

Remarks by Secretary of Homeland Security Michael Chertoff, ICE Acting Director of Detention and Removal John Torres and CBP Border Patrol Chief David Aguilar on the Secure Border Initiative

Release Date: August 23, 2006

For Immediate Release
Office of the Press Secretary

[Fact Sheet: Secure Border Initiative Update](#)

Secretary Chertoff:

Good morning, everybody. As most of you know, since we launched the Secure Border Initiative last November, the Department of Homeland Security has been focused on gaining control of the border using a comprehensive approach that will reduce illegal migration and reverse the trend that we've seen over the last decade.

When I took this job, the President made it very clear that one of his top priorities was getting control of the border.

And we understood the solution was to take a comprehensive approach to look at everything, from what we deploy at the border, to how we enforce at the interior, to how we deal with the underlying economic forces that drive a lot of illegal migration.

Under the President's leadership, and as part of the Secure Border Initiative, we have, in fact, strategically addressed and have begun to implement this comprehensive approach to gaining control of the border. And in less than one year after we launched our SBI initiative last November, we've seen extraordinary progress. In fact, tomorrow, I'm going to be going to Texas to actually look at some of that progress myself as I've been doing over the past year, and to talk to the Board of Governors.

What I want to talk about today is results. We've talked a lot about effort; we've talked a lot about increased resources; we've talked a lot about new systems we've put in place; we've talked a lot about new technology and some of the old infrastructure. But what counts at the end of the day is results. And today we are here to talk about real results that mark real progress.

And I'm going to talk about three fundamental elements that mark this real progress. First, last year we announced that our target, by the end of this fiscal year, meaning by September 30, was to eliminate the previous policy of catch-and-release whereby most non-Mexicans who were caught at the border were released, and to reverse that and impose catch-and-remove -- 100 percent catch-and-remove for everybody caught at the border. I am pleased to say not only did we meet that, but we exceeded that deadline. As of the last several weeks, we have essentially been at 100 percent catch-and-remove in our southern and northern border.

Second major statistic: We now see a real market decrease in the number of non-Mexicans coming across the border, as measured by our apprehensions. And this is proof positive of the deterrent effect of this new catch-and-remove policy.

Third, we now see actually a seasonally-adjusted decrease in the number of Mexicans coming across the border illegally, the lowest in the last four years -- again, measure of the real impact, particularly of the President's commitment in May to put the National Guard down at the border in Operation Jump Start.

Taken together, these statistics -- ending catch-and-release, non-Mexicans down crossing the border, and Mexicans down crossing the border -- demonstrate a change in the direction and a change in the momentum. And although we're not ready to declare victory, we've got a lot more work to do, it is encouraging and it's something that ought to inspire us to continue to push forward on all of these different fronts.

Let me talk a little bit about catch-and-remove. As you know, under the pre-SBI state of circumstances, we did not have the beds that were necessary to remove most non-Mexicans because of the amount of time it took to process their removal. Mexicans, obviously, we've always been able to simply return across the border within 24 hours. But non-Mexicans, because of the amount of time it took to process them, we simply didn't have enough bed space. The consequence of that was something like two-thirds were being released on their own recognizance or on bail, which meant that most of them disappeared and never wound up coming back into the system again. That was a very bad message to send to illegal wanna-be migrants all over the world, because it suggested to them, if they were non-Mexican, that they could come across the border and have a very high likelihood of ultimately being released into our country. That's why one of our top priorities, when we launched SBI last November, was reverse this policy.

In the last few weeks, as demonstrated by this chart, you can see two very dramatic things. You can see that even as

late as May, we've reversed it so that we were now releasing only one-third, not two-thirds. And then as we've continued to do two things -- decrease the amount of time it takes to remove, and increase the number of beds -- we've seen a stated trend to reducing the numbers that are released, until we get to July about a month ago, when it becomes a very, very small number. And this past week we were down to seven, which is virtually a 100 percent catch-and-remove. It's no coincidence that when you look at that, you see a general decline in the total number of non-Mexicans being apprehended because there is real deterrent effect to this policy.

Now, that is good news, but I want to put a big warning sign on that piece of good news. As I've previously said, there's one population, those people who migrate from El Salvador, that we are limited in our ability to address. And that's because of a 20-year-old court order that restricts our ability to remove people from El Salvador on an expedited basis because of conditions that existed 20 years ago when there was a civil war.

