk about foreign aid. And notice when I talked about helping Mexico, back in 2014 when the unaccompanied kids -- Kay Granger and myself, we added about \$80 million. With those \$80 million to help Mexico and the southern border they actually did a pretty good job. Remember, \$80 million compared to \$18 billion. So we've got to know what to work with. But if you look at the budget, for example -- and I don't want to get into foreign aid, but I

just want to give you a perspective -- there's five countries who I call the \$1 billion club. Israel gets more money than any other country, \$3.1 billion, plus. You've got Pakistan -- but that's being rolled back by the President. Then you've got Egypt. And then at one time you had Iraq, now it's Afghanistan, and Jordan. So you've got about five countries that are what I call the \$1 billion club. But in our own backyard, before we did, we were giving Mexico about \$36 million, and now it's a little bit over \$100 million. It doesn't make sense that we should -- if we go to secure ourselves, work with Mexico and Central America.

And one of the things that we did, for example, with the unaccompanied kids, we worked in Appropriations and we put \$750 million to help the Central American countries. Prosperity, security, build up those countries so, you know, less folks will have to come in because we're securing those countries. And unfortunately the present administration, with all due respect, doesn't look at that. They just want to play a one yard line defense and not look at. And I'll say this also about Mexico, if Mexico plays the matador position, that is, okay, you guys want to get rid of NAFTA, you all are trying to put a wall or you're trying to attack us, call us rapists and murderers and all that, look at what Mexico does. Besides what they're doing at the southern border, which I think we can help and do more, the visa system that Mexico has is set up to help us. Imagine one day the Mexicans say hey, we're going to start letting the North Koreans come in and vacation in Acapulco, or we're going to let Iran send all their folks over here. So they keep away folks that we don't want into the U.S. So the visa system helps us. The law enforcement people, ICE, DEA, and other officers that we have there are there working with us and working with the Mexicans, should I say. So they do a lot on security. So when we talk about NAFTA -- I know we're talking about border but when we talk about NAFTA people need to keep in mind that those countries help us with security.

The last point I want to make, if you talk to some of the Central American countries, or even talk to our own officials here, in the past people said that the only

people coming in were Mexicans, everything was Mexicans. But if you look at it, it's almost a UN. If you look at the people coming in, without mentioning countries, I can give you countries across the world that are now coming in through that. So that's why we've got to work with Mexico, we've got to work with other countries, Central America, to make sure that we extend our security, not at the one yard line, but do the prescreening and the other work that we do. And that's there the administration -- I brought this up to the president. And what did he say, oh, you know, people just want money. You know, we don't need to give them money, that's our money. And this is what we're saying, is we've got to understand what are we trying to stop.

Last point, if you're trying to stop people coming into the United States keep in mind that if you built the most beautiful wall, according to the president 40 percent of the people that are here without documents are through illegal permit or visa, visa overstays. So you can build the wall, somebody is going to come in a ship, across a bridge, or come by airplane, and overstays. So a wall is not going to stop them. You want to stop drugs look at the latest DEA report. If you're talking about land, where are they coming through? Ports of entry. I represent Laredo, Texas, which is the largest inland port in the country, and after LA, total trade, it's Laredo. A little town of 250,000. But we handle most of the trade coming in from Mexico through that land port. We've been trying to get more money into the port but most of the money goes between ports because most of my colleagues that don't understand the border want to put it in Border Patrol, which I support Border Patrol, men and women in green, they want to add a wall and National Guard. That's basically their solution. But if you look at it, you've got to have the men and women in blue, which are the CBP officers, those are the ones that we have at the ports. You've got to have the technology not only between ports but also at the ports of entry because that's where drugs are coming in.

