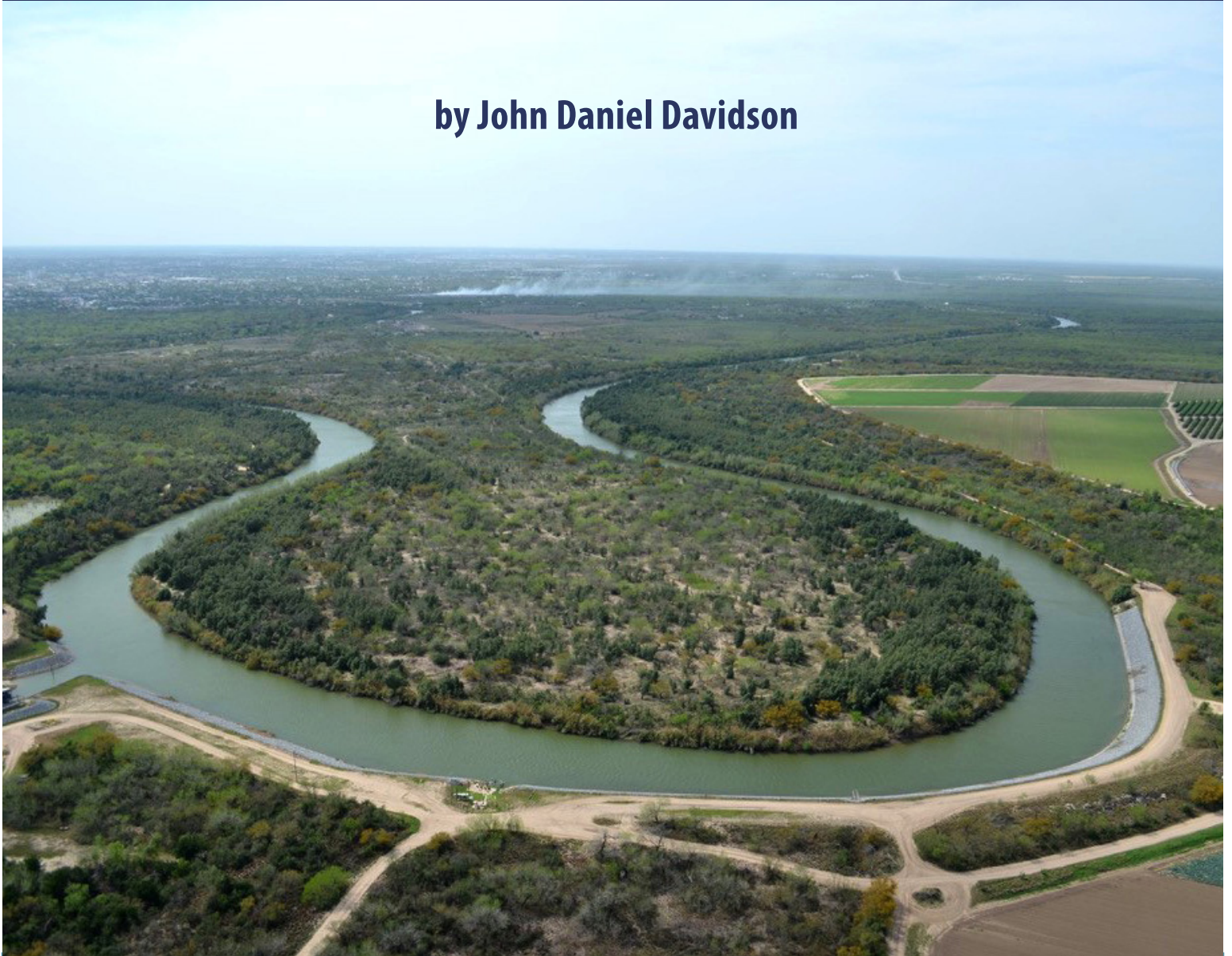


A Brief History of Border Security 1836 to Present

by John Daniel Davidson



May 2019



Texas Public Policy
Foundation

May 2019

by John Daniel Davidson
Right on Immigration
Texas Public Policy Foundation



Table of Contents

Introduction	3
Border Wars: From the Texas Revolution to the Mexican-American War	3
The Texas Revolution.....	3
The Mexican-American War.....	4
Unfinished Business: The Gadsden Purchase, Cortina War, and Civil War	4
The Compromise of 1850 and the Gadsden Purchase.....	4
The Cortina War.....	5
Civil War and Aftermath.....	6
Mexican Revolution, Plan de San Diego, and the Pancho Villa Expedition	6
The Mexican Revolution and the Plan de San Diego.....	6
The Pancho Villa Expedition.....	7
Creation of U.S. Border Patrol	8
The Rise of Illegal Immigration: The Bracero Program, Operation Wetback, and the 1965 Immigration Reform	9
The Great Depression and Mexican Repatriation.....	9
The Emergence of South Texas Agriculture and the Bracero Program	9
Operation Wetback	10
The 1965 Immigration Reform, the Rise of Illegal Immigration, and the War on Drugs.....	11
The Modern Border Enforcement Regime	13
1986 Immigration Reform and Control Act	13
Growth of U.S. Border Patrol and Enhanced Border Security Measures.....	13
1996 Immigration Reform and the Rise of Mandatory Detention.....	14
From 9/11 to the Current Crisis	14
Border Security as National Security.....	14
Border Fencing.....	14
Apprehensions Fall as Violence Surges in Mexico ...	15
The Current Crisis.....	16
Conclusion	16
References	17

A Brief History of Border Security 1836 to Present

by John Daniel Davidson

Introduction

Ever since winning its independence in 1836, Texas has had to contend with an often volatile and sometimes violent border with Mexico. From the Texas Revolution to current migrant crisis, the U.S.-Mexico border has never really been secure.

Amid this insecurity, the border has always been active. In recent decades, it has become a conduit for large-scale economic trade, both legal and illegal. The arrival of NAFTA in the 1990s brought an unprecedented volume of northbound traffic through U.S. ports of entry, as well as real prosperity to historically poor communities across south Texas.

But as legal goods flowed into the U.S., so did illegal narcotics and illegal immigrants. Recently, record numbers of Central American families and unaccompanied minors have illegally crossed between ports of entry, claiming asylum in the U.S. Smuggling networks in Central America and Mexico, as well as drug cartels that tax everyone who crosses the Rio Grande, are profiting off this illegal traffic. In a historic shift over the past decade, no one now crosses the Rio Grande without first paying off whatever cartel controls that particular stretch of the border.