We are currently detaining all El Salvadorians, or virtually all of them, because we now have enough beds, and we've had enough deterrent effect to significantly reduce the total number of non-Mexicans. But we're still hamstrung in our ability to remove those El Salvadorians on an expeditious basis. It still takes us much more time to remove them because of these legal restrictions. And that means that we are in a situation where it will be very difficult to sustain what we have achieved unless Congress acts to change the law that is tying our hands.

And let me be perfectly clear about this: The civil war in El Salvador is over. The reason for these restrictions has long disappeared. It would be as if we were still keeping in effect World War II rules that had long since passed their necessity. So once again, I appeal to Congress: Make this change in the law, give us the ability to dissolve this court order that is tying our hands, and we will commit to continue to sustain 100 percent catch-and-remove.

Let me make two other observations about the statistics. Because of the deterrent effect, as I've said, we do see a very significant decrease in the number of non-Mexicans, and I think you see that in this chart over here to my right. And it reflects the fact that as the word has gotten out to people from countries other than Mexico that they will not be released, there's really now a change in the incentive process that was previously drawing them in. And so you now see that even with seasonal adjustments, we're below where we were last year, we're below where we were in 2004, and we're headed in a downward trend.

But of course, it's not only about non-Mexicans, it's about Mexicans, as well, and that's the third chart. The third chart is very vivid in its demonstration that we are now lower than we've been since fiscal year 2003, in terms of Mexicans that we apprehend. And again, I think we credit a lot of this to what we've done with Operation Jump Start at the border. The President's announcement in May that we're putting National Guard on the border as we transition to a dramatically-enhanced Border Patrol is having a real impact on the willingness of people to try to cross that border illegally.

Now, again, I want to be careful not to declare victory in advance of achieving victory. We are challenging illegal criminal enterprises in their livelihood by addressing this issue of illegal migration. I do not expect them to give up and walk away from what has been a lucrative criminal business for over a decade. So we have to anticipate they're going to push back on this. And they may try to wait us out and see if we give up, or they may start to push back by trying to go around what we're doing.

Our commitment is this, to continue to roll out technology, fencing and Border Patrol to meet that increased pressure. But again, the message, I think, is that what we have done is beginning to work. And therefore, we have to continue to push forward with the initiative to make sure that we don't let up the pressure and we give our Border Patrol the kinds of tools that they need to do this job.

I also have to pay a tremendous compliment to the people -- the personnel on the border, in the Border Patrol, the Customs and Border Patrol inspectors, and the detention and removal officers of ICE, who have done a magnificent job in doing what they've done to help reverse these trends and point us in the right direction. It's a tribute not only to their individual efforts, but to their team effort, because this is ultimately about teamwork.

I will be going down tomorrow to Texas to visit the Willacy detention center where we're adding 1,500 beds to the 500 we recently opened, again underscoring the importance of beds and detention, in terms of making this program a success.

Let me conclude, before I turn it over to Chief Aguilar, by talking about just a few other elements in our comprehensive approach. As I've indicated, the National Guard has been a key element of the strategy, in terms of this very positive progress that we're showing today. We've had up to 6,000 National Guard at the border. I was down myself last week. I've seen them operating the cameras, operating the observation posts, working to support the vehicles that the Border Patrol is using in the field. They've been welcomed by the Border Patrol, and my talking to the National Guardsmen at the border, they're happy about their mission, they feel they're really contributing to American security, and we are grateful for their presence.

I also want to thank Congress for passing the supplemental legislation that has allowed us to continue funding these efforts over this next year. Now that we have started to get some traction and really move in the right direction, this is

efforts over this next year. Now that we have started to get some traction and really move in the right direction, this is not the time to let up. This is a time to push the accelerator harder and build on what we've been able to do so we really get to our ultimate destination.

Two other brief points. Obviously, the border is important, but there's also interior enforcement, as well. We've made some very dramatic strides over the last year, with respect to interior enforcement. First of all, as we've indicated, we've now focused on employers who systematically violate the law with respect to illegal migrants by bringing criminal cases, and we brought substantially more criminal cases in this fiscal year to date than we had in the prior fiscal years. I think it's about 450 cases involving arrests and indictments.

Also, through Operation Return to Sender, the largest operation of its kind in U.S. history, ICE agents and officers have apprehended over 8,400 criminal aliens, illegal gang members, fugitive aliens and other immigration status violators. Again, those who are most dangerous to us and who flout our laws are going to be number one on our target list for interior enforcement.