So, to conclude this point, you've got to know what you're trying to do. And if you don't know what you're trying to stop or how it's coming in -- and I didn't even

touch the water -- because the drug dealers, you know, they're not backwards type of individuals, they're rather sophisticated. Or should I say they are sophisticated and they hire people that are sophisticated. And they'll use drones to do certain things, they'll use the catapults that you talked about, they'll use submarines to bring in drugs, and speedboats, plus other things. And they will adjust. In the 1980s when Miami Vice -- remember Miami Vice -- what was the drugs coming in? They were coming in through Florida and those areas. The U.S. put a lot of pressure. Some of us used to say, hey, it's like -- you know, it's like you push a balloon in and it's sort of come over here. And sure enough, it started coming to the southern border. So they're going to adjust because they're sophisticated organizations.

MS. PEÑA: So on that point, Vanda, talk about, you know, the President says that he's a successful businessman, that's his background, and he at times has been criticized for trying to run the country like he ran his businesses, right? So when you talk about an \$18 billion initial investment, because obviously the cost is going to be much higher when we're done with this, so what kind of return on investment is he getting for that \$18 billion border wall?

MS. FELBAB-BROWN: Well, Maria, I think that it's clear by now that both the Congressman and I believe that he is getting a very poor return on that investment. And you said appropriately that the \$18 billion is the initial cost to build the structure. The big ironic part of course is that it's meant to replace right now about 700 miles of an existing structure that is there in the first place, but of course that requires then that there will be repairs. We also are not fully clear what will actually be on the wall. The physical structure itself is the least important element. What is far more important in terms of even just reducing the amount of time that people or goods have to cross the border is the sensors that are along the border, lights, and there's been very little specification of what actually will there be in terms of radar, signal intelligence, and other sensor elements of security that are far more crucial, again, than just the physical

18 foot, 30 foot structure.

And, in fact, there is I think rather distressing evidence that the President is proposing or the White House is proposing to reduce those sensor technology platform elements of the security and to put more money into the physical structure. So once again --

MS. PEÑA: Is that because in the -- like the budget for fiscal year 2019 apparently there's a memo out there where the White House officials were saying let's take down funding for those areas and increase it for the border wall?

MS. FELBAB-BROWN: Yes, indeed. And there have been other reports about some of the budgetary tradeoffs that are being made. I alluded to shortchanging the Coast Guard and relocating money from the Coast Guard toward the wall. Again, I think that is extraordinary poor choice in terms of far greater dangers to the country's security, namely, terrorism threats, the threat of some major terrorist activity in a port in a place like Boston or New York or Baltimore is far more significant than the land dry crossings or even crossings of immigrants across the border.

So my take is that we are taking the least effective element of border counterterrorism, security, U.S. homeland security and giving it a tremendous amount of money that amounts often to a waste of money.

MS. PEÑA: And, Vanda, and also the Congressman, you know, he won, he campaigned and he won on the pledge to build the wall and have Mexico pay for it. Obviously things didn't go well. He didn't invite the Mexican President over to the White House and then things went downhill from there. And then he kind of laid back from that pledge, but he brought it up again this week. He again said oh, by the way, Mexico will pay for it somehow. If we all know that realistically Mexico is not going to pay for the wall, why do you think he keeps bringing that up in his rhetoric tool box?

MS. FELBAB-BROWN: Well, obviously he believes that is a way to persuade Congress and taxpayers to lay out those extraordinary expenses for the wall,

that somehow it will come back in the future. It will not come back from Mexico in the future. The President has previously spoken about seizing, for example, remittances that go to Mexico and Central America. That is neither legally nor forensically at all easy to do. In fact it's very difficult to do and, arguably it cannot be done even if there were capacity to sort money, for example, from undocumented workers. But also even if somehow you could go through the enormous enterprise of trying to sort remittances that come from undocumented people from documented people, that would in fact be very counterproductive in terms of security in the United States and in terms of the President's own objective, such as to limit immigration, legal and illegal, into the United States.

For Mexico, remittances are the third most important source of revenue. And for Central America that is often even a greater share, it's often number one source of revenue or very important source of revenue, in some countries amounting to a third of the GDP. A reduction of remittances from the United States to those countries would mean far greater impoverishment, far greater economic hardship, and, hence, also far greater opportunities for criminal gangs, such as the (speaking foreign language), as well as drug trafficking organization to intimidate and terrorize people.

