IRLI IMMIGRATION REFORM
LAW INSTITUTE

Investigative Report:

An internal DHS report confirms what most American citizens already understand: border barriers are the most effective means to prevent illegal immigration across our southern border.

Key Takeaway: The Immigration Reform Law Institute has obtained, through a Freedom of Information Act (FOIA) request, an internal audit report from the Department of Homeland Security Office of Inspector General (OIG), regarding the most effective measures for curbing illegal immigration at the U.S.-Mexico border. For every area of the Southwest border examined, the audit determined that a physical barrier was not only the best option for disrupting irregular migration, but also the most cost-effective, as compared to alternatives such as electronic sensors. The results of this OIG investigation call into question President Joe Biden's decision to abruptly stop

construction of the border wall begun during the Trump administration. Furthermore, this OIG report, when viewed in context, seems to suggest that the Biden administration deliberately ceased wall construction to make it easier for illegal aliens to enter the United States.

INTRODUCTION

Polls show that the [vast majority](#) of U.S. citizens support the construction of some type of physical barrier along the U.S.-Mexico border. Controlling mass migration has long been a major concern for American voters and Donald J. Trump was one of the few recent presidential candidates who understood this. In response to voter concerns, he promised to build a "[big beautiful wall](#)" along the southern border.

The pledge to secure America's borders became a major theme of Trump's presidential campaign, and upon entering office, plans to build a wall became a hallmark of his administration. And, immediately upon entering office, he signed executive order No. 13767, or [Border Security and Immigration Enforcement Improvements](#), directing the government to begin construction of a wall along the southwestern border of the United States. Altogether, the Trump administration oversaw the construction of [458 miles](#) of "border wall system," mostly replacing existing barriers that were old and dilapidated.

Nevertheless, during the Trump presidency wall construction became a significant point of contention in American politics. And the President's plans to secure our southern border with a wall triggered vigorous debate in Congress, as well as a [lawsuit](#) to halt construction of any type of border barrier.

In reality, most of the conflict was absurd. On two prior occasions, Congress had mandated the construction of a physical barrier on the southern border. First, in 1996, as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Congress mandated the construction of a 14-mile, triple-layered fence along the boundary between San Diego and Tijuana. By 2004, only nine miles of the mandated fencing had been completed.

In response to the Immigration and Naturalization Service's (INS) failure to comply with the 1996 law, Congress passed the Secure Fence Act of 2006. That

legislation directed the Secretary of Homeland security to construct double-layered, "reinforced fencing along not fewer than 700 miles of the border," augmented by manpower and technology, in all locations where fencing is deemed most practical and effective. As before, U.S. Customs and Border Protection (CBP – the successor agency to INS), failed to comply with Congress' mandate.

Accordingly, President Trump's decision to build a wall was quite simply never the crazy plan that his political opponents suggested. Rather, it was an approach to border management that had previously received bi-partisan support and had resulted in two clear sets of legislative instructions from Congress.

As the Trump administration was gearing up for its massive wall-building project, the Department of Homeland Security (DHS) conducted a series of audits to determine the most efficient and cost effective method for stopping illegal migration at the southern border.

The subject of this investigative report is one CBP audit that considered three primary alternatives for reducing illegal crossings of the U.S.-Mexico border: additional law enforcement personnel; increased use of technological aids such as cameras, sensors and drones; and the construction of a physical barrier. The auditors came to the conclusion that a physical barrier – whether it be a reinforced fence or an actual wall – is by far the most effective impediment to would-be illegal aliens.

For reasons that are not entirely clear, this report does not appear to have ever been released to the public. Nor does it appear to have ever become a part of the debate on the efficacy of a border wall. The Immigration Reform Law Institute (IRLI) investigated and this is what we found.

HISTORICAL PERSPECTIVE

To get a true sense of why this CBP audit report is significant, it is essential to gain some historical perspective on just how common physical barriers have been throughout history as an effective method for controlling access to a particular area. From ancient fortresses like the Theodosian City Walls of Constantinople, to Europe's Medieval castles, to modern Israel's West Bank Barrier, stout ramparts have long protected those with an interest in keeping invaders out of their territory. And the efficacy of walls, fences and gates would seem to be self-evident, since they are, quite literally, everywhere.

Nevertheless, despite the enduring nature of fences and walls, a number of [modern critics](#) have claimed that physical blockades [aren't a solution](#) to illegal immigration in the modern world. Virtually all of the barriers built in bygone ages served their intended purpose for an extended period. And what recent observers have described as the "failure" of a particular barrier usually relates to some event of epic historical proportions, like the collapse of an empire or the fall of communism.

Take for example, the world's best-known barricade: the [Great Wall of China](#). Although it was never intended to serve as a border barrier, the Great Wall worked extremely well for its intended purpose. It was built as a static defensive position for Imperial China's military forces. And it was breached only when the treasonous Ming general [Wu Sangui](#) opened the gates during the Battle of Shanhai Pass and let in the invading Manchu.

