

The quest for the perfectly secure border

By Edward Alden

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## THE THREAT OF POROUS BORDERS

Andrew Speaker had at least this in common with a terrorist: he was determined not to be caught. Speaker, a U.S. citizen, had been warned by American health authorities in May of 2007 to stay at home in Atlanta after he contracted a highly-infectious, drug-resistant strain of tuberculosis. But he had plans to be married in Europe, so he ignored the warning and flew to Paris. Two weeks later, after U.S. officials had tracked him down in Rome, he promised to get treatment there and refrain from traveling. Yet the next day he broke his word and boarded a flight from Prague to Montreal, where he rented a car and drove across the U.S. border at Champlain, New York. When the news broke, it became Exhibit A for those who think that porous borders remain the biggest threat to U.S. security. Congress immediately convened hearings to vent its outrage at the Department of Homeland Security. If a known TB carrier could be waved into the country across the northern border, they argued, how much harder could it be for one of bin Laden's operatives?

The reaction to Speaker's sojourn was a warning about what is still to come as the mentality of "homeland security" becomes ever more firmly entrenched in Washington, despite the years that have passed since the 9/11 attacks. The administration of Barack Obama may change the

nuances and nudge the priorities, but it is a worldview that is shared by Democrats and Republicans alike. And it will make life still more complicated and difficult for America's neighbours on its northern and southern borders.

## HOMELAND SECURITY

Since its establishment in 2003 at the urging of congressional Democrats, the Department of Homeland Security (DHS) has conceived its mission as one of plugging vulnerabilities. For the United States, this was a radically new concept. In its modern history, America had always defended itself far from its borders, either fighting wars abroad or deterring the handful of adversaries capable of striking U.S. territory by threatening massive retaliation. While 9/11 did not abolish that paradigm, it certainly altered it. Since suicide terrorists could not be deterred, the reasoning went, they must be kept outside the United States

That launched the quest for the perfectly secure border, and it has brought a gradually escalating effort to deploy people, technologies, and old-fashioned barriers to keep the "bad guys" out of the United States. It began with the most obvious threats revealed by the 9/11 attacks, but has since fanned out to ever more ambitious efforts to protect against ever smaller threats -- not just terrorism but drug runners, illegal migrants, and careless travelers with communicable diseases. It is an approach that has its own expansive logic: once you plug one gap in the border defences, the next one on the list looms that much larger.

The U.S. list began, quite reasonably, with the hijackers themselves. All nineteen had come from Middle Eastern countries on validly issued visas, so the first step was to tighten visa procedures,

especially from countries known to have an al-Qaeda presence. All had flown to the U.S., so Washington forced airlines to turn over their passenger lists for all future incoming flights. At least two, and possibly more, should have been on U.S. terrorist watch lists, so Washington broke down internal barriers to information sharing and added hundreds of thousands of names. Those measures -- more careful visa scrutiny, advanced information on incoming passengers, and a robust, if not terribly discriminating, terrorist watch list -- probably went 90 per cent of the way to keeping out al Qaeda operatives. But that's where it started to get complicated. As terrorism experts point out, al Qaeda is an adaptable adversary, so once the obvious routes to the United States were blocked, they could be expected to look for others.

The biggest concern was Europe. Most Europeans can travel to the United States without first getting a visa. As the London and Madrid train bombings showed, Europe has a handful of radicalized Muslims prepared to attack civilians. So as the price for maintaining the visa waiver program, the United States forced European nations into a series of concessions. The Europeans agreed to hand over detailed advanced information on all passengers flying into the United States despite the problems this caused under Europe's more stringent privacy rules; they would alert Washington when any blank passports were stolen, which had been an endemic problem in countries like Belgium; and they would share information on their own lists of terrorist suspects.

## US-VISIT

Then in early 2004, the United States launched the fingerprinting scheme euphemistically known as US-Visit. It was originally conceived in the 1990s as a way to stop visa overstayers, who are thought to make up as much as 40 per cent of illegal immigrants living in America. But after

9/11 it was repackaged and sold on terrorism grounds. For most travelers to the United States, that now means getting fingerprinted twice – once when you get the visa, and again when you arrive in the United States. For most Europeans, Japanese and citizens of other visa waiver countries, it just happens once.

Washington announced recently that the scheme would be expanded to include permanent residents or green card holders living in the country. Not surprisingly given its origins, it has done nothing to identify terrorists, but DHS points out that more than 4,000 criminals and immigration violators have been stopped. Not a threat on par with terrorism, to be sure, but who could object to keeping criminals and unauthorized migrants out of the country?

As each of these vulnerabilities was checked off the U.S. to-do list after 9/11, the next item rose in priority. That has brought us to where we are today, with much of the focus on the northern and southern land borders. Due to the sheer volume of crossings, the land borders pose special, and possibly insurmountable, problems for an approach to homeland security premised on plugging vulnerabilities. Mexicans are already facing stricter identification requirements at the southern border, which has produced further delays in the already gridlocked ports of entry. Canadians, and Americans crossing the northern border, are set to face the same as of June 2009 unless Congress pushes the deadline back again, which is unlikely.

Mexicans and Canadians, in most cases, are not routinely fingerprinted when they come to the United States. Yet under laws already passed by Congress, they are supposed to be, and DHS is experimenting with ways to make that happen without stalling cross-border traffic entirely. And

the entry fingerprint is only step one. Congress has also mandated that every visitor should “check out” of the country as well. For stopping terrorists, this has almost no value, but it would be helpful for immigration control. DHS has recently proposed that airlines collect the fingerprints from departing airport passengers, which has the airline industry up in arms. No one has any good ideas about how to do this at the land borders, but it is inching up on the to-do list of vulnerabilities.

### FORTIFYING THE BORDERS

Finally, if the legal ports of entry can be secured, the long undefended borders will then become the biggest threat. Ever more of the Mexican border has been fortified in the name of keeping out drugs and illegal migrants. About 500 miles of steel fence are already in place. President Obama’s new homeland security secretary Janet Napolitano -- who knows that border well as a former Arizona governor -- is a critic of the fence, but has been enthusiastic about a “virtual fence” composed of surveillance cameras, unmanned aerial drones, and heat-sensing technologies. So far the pilot projects have failed dismally, but once the kinks are worked out the same schemes are likely to be rolled out along the Canadian border.

The question arises: could any of this have kept Typhoid Andy from returning home to Atlanta? Possibly, but not necessarily. U.S. border inspectors had been warned to watch for him, but the inspector at Champlain ignored the warning and let him in anyway. And it turns out he wasn’t all that contagious after all, and does not appear to have infected anyone.

The problem with the perfect border is that we live in an imperfect world – a world of ill-defined threats and fallible people trying to respond to them. The United States needs some way to distinguish urgent and serious threats from minor ones, and to calculate the costs -- to the economy, to relations with neighbours and allies, and to its tarnished image as an open and welcoming society -- of trying to counter those threats. In other words, the United States needs a strategy, not just a series of reactions. That is the real border challenge for the Obama administration, but not one, sadly, that it is likely to embrace.