



Executive Summary Testimony Presented by:

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The Honorable Ed Royce, Chairman

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Good morning Mr. Chairman, Ranking Member Sherman, members of the committee, distinguished fellow panelists, and guests.

I am Andy Ramirez, Chairman of Friends of the Border Patrol, and I thank Chairman Royce for calling these important hearings, as terrorism is the foremost topic on many American's minds. I personally have been investigating border security along the northern border, and interrupted my trip, flying home all day yesterday, to attend this hearing. With my official testimony having been submitted for the record to the committee, I am presenting an executive summary today.

We have investigated border security from many perspectives including Border Patrol manager and line agent, local law enforcement, and border resident, along both borders, and the soft underbelly of national security, Ramey Border Patrol Sector. The irony is that while our elected officials may not be aware of the details I am presenting today, I guarantee that the Mexican Government, illegal and criminal aliens alike, as well as smugglers and terrorists all know our weaknesses. If we are to correct this problem, **as is the purpose of this hearing on "Border Vulnerabilities and International Terrorism,"** then we need to discuss a few things, namely:

1. Special Interest Aliens/OTMs as they affect our borders.
2. Projects and the virtual wall, including the misinformation about boots on the ground, RVS FLIR cameras, tunnel detection, and Project Athena, which can secure our BP Sectors in the Great Lakes.
3. The lack of cooperation between the BP and other LEAs, primarily Texas as I learned firsthand and have provided to members today as part of my official testimony and evidence, and how this can be improved.
4. Communications exceeding the mandate of the Vienna Convention as the Border Patrol reported lawful civilian border observations to the Mexican Government thereby endangering the safety of U.S. civilians. Chief Griffen of the Border Patrol and I are both here as witnesses today, and it is time the public is made aware of the truth and facts, which is the opposite of DHS and OBP attempts to discredit the Daily Bulletin's reports on this matter. The fact remains that the agency lied to the nation.
5. How border security not just here in the southwest but across the nation has not been improved, let alone implemented, and in fact, been distorted, or eliminated including the agent detailing shell game, and also that DHS and Chief Aguilar have provided a false sense of security in testimony to the nation. **I will share how SDC was raided when the MMP turned Tucson into a focal sector.**

I hope to be able to field questions from the committee pertaining to those items, and would appreciate an opportunity to discuss Ramey Sector as a glaring example, and how border residents quality of life are effected along our borders.

Mr. Chairman, I would like to enter into the record as evidence the following items including Memo-B, and Memorandum-C, which pertain to investigations I personally conducted (in addition to those items I provided last Friday to committee staff).

One key aspect of terrorism I do not hear anyone speak about publicly whether it be our elected officials or government agencies is what terrorists do when crossing our borders, and the response by DHS and the U.S. Border Patrol. If terrorists are using the wide-open southern border to cross, they can do it one of two ways:

1. They can blend in. This won't be very difficult as the BP itself admits that it only catches 2 out of 5, though more than one publication quoted Tucson Sector Chief Patrol Agent Nicley at 1 out of 8. Most entrants are poor people crossing the border in a relatively unsophisticated manner and we have not stopped the majority of them. One fact I was informed of by a source is that "it was a no-no to give numbers to anyone outside of the Border Patrol." I am certain this policy would include Members of Congress among those considered to be outsiders.
2. Terrorists could attempt to cross alone and bring their weapons with them. If only we had some idea of what our government U.S. does when an organized, armed force crosses our borders with their guns and equipment often escorting narco-traffickers. Oh wait we do have this sort of thing happening. The fully equipped Mexican Military has crossed hundreds of times with impunity and we haven't done anything, other than parrot statements from their government that shirts are sold by street vendors, or were possibly American citizens impersonating Mexican Military personnel. If a terrorist does decide to bring his missiles or a nuclear warhead with him in say, a Humvee, I hope our response is a little better than what we do now against armed military incursions. Maybe we need a SALUTE card for terrorist incursions now, since in the Tucson Border Patrol Sector we are already providing them to Border Patrol agents for incursions by Mexican Military personnel.

Mr. Chairman if I may, I would like to present an original to the committee of the very card presented to Border Patrol agents to my understanding by Tucson BP Sector since 1997 (see Item-1).

"We cannot get a straight answer when it comes to how many Special Interest Aliens have been apprehended by CBP or ICE, other than a standard response of "Pending Investigation." Yet, the Border Patrol knows how many teddy bears it gives away, how many cheese crackers it has in reserve (I would bet down to the individual cracker), etc. An Assistant Chief Patrol Agent is detailed solely, according to sources to monitor such nonsense. So the fact that it keeps absolutely no statistics on the people caught from terrorist countries as a mere accident defies all credibility. Obviously, the BP does not keep these statistics as a matter of policy and the reason is pretty easy to see. Let me also add that the media has attempted to gain those very figures as well as the dispositions of apprehensions of SIAs that they learn about through sources. However, those results are seldom, if ever released, so the public has no way to learn if there is any information beyond what has been reported by sources."