Ancient China wasn't the only nation that built large walls. The Romans were also prolific wall builders. [Hadrian's Wall](#) is, perhaps, the best known Roman rampart. Archeological and documentary evidence indicate that it may have been part of the Imperial immigration and customs system. Its four gateways, like modern toll booths, were used to collect duties and control admission to the Emperor's dominions. Since history is replete with complaints from Briton and Celtic merchants about Roman taxes, it appears to have been as effective as it has been durable.

And nobody can argue that either Medieval walled cities, like France's Mont Saint Michel, or castles' like Scotland's Edinburgh castle, failed to provide safety and security to those who lived within their precincts. The fact that these structures still stand today is a testament to both their efficacy and their durability.

But appreciation for the utility of sturdy walls and fences didn't end with the Middle Ages. Since World War II, at least [seventy-seven](#) walls, security fences or other barriers have been built by countries to protect themselves from surges in mass migration and the infiltration of terrorists. That number is [likely to grow](#) as political and economic instability prompt people in the developing world to migrate to Europe and the United States.

Israel's [West Bank](#) and [Gaza](#) wall/fence systems are perhaps the best known of the modern border barriers. Upon construction of these double-layer security barriers, Palestinian terrorist attacks dropped over [ninety percent](#), simply because the bulk of terrorists were denied access to Israel's territory.

And there are numerous other examples: India has constructed a 2,700-kilometer barbed wire fence along its border with Bangladesh to curb illegal migration and smuggling. Finland has a 450-kilometer barbed wire fence that prevents reindeer from wandering into Russia and prohibits migrants from making their way into Finland. With the outbreak of the Russo-Ukraine war, the Finnish government decided to construct a permanent barrier, similar to the sections of wall constructed by the Trump administration along the U.S.-Mexico border. Approximately 30 years ago, Spain built 20 foot concrete walls around its overseas enclaves Melilla and Ceuta, which are surrounded by Morocco.

While walls and fences do not guarantee security, they do allow borders to be controlled more effectively, while expending fewer resources. As such, they are an integral tool for ensuring the orderly flow of people and goods across an international boundary line. In addition, physical barriers send a very clear message that would-be migrants are expected to enter a country through the proper channels. Ultimately, if walls, fences and other physical barriers were as ineffective as modern critics claim, none of the aforementioned nations would have expended the financial and other resources necessary to build them.

A physical barrier along the frontier with Mexico is absolutely essential to any serious plan to secure all of America's borders. And it is a cause for concern that CBP did not make its audit findings public, given its mission to ensure the public safety and national security of the United States.

HOW IRLI OBTAINED CBP'S INTERNAL AUDIT REPORT

In 2020, it came to IRLI's attention that DHS had been conducting a number of assessments in preparation for implementing President Trump's border wall executive order. Consequently, IRLI sought any available internal analysis that had not yet been released to the public. To this end, in July of 2020, IRLI submitted a Freedom of Information Act request to U.S. Customs and Border Protection (CBP), asking for information relating to DHS's internal review of its wall building capacity.

In March 2023, nearly three years after our request was submitted, CBP finally provided a single relevant document, a June 2017 memorandum for then-Acting CBP Commissioner Kevin McAleenan, which details a DHS OIG audit on the "Analyze/Select" phase of the acquisition of the barrier along the U.S.-Mexico border. Per the OIG cover letter attached to the study, the objective of the audit

was, "to evaluate the Analyze/Select phase of the acquisition of the barrier along the southwestern border." In other words, OIG was evaluating DHS acquisition operations in order to improve the Department's programs and operations, as well as to detect and prevent any fraud, waste or abuse.

According to DHS Acquisition Management Directive 102-01, the Department's acquisition process consists of four phases: 1) Need; 2) Analyze/Select; 3) Obtain; and 4) Produce/Deploy, Support and Dispose. The Analyze/Select phase is the process whereby DHS identifies resource requirements and the alternatives for satisfying them.

In this case, DHS compared a border wall – with the necessary supporting infrastructure – to various alternative methods for controlling foot traffic across the U.S.-Mexico border. Those alternative methods included: pedestrian fencing; vehicle fencing; additional Border Patrol agents; sensors; cameras; and mobile surveillance radars, as well as a combination of cameras and sensors. All methods were evaluated against a "persistent impedance requirement." However, IRLI was unable to determine the particulars of the persistent impedance requirement because they were redacted from the document.

The Border Patrol divides its operational areas along the U.S.-Mexico border into "sectors." Sectors are further divided into "stations." And stations are sub-divided into "areas of responsibility." The audit referred to herein assesses the potential efficacy of the aforementioned border control methods in 25 different operational areas located along the U.S.-Mexico border. These operational areas are located in Arizona, California, New Mexico and Texas. All of the chosen zones regularly experience large numbers of illegal aliens crossing the border on foot.

WHAT THE DHS AUDIT SAYS ABOUT A ROBUST PHYSICAL BARRIER ALONG THE SOUTHERN BORDER

The audit concluded that a physical barrier is the single most effective tool for impeding the flow of illegal foot traffic into the United States.

Specifically, the audit examined: the terrain of each zone (urban, rural, etc.); various challenges to immigration enforcement present in each area (how does local vegetation or urban development interfere with Border Patrol capabilities, etc.); and how easy it is in each region for border jumpers to cross over from Mexico and disappear into the interior of the United States.