But I also finally have to end with an appeal, again, for a fully comprehensive approach and for Congress to work with us on a temporary worker program. To really support our Border Patrol and our ICE agents, we've got to find some way to relieve that economic pressure. It's like a dam where there's a tremendous flow of water against the dam, and we're building the dam higher and higher and stronger and stronger, but in the end, to keep the dam secure, we've got to find some way to channel some of that economic pressure in a way that's productive, that gives us real visibility to who's coming across the border, lets us register them, lets us track them, lets us collect taxes from them, and lets us be sure that we know who they are because they have secure identification. And if that last piece falls into place, I think we can really deliver long-term on the promise of secure borders for the American people.

So with that, I'd like to turn it over to Chief Aguilar.

Chief Aguilar:

The Secretary did an outstanding job of articulating what it is that we've done collectively within DHS to get the results that he described a few minutes ago. I'd like to go into one other area that I think is very critical, and we've discussed this several times, and that is what we can collectively do within DHS and outside of DHS with other collaborative partners, and one thing that we'll show here is the successes that we've had.

Over to my extreme left is a chart that basically depicts Operation Streamline in Del Rio sector. This operation commenced in January. It commenced within an area of five miles of that sector. It has now expanded to over 240 miles of area responsibility. By bringing together the collective efforts of DHS resources, the state and locals, the judiciary down there, the marshals, and everybody else coming together by prosecuting basically to a zero-tolerance degree any entry that occurred within that Del Rio sector, we have now brought down the number of OTM apprehensions by 84 percent. That's dramatic. So, again, we need to continue working with our partners out there, outside of DHS, to continue expanding that kind of effort.

Now, one of the things I'd like to touch on also is that, what the Secretary mentioned, and this is just drilling down a little further, is that each one of these successes is also very important, and needs to be taken as a force multiplier to the existing resources that we currently have on the border. We're continuing to build. We're continuing to add resources, Border Patrol agents, tactical infrastructure and things of this nature.

But for every decrease that we have on the border of Mexicans coming across the border and being apprehended, for every decrease of OTMs that we have being apprehended, that allows us to continue expanding our operations along the southwest border, because our officers are no longer being held down to processing OTMs, for example, eight hours a day as they were before, to release them. Now because we're detaining them, the flow is down. The flow is down; that gives us greater capacity to address a larger portion of the border. So those things are very critical.

Building on tactical infrastructure, because of Operation Jump Start, is an ongoing, everyday situation that we're building. The tactical infrastructure -- the camera systems that we're putting in place, the roadways that we're building -- tremendous force multipliers. As we speak today, personnel, there are over 700 Border Patrol agent trainees at our academy. We have already trained over 900 this fiscal year, and now over 700 at the academy that will be graduating very quickly. We are prepared to train the next year's requirements in order to bring us to the 6,000 net that the President has said we will have by the end of calendar year '08, recruited and trained.

So those force multipliers are what are going to give us the capability to continue the expansion efforts that we've got. And very importantly, also, is SBI Net, which the contract will be let sometime at the end of September.

So, again, as the Secretary said, now is not the time to let up. Each one of these successes is a tremendous force multiplier. And any kind of comprehensive immigration effort will be an even greater force multiplier that will, of course, turn into broader national security efforts.

With that, I'll turn it over to Mr. Torres here.

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Director Torres:

Thank you, Chief, and Mr. Secretary. Just a couple of more points that I want to make here regarding establishing catch-and-return. What I think is most incredible here is with the support of Congress and the administration, we've been able to establish a significant number of detention beds on the southwest border. We started about a year ago by adding 1,100 beds in Pearsall, Texas, and 700 beds in Albuquerque, and then additionally, 500 beds in Hutto, Texas, to detain family units near Austin. With those initial 2,300 we started to see significant deterrence along the southwest border of non-Mexicans, not only the fact that we were able to detain them and remove them fairly quickly, at a rate of about 99 percent to the point where now we're starting to see the significant drop in apprehensions, as the Chief mentioned earlier.

Since then -- and basically, this summer alone, we've been able to add an additional 3,000 beds -- breaking that out, some in El Paso, San Antonio. We added some beds in Port Isabel. But most importantly, within 45 days we were able to establish 500 beds in Willacy County, Texas, down in Raymondville, which is unprecedented in the prison industry. And within the next week or two, we'll be adding an additional 500 beds. Those first 500 are already at full capacity. By the end of September, that facility will be 2,000 beds. So just in the southwest border alone, especially in south Texas, we've added significant detention space. And with that, we've been able to see significant deterrence.

By adding those beds, and being able to remove people at a pace of 99 percent that are charged with expedited removal, we've been able to build in efficiencies.