The construction of 650 miles of border fencing from 2007 to 2011, as well as the additional infrastructure, technology, and manpower added since then, have failed to secure the border from drug and human trafficking, or stem illegal immigration. The history of the U.S.-Mexico border suggests that it is possible to secure the border but that U.S. government policy must be tailored to address two things it can least control by fiat: the political stability of Mexico and the American economy.

Border Wars: From the Texas Revolution to the Mexican-American War

The Texas Revolution

The seeds of the Mexican-American War (1846-48) were sown in the Texas Revolution of 1836 for the simple reason that the leaders of Mexico never accepted defeat and therefore never recognized the Republic of Texas. Not only did they reject the Rio Grande as Texas' southern boundary, they rejected entirely the notion that Texas was not a part of Mexico. This set the stage for future conflict, and when the United States annexed Texas in 1845, the spark that ignited the war was a clash over disputed territory along the Rio Grande.

In the intervening years, a formal state of war persisted between the two countries, with the Rio Grande a constant source of tension. Mexico maintained that the Nueces River, not the Rio Grande (or Rio Bravo, as the Mexicans called it), was the true southern border of Texas. Some historians maintain that Mexico was technically correct on this point: the Nueces, not the Rio Grande, had been

Key Points

- In the past, both the federal and Texas governments have intervened directly in northern Mexico when the Mexican state was unable or unwilling to guarantee law and order along the border.
- From the Texas Revolution to the current migrant crisis, the U.S.-Mexico border has never really been secure.
- Often, changes in U.S. border policy have had unintended and unforeseen consequences, with major implications for legal and illegal immigration.
- In a historic shift, Mexican drug cartels and migrant smuggling networks have monetized illegal immigration and are now making billions annually off the border crisis.
- In the past, both the federal and Texas state governments did not shy away from imposing order in northern Mexico when the Mexican government was unable or unwilling to do so.

the original boundary between the province of Texas and the Mexican state of Tamaulipas ([Fehrenbach, 254](#)). In any case, the strip of land between the two rivers was largely unpopulated, either by Mexicans or Anglos.

Mexico continued to push for the reconquest of Texas, and the territory between the Nueces and Rio Grande rivers saw numerous cross-border conflicts and raids by Mexican troops during this period. A series of small-scale raids by Mexican forces in the spring and summer of 1842 culminated in September with a force of 1,600 Mexican troops invading and occupying San Antonio. The Mexicans were soon repulsed by a much smaller force of Texian militiamen and rangers at the Battle of Salado Creek, in what would be the final Mexican invasion of the Republic of Texas.

The Mexican-American War

A dizzying series of political upheavals plagued Mexico in the decade after the Texas Revolution, with numerous changes in heads of state, coups and attempted coups, and near-constant federalist rebellions throughout the country. (In 1846, the presidency changed hands four times.) By 1845, when the United States offered annexation to Texas and Texas accepted, Mexico was in chaos.

The joint resolution for annexation passed by Congress intentionally omitted language specifying the boundaries of Texas, describing only “the territory properly included within and rightfully belonging to the Republic of Texas,” and saying that the new state of Texas would be formed “subject to the adjustment by this government of all questions of boundary that may arise with other government” ([U.S. Congress 1845](#)). President James Polk wanted to negotiate a settlement of the Texas-Mexico border and also to acquire California and New Mexico. He dispatched an emissary to Mexico City for this purpose.

But when the government in Mexico City refused to receive the U.S. emissary, Polk responded by ordering General Zachary Taylor to move his troops in western Louisiana into the disputed territory and toward the Rio Grande, effectively forcing the issue. Events came to a head on April 25, 1846, when a large Mexican force ambushed a 70-man U.S. Army reconnaissance party 20 miles upstream from Taylor’s position. Sixteen American were killed or wounded and the rest taken prisoner in what would become known as the Thornton Affair. Polk immediately issued a call for war, saying Mexico had “invaded our territory and shed American blood upon the American soil” ([Polk](#)).

This was a bit of rhetorical sleight of hand, since the Mexicans, by crossing the Rio Grande, had not invaded sovereign U.S. territory any more than the U.S. forces under Taylor

had invaded sovereign Mexican territory by taking up a position north of the Rio Grande ([Henderson, 155](#)). But by attacking first, Mexico had given Polk a *casus belli*. Even before Polk’s declaration was formally signed, two back-to-back battles were fought in the Nueces strip, the Battle of Palo Alto on May 8 and the Battle of Resaca de la Palma on May 9, which resulted in decisive victories for the U.S. and a complete rout of Mexican forces, which fled south across the border. Nine days later, Taylor crossed the Rio Grande in force.

The rest of the war would be fought outside Texas, effectively ending in American victory at the Battle of Chapultepec in Mexico City in September 1847. The following February both countries signed the Treaty of Guadalupe Hidalgo, which fixed the Texas border at the Rio Grande and facilitated the U.S. purchase of California, New Mexico, Arizona, Utah, Nevada, Wyoming, and a part of Colorado.

Unfinished Business: The Gadsden Purchase, Cortina War, and Civil War

The Compromise of 1850 and the Gadsden Purchase

One of the principal effects of the Treaty of Guadalupe Hidalgo was to create a 2,000-mile international land border stretching from the mouth of the Rio Grande to the Pacific Ocean, dividing two countries whose relations had up to that point been marked by mutual distrust, hostility, and open warfare.

Whether such a border could be defended, especially across regions that were largely devoid of American settlements, no one really knew. Complicating matters was Mexico’s inability to enforce law and order in its northern states, where petty *caudillos* ruled different regions of the border as competing warlords. The lawlessness that prevailed south of the Rio Grande also made it a haven for Indian bands to launch raids on Texas towns and ranches all up and down the borderlands and as far east as Corpus Christi. These raids, and various attempts to stop them, would be a constant feature of the border for decades to come.

More immediately, the annexation of Texas created another, larger problem by adding a slave state and a massive swath of new territory in the West at a time when the country was deeply divided over the status of slavery in new territories. The Compromise of 1850 compensated for this by admitting California as a free state and transferring territory in west Texas to the newly organized New Mexico Territory. It also decreed that the slavery question in the New Mexico and Utah territories would be decided by popular sovereignty, which would contribute to the passage of the Kansas-Nebraska Act in 1854. All of this would of course lead to the

creation of the Republican Party, “bleeding Kansas,” and the secession crisis that sparked the Civil War.

