A Dividing Line that Unites: The U.S.-Mexico Border

By Christopher E. Wilson

Key Recommendations:

- Implement 21st Century Border management techniques—trusted traveler programs, customs preclearance, advanced biometric and screening technologies—to make border crossings more efficient for commerce and people alike. The competitiveness of both the U.S. and Mexico depend on it.

- The most serious security risks going forward will be at, not between, the ports of entry. Rebalance border security efforts to recognize this, prioritizing technologies and methods that simultaneously strengthen border security and efficiency.

- Strengthen binational and interagency efforts to fight criminal groups that traffic drugs, guns, and migrants. These law enforcement efforts need to take place wherever they can be done most efficiently, whether at the border or far away from it.

- Take advantage of the momentum and good will generated by the successful negotiation of the new Colorado River agreement to strengthen environmental dialogue and cooperation on a wide range of issues. One area ripe for advance is the development of renewable energy resources, which are plentiful in the border region.
The border region is a land of paradox and contradictions. It is a region of great wealth and, in places, devastating poverty, a region held together by a dividing line. In a region of such tremendous contrasts, it is no wonder that policymakers face unique challenges. A central task for those charged with border management is to create a filter that blocks all unwanted crossings yet allows legitimate traffic to flow freely. This might include creating ports of entry that stop dangerous traffickers (drugs to the north, weapons and cash to the south) but allow commerce to proceed unimpeded. It could mean putting in place technology and physical infrastructure to detect and deter illegal crossings that is also porous enough to allow the free passage of wildlife in the often delicate ecosystems of the desert Southwest.

Perhaps counter intuitively, the best ways to approach this virtually impossible goal often come in the form of policies and programs enacted far away from the border itself. For example, investigative efforts targeting the points where drug money is collected and packaged before being sent across the border may be more effective and less disruptive than intensive southbound inspection efforts at the border itself. Similarly, deterring unauthorized immigration by increasing the number of visas available legally and strengthening pre-employment verification of work authorization may be more effective than building a higher, stronger fence. Border issues, from trade to security to the environment, have national consequences, and the best border policy will often depend heavily on the cooperation of agencies whose mandate does not cleanly fall within the realm of border management.

Sometimes the contrasts created by the border bring vitality to the region. Mexico’s northern border states are the heart of the Mexican manufacturing machine, with contrasts in prices and wages having attracted workers from all over Mexico and companies from around the world. Other times contrasts create market failures, or seemingly needless inefficiencies. Ambulances and firefighters may not be allowed to save a home, a forest, or an individual, unless the proper cooperative agreements are in place ahead of time. Children routinely wait in long lines at the border to go to school, and manufacturers shoulder the burden of long waits, the cost of filling out at-times cumbersome customs paperwork, and the expensive unloading and reloading of shipments due to limitations on cross-border trucking. Policy makers in the capitals of each country must recognize that the unique binational nature of the U.S.-Mexico border region and its population is an asset and that the unique policy challenges associated with the region are worthy of the special attention they require to be properly managed.

An Evolving Context and Evolving Opportunities

Over the last two decades, there have been three major points of inflection in the trends in cross-border flows and border management. First, on January 1, 1994, the North American Free Trade Agreement (NAFTA) took effect. It lowered or eliminated most barriers to cross-border trade among the United States, Mexico and Canada, and trade and cross-border traffic more generally took off. Then, like now, the vast majority of U.S.-Mexico trade crossed the land border, most by truck but some also by train and pipeline. Trade climbed at a fast clip, averaging 17 percent growth each year from 1993 through 2000, until 2001 when several events conspired to slow it down: the accession of China to the WTO, the U.S. recession, and, most importantly for the current discussion, the terrorist attacks of 9/11. Increased border security in the wake of 9/11 temporarily brought trade to a virtual halt. Since then strategies have been put in place to maintain heightened security while moving people and goods through more efficiently, but as anyone living in a border community will tell you, it is still much harder to cross the border than it was before 2001. As a result of the factors mentioned above, from 2000-2008 U.S.-Mexico trade slowed to a
rate of 4.5 percent growth. The third major change in cross-border trends, one which is still in need of consolidation, emerged in the wake of the Great Recession.