Moving on, Mr. Chairman I would also like to address an item known in the Border Patrol as Project Athena, developed by Raytheon. In this project the Border Patrol would be able to monitor shipping traffic as it approached the U.S. coastline. The cost was minimal compared to other systems currently being utilized such as "remote video surveillance" (RVS) cameras and other items providing a virtual wall that has been

proven to be a bottomless, and ineffective money-pit. I can use the name Project Athena, as it is in the public domain and can be looked up on the internet. The operational names I learned that Project Athena has been called in USBP testing are Operation Lake View and Gulf View. Chief Aguilar would be a better respondent, as I am certain that he has been properly debriefed.

Local Border Patrol Sector Chiefs have written to headquarters requesting that “Project Athena” or subsequent generations of similar capabilities be funded and provided to meet the goal of secure our coastlines, lakes and waterways. Yet, this program, which can monitor maritime traffic up to 95-100% capability, though still listed on life-support, is certain to not be implemented. Clearly our having such technology available, but not implemented though the testing ran one year ago is definitive proof that DHS and USBP HQ under Chief Aguilar lack the intent regardless of the requests by local Sectors for those very needed items that ensure their mission, and are leaving us vulnerable.

In fact, the Border Patrol Sector Chiefs have also been informed that they would receive additional agents to fill their numerous vacancies and technology holes. I understand that the agents and technology often mentioned is to be used to implement a “virtual wall” would be provided by Secure Border Initiative funding. It is our opinion that this is yet another empty promise, or if you will, “fool’s gold” to those sector chiefs, and I look forward to elaborating on why RVS Camera Systems and Tunnel Detection are ineffective during this hearing, leaving our nation wide-open, and also why we will not get those boots on the ground promised by the administration and DHS.

They know as we do how the 30:1 ratio it takes to come up with one recruit for the Border Patrol, screening process, academy capacity, which is grossly inadequate, and difficulties of graduating due to the Spanish language requirement, and the ten-month exam that takes place after the academy. They also know the actual attrition rate. The reports of the high numbers of agents throughout the service seeking employment opportunities elsewhere are not just rumors but are fact.

Many BP Agents deserve an opportunity to tell their facts, and expose the truth, which is how DHS has ordered agents to stand down, and not report all the facts in order to prevent Congress from learning the truth. Outside of my fellow panelist Mr. Bonner, BPA’s voices have been silenced. All statements provided, and Congressional tours are pre-scripted and approved by Mr. Aguilar’s office, as he is the ultimate micro-manager. Any Sector Chief you speak with, including my friend Chief Griffen knows as I do that he has to answer to Mr. Aguilar, as he is the top agent in the chain of command. I am certain you would hear the reality if they were authorized to provide it, on their own without retribution from Mr. Aguilar. Yet, the fact is, under regulations implemented in 2004 by the Department of Homeland Security, you will never get anything that strays from the official approved script. That is why it is important you have witnesses who do not have to worry about being retired by DHS or detailed from what is considered a good managerial detail to an outpost such as Ramey.

If you do not believe the extent of the mistrust of many law enforcement agencies with the federal government and the Border Patrol, then you must not be paying attention to what many border sheriffs have been stating for months. Like me, they’re not doing it for

publicity or electoral reasons, they are telling the truth and standing by it because they are concerned about our nation's being compromised and vulnerable to terrorists entering our borders. In March 2006, I witnessed an incident that took place in El Paso Texas during a break between meetings of the Border Sheriffs Coalition and Border Patrol. It defines the mistrust many have with the Border Patrol, and the administration.

If the House of Representatives accepts the Senate version of amnesty after DHS certifies that the border is under control, this could have catastrophic results. This is really the fox guarding the henhouse and would be akin to having to consult with Mexico on the need for a border fence. Sources of ours report that DHS and CBP have been informing the public through the media that the Border Patrol has achieved "operational control" of the borders and that crossers had a "substantial probability of apprehension". If the House falls for this type of conditional provision, DHS will immediately certify that the border is secure, which ensures that amnesty can go ahead.

It is our position after investigating the insecurity of our nation and regular contact with our law enforcement sources that we are vulnerable to Mexican Military incursion, smugglers, drug cartels, and violent gangs. To be perfectly honest, the only thing that DHS and the Border Patrol have excelled at is convincing America that the border is secured and they certainly wouldn't suddenly decide to tell the truth with so much at stake. Hopefully Congress recognizes what a con game this would be and declines any amnesty provision beginning with rejecting the Senate Amnesty as authored by S-2611.

I am declaring the Border Patrol to be a broken organization in dire need of an overhaul. We must fix DHS and the Border Patrol, by removing incompetent leaders that distort the facts, and have created the unprecedented level of mistrust and fear and you'll find countless witnesses who will appear before you and provide the truth without fear of retribution, upon which you'll learn the truth and begin to win the war on terror.

Mr. Chairman, this is a Code-Red situation and requires our immediate action as the highest priorities of national security. With each passing day our exposure to the probability of a major terrorist attack including the usage of a nuclear device increases, as we cannot control the traffic along our borders. Project Athena is an example of having the tools to do so, but not the will or permission to implement it, though requested by local commanders to superiors at headquarters and the highest levels of government. We cannot resolve those other issues until we correct DHS and the Border Patrol.

Mr. Chairman, thank you for the opportunity to appear as a witness today. I look forward to not only answering questions, but also working with the committee in the future.