But before crisis and war came, the Gadsden Purchase of 1854 would mark the last major territorial acquisition of the continental United States and finally establish the U.S.-Mexico border. The purchase, which encompassed a 29,670-square-mile region of present-day Arizona and New Mexico, was supported by southerners who wanted a less mountainous route for a railroad linking the South with the Pacific Ocean. The Compromise of 1850 had made such a railroad possible by organizing the New Mexico Territory, thus allowing for federal land grants. President Franklin Pierce, heavily influenced by Secretary of War Jefferson Davis, was ready to acquire more land from Mexico and adjust the border, if that’s what it took to build a railroad to the Pacific.

The only problem was that west of El Paso no one really knew where the U.S.-Mexico border was. A joint boundary commission found that an old map of El Paso that had been affixed to the Treaty of Guadalupe Hidalgo was wrong. El Paso was in fact 36 miles farther south and 100 miles farther west than the map indicated, which meant the United States would lose the Mesilla Valley, a 200-mile stretch of flat desert that formed the only route a transcontinental railroad could take through the Southwest to the Pacific. The Mexican government insisted the Mesilla Valley fell under the jurisdiction of the state of Chihuahua and began evicting Americans from the Mesilla Valley. When Washington, D.C., failed to respond, the governor of New Mexico Territory unilaterally declared the Mesilla Valley part of his jurisdiction. Mexico responded by sending troops into the valley. At that time, 8,000 of the U.S. Army’s 11,000 soldiers were posted along the southwestern border ([Kluger, 492](#)), and for a moment it appeared that another territorial war with Mexico was about to break out.

The issue was eventually resolved when President Franklin Pierce sent James Gadsden to Mexico with orders to purchase the land in question, which Santa Anna agreed to sell for \$10 million, keeping 10 percent of the \$7 million down payment for himself as compensation for alleged property damage at the hands of Americans. (This blatant corruption so angered the Mexican people that rebellions broke out throughout the country, forcing Santa Anna out of office and into exile, for the last time, in 1855.)

The Cortina War

A year before the outbreak of the Civil War, another kind of fighting, border banditry, broke out in the Rio Grande Valley. The Cortina War—so named for its instigator, the Mexican rancher, outlaw, and politician Juan Nepomuceno

“Cheno” Cortina—is a kind of template for understanding the cross-border linkages that exist even in the modern day, and established a pattern of border banditry that would persist in the 20th century.

Cortina, like most ethnic Mexicans living in south Texas during this era, was a kind of dual citizen, recognized as a Mexican national south of the river even while residing primarily in the United States (his brother-in-law, for example, was both a Cameron County official and an officer in the Mexican army) ([Fehrenbach, 512](#)). The informal legal status of Mexican citizens living in Texas created uncertainty in land ownership throughout the Rio Grande Valley after the signing of the Treaty of Guadalupe Hidalgo, with American speculators laying claim to supposedly “vacant” land and Mexican landowners often being forced to surrender their land or sell it, either to American claimants or their own lawyers as payment after protracted court battles. By 1859, the Mexican population of the Rio Grande Valley had come to realize they were being despoiled by an uneven, often blatantly unfair, application of American law. Many of them, like Cortina, needed only a provocation to take up arms.

That provocation came in July 1859 when the sheriff of Brownsville arrested a Mexican on the street for drunkenness. The man had once worked as a servant of Cortina, and when Cortina protested to the sheriff, the sheriff responded by insulting Cortina, who promptly shot the sheriff, scooped up his drunken former servant, and rode out of town. What ensued was a border war. Cortina rode back into Brownsville two months later with a hundred men and seized the town, killing three Americans and a Mexican. Ironically, two Mexican army officers crossed the Rio Grande with soldiers and liberated the town, and Cortina retreated to his mother’s ranch just west of Brownsville. There, he issued his first proclamation, denouncing “a multitude of lawyers ... despoiling the Mexicans of the lands” ([U.S. Congress 1860, 70-82](#)).

A series of inconclusive engagements ensued, pitting Cortina against a posse calling themselves the “Brownsville Tigers” and an unimpressive company of Texas Rangers. Cortina, who managed to fend off multiple attacks, hoisted the Mexican flag over his camp, issued another proclamation, and was hailed as a hero ([Fehrenbach, 514-515](#)). Things changed that December when a contingent of 165 U.S. Army troops arrived on the Rio Grande and immediately attacked the *Cortinistas*, forcing them to retreat. Meanwhile, a more experienced company of Texas Rangers showed up under Major John “Rip” Ford and joined forces with the Army. They drove Cortina west along the Rio Grande, and the Mexicans burned ranches and towns as they went, plundering the customs house and post office

in Edinburg and stopping finally at Rio Grande City, some hundred miles upriver from Brownsville. There, Cortina was forced back across the Rio Grande into Mexico.

What ensued was to become a pattern along the border in decades to come. Ford and his Rangers, having no qualms about crossing the Rio Grande, did so in February 1860 to protect a steamboat heading for Brownsville. The U.S. Army, also with orders to protect the steamer, could not cross the river without explicit permission from Washington, D.C., which it did not have. Ford and 35 Rangers crossed into Mexico with covering fire from the steamboat's cannon and immediately engaged Cortina's men, flanking their works and forcing them to retreat. The next day, Ford rode down the south bank of the Rio Grande, escorting the steamer toward Brownsville. When his company of Rangers was confronted by a large force of Mexicans at Las Palmas, Ford declared that if the steamer were attacked by anyone on the Mexican side he would come back. He then crossed into Texas without incident.

The Cortina War sputtered to an end with the arrival that April of a new U.S. Army commander in Texas, Lieutenant Colonel Robert E. Lee, who notified Mexican officials along the border that if there were any further raids by Cortina, there would be war. The raids ceased, but they had taken a toll. Lee reported to his superiors that it would take 20,000 soldiers to police the border from Brownsville to Eagle Pass and that most of the ranches between Brownsville and Rio Grande City had been abandoned or destroyed in the recent cross-border fighting ([Fehrenbach, 520](#)). The Rio Grande Valley had not been a densely settled place prior to the Cortina War, but afterward much of what was there had been laid to waste. For a time, retaliatory raids into Mexico by Texans were common, and many Mexican-Americans abandoned their Texas lands and moved into Mexico. Above all, the cross-border fighting and banditry would set a pattern for the region in the generations to come, with much bloodier results than anyone in the spring of 1860 could foresee.