So, if in year 1 we suppress remittances for whatever reason to those countries, in year 1.5, year 2 we can in fact expect a far greater number of people trying to make it into the United States.

MS. PEÑA: And, Vanda, share with us what are the major differences between what happened back in 2006 when President Bush signed into law the Secure Fence Act. I have in my notes here that 26 democratic senators voted for it, including then Senator Obama, Senator Clinton, and Joe Biden, and Schumer. What are the big differences between what happened then and the kind of debate that we're having now over a border wall.

MS. FELBAB-BROWN: Well, there are some differences and, of course, there are some similarities, including one that has potentially emerged very surprisingly

this week. Part of the Secure Fence Act narrative of the George W. Bush administration was of course that there would be a comprehensive immigration reform and securing the border to reduce the flows of immigrants across the border would be the first step, which would then allow bipartisan work in the congress to achieve comprehensive immigration reform. That didn't happen.

The Obama administration had its own replay and although it did not build a new fence along the border it invested substantially in bringing remote technology, so called virtual border elements, to parts of the division, parts of the border. It was not as comprehensive as was envisioned in the original planning, but nonetheless a lot of technological asset visibility assets that allow for more rapid response were put at the border at the time. And the Obama administration also engaged in the deportation of a lot of people from the United States.

MS. PEÑA: Close to three million

MS. FELBAB-BROWN: For a while President Obama was called the "Deporter-in-Chief." In his last two years of his administration most of the people who were deported were either voluntary returns, so they were not deported, but people who were caught close to the border within a short amount of time, and people who in fact had criminal records. They were the vast majority of deportees in the last two years. But both the deportations, the virtual border of the Obama administration was once again to pave the ground for bipartisan support for comprehensive immigration reform. Once again, just like during George W. Bush administration, that fell through.

MS. PEÑA: And that's perfect for the next set of questioning that I had. Congressman, you know, we're talking about two sets of deadlines coming up. We have the January 19 deadline when government will run out of money and Congress needs to either do another CR, you know, continuous resolution, or find a longer-term budget deal to avert a government shutdown. We also have the March 5 deadline that President Trump is imposing on Congress to find a DACA fix. So we have those two things going

on. But we throw in the mix the ruling from the Ninth Circuit this week where basically it's saying it's illegal to stop the DACA program, these kids need to continue renewing their permits while litigation gets sorted out in the system, in the court system.

Talk about how that affects the timelines that we're dealing with on the Hill.

MR. CUELLAR: Well, first of all, I sit on the Homeland Appropriations and the Defense Appropriations, so we work a whole year on getting the budget. And most of our work is done already. All we're waiting for my republican friends so we can work out a deal is what we call the top numbers. The top numbers is basically if you add one dollar of new dollars for defense we want to have one dollar for non Defense Appropriations. And I think the last numbers we saw republicans wanted to have \$54 billion new dollars to defense and about \$37 billion for non-defense, which includes everybody else except for the defense. So we're trying to get that up so we can do that. Now there was a proposal yesterday of a two year deal, which is the way we ought to do it because once you get those top numbers our work is done. All we have to do is increase certain things. What makes it a little different hits time -- and I don't like CRs, and if there's any government employees or anybody here, nobody likes the CRs because that means we haven't done our job. The reason we haven't done our job, because for some reason our friends haven't given us that number. And part of it because they were busy with the tax bill. And I thought that after the tax bill we'd get the numbers, because once you get those numbers our job will be done quick. What complicates it this time is everybody's trying to use leverage, and the leverage is DACA. The democrats are saying hey, we're not going to give you the 60 votes because republicans have 51 votes in the senate and they need 9 democrats to get up to the 60. We're not going to do that unless we use DACA. So what complicates it is democrats are trying to use the spending bill as leverage even though the March 5 deadline is over here.