After falling seventeen percent during the recession, trade with Mexico, unlike the rest of the U.S. economy, rebounded with astounding intensity, averaging 24 percent yearly growth from 2009 to 2011. Though some of this growth is driven by the short-term motor of recovery, a number of structural factors in the U.S., Mexican, and global economies (energy costs, labor costs, currency values, technological advance, etc.) are giving regional manufacturers a strong tailwind and boosting the volume of goods flowing across the U.S.-Mexico border to unprecedented levels. In fact, bilateral goods and services trade between the United States and Mexico reached the record level of a half-trillion dollars for the first time in 2011, about five times what it was before NAFTA was implemented.

**Trade and Border Congestion**

Remarkably, this boom in trade is occurring even though the brake applied to cross-border flows in the wake of 9/11 has never been fully released. What is more, even though trade is five times greater than it was two decades ago, many border ports of entry have not experienced major expansion or renovation since they were built several decades ago. U.S. Customs and Border Protection (CBP) believes that “federal appropriations have not kept pace with needs,” noting that $6 billion dollars of infrastructure investment are needed to “fully modernize” the land ports of entry along the United States southern and northern borders, and several studies have found that the U.S. and Mexican economies (not just border states) are missing out on billions of dollars of potential economic growth due to high levels of congestion.
at the border.\textsuperscript{1} Since port of entry improvements offer significant monetary benefits to border communities and trade-dependent industries, state, local and private entities are often willing to contribute funding to border infrastructure projects. In a time of tight federal budgets, public-private partnerships and public-public partnerships (involving municipal, state and federal governments) represent a promising opportunity to meet border infrastructure needs.

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The combination of growing trade and aging infrastructure has led to a seemingly contradictory phenomenon. As shown in the chart below, trade has grown without a corresponding increase in the number of trucks crossing the border. Shippers seem to be finding ways to stuff more value into fewer trucks as a way to minimize their costly trips across the border. With so much growth happening despite the obstacles, imagine the potential for job creation and economic growth fueled by increased trade if strategies to increase efficiency while maintaining or even strengthening security were fully implemented along the border.

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\includegraphics[width=\textwidth]{chart.png}
\caption{Growth in U.S.-Mexico Trade vs. Cross-Border Trucking, 2000-2011}
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**Quality of Life and Environmental Sustainability**

Congestion does not just affect cross-border commerce; it affects people and quality of life in the border region. Unlike the U.S.-Canada border, the southwest border is characterized by twin cities—single metropolitan areas straddling the U.S.-Mexico divide. These joint-cities developed at a time when little to no documentation or security procedures were necessary to cross the border, and it is common for families to be dispersed throughout the cities in such a way that they regularly make international trips to visit relatives, go shopping, or go to work or school. Long and unpredictable border wait times, then, not only add additional costs to regional manufacturers but also put significant strains on the individuals and businesses (especially U.S. retailers) that count on efficient border crossings in their daily life.

A look at border-crossing statistics over the past twelve years makes the major decline in traffic abundantly clear. We cannot attribute the entire drop in traffic to border congestion and other post-9/11 effects, as the recession and spikes in violence in several Mexican border cities are surely other contributing factors. Still, given that crossings rose steadily throughout the 1990s and the border region population continued to grow quickly throughout the 2000s, congestion and increased security measures are top causes.