Civil War and Aftermath

Shortly after the outbreak of the American Civil War in 1861, the French Empire invaded and conquered Mexico, overthrowing the government of Benito Juárez. The French installed Maximilian I of Mexico, brother of Austrian Emperor Franz Josef, as emperor of the Second Mexican Empire, which was declared in July 1863.

The forcible overthrow of a republic and the establishment of a European monarchy on the southern border of the United States was cause for alarm in Washington, D.C., but because the country was in the throes of the Civil War there was not much Congress could do besides protest. On

April 4, 1864, the House of Representatives passed a joint resolution stating that “it does not accord with the policy of the United States to acknowledge a monarchical government erected on the ruins of any republican government in America under the auspices of any European power” ([U.S. Congress 1864, 464](#)).

Fighting continued throughout Mexico during the American Civil War, with Juárez's republican forces occupying much of northern Mexico and 40,000 French troops supporting the regime of Maximilian I. Almost immediately after the Union victory over the Confederacy, General Ulysses S. Grant sent General Phil Sheridan to Texas, where he assembled a 50,000-man army, occupied Texas' coastal cities, and began patrolling the U.S.-Mexico border. Sheridan also coordinated the supply of arms and ammunition to Juárez's troops, “which we left at convenient places on our side of the river to fall into their hands,” as he recorded in his diary ([Sheridan, 405](#)).

By 1866, the U.S. had made it clear to France that it would not accept a European monarch in Mexico City, and Napoleon III began withdrawing French troops that summer, precipitating a series of republican victories. Maximilian I was defeated and executed the following May, and Juárez returned to power, which he held until his death in 1872. Porfirio Díaz, a general and hero of the war, took power in a successful revolt four years later and would serve eight terms as president, ruling the country until he was forced out of office by the Mexican Revolution in 1911.

During Díaz's reign a period of relative quiet prevailed along the U.S.-Mexico border. Warlords like Cortina were not allowed to operate, and Mexican and American troops even participated in joint operations ([Fehrenbach, 585](#)). Even so, the border was by no means a peaceful place. Mexican banditry, Indian raids, and cattle theft persisted, and the Texas Rangers routinely rode into Mexico to recover stolen cattle and pursue Mexican bandits, often with elements of the U.S. Army supporting them from the north side of the Rio Grande. On both sides, the frontier was indifferently governed, as it had always been. All that would change with the outbreak of the Mexican Revolution.

Mexican Revolution, Plan de San Diego, and the Pancho Villa Expedition

The Mexican Revolution and the Plan de San Diego

The outbreak of the Mexican Revolution in 1910 triggered an exodus of Mexicans fleeing north over the Rio Grande. Along with ordinary people seeking refuge from the fighting were Mexican dissidents and rebels, as well as large parties of Mexican raiders, neither loyalist nor dissident, who intermittently looted and killed on both sides of the Rio

Grande. In 1913, Venustiano Carranza, then the governor of Coahuila, launched his own revolt in the north as head of the Constitutionalist Army. Carranza and his generals, including Francisco “Pancho” Villa, would eventually set up a new government in August 1914. Villa and Emiliano Zapata, a general from southern Mexico, almost immediately broke with Carranza and drove him from Mexico City. But Carranza, who gained the backing of President Woodrow Wilson in October 1915, won a series of battles in the north and by November of that year had reduced Villa to a guerilla leader with no more than a few hundred men.

It was during this social unrest, largely overshadowed at the time by events in Europe, that a deputy sheriff in McAllen in the summer of 1915 found a copy of a sensational manifesto in the pocket of a captured Mexican national. The Plan de San Diego, as it was called, proclaimed an end to the Treaty of Guadalupe Hidalgo and called for a race war to reconquer Texas, New Mexico, Arizona, California, and Colorado, as well as the execution of all Anglo men over the age of 16 and the seizure of all Anglo property in those states. The Apaches of Arizona were to be enlisted against the United States and offered their old lands in return, and African-Americans would be given control of six states adjacent to the five to be reconquered, as a buffer between the new Mexican territories and the United States.

It was an outrageous, fantastical document, but it reflected the growing tension in south Texas borderlands and the rolling chaos of the Mexican Revolution. It did not trigger a general uprising of ethnic Mexicans, but beginning in July 1915 it did inspire limited raiding parties, typically companies of 25 to 100 men, that destroyed property and infrastructure in the Rio Grande Valley and wound up killing a total of 21 Americans while driving hundreds of Texans from their homes and ranches ([Johnson, 76](#)). At one point in August, Major General Frederick Funston, commander of the U.S. Army’s Southern Department, contemplated a declaration of martial law in four south Texas counties and conferred with Texas Governor James “Pa” Ferguson about the possibility ([Cumberland, 285-311](#)).

The situation escalated after a clash on August 8 at the Norias headquarters of the King Ranch about 70 miles north of Brownsville. Some 60 Mexicans engaged a smaller force of U.S. Cavalry and civilians, with the Mexicans retreating after a protracted gun battle. The aftermath was more consequential than the raid itself, prompting the U.S. Army to call in reinforcements and the state government to increase the size of the Texas Rangers. Home guards and vigilante groups sprang up across the region, and Anglo Texans responded to the Mexican raids with an astounding level of violence. Throughout the late summer and fall,

Texas Rangers and vigilantes conducted raids of their own, harassing ethnic Mexicans, forcibly removing them from their land, destroying property, and carrying out mass executions. At least 300 Mexican-Americans were killed, with some estimating the death toll as high as 5,000 ([Johnson, 3](#)). All of this was done, at least initially, without consequences or even investigation by authorities—indeed, often local authorities, together with Texas Rangers, were the instigators of the violence.

Ethnic Mexicans, fearful of their lives and property, fled the region, some crossing into Mexico and others moving north out of the Rio Grande Valley. Anglo vigilantism went on for years, and although it enjoyed some support from Anglos in the region it badly undermined the rule of law. J.T. Canales, a state representative who would lead the investigation into the Texas Rangers in 1919, recalled that the lynching of one Mexican-American in San Benito in July 1915 “immediately had this effect: that every person who was charged with a crime refused to be arrested, because they did not believe that the officers of the law would give them the protection guaranteed to them by the Constitution and the laws of this State” ([Johnson, 86](#)).