So, for example, where previously not using expedited removal would take about 90 days to return a person to their country, for those that were detained, we've now dropped that to about 21 days. And with some nationalities, like Hondurans, for example, we're removing those nationalities in less than 15 days. So really significant improvements that we're seeing in the system here.

Those efficiencies have allowed us to focus detention space in ways we've never been able to do before. We've established recently a detention operations coordination center so that we can work closely with the Border Patrol and work with our special agent partners at ICE so that when we do significant operations, like Return to Sender, where we've arrested 8,500 people just since May alone, we can return them more quickly and efficiently by being able to establish efficiencies with our JPAT system, which is the Justice, Prisoner and Alien Transportation System.

For example, ten years ago, we were using JPATS for about 10,000 movements a year. Now we're at 115,000 and counting this year. It will be a record year for us with the total number of movements. Removals last year was 166,000. This year we are at 158,000 and counting, with a quarter, basically, to be accounted for for the remainder of this fiscal year. So we expect to surpass the number of removals also.

As we continue to build these efficiencies, we'll be able to do much more large scale operations and be able to get the beds established and our assets pre-positioned to help us be more efficient with these types of operations.

In addition to streamlining those operations, we touched on Operation Return to Sender, which was resulting in about 8,500 arrests since last May; Community Shield, for example, targeting gang members, 3,500 arrests this past year, representing over 350 gangs; and also with our Operation Predator, targeting sexual offenders, over 8,600 arrests in this past two years. So you're seeing significant achievements not only at the border and in detention, but also in the interior of the United States. And as we achieve catch-and-return and continue to sustain it, it's really the first domino.

That will be the first domino to fall, and we'll continue to see progress, not only at the border, but in the interior of the United States.

Secretary Chertoff: Now we'll take some questions and refer them to who -- yes.

Question: Regarding the Salvadorian deportation loophole, would you like to see legislation passed before the mid-term elections? And do you believe you have support on Capitol Hill for it?

Secretary Chertoff:

The answer to that is yes, I would like to see it passed before the mid-term elections, because we need it as quickly as possible. Right now, we are able to accommodate detention for El Salvadorians, even with this restriction, but it is difficult, not to mention expensive and cumbersome. I believe there ought to be widespread support. I can't really see what the argument against it is. The original reason was a civil war that's long over with. It would be like putting into effect restrictions from World War II. It doesn't make any sense anymore. So I just think we need to get this thing done.

Question: Is the positive message of this press conference aimed more at voters or at Congress?

Secretary Chertoff: What it's aimed at is, first of all, telling the American people, you've given us resources, we've told you what we're doing. Now we are accountable to you what the progress is -- good, bad or indifferent. In this case it's good. And I'm being careful, though, not to say the struggle is over. I think we ought to be encouraged. And I certainly do want Congress to continue to support what we're doing through things like this El Salvador court order.

Question:

Question:

Secretary Chertoff, I actually have two questions. The first is, you talk about a temporary guest worker program. Can you outline for us what are the plans in place to screen these temporary workers? Would it be done by the private sector or by agencies like USCIS, which we know are pretty stretched as it is?

And the second question -- I'm not sure if you'll get another round -- there's a report out today that says an estimated 75 percent of applications that were processed through a national processing center in Missouri, that 75 percent of those applications were not screened against terrorism watch lists, something like 2.8 million applications over the last four years.

Secretary Chertoff:

I think the answer to the first is, precisely how we configure screening is going to depend a lot on what Congress does, with respect to temporary worker. Certainly the use of the private sector to collect information might very well be efficient. Obviously, the ultimate responsibility for screening against -- for security risks and for making the decisions has to remain with the government.

I've seen that report, I've spoken to Director Gonzalez of CIS about it, and he tells me that, actually, recently I think the IG reviewed the operations in that center and found them actually to be in good shape. But I've asked them to come back to me and report to me on whether there were any issues. Obviously, our first priority and our baseline requirement is that nobody gets immigration benefits if they're a threat to this country.

Question: Mr. Secretary, two questions. Do you favor changes in the Basic Pilot program related to interior enforcement? And would you like to get information from the Social Security Administration and the IRS to help you pinpoint major employer violators?

Secretary Chertoff:

Well, I think what we have done is, we do want -- Basic Pilot works well. We've talked about wanting to expand it and make it more available, because I think it's a useful tool for those employers who want to comply with the law, and it also makes it very clear that you have no place to hide if you deliberately violate the law.