For decades, the population in the border regions of both the U.S. and Mexico has grown faster than the respective country’s general population, which has put significant strain on many of the fragile ecosystems that make up the region. Further complicating environmental management is the fact that neither wind nor water nor wildlife respect national boundaries. Cooperative, binational approaches are the only sustainable solutions. Recognizing that fact, the United States and Mexico came together in 2012 to sign a five-year agreement managing their shared water supply from the Colorado River. The agreement is a major milestone in many ways, as it sets a precedent for managing the impact of water shortage through negotiation rather than conflict and for codifying a system in which Mexico can use a U.S. reservoir to store its water.

The border region environment is in many ways delicate, but it is also very resource rich when it comes to both traditional and renewable energy. The advent of new hydraulic fracturing (fracking) techniques has made accessible major reserves of shale oil and gas, some of which cross the border itself. Fracking offers major benefits, promising to lower electricity costs and boost regional manufacturing, but it can also threaten water quality and requires the use of significant water resources, which are in short supply in the border region. Cooperation and care will be needed to take advantage of these resources in a way that benefits all and protects the natural environment.
Solar, wind, and biogas resources are all abundant near the U.S.-Mexico border. They are being developed in some areas more than others, but overall their potential is much greater than has so far been realized. One special opportunity lies in developing renewable energy production in Mexico to supply U.S. states with power to meet the renewable portfolio requirements they have legislated. The development of stronger cross-border transmission infrastructure would go a long way to encouraging such mutually beneficial renewable energy projects.

For two decades now, the Border Environmental Cooperation Commission and the North American Development Bank have worked together to fund the development of needed environmental infrastructure. They have achieved considerable success, but more could be done with an expanded mandate.

**Immigration and Border Staffing**

Illegal immigration is at its lowest level in four decades. The Border Patrol’s level of staffing is at a historic high, and the relationship between the two phenomena is a question with important policy implications. The causes of the drop in unauthorized migration are manifold, but the single largest factor is probably the U.S. recession. The strengthening Mexican economy, high levels of organized crime violence in parts of northern Mexico, and increased state and federal immigration enforcement away from the border may also be contributing factors.

With over 23 thousand full-time employees, the Border Patrol, which is responsible for enforcement between the legal ports of entry, is now more than five times larger than it was in the early 1990s. Data from a recent Government Accountability Office report offers new evidence suggesting that as it has grown, the Border Patrol has also become more effective in performing its task of securing the border in between ports of entry. The chart below shows both the decline in unauthorized immigration, as measured by apprehensions, and the increase in the effectiveness of the Border Patrol in apprehending unauthorized border crossers, which is measured by comparing the number of apprehensions to the number of known illegal entries into the United States at the southwest border. The scale is set up so that if a larger portion of those who attempt to cross the border are caught, the measure of effectiveness will increase. In fact, since 2006, the ration of apprehensions to known illegal entries has increased from 1.7 to 3.8, a significant improvement that suggests (does not prove) an increasingly secure border has contributed to the decline in illegal immigration.
With fewer and fewer unauthorized immigrants entering the country between the ports of entry and after such a major buildup of Border Patrol agents along the border, it makes sense to focus greater attention in the coming years on security and trade facilitation at the ports of entry, which have not received nearly as much policy attention. In fact, with declining apprehensions, the number of migrants caught by the Border Patrol is quickly approaching the number of people denied admission at official border crossings. The CBP Office of Field Operations, which is responsible for running the official ports of entry, has seen its staffing and funding levels surpassed by the Border Patrol in recent years (see the chart below).

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Mexican border cities have been hit hard by organized crime violence in recent years, but some trends have begun to emerge that offer reason for cautious optimism. As shown in the chart below, Tijuana and Ciudad Juarez, the two largest Mexican border cities, have experienced major declines in organized crime related violence. Northeastern Mexico has seen violence increase during the past two years, though the latest data suggests violence has probably at least stopped rising if not begun to fall. Still, with key drug trafficking corridors to the United States flowing through the region, border states continue to bear an outsized share of organized crime related violence in Mexico, and much effort is still required to address the issue. The declining rates of violence in five out of the six Mexican border states does, though, open an opportunity to focus greater attention on longer-term efforts to strengthen the rule of law institutions—police, prosecutors, judges, prisons—in these areas, which is the only way to guarantee that violence does not return to its previous levels.