The infamous Porvenir massacre was emblematic of the violence along the border during these years. On January 28, 1918, Texas Rangers, U.S. Cavalry soldiers, and local ranchers executed 15 Mexican men in the village of Porvenir in retaliation for suspected involvement in a raid at Brite Ranch the month before. The bodies were left where they fell, the villagers fled across the border to Mexico, and the village was razed by the U.S. Army a few days later. (A joint Texas State House-Senate investigation in 1919, led by Canales, found that the Texas Rangers committed numerous crimes against ethnic Mexicans, including extrajudicial killings, from 1914 to 1919. As a result, the department was greatly reduced in size and other reforms, such as stricter recruitment standards, were put in place.)

The Pancho Villa Expedition

One result of Mexican raids was to convince U.S. policymakers that Carranza might bring order to the frontier and put an end to Mexican banditry, and so Washington, D.C., recognized Carranza as the president of Mexico on October 19, 1915, around the time the raids in the Rio Grande Valley subsided. Aid to the Carranza regime soon followed. Besides supplying Carranza’s army with weapons and munitions, President Wilson authorized the transportation of Mexican troops on U.S. railroads along the border from Texas to Arizona to repel an offensive by Pancho Villa in Sonora. It later became clear that Carranza’s government secretly supported the raids throughout that summer and fall, hoping they would pressure the U.S. into supporting

Carranza, which they did. (Yet despite U.S. support for Carranza, the raiding did not cease altogether after the fall of 1915.)

Borderlands outside Texas would also feel the effects of the Mexican Revolution, with far-reaching consequences for American foreign policy. In the early morning hours of March 9, 1916, Villa, who was by now badly in need of supplies, launched a raid on the town of Columbus, New Mexico, three miles north of the border. The 13th Cavalry Regiment of the U.S. Army was stationed there and had been warned that Villa was in the area but was under orders not to cross into Mexico to ascertain his position.

Villa attacked the town with about 500 men, burning and looting some buildings, stealing horses and guns, and killing 18 soldiers and civilians ([Harris and Sadler, 17](#)). Days later, President Wilson, who had already shown a willingness to intervene in the Mexican Revolution with the capture and seven-month occupation of Veracruz in 1914, responded by ordering General John J. Pershing to pursue Villa into the Mexican state of Chihuahua in what would become known as the Punitive Expedition or the Pancho Villa Expedition. The official purpose of the expedition was to capture Villa, but in reality the goal was to harass and disperse Villa's forces in northern Mexico so as to make any further cross-border raiding impossible.

Pershing immediately began moving thousands of U.S. cavalry and infantry into Mexico, establishing long supply lines stretching back to New Mexico and El Paso. On March 29, a detachment of the 7th Cavalry Regiment caught up to and engaged Villa and some 350 of his men, killing 75 and forcing them to retreat into the mountains. This was the largest engagement of the Punitive Expedition and the closest U.S. forces came to capturing Villa. Active operations would last another three months, but Pershing would remain in northern Mexico with a force of about 10,000 until February 1917.

While Pershing was in Mexico, raids persisted along the border throughout the spring and summer of 1916. On May 5, a force of several hundred Mexicans attacked the town of Glenn Springs, Texas, which was defended only by a small contingent of American cavalry troopers. The Mexicans killed three U.S. soldiers and one civilian, took two hostages, and looted and burned the town. In response,

a detachment of the 8th Cavalry made a 550-mile incursion into the Mexican state of Coahuila in pursuit of the Mexicans.

All this occurred while American and Mexican officials were conducting peace talks in El Paso. President Carranza denounced the Mexican rebels but also the “little punitive expedition” out of Glenn Springs and demanded the withdrawal of all American troops from sovereign Mexican territory. During these talks, American officers in charge of negotiations became convinced of their counterparts’ bad faith and on May 8 sent a telegram to the War Department warning that the border was not adequately defended in the event of war with Mexico and that it should be supported immediately by at least 150,000 additional troops ([Harris and Sadler, 20](#)). By then, almost the entire regular U.S. Army was already deployed along the frontier and in Mexico itself under Pershing, and there were no adequate reserves. The next day, President Wilson called up the

National Guard of Arizona, New Mexico, and Texas. By late June, he had mobilized the entire National Guard—about 150,000 men—to meet the threat from Mexico.

Meanwhile, raiding persisted. A party of Mexicans attempted to burn bridges above Laredo in early June 1916, and American forces tracked them over the river, killing three ([Bruscino, 40](#)). Later that month, *Carrancistas* raided

San Ygnacio, Texas, killing four American soldiers and prompting another U.S. pursuit into Mexico, although the Americans were unable to locate the raiders. Around the same time, a group of Mexicans fired on U.S. cavalrymen near San Benito, Texas, and 400 American cavalrymen and infantry in automobiles were dispatched into Mexico in pursuit. Mexican General Alfredo Ricaut, under orders from Carranza, mobilized 1,000 troops in Matamoros and threatened to attack unless the Americans returned to the United States. Once they did, Ricaut pursued the bandits, eventually capturing 40 of them. Such raids convinced the Wilson administration that the withdrawal of Pershing’s forces would make it more difficult to protect the border and would likely precipitate further attacks ([Warning](#)).

Creation of U.S. Border Patrol

Up until this time, there was no formal border patrol agency in the United States, although Texas Rangers and local sheriffs routinely acted in this role. In March 1915, Congress authorized a group of Mounted Guards, but they were mostly employed in pursuing Chinese immigrants

The main purpose of the nascent Border Patrol was to prevent illegal immigration from Mexico and illegal liquor smuggling from Canada.

attempting to evade the Chinese Exclusion Act of 1882. While these guards occasionally patrolled the border, their primary role was to man inspection stations. But the passage of Prohibition in 1920, along with the Emergency Quota Act of 1921 and the Immigration Act of 1924, drastically altered the nation's immigration system and with it the federal government's approach to border security. In May 1924, Congress passed the National Origins Act, which created the U.S. Border Patrol, and also the Labor Appropriations Act, which established Border Patrol as an agency within the U.S. Department of Labor, reflecting the government's view that migration was primarily a labor issue. The main purpose of the nascent Border Patrol was to prevent illegal immigration from Mexico and illegal liquor smuggling from Canada. Accordingly, the first two Border Patrol stations were established in El Paso, Texas, and Detroit, Michigan, in the summer of 1924.