In all 25 areas examined, the audit recommended the construction of a pedestrian fence (*i.e.*, "border wall). In fact, a pedestrian fence was the *only* solution recommended in the vast majority of the areas studied (meaning CBP recommended that no alternative, such as cameras or sensors, be used in conjunction with a fence). Overall, however, the audit ultimately concluded that, for every section, a pedestrian fence was the most cost-effective solution that met the persistent impedance requirements. The alternatives were rejected either because they were deemed not to be cost-effective or because they would not provide persistent impedance of illegal alien crossings.

In only eight areas did the audit conclude that a properly constructed pedestrian fence might require the addition of supporting technology (cameras, sensors, surveillance radar, vehicle fences, etc.) to address tunnel-digging, wall breaches, or motorized vehicle incursions.

The findings of the audit – delivered to then-CBP Commissioner Kevin McAleenan on June 5, 2017 – also included a cost breakdown for proposed pedestrian fences, vehicle fences, additional agents, and technology (cameras, sensors, etc.) for every area. However, CBP's FOIA Division deemed it necessary to censor this information as information compiled for law enforcement purposes, the release of which could reasonably be expected to disclose techniques and procedures for law enforcement investigations or prosecutions. The vast majority of the photos included in the report were also redacted.

__The main takeaway from the audit is this__: Physical barriers work. They successfully impede illegal traffic into the U.S. and do so at a cost-effective rate. Ultimately, the old adage that "good fences make good neighbors" holds true. And, the only safe, humane and reasonable approach to deterring unlawful migration across the southern border of the United States is to construct a "border wall."

WHY DID IRLI CONDUCT THIS INVESTIGATION?

Ever since President Trump declared his candidacy in 2015, the effectiveness of a southern border wall has remained a topic of intense debate. The fight over funding for the Trump administration's border wall project resulted in the longest government shutdown in U.S. history. Eventually, President Trump declared a national emergency in order to secure the southern border while also avoiding any unnecessary extension of the shutdown. And throughout President Trump's entire term of office the border wall remained a consistent point of contention, particularly for anti-borders globalists.

Ultimately, President Biden ended all border wall construction efforts immediately upon entering office. In a [White House statement](#) that declared an end to his predecessor's signature project, he claimed that a wall was "not a serious policy solution" and a "waste of money." But was President Biden correct in this statement? Is a border wall both an unserious and costly method for tackling the illegal immigration crisis?

As the audit obtained by IRLI clearly demonstrates, CBP thought that a physical barrier along the Rio Grande is the single most efficient and cost effective solution for securing the U.S. Mexico border. In addition, it is extremely difficult to see how Team Biden's choice to abandon millions of dollars of border wall construction materials that were already paid for, while allowing millions of illegal aliens to cross over from Mexico is either a "serious policy solution" or a fiscally responsible alternative.

During FY2021, CBP logged more than 1.7 million alien encounters, at that time the [highest number recorded](#) in a single year. The following year (FY 2022), according to CBP [data,](#) Team Biden again smashed all prior records, logging more than 2.3 million alien encounters.

The current year isn't looking any better for President Biden. The Southwest border has experienced yet another massive influx of migrants, which some attribute to the revocation of the Trump administration's COVID-era Title 42 declaration. By invoking Title 42, the U.S. government was able to rapidly expel, without a hearing, large numbers of illegal aliens who presented a public health risk to the United States. Despite the existence of multiple provisions in the Immigration and Nationality Act (INA) that authorize the government to respond quickly and effectively to border crises, the Biden administration has instead insisted that, without Title 42 authority, it is powerless to stop the millions of illegal aliens who have streamed over our southern border during Team Biden's tenure.

The ongoing border crisis has resulted in consequences across the country. New York City is spending as much as [eight million dollars](#) a day to house migrants. Washington, D.C., another major destination for illegal aliens, has spent more than [$15 million](#) on housing and other services to these migrants. In fact, costs related to tracking, housing and feeding border jumpers – who have been welcomed into the United States with open arms under the Biden administration – are soaring all over the country.

Accordingly, American leaders need to consider durable border management solutions that both keep illegal aliens out of the U.S., while simultaneously forcing unscrupulous politicians to observe the provisions of the INA.

CONCLUSION

As the treasonous behavior of General Wu Sangui demonstrates, a border wall will not prevent incursions if forces inside the wall fling open the gates and allow interlopers to pass through.

However, it is a safe bet that had the Trump administration been able to finish its big, beautiful border wall, the current situation on the southern border would not be quite as dire.

A physical barrier along the U.S.-Mexico border would act as a force multiplier, permitting Border Patrol agents and CBP Officers to respond to localized crises, rather than one continuous border crisis stretching from the gulf coast of Texas to San Diego. But it would also send a clear message to the rest of the world that America will not tolerate, much less reward, foreigners who break her immigration laws.

Finally, a border wall serves another purpose. Once a wall has been erected and the border has been made more difficult to penetrate, U.S. politicians who want to condone unchecked mass migration are forced into a position where they have to explain to voters why they have pulled a Wu Sangui and have flung open the gates.