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Despite the widespread perception that the border region is violent and lawless, U.S. border cities have not experienced a wave of violence corresponding to their Mexican counterparts. Many, such as El Paso and San Diego, remain among the safest cities of their size in the country. Nonetheless, perception matters, and cities like El Paso have seen tourism and the number of conventions hosted in the area decline.

The gap in attention that has been focused on prioritizing border security efforts on the areas between the ports of entry as opposed to on the ports of entry, as described above in the section on migration, has important security policy implications. Recent U.S. National Drug Threat Assessments have suggested that most hard drugs—like cocaine, methamphetamines and heroin—are more likely to be smuggled

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* 2012 figures are through November 29, while all other figures are yearly totals. Source: Grupo Reforma, Ejecutometro 2012, http://gruporeforma.reforma.com/graficoanimado/nacional/ejecutometro2012/.

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through ports of entry rather than around them. Increased attention by policymakers is needed to identify and implement strategies that simultaneously strengthen security and efficiency at the ports of entry.

Like everything else in border management, border security is best achieved through cooperation. There are preliminary indications that the gendarmerie of 10,000 officers planned to be created by the Peña Nieto government could be, in part, used to combat the criminal groups that prey on migrants in the border region. Such an initiative would open opportunities for increased collaboration with U.S. border and other law enforcement agencies.

**The 21st Century Border**

The 21st Century Border initiative, outlined in a declaration by the U.S. and Mexican presidents in 2010, codified the notion that security gains do not have to come at the expense of efficiency and economics. The initiative has built on the earlier idea of Smart Borders to promote the implementation of creative policy options to simultaneously make the border safer and more efficient, which include trusted traveler programs and customs preclearance.

Trusted traveler and shipper programs (i.e. the Global Entry programs, which include programs such as SENTRI, FAST, and C-TPAT) allow vetted, low-risk individuals and shipments expedited passage across the border. Improving these programs and significantly expanding enrollment could increase throughput with minimal investments in infrastructure and staffing—all while strengthening security by giving border officials more time to focus on unknown and potentially dangerous individuals and shipments.

Customs preclearance, which involves the placing of customs processing centers or agents within another country, can, when properly implemented, improve safety, efficiency and binational coordination by identifying potentially dangerous cargo away from crowded ports of entry, allowing pre-cleared shipments quick passage through border lines, and allowing customs officers to work side by side with their foreign counterparts. Three pilot projects (Tijuana, BC, San Jeronimo, CI, and Laredo, TX) are being developed that have the potential to become models for future cooperative border management efforts.

**Final Thoughts**

With all the serious challenges the border region faces, from organized crime to long wait times at crossings to an extended drought, it is perhaps surprising that one of the biggest stumbling blocks to better border management lies in something much simpler: communication and cooperation. This is not to say that significant progress in terms of policy coordination has not been achieved—the advances within the 21st Century Border structure and the recent signing of the Colorado River agreement demonstrate it has. Still, all too often coordination on things as simple as lining up and separating out express lanes on each side of the border to expedite traffic go undone because consensus is not reached regarding how to align them. Coordination is a challenge along the length of the border as well. Without a doubt, the border region is anything but uniform, ranging from the great wealth of San Diego to the pockets of severe poverty in the Rio Grande Valley, from high-tech manufacturing in Baja California to the vast deserts of

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Sonora and Coahuila. Despite this tremendous diversity and even a fair bit of competition, border communities have more than enough common interests to warrant border-wide planning, stakeholder organization, and the sharing of best practices. Recently, crime and violence in certain Mexican border communities has dominated national perceptions of the region in both the United States and Mexico. To the extent that the border communities and border states speak with a unified voice, they will have a better opportunity to put forth their own narrative about the region and to call for appropriate revisions to national border policies.