Initially, agents were recruited from existing law enforcement agencies such as the Texas Rangers and local sheriffs and deputies—law enforcement agencies that had been acting as a kind of informal Border Patrol—and the force quickly grew to 450 agents. However, despite the concern about illegal immigration from Mexico, the majority of these agents were initially stationed not on the U.S.-Mexico border but the Canadian border, reflecting an emphasis on the prevention of liquor smuggling ([U.S. Customs and Border Protection 2018](#)). The outbreak of World War II in Europe saw the expansion of the Border Patrol to more than 1,500 agents and its reorganization, along with the Immigration Service, in the Department of Justice.

The Rise of Illegal Immigration: The Bracero Program, Operation Wetback, and the 1965 Immigration Reform

The Great Depression and Mexican Repatriation

New agricultural technology fundamentally changed the borderlands beginning in the early 20th century. For much of the 19th century, movement of Mexican nationals across the southern border had been insignificant and informal. There had always been ethnic Mexicans in Texas, but in 1900 the number of Mexican citizens entering the United States averaged about 100 per year, while the total number of ethnic Mexicans living in Texas numbered only about 70,000 ([Fehrenbach, 687](#)). All that changed rapidly with

the coming of railroads, irrigation projects, organized land companies, and industrial agriculture in places that had for centuries been used as cattle ranges or not at all.

What these new agricultural industries needed above all were laborers, and they soon began to pour in from Mexico, increasing the ethnic Mexican population of Texas by 76 percent in the first decade of the century, adding hundreds of thousands of Mexican workers to the state population throughout the 1920s and '30s. By 1930, there were more than one million Mexicans living in Texas ([Haverluk, 138](#)). This surge abated during the Great Depression but resumed during World War II.

The Great Depression, however, brought increased competition for jobs and boosted nativist sentiment, resulting in calls for mass deportation of Mexican laborers. Although estimates vary, as many as a half-million Mexicans were

As many as a half-million Mexicans were repatriated from 1929-1937 as part of a deliberate policy of the Hoover administration that was continued under FDR.

repatriated between 1929 and 1937 as part of a deliberate policy of the Hoover administration that was continued under President Franklin D. Roosevelt ([Hoffman, 124](#)). These repatriations eventually accounted for a significant portion of the Mexican population in the United States and were not restricted to the borderlands—nor were they carried out solely by the federal government. Local and state law enforcement in Los Angeles routinely conducted large-scale raids during these years, forcibly deporting those arrested.

Such measures were at the time seen as part of a broad effort to ensure employment for Americans first, and some states passed laws requiring all employees to be American citizens, imposing heavy fines for employers who violated these laws (Balderrama and Rodriguez, 89-90).

The Emergence of South Texas Agriculture and the Bracero Program

Because these mass repatriations during the Great Depression wiped out much of America's unskilled labor class, when World War II erupted America was again in need of foreign workers. To prevent labor shortages in low-paying agricultural jobs as the U.S. went to war, Congress created what would become known as the Bracero Program in August 1942. Initially called the Mexican Farm Labor Program, it was an intergovernmental agreement, closely coordinated with the Mexican government, to bring agricultural laborers to the U.S. under contracts that mandated minimum standards for living conditions and wages (30 cents an hour).

Although intended to be a temporary wartime measure, the Bracero Program ended up lasting 22 years and bringing about 5 million workers, or *braceros*, to the U.S.—the largest foreign worker program in U.S. history, before or since. But it began as a modest, almost unnoticed program devised by a small group of federal bureaucrats at the State Department, the Department of Labor, and the Immigration and Naturalization Services (INS), together with the Mexican government. When the war ended, Congress allowed it to expire, but federal administrators in executive branch agencies kept the program alive throughout the 1940s, facilitating contracts between Mexican laborers and American employers, with no limits on the number of workers who could be admitted. Although Texas would eventually have more *braceros* than any other state, for the first five years of the program (1942-47), it was excluded at the behest of the Mexican government, which cited a history of racial discrimination in Texas ([Calavita, 20](#)). Texas employers in need of laborers, however, either circumvented the Bracero Program and hired Mexicans illegally, or took advantage of an administrative provision in the agreement that allowed for contract laborers in certain circumstances.

Indeed, the program was almost entirely an exercise in administrative prerogative. In 1947, following complaints from U.S. employers about the cost of recruiting *braceros* from Mexico, the INS began “paroling” illegal Mexican farm workers on the spot and issuing *bracero* contracts—derogatorily referred to as “drying out” migrant workers. In some cases, the INS required Mexican workers to travel to the border, step across and reenter the U.S. as “legal” *braceros*. The INS in fact gave preference to such workers over lawfully recruited *braceros*, such that by 1950 the number of migrant workers “legalized” after the fact was five times greater than those recruited from Mexico ([Calavita, 2](#)).

As a result, illegal immigration increased dramatically in the early years of the Bracero Program, as many workers simply remained in the U.S. after their employment contracts expired or found other work. And there were other problems. In 1951, a federal commission reported that the program was depressing the wages of domestic farm workers, that living conditions for the *braceros* were deplorable, and that the INS was allowing high levels of illegal immigration at the bidding of American agricultural interests.

But with growers again warning of labor shortages as the U.S. went to war in Korea, the Bracero Program was reauthorized and formalized in 1951 by President Harry Truman as Public Law 78. The new law made the federal government the guarantor of all *bracero* employment contracts and eventually established reception centers in northern Mexico and along the U.S. border, where workers registered

before being released to employers. It also codified in law the practice of “paroling” or “drying out” migrant workers and issuing them *bracero* contracts after their illegal entry into the country. The Bracero Program would continue until 1964 when, amid controversy over working conditions and wages, as well as opposition from emerging farm labor unions in the U.S., Congress ended the program on December 31, 1964.

Operation Wetback

Beginning in the late 1940s, the federal government increased efforts to remove illegal immigrants along the southern border. In 1946, there were more illegal entries recorded than at any time in the INS’s history, and deporting illegal immigrants became a major task for the service ([Masanz, 54](#)). In 1950-51, with illegal immigration levels still rising, the INS formalized a process for voluntary departure that was more efficient than full deportation proceedings. By 1952, these voluntary departures numbered 703,778—up from 101,945 in 1946 ([54](#)).

The problem was, many of those who were voluntarily deported, as well as many of those taken into custody and formally deported, simply re-entered the U.S. after Border Patrol released them at the border. Increasing deportations, whether voluntary or compulsory, was simply not effective—a dynamic that persists to the present day. U.S. and Mexican officials responded by adopting a cooperative policy beginning in 1945, whereby Border Patrol agents would deport illegal immigrants through El Paso, Texas, and Nogales, Arizona, and release them into the custody of Mexican officials, who then transported them further into the interior, usually by train ([Hernandez, 429-430](#)). Thousands of Mexican migrants were deported and relocated in this way in the late 1940s and 1950s.

