

**FLEOA Oral Testimony before the Senate Finance Committee  
January 30, 2003**

Mr. Chairman, distinguished members of the Finance Committee, ladies and gentleman. Thank you for allowing the Federal Law Enforcement Officers Association to testify today on the border situation.

My name is Daniel Wirth. I am the president of the Tucson Chapter of the Federal Law Enforcement Officers Association and the Federal Law Enforcement Officers Association Agency President for the National Park Service. The Federal Law Enforcement Officers Association is a voluntary, non-partisan, professional association representing exclusively the interests of over 19,000 members of federal law enforcement.

I am employed as a Special Agent for the National Park Service and stationed at the Arizona High Intensity Drug Trafficking Area in Tucson, Arizona since 1996. I have also been detailed to the Department of the Interior's Office of Law Enforcement and Security as its Border Security Coordinator since 1997.

The Federal Law Enforcement Officers Association respectfully asserts that the public lands on our borders are in a state of crisis. The safety of the public, our officers and their families are at risk. The resources that we are entrusted to protect are being destroyed at alarming rates. This situation exists because our porous border is conducive to smuggling by international criminal organizations.

This is a federal problem.

The Department of the Interior is the primary land management agency in our government, responsible for 23 percent of the land in the U.S. including 10 percent of the Canadian border and 40 percent of the Mexican border. The Department of the Interior has four Bureaus with law enforcement authority. They include the Bureau of Indian Affairs, Bureau of Land Management, National Park Service, and U.S. Fish and Wildlife Service. These bureaus employ approximately 4,000 federal officers with law enforcement and homeland security responsibilities for national infrastructures, borders, dams, gas and oil pipelines, electric transmission lines, national icons and the protection of natural, cultural and historic resources.

The Department of the Interior has experienced a significant escalation in border impacts from smuggling over the last four years. These impacts are decimating public resources and putting the safety of our visitors and employees at serious risk. This is a result of the success of increasing the allocation of Border Patrol assets around the Ports of Entry which forced smuggling away from the Ports of Entry and through our remote rural public lands. This is well documented. Along the Mexican border over 80 percent of drug smuggling occurs between the Ports of Entry. The northern border is now starting to experience similar trends.

The Bureau of Indian Affairs mission is unique in that it serves a resident population of approximately 1.5 million tribal members. The jurisdiction of Bureau of Indian Affairs includes lands in many states and along the International borders of Mexico and Canada. Mexican National drug organizations are developing extensive ties within Indian Country and are moving large amounts of controlled substances across the borders and throughout Indian Country.

Thousands of trails and hundreds of roads have been illegally created by smugglers across our public lands. This proliferation of trails and roads damages and destroys vegetation, wildlife, and causes soil compaction and erosion.

Tons of trash and high concentrations of human waste are left behind impacting wildlife, vegetation and water quality.

The international border fence is repeatedly cut or torn down in most locations. Vehicles from Mexico can drive unimpeded across most of our border.

Many Department of the Interior lands can no longer be used safely by the public or employees due to pervasive smuggling. Staff exposure while conducting resource management activities is a serious safety concern. Federal land managers now must send staff to the field in teams to ensure employee safety along the border or totally restrict employee presence in certain border areas due to the potential for unsafe encounters. Visitors have been subjected to carjacking, assaults and robbery from armed smugglers.

Within the 789 miles of Department of the Interior's jurisdiction on the Mexican border there are only 30 officers. The Department of the Interior has the highest assault rate on its officers of any government agency. They work in remote areas with poor communications and little if any backup and if you can believe this, for managers that may have no background or understanding of professional law enforcement.

This is a not an acceptable situation.

Our officers who are doing their jobs by defending our borders, and our national security, have been intimidated, threatened, assaulted, shot at and murdered by organized crime. These sophisticated international organizations conduct surveillance and counter-surveillance on our officers day and night; they utilize encrypted radios, night-vision equipment, armed escorts, and routinely resort to deadly violence. We are out manned and outgunned in a war zone. We need help. We need your help.

The Department of the Interior has taken decisive steps to address their responsibilities for border security. The Federal Law Enforcement Officers Association thinks Secretary Norton is the best thing that has happened to the Department of the Interior. As a former attorney general, she possesses the professional ability to analyze the Department's deficiencies and has taken a course of action to correct them. But Secretary Norton needs congressional support to carry out her reforms. Congress and the Office of Management and Budget must recognize that the Department of the Interior has a mandated responsibility for border security. Her plan of action without the corresponding appropriations will not result in productive outcomes.

Mr. Chairman and committee members, the question must be asked. What can be done and what will be done to rectify this crisis on our public lands and borders?

If I can take a moment, on behalf of the Federal Law Enforcement Officers Association I want to sincerely thank Senator Grassley for his continued support of the federal agents on the front line and for his expressed concern for their welfare.

Thank you once again for allowing the Federal Law Enforcement Officers Association to come before you today on this critically import issue.

Subject to your questions, this concludes my testimony.