

EXPLANATION OF PURPOSE OF THIS INTERVIEW:

This is part of a semi-structured interview series to obtain perspectives from experts on a wide range of border issues. These interviews are posted on the website of the Trans-Border Institute as a source of public information about the border. The interview may also be cited in academic research publications produced by the Trans-Border Institute. If you have any concerns about the transcription, posting, or citation of this interview, please contact us at the Trans-Border Institute (transborder@sandiego.edu) at any time to make corrections or identify any concerns.

INTERVIEW:

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1. What is the function of the Department of Homeland Security and how does it interact with other U.S. law enforcement agencies at the federal and local level?

Homeland Security itself is actually, basically a new agency within the government. It has been around since 2003 as a result of the events of 9-11. The vast majority of entities within Homeland Security are absolutely law enforcement specific, so one of the things that Homeland Security did was take a whole bunch of different agencies and bring them together in so many different ways that it really helped for getting intelligence out there. All these entities that maybe didn't work so well together in the past now all of the sudden are partners and the end result was that now we have a very good intelligence driven network, we have better relationships with our other government agency law enforcement groups as well—we work better with them, we share better with them and the groups that came to be under Homeland Security obviously were pretty good when it came to the dissemination of stuff. This includes the former U.S. Customs Service, the former U.S. Immigration Service, former U.S. Department of Agriculture and former U.S. Border Patrol that are all under one little roof now, so all those different groups now are one element, we're all Customs and Border Protection. The combination of those entities perhaps did away with all their problems that they had in the past and now allowed them to come together and strengthen because of their partnerships now, so it's a really good deal.

2. How much of your work on a day to day basis deals with issues related to terrorism, immigration, and drug trafficking?

Well, in my job as Community Relations I don't really spend a lot of time focusing on terrorism issues or drug-trafficking. I did, for many many years I was an officer down at the port of entry where you come across so I saw it every day. Terrorism, of course although maybe it has been there all along, didn't really become a specific issue until 9-11. It is our primary mission in CBP to stop the flow of terrorists, terrorism, and instruments of terror. With that said, my focus is a lot more on stakeholders and partnerships and community outreach and what we are doing as an agency to kinda get out there and get our face seen with businesses and groups like that. Also, a part of this job includes paroles. A lot of times folks that don't have the ability to be in this country ask us

permission to grant them a parole into our country for a variety of reasons and part of my job is to review those requests, and we get a lot of them. Like I said somebody could be here that's not doing so well health wise or is about to die or has just died and their family wants to be with them one way or another so we help to facilitate their ability to get into the country. It's different from a visa, because these are typically people who have not been able to get visas or don't have the time to get a visa in this particular situation. But we have to be very careful about how we use that because it can be abused very quickly. Sometimes people might ask for parole for a very valid reason but at the end of that parole they're supposed to leave but they stay and won't leave at all so that creates a problem for us and so we have to be very judicial in the way that we hand it out. Sadly, not a lot of folks get paroled in and when it happens it is rare because we get so many requests, you know, and we just can't say come on in. Every week I probably get 20 requests or more that I have to investigate and look at the history and prepare a recommendation for the director, it's his authority that we're working under so he ultimately is the deciding factor. But, I send out far more denials than I do approvals I'll put it to you that way, so there you can see that immigration connection right there.

3. How great is the threat of terrorism for California, and what are the particular concerns or vulnerabilities that your office works to address?