MS. PEÑA: But the thing about it, what I'm hearing democrats saying is

that republicans may not feel a sense of urgency, but there are a lot of kids that are already losing the permits. Some 122 dreamers are losing their permits on a daily basis. So, for them, obviously it is a big deal because they're losing jobs, they're losing homes, they're at risk for deportation. And so for them, for the advocacy community, there is a sense of urgency.

MR. CUELLAR: Right.

MS. PEÑA: And they're saying democrats need to use their leverage and, like you said, it's through the budget process because republicans are demanding that this be dealt with separately, but if it is then there's little chance of getting a real DACA fix.

MR. CUELLAR: Right. And I'm one of those democrats -- and I'll say this, you know, I support DACA. I've been supporting this for a long time, but I'm not going to shut down the government for one issue. The republicans did it over healthcare if you remember some years ago. That was wrong. We don't need to -- I'm not going to support a shutdown of the government over a single issue, even though I emphasize that DACA is very important. But we need to still use that leverage to get the job done.

You know, the issue here is can we get to the principles. And I'll talk about what happened at the White House. We said we're going to talk about four things. One is DACA, one is -- and this is on top -- we've still got to get those top numbers, because we've got to get those top numbers. Once we get that you'll see that our work will be done quickly because it's been done already. We worked on it last year. DACA, two -- and I remember the republicans kept saying the wall and I said no, it's called border security. And they agreed, okay, border security. And I'll get into the definition, which you started off with. The other one is chain migration. In other words, is it chain migration changes to only DACA or is the chain migration to everybody else, where the republicans --

MS. PEÑA: And just to be clear, you know, the conservatives are using

the rhetoric of chain migration to really talk about family reunification visas. It was established in 1965 and now they're saying it's being abused, let's stop it at some point because we need to have a better control of who gets into the country. So it's important to understand what we mean by that.

MR. CUELLAR: Chain migration basically -- one person comes in, do they bring their immediate families, or do they bring their abuelos or los tios, everybody else. You know, it's how far do you go on beyond, because one person can bring in more than on individual. And it goes on a long time. And there are some of us who are saying --

MS. PEÑA: But what does the current law say right now? Is it just immediate family --

MR. CUELLAR: No, no, no, no.

MS. PEÑA: -- is it extended family?

MR. CUELLAR: It's extended family. It goes on. I mean you know this very well because you've studied this, is that one person can bring in more than just the immediate family. And that person that comes in can later bring in -- now, does it take a long time -- yes.

Now, to finish my thought, so the third thing with chain migration -- the fourth thing was diversity, the lottery things. Some of us feel that maybe we need to look at the security a little bit more. And keep in mind that the lottery has become an issue that's very important to not only the Hispanic caucus but the Black caucus because the last time we look at numbers 41 percent of the lotteries were coming in from countries in Africa. So the Black caucus has come in and said oh, this is something that we have big interest in. And we saw a vote some years ago when this came up. So I bring up those issues -- the four issues. So we said okay, those four issues. Yesterday when I was talking to my republican friends they said oh, by the way, we need to talk about this and this and this. So they brought in --

MS. PEÑA: The Securing America Act.

MR. CUELLAR: They're bringing in like 24 issues. I said I thought there were four issues and they said well, border security covers it, sanctuary cities, Kate's Law -- and some of us have, you know, certain opinions on some of those -- but they're not talking about four issues, now they're talking about a whole bunch of issues that --

MS. PEÑA: Well, that particular bill, that's only one of many on the Hill.

MR. CUELLAR: Yeah, there's so many, but they're all proposals.

MS. PEÑA: But that one in particular, democrats are saying, and advocacy groups are saying, you know, it's a non-starter because you have a lot of poison pills in there that democrats and the immigrant community are just not going to accept in exchange for protection for the dreamers. You know that one has a 24 point plan and it's a nativist wish list.

MR. CUELLAR: And the point is there are extreme positions, with all due respect. You know, the left says all we want is a clean DACA bill and that's sit.

MS. PEÑA: And you don't agree that that's possible?