With respect to Social Security, we have been working with the Social Security Administration to have them give us information with respect to people who are -- where there's such a number of mismatches that it certainly raises a reason to go take a harder look. I mean, there might be an explanation for it, but there's no question that the ability to get data to show significant numbers of mismatches between names and numbers is a good way to key in on those people where we ought to be taking some investigative steps.

Question:

You've said you don't want to declare a victory today, and one issue is, one reason that OTMs, other than Mexicans, are not being caught could be that they no longer want to be caught, which they used to want to, used to volunteer to the Border Patrol because they knew they were going to be released; it was a free ticket. So to what degree are they not being caught because they don't want to be caught, and do we know how many are still getting through?

Secretary Chertoff:

Well, I certainly think it is true that under the old system, there were some OTMs who volunteered to be caught because they knew they'd be released, and that's clearly been eliminated. But that's where I think if you look at the number of Mexicans, as well, it's very suggestive, because that number has gone down, as well. And I think that the reasonable inference, if you look at the total pattern of OTMs and non-Mexicans, is that the measures we're putting into effect have started to have bite, and it is affecting behavior and bringing deterrence.

But one of the things I wanted to caution about was, criminals who have made a livelihood off this are not going to walk away from the business. So I expect that we will see efforts to try to end run us, or push back on us, and this is not meant to say job is done, or even substantially done, it's meant to say we're seeing progress, we're beginning to be able to test that what we're doing is working, but this is a time to redouble our effort, not to slacken up.

Question:

Some people say that the lower apprehension numbers actually can't be attributed to the deterrence because immigrants are still coming over places on the border that are more remote, where National Guard and Border Patrol might not expect them. Can you respond to that?

Secretary Chertoff:

Yes. First of all, I mean, to the extent people are being pushed to areas that are more remote, that in itself is good, because those are harder to cross, fewer people want to cross them. So that in itself is a positive development. There was a piece in The Los Angeles Times over the weekend -- and I'm probably offending some people here because I'm quoting another paper -- which actually talked about the fact that it's now tough -- people are complaining it's tough to cross the border. And they had a bunch of people who said, the older illegal immigrants are having a harder time and they're not trying to do it anymore. It was almost like they were lamenting the fact that it was getting harder. But I thought that was a good news story, because as it gets harder, fewer will try to come

thought that was a good news story, because as it gets harder, fewer will try to come.

Now, we're going to want to push into those more remote areas, and that's particularly where this technology that we're looking to acquire and put out there is going to be very, very helpful, because it gives us more ability to operate where it's very remote.

Question:

But the point that these people make is that you can't claim victory on lower apprehensions because it might really reflect not necessarily that fewer people are coming over, but fewer people are being caught.

Chief Aguilar:

Well, one very important thing, I think -- and the Secretary and I have discussed this in the past -- is what we refer to as third-party indicators, is what are the communities domestically telling us, and, very importantly, what are we seeing in Mexico in the staging areas. What we're seeing today, for example, in Altar -- all of you have heard me talk about Altar before -- it was a major staging area into Arizona. Today we see minimal activity in the staging areas that used to historically have a floating population of upwards of 10,000 people waiting to cross. We're not seeing that anymore.

So that's valid information. We're getting valid information from the Mexican authorities that there's been a decrease over there. So all of these variables put together actually point towards that deterrence.

Question:

Last month, big groups of Chinese illegals, Chinese, sent back to China. And I wonder if you have (inaudible) with the Chinese government, who conciliates and streamlines the process of removal. When will the next group will be deported? Thank you.

Secretary Chertoff: Well, it certainly was encouraging to have a significant number go back over the summer, it was a positive step in terms of having the Chinese government be able to process the return of illegal migrants from China. I have to say, it's still a challenge. It's still not where we want to be in terms of the speed with which documentation was processed. But we're working with the Chinese government on that, and we're optimistic. But it's something that we need to monitor very carefully to make sure we're continuing to move at a pace that results in a net outflow of illegal migrants rather than a net inflow of illegal migrants.

Question:

Why are you seeking a congressional fix on the Orantes decision? Why not just go through the judicial process and go back to the courts?

Secretary Chertoff:

We're in court. And I think we filed a motion four months ago, and no action has been taken yet. So--and I also want to make it clear--the legislation that we're talking about is broader than just this one injunction. It would enable us to clean up a number of older court orders that have essentially outlived their usefulness. So obviously, if the court would act and dissolve it, that would be great. But time goes by. We've asked to have it addressed, the court has not yet acted, and I want to use every available avenue to try to deal with this issue.