Well this office here is a field office that oversees all the ports of entry from the water all the way to the Arizona border, so it's pretty expansive as you could imagine. That includes six ports of entry with almost 2,000 people assigned there. And again, the primary focus is terrorism, so that's the real reason why we're there. Our old legacy missions though are still very very active obviously—the immigration mission, the customs anti-drug mission and the other contraband things are still there so we have to focus on them too but that is not our priority mission, we spend far more time on it than we do terrorism because we just don't get a lot of high level terrorism suspects, you know. California is not exempt from that possibility, which again is one of the reasons why we work so closely with our Border Patrol counter parts to try to make sure we keep a good eye on our human trafficking networks that are out there. We try to stay current on it because we have always figured that that would be the same path that a terrorist would likely take. I mean, why recreate the wheel when they could just pay somebody to smuggle them in just like, you know, this immigrant family is doing. Sadly, we see that every day, tons and tons of folks that we catch that are being smuggled in a variety of different ways—conveyances, cargo trucks, ships, coming through the water over there by the bay so it's obviously a very significant problem for us and one that we have to keep an eye on but it's not our priority, priority is terrorism and everything else is secondary to that. So, keeping it in check of course means having a good network for intelligence, being able to work good with our partners and other law enforcement groups, being able to work good with our communities who we rely on a lot to give us information whenever they see things, and to disseminate that whenever possible, so that's really where it's at.

4. To what extent does the border present a liability in terms of a possible terrorist attack against California or the United States?

Well the borders have always had a higher level of interest, I'm sure only because of what could happen. A terrorist attack at any one of our facilities would be huge as far as stopping the flow of regular traffic and if you take out a facility we would have to have an emergency location, another place to handle the travelers; we would have to deal with the trauma, first responder concern, fire, explosions. A port of entry itself is a fortress so to speak, so in order for a terrorist attack to take place there they would have to get through a pretty significant gauntlet to pull it off, but I would say that the threat at ports of entry are high and because of that we have to really be vigilant to watch and be aware of what is going on around us, particularly where intelligence is concerned. Typically, we know well in advance before we see folks moving around that perhaps catch our eye in the terrorism world.

5. How much of your work deals with U.S.-Mexican border security issues, in particular?

Well it's obviously a very significant emphasis on the southern border, not to downplay what happens on the northern border because that's clearly a concern for us as well, but the southern border is really where we get a lot of, you know, illegal activity--particularly here in Southern California all the way from the Arizona line over, but it goes all the way to Brownsville and Laredo, El Paso, a lot of those ports of entry along the way see a significant amount of narcotics and illegal activity. But, I think that for the terms that we are concerned about, security issues, you see the vast majority of them along the southwest border and that just means that our agency as a whole has to kind of keep the focus where the threat is. Again, not to downplay the threat on the northern border, but the southern border is really where we get the vast majority of our crime, the criminal activity occurs there so it stands to reason that that would be where we would want to keep our focus.

6. What would you say is the single most important issue affecting the border at this time?

The single most important, well, it will always continue to be terrorism. Only because, again, it is our primary mission and everything is kind of secondary to that. But we can't downplay the other issues that are taking place down there, I mean, the narcotics and the illegal migration issue is just huge, but terrorism will always have to be first, only because that's why we were created.

7. Has the recent influx of drug related violence in Mexico had a significant impact on Homeland Security? In other words, has the violence "spilled over" the border?

There have been a few examples of where it has, but I think for the most part we have tailored our enforcement approach to current threats when necessary. Typically, we will not see that kind of an issue taking place, only because our ports of entry, again, are well fortified. The U.S. authorities are obviously much more adept to handling a crisis situation like that. And again, not

to downplay the Mexican law enforcement side of the house or even suggest for a second that they are out-manned, out-gunned, and whatever, but that's where they are from, that's where those folks live, that's where they operate and that's where they have their best success against the law enforcement that they are facing out there. To this point we don't see much of an impact on our side of the border, in fact, our Secretary Napolitano just recently said that we're not doing anything different, our focus is still the same but we are prepared to adapt if necessary, should that become an issue on our side of the border. The region of the border, perhaps, there's some heightened sense of security, only because we have seen some incidents occur north of the border, where criminal activity and criminals have fled to the south, but we're prepared to handle those when they happen.

8. What is your assessment of the impact of increased border security measures after 9/11, particularly the use of fencing and the deployment of National Guard troops to the border?