MR. CUELLAR: Well, let me finish. It's not going to happen. It's not going to happen. I mean, you know, first of all republicans control the senate, the house, and the White House. If you count to 218 they're not 218 democrats in the house and we've got to get a way -- DACA by itself is not going to happen. Now, on the other side you've got the people on the right that don't want to see DACA, want to add all those positions that you talked about. So you've got two positions out there. At the end of the day we work something out, the far left or the far right are not going to be happy. And it's going to depend on people in the middle. Democrats and republicans then put something forward to work it. And on top of that -- if I can finish more because it gets a little complicated -- it's not only DACA. So we've got to come up with those top numbers, we've got to deal with DACA. I think what's going to happen is we're going to do a CR to mid-February is what I think. I don't like it, but I think that's going to happen. Practically, I

think that's going to happen. What happens in March? There's another big issue that we probably have to tie in. Anybody know? Debt ceiling. So somehow we're going to try to put all those things together to address those issues, whether together or separately, but I just want to give you the inside perspective in Appropriations looking at Appropriations top numbers, looking at DACA, how do we use that as leverage on the spending bill, and the debt ceiling that will be coming in.

MS. PEÑA: And so on that note we want to toss it out to you guys for questions, comments. There are a lot of things going on behind the scenes of course. So we'll take a first round of questions.

M4: Yes, thank you, Congressman, and thanks for the panel. Regarding your 20 yard strategy, which I think many of us could endorse, so many of the Central American migrants make it through Mexico on the railroads, on Ferromexico and other railroads. And I know this has been an issue that's been discussed between the U.S. government, Mexico, and the railroads as to how to ensure that they don't hitchhike on those trains because this is the major -- as I understand it -- I might be wrong -- the major artery that gets them to the U.S. border. Could you perhaps discuss that?

MR. CUELLAR: Anthony, it was called the beast. It was a train that would come in from Central America, Mexico, called the beast where they would just jump in. And unfortunately some of the times those folks would fall off, lose legs, get killed. So when we did that work with Mexico and the southern strategy with Mexico, their southern strategy, there was work on that to try to get them to stop those people coming in. But keep in mind that if you think about it the drug cartels are -- they might be in drug cartels, I mean they might be selling drugs, human trafficking or smuggling, or whatever makes money for them. They control routes. They control routes. And by controlling routes that means that they have the area greased. That is they got officials that are turning their head and they got certain routes, so they'll be able to do it.

I mean think about this, when the Cubans were coming in -- different

issue -- and I was in Central America I would say hey, so are you -- how did you go -- how are you here in Costa Rica -- because we were in Costa Rica. They said well, we went from Cuba to Ecuador and then, you know, Colombia, Panama, ended up in Costa Rica. That's when Nicaragua said no more. All right. And I said where are you going -- and I think I knew the answer already. They said Laredo, Texas. I said now tell me how did you pick Laredo? If you're from Cuba how do you go all the way, come to Laredo? And, again, there is a smuggling -- there is a way to get over here. And the smugglers are able to move people and drugs around. And if you think about unaccompanied kids, how did the unaccompanied kids all of the sudden just go to south Texas? It's because they control routes. So it might be the rails, but it might be other ways of moving people over here. And I say that because we've got to understand what we're trying to do. The administration doesn't -- I think they have a lot of people that understand it but certain voices are winning in the White House. And that's the thing is, they just don't understand. For example, they said the border, it's violent, it's all this. If you look at the latest FBI statistics -- and I do this every year just to show you -- if you look at, for example, murder rates. And you mentioned this, which his very good, the annual national murder rate in the U.S. is 5.3 murders per 100,000 -- 5.3. If you look at McAllen, Brownsville, El Paso, Del Rio, Laredo, none of those are above that number, they're below. And I've always said, you know, hey, what's the most dangerous thing about being on the border -- when I leave Laredo, Texas I fly to Washington, D.C. because Washington, D.C. has more murders than my hometown of Laredo. If you look at the violent crime rates also, which is rapes, assaults, and all that, the national crime rate, you find it at the border lower than the national crime rate. So there's a lot of fallacies and people just are using why the wall, why the wall. It's a winning argument for the President. It's a winning argument, but it doesn't make sense because it wasn't a memo that they put out, it was their budget request to us where they took money from the National Guard, they took money over there to build the wall, which is the most ineffective way of doing this.