Still, illegal immigration continued to increase along a border that was largely unmanned and almost entirely unfenced. This caused problems in Mexico, where agricultural labor was increasingly in short supply because of unauthorized emigration. Between October 1948 and August 1949, the Bracero Program was suspended over disputes between Mexican and American officials regarding contracts and work conditions, which boosted illegal immigration. In response, the Mexican government declared a national emergency in July 1949 and sent 5,000 troops to patrol the border in Tamaulipas and prevent unauthorized emigration, detaining would-be migrants until they accepted contracts to work on Mexican cotton farms ([Hernandez, 434](#)). The Mexican government would repeat this policy in 1953 amid renewed disputes with the U.S. over the Bracero Program and even established a small Mexican Border Patrol force to patrol the south side of the

Rio Grande. Throughout this time, however, Mexican officials worked closely with U.S. Border Patrol to crack down simultaneously on illegal emigration and immigration, denying migrants the ability to evade authorities by crossing the border, whether north or south.

These efforts culminated in 1954, when newly appointed INS Director Joseph Swing collaborated with the Mexican government to devise and execute Operation Wetback, a pejoratively named law enforcement campaign that would crack down on illegal immigration by carrying out mass deportations of Mexican nationals across the southwest that summer. Although publicly billed as an innovative new tactic to fight illegal immigration, Operation Wetback was in fact the result of more than a decade of increasing binational cooperation between U.S. and Mexican officials to control migration over the border by coordinating raids, collaborating on deportations, sharing surveillance information, and stitching together two distinct crimes: illegal emigration from Mexico and illegal immigration into the U.S.

The operation itself involved 750 immigration officials and Border Patrol agents, hundreds of vehicles, and seven airplanes ([Ngai, 155](#)). The idea was to quickly detain and deport as many illegal Mexican immigrants as possible. Following procedures developed in the 1940s, U.S. officials handed off deportees to Mexican officials, who transported them into Mexico's interior. An unprecedented number of people were apprehended: 3,000 a day at the beginning of the operation and 170,000 during the first three months ([156](#)). In all, more than a million Mexicans were apprehended and deported, more than a quarter of them on hired cargo ships running out of Port Isabel, Texas.

The operation, while deemed successful in terms of sheer numbers, was highly controversial even at the time, drawing criticism from Congress and labor officials. In addition, the reported number of apprehensions did not match the narrative put forward by the Department of Justice, which reported that 1,089,583 people were apprehended in 1954. But the fiscal year ended on June 30, just two weeks into Operation Wetback. Hence the bulk of the apprehensions recorded for that year happened in FY1953 and were not part of the operation in the summer of 1954. Some scholars

have therefore argued that Operation Wetback was successful primarily as a public relations campaign for the success of operations conducted the year before, allowing the Justice Department to claim publicly that it had gotten illegal immigration under control ([Hernandez, 443](#)).

Another effect of Operation Wetback was to increase sharply the number of *braceros* admitted to the U.S., which was also part of the operation's purpose. The number of *bracero* contracts signed in Mexico increased by nearly 100,000 from 1954 to 1955, and by more than 145,000 the following year ([Ngai, 157](#)). The total number of *braceros* peaked in 1956 at 445,197, while apprehensions fell drastically after 1954, down to about 30,000 a year by the end of the decade.

American growers hired illegal immigrants with impunity. While Operation Wetback permanently brought more resources and manpower to the southern border, it did not—and could not—solve the problem of unauthorized border crossings.

But none of these efforts, whether mass deportation or more *bracero* contracts, could stem the rising tide of illegal immigration. American growers who wanted cheap labor increasingly preferred not to deal with the bureaucracy of the Bracero Program and instead hired illegal immigrants with impunity. While Operation Wetback permanently brought more resources and manpower to the southern border, it did not—and could not—solve the problem of unauthorized border crossings. Even so, much of the unauthorized border crossings in this era were circular; migration to the U.S. was often temporary and based on employer practices and well-established migrant networks. During the last half of the 1950s,

about half a million Mexicans were entering the country annually, most of them as temporary farm workers who often returned to Mexico after seasonal work was done ([Massey and Pren](#)).

The 1965 Immigration Reform, the Rise of Illegal Immigration, and the War on Drugs

The termination of the Bracero Program in 1964 would change these established patterns of migration. Indeed, that had been the goal of years of labor-left agitation and the push to unionize domestic farm workers. In 1962, Cesar Chavez and Dolores Huerta founded the United Farm Workers (UFW), which organized strikes against growers and protested the use of illegal immigrants as strikebreakers in a deliberate attempt to target the Bracero Program. As part of these efforts, the UFW also lobbied for strict control of the Mexican border ([Gutiérrez, 197](#)).

The UFW was successful, but with the end of the Bracero Program came a sharp increase in illegal immigration. Deportations, which had not increased significantly throughout the late-1950s and early-1960s, went from less than 83,000 in 1964 to more than 133,000 in 1966 ([U.S. Department of Homeland Security 2017](#)). The demand for labor had not changed, so the closing of legal avenues did not end migration; it simply shifted it to illegal avenues. Likewise, the 1965 Immigration and Nationality Act did not adequately account for labor demands in the U.S. in part because of pressure from unions like the UFW, which opposed competition from foreign workers. The 1965 immigration reform put an end to the national quota system for visas and introduced a system based on family reunification and specialized labor needs, but also placed a limit on the total number of visas issued in the Western Hemisphere, including Mexico.

For all that, the 1965 reform did not have a direct effect on border crossings. Farm workers kept crossing the border, only now they were coming as illegal immigrants, not *braceros*. The United States went from an annual Mexican migrant population of about 450,000 guest workers and a potentially unlimited number of resident visas (averaging about 50,000) to having zero guest worker visas and only 20,000 resident visas ([Massey and Pren](#)). In fact, as U.S. industrial agriculture continued to grow in the 1960s and '70s, migrant workers crossed the Rio Grande in even greater numbers, but instead of circulating back and forth between Mexico and the United States, mass numbers of migrants settled permanently in the U.S., since crossing the border illegally now carried much greater risk ([Masey et al.](#)).