Well I can't imagine that they're going to be too much of an impact, negatively, positively though, it certainly gives or lends to a sense of more security. A lot of times that means a little bit more or longer wait in the traffic line coming back from Mexico but most people overall are okay with that. They're fine with the fact that they have to maybe wait a little bit longer so that we can do a more thorough screening if necessary. We have technology now at the ports of entry where we are able to do a much better job of knowing who you are. June 1, kicks in the Western Hemisphere Travel Initiative's implementation for travelers coming back, you have to have proof of your identity and your citizenship, so those two issues have to be met. I mean today you can go down there and see somebody coming back with a birth certificate on a piece of paper and an i.d. from a California grocery store, you know, and they're showing up to entry that way and that causes us to maybe kind of dig a little deeper. So there you see that a little bit of an additional delay, but for the most part honest travelers which is 90% of our people, I would say 95%, they're honest law abiding people, they're okay with that added additional security checks that we have to go through, but at the same time, you know, we just don't hear about it too much. Sometimes we do, on a monthly basis anyway, these stakeholder meetings, we call them "stakeholder working groups" where business leaders, chambers of commerce, mayors, and other entities come together with us at a meeting and in that venue we talk about things of concern and most of the time for them it's usually related to wait times. You know, what are we doing about wait times? Are they improving? What are you doing at the ports of entry to help us? You know, because economically those regions are clearly impacted by a slower wait time, but at the same time that border violence that we talked about has an impact on that side of the border when people go to come back in to the United States. So, because of the violence tourism is down, they don't go down there, so I think the business entities on either side of the border are really looking at us for possible solutions on how to handle that and assurances as well, that are looking for the fact that we're comfortable the way we're doing things and it's going to stay that way for now. We have to kind of really make sure they understand that it's a balance and that's clearly the benefit of having the stakeholder groups anyway because it kind of gives them so say as to what's happening down at the ports of entry

and the border areas so they feel very good about that I think as long as we're able to keep those type of meetings together it'll continue.

9. With regard to undocumented immigration, what are your thoughts on labor demand in California? Is there a need in this state to increase the number of H2-A and H2-B visas to accommodate labor demand for low-skilled agricultural and service sector labor?

I think the need for those types of visas has already been met. The labor issue as far as what's happening here across the border in California is one that's always been there. I think that if we have some new regulation rules and procedures to help us deal with a temporary worker program better, those should be implemented. I think also in the long run though, as an agency, we do pretty good when it comes to helping to enforce, because that's really what we're about, we enforce the rules. As far as illegal migration is concerned, our hope of course is that everybody would do it right, but we already know that that's unrealistic to even think it. So because of that we have to kind of keep our procedures clear, we have to keep our rules known by our own people. A lot of the people that we see on a daily basis that are illegal have been back, they're repeat offender, recidivus, and we know that and they know that and they know that we know but it's like a revolving door. As long as there is some kind of a defined need for them in our work, a job for them to have even if it's nothing, we're going to see those folks who come looking for a better life. You know, and we as an agency I think and our people are very sympathetic to that but we have a job to do and part of our job is to enforce those current laws, so unless those laws ever changed, you know. The agency does have a program specific to workplace enforcement, but it's not always at the top of the list of things to do, but we do have a history of it.

10. With regard to undocumented immigration, what are your thoughts about the possibility of investing in more aid for promoting development in Mexico as a preventative measure for controlling undocumented immigration?

You know I don't really have a whole lot of thought on that, not as an employee anyway, only because my focus has really always been what the law says, what we need to do to enforce the law, and what you should do as a border crosser to do things right. Short of that, what Mexico does to help the problem I can't really say. Again, I have my preferences, we have, again, working group meetings with our Mexican counterparts right up the street here the Mexican consulate is one block up and we have a very good relationship with them, but we would never attempt to even get them to try to talk on behalf of their president on a subject like this. There clearly is a disconnect and their job here is to provide assistance to their people, that's why they're here. But officially, I really can't say what or if anything that Mexico should do or could to try to promote development their or to assist their own people, officially.