And I'll finish with --

MS. PEÑA: But I guess what he's trying to get at is, you know, obviously you talk about trying to find the middle ground and make it a win-win for everyone to address concerns about border security and to address the needs of the dreamers and everyone else on the road because the President also seems to be saying we're going to get to a comprehensive immigration reform in a second phase down the road. Obviously a lot of conservatives didn't take that too well and there were really nasty comments on Twitter against that.

So I want to get to another question before we're done.

M4: Thank you so much; great presentation. So you mentioned, Congressman, that Mexico has the ability to be the matador at the southern border, their southern border. They're not doing it because they're just so dependent on NAFTA talks, et cetera. That doesn't change.

My real question is to both of you on the panel. How important are the Mexican elections for the future of this relationship? Does it matter a lot from the U.S. perspective who is going to be the President?

MR. CUELLAR: It does. And for us, some of us who have been working with Mexico keep in mind that Mexico for many years was a very -- it's a very naturalistic country. I mean they're very proud. And at the same time they have this relationship with the U.S. We want to be neighbors but at the same time they haven't forgotten that the U.S. took 55 percent of the territory. And I'm serious. They have that in their mind. Imagine if some country took 55 percent of your territory, you would remember that like it just happened yesterday. So for many years, especially in the '80s and '90, a lot of us were working on trying to get Mexico closer to us. We've gotten them to a point. Then the President comes in and starts pushing Mexico away. NAFTA is very important to us, security is very important. They work with us on those issues on that. Forty percent of everything we export as a country -- 40 percent of everything we export goes to Latin

America, Mexico, Central and South America -- 40 percent of everything. But we don't treat them as neighbors. If you look at the world there are some countries that don't have very friendly neighbors. We as the United States are blessed to have Canada and Mexico as neighbors and we should take advantage of that. And when I said this, when some people see Russia as a friend and Mexico as an enemy, that world has been turned upside down.

MS. PEÑA: One last question, because we're running out of time.

M4: Hi. I work for the Thomson Reuters Foundation and we cover things like land rights, vulnerable people, trafficking, and such. So I'd like to ask you about the wall but also the threat of the wall. And if you could address a little bit how that's had an impact or what sort of impact it's had on life along the border in say working conditions, labor conditions, among both people with documents and also people who do have documents but might be frightened by the situation.

MS. PEÑA: Vanda, you want to start that off?

MS. FELBAB-BROWN: Sure. And I would it's not just the wall but the broader rhetoric of the Trump administration.

MR. CUELLAR: Right.

MS. FELBAB-BROWN: The raids among Latino communities, but not just Latino communities, the rhetoric against Muslim citizens, Muslim residents, has created a significant atmosphere of fear, and for many people terror. We saw it immediately of course in the Houston hurricane disaster where people -- not only undocumented workers, but people who had families who were undocumented were afraid to come to shelters. This by the efforts of local officials to encourage them to come to shelters. So you had very immediate situation and people putting themselves and their families in dire risk for the fear of deportation. Of course we spoke about dreamers and the psychological difficulty for them.

I do want to speak about crossing the border. I mentioned in my remarks

that crossing the border is a matter of daily life for border communities. With the economy of particularly smaller U.S. cities and towns not as large as Laredo or El Paso, but the smaller ones very much along the border depending on in fact people from Mexico coming there to buy goods on the daily basis. And the reverse also holds for people from the United States going to place like Ciudad Juárez or Tijuana.

MS. PEÑA: And, Vanda, we are talking about a very vital, very dynamic border community of some 12 million people, correct?

MS. FELBAB-BROWN: On the U.S. side.

MS. PEÑA: The U.S. side.

MS. FELBAB-BROWN: If, you know, you can extend it into Mexico we end up with a larger community in fact. And there is also the notion I think that's very antiquated that the community is people within 100 miles in each direction. The reality today is of course that many people have families as far as Michigan and Wisconsin, very deep into the United States. So the notion of the border being somehow separate from the rest of the body of the United States fundamentally doesn't hold true. So, yes, there are significant impacts, very negative impacts.

And I want to go back to the point that Congressman Cuellar and I were making before in multiple ways, that to think about border and border security, to think about the safety of the body of the United States, it's not only a matter of what happens here, what happens in the heart, what happens in the brain, it's about what happens in the external environment. How do we shape the external environment, how do we encourage cooperation with matters that matter to us?

So, for example, antagonizing Mexican politicians, including some that already have perhaps nationalist, fairly anti U.S. positions to start with --

MR. CUELLAR: Very much.

MS. FELBAB-BROWN: -- is not going to help secure the United States. It's not going to make it a healthier, happier, more prosperous country.

MS. PEÑA: So on that note I do want to bring this to a close and wrap it up. And I'm going to give you guys a chance to do a one minute pitch on what you envision would be a smart border security plan for the United States.

Vanda?

MS. FELBAB-BROWN: Not build the wall, invest more money into improving legal ports of entry, not simply in terms of securing but also in terms of efficiency, that might include pushing security, such as container and cargo security, deeper into Canada, and importantly deeper into Mexico. The Obama administration tried that and there were some successful pilot projects. Far more can be invested. Investment in people, officials, agents, who work at the border, and do so in a way that improves their quality of life but also assures vetting, not just mass increases in workforce without adequate training, vetting, and the resources they need. Put more money in the Coast Guard, don't take money away from the Coast Guard. And conceive of the border as being part of a larger -- of the body of the United States, as a part of a larger organic environment. The border is not just the line of separation with a structure on it, it is a membrane of connection and that's how we should think about it.

MS. PEÑA: Congressman, the last word.

MR. CUELLAR: When we look at the border it's not only the southern border, it's the northern border, it's the coast that we have, and that's why we've got to look at how things come or how people come in or drugs come in. You've got to understand that it's not only the southern border.

It reminds me of the French and the Germans in World War I where the French built this defense and the Germans just went around on the other side. So I mean you've just got to understand how security works and how you stop it. Technology works very well. You know, for example, aerostats. All you need is about 100 of the right aerostats and you can cover the whole border. And we already have surplus from the military that the taxpayers paid, and all we have to do -- because they'll cover 40 miles

and you're able to cover the whole border with about 100 of them. Personnel is also men and women in blue and green, not only Border Patrol but CBP also, technology that's used well. Also keep in mind that if you add more Border Patrol you create more activity, so you've got to have judges, district judges, you've got to have personnel, marshals, the other staff, support staff. I've added something that nobody has done for a long time, I added 55 immigration judges. A couple of years ago I added 25 but the Obama administration wanted 0, which is beyond me. But I told my Republican friends, forget about Obama, add those 25 judges. I got 65 judges now this year on the Appropriations and I intend to add a little bit more. Immigration judges are good because they will tell somebody you stay or, unfortunately sometimes, you go. And you've got to have that judge make that decision.

Finally, the last thing is you've got to understand what's happening in Homeland. Did you know that Border Patrol is losing more personnel than they're hiring personnel? At one time we were at 21,500, right now we're at 18,500, maybe 19,000. And it's gotten to a point where the Trump administration is paying hundreds of millions of dollars to a private company to hire Border Patrol. So I mean what are we doing here, guys? What's wrong with this picture?

And, by the way, we've got to understand demographics also. Inside Homeland, Secret Service, CBP, and other folks, there is a large number of people that are going to be retiring and we're not hiring enough people there. So we've just got to make sure that when we look at diversity of immigration a lot of those immigrants are going to be filling some of those positions that we're trying to hire right now.

MS. PEÑA: Okay. Well, thank you so much for joining us in this important and timely panel. Follow the news and, you know, you can follow us and ask additional questions through the Brookings Institution.

We want to thank you for joining us. You have a great day. (Applause)

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