Predictably, immigration enforcement increased markedly after 1965. In the decade from 1961 to 1970 apprehensions totaled just 1.6 million. In the decade from 1971 to 1980 they totaled 8.3 million. The following decade they reached 11.8 million ([Immigration and Naturalization Service, 207](#)). In an October 1976 article for *Reader's Digest*, Leonard J. Chapman, then-commissioner of the INS, claimed there were an estimated 8 million illegal immigrants living in the U.S., with between 250,000 to 500,000 more arriving every

year (Chapman, 188-92). Newly powerful agricultural labor unions took to policing some sections of the border during the 1970s. One UFW strike near Yuma, Arizona, in 1979 saw the use of infamous “wet lines,” in which long stretches of the border were policed by union men who were paid to forcibly stop Mexicans trying to cross the border. According to some reports, Mexicans caught trying to cross the so-called wet lines were brutally beaten with clubs, chains, and whips ([Lindsey](#)).

In 1977, President Jimmy Carter introduced a plan to crack down on illegal immigration through enhanced border security, including adding 2,000 new Border Patrol agents. Although his plan was never approved by Congress, the following year Congress did authorize 2,580 new Border Patrol

personnel—a 25 percent increase in total INS staff ([Meyers, 2](#)).

Congress also established the Select Commission on Immigration and Refugee Policy (SCIRP) in 1979, whose final report, issued in 1981, stated that illegal immigration was the country's number one immigration problem. The report recommended penalties for employers who hired illegal immigrants, a one-time amnesty, and a modest increase in legal immigration.

Compounding the challenges associated with higher levels of illegal immigration during this period was the emergence of a cross-border black market for narcotics. In September 1969, President Richard Nixon declared

the “War on Drugs” and, without consulting Mexico, authorized search-and-seizures operations along the U.S.-Mexico border, creating long lines and delays at ports of entry. Later that fall, amid protest from the Mexican government, these operations were replaced with a bilateral cooperation agreement with Mexico. Under that framework, the Drug Enforcement Administration (DEA), created in 1973, worked with the Mexican government to disrupt the cultivation and transportation of illegal drugs, primarily marijuana. The assassination of a DEA agent in Mexico in 1985 put an end to much of that cooperation as the U.S. shifted to a more unilateral approach to the war on drugs, which itself would change drastically in the late 1980s as Mexican gangs went from being mere couriers for Colombian drug cartels to being traffickers and wholesalers of Colombian cocaine,

The 1965 reform did not have a direct effect on border crossings. Subsequent migrant workers crossed the Rio Grande in greater numbers, but instead of circulating between Mexico and the U.S., settled permanently in the U.S., since crossing illegally now carried much greater risk.

and drug routes moved away from the Caribbean corridor to the U.S.-Mexico border.

The Modern Border Enforcement Regime

1986 Immigration Reform and Control Act

In the half-decade prior to the economic crisis that hit Mexico in 1982, apprehensions along the southern border had held steady at about one million per year, and although that was still historically high, the annual totals had begun to drop slightly at the turn of the decade. All that changed with the Latin American debt crisis and spiraling oil prices in Mexico. Amid economic stagnation and widespread unemployment in Mexico, large numbers of migrants crossed the border looking for work. Apprehensions rose to 1.25 million in 1983 and by 1986 had reached 1.7 million ([Immigration and Naturalization Service, 207](#)).

That was the year Congress passed the Immigration Reform and Control Act (IRCA), which hewed closely to the earlier recommendations of the SCIRP, combining stricter immigration enforcement with amnesty for illegal immigrants and enacting the most significant changes to U.S. immigration policy since 1965. The law created new federal civil and criminal penalties for employers who hired illegal immigrants and instituted a process (the I-9 process) whereby employers were supposed to verify the immigration status of new hires. At the same time, the IRCA allowed illegal immigrants who met certain conditions and had been continuously present in the U.S. since January 1, 1982, to apply for temporary (later permanent) legal status, and to qualify for citizenship. By 2001, more than three million people had applied for legalization as Lawful Permanent Residents (LPRs) under the provisions of the IRCA, but only one-third of those had naturalized ([Rytina, 3](#)).

On the enforcement side, the IRCA increased funding for the INS and the Executive Office of Immigration Review (EOIR), created new criminal penalties for fraudulent use of identity documents and for knowingly bringing in, harboring, or transporting illegal immigrants, and called for a 50 percent increase in the number of Border Patrol agents. At the time of the law's passage, Congress had already funded 3,700 Border Patrol staff, but in accordance with the new law, that number would grow to 5,500 in 1987—about double the number of agents in 1979. Border Patrol also got 22 new helicopters, as well as more equipment, checkpoints, and detention facilities ([Meyers](#)). In addition, Border Patrol was tasked with drug interdiction between ports of entry. The \$1.7-billion Anti-Drug Abuse Act, signed around the same time as the IRCA, allowed INS to deport aliens with drug convictions and increased INS funding for drug interdiction operations.

Growth of U.S. Border Patrol and Enhanced Border Security Measures

After the passage of the IRCA, the Border Patrol's budget would grow precipitously as it was given greater enforcement duties. From a budget of \$260 million in 1990, the budget would balloon to more than a billion dollars by 2000—and to more than \$4.7 billion in 2019 ([U.S. Department of Homeland Security 2019, 88](#)). Staffing saw a similar increase. In 1992, Border Patrol had a total of 4,139 agents nationwide, of which 3,555 were stationed on the southwest border. By 2002, that total would exceed 10,000 with 9,239 of them on the southwest border ([U.S. Customs and Border Protection 2019](#)).

Substantial physical barriers were introduced to the southwest border for the first time in the early 1990s. The U.S. Navy in 1991 erected a seven-mile-long, ten-foot-high wall along the border between San Diego and Tijuana using thousands of surplus military landing mats made of corrugated steel. This wall, which was expanded to 14 miles in 1993 and reached into the Pacific Ocean, replaced sections of chain-link and barbed wire fencing and was a precursor of the much higher steel bollard-style fencing used today.

Border security tactics also began to change. In 1993, Border Patrol conducted Operation Blockade in El Paso, Texas, inaugurating a new approach to border security. The operation deployed more than 400 of the sector's 650 agents to a 20-mile stretch of the border on an around-the-clock basis for two weeks. The operation triggered protests on both sides of the border but also greatly reduced illegal border crossings. It was deemed a success and renamed Operation Hold the Line, becoming the template for a new strategic focus on preventing illegal entries in the busiest corridors rather than apprehending illegal immigrants after entry—what federal officials called “prevention through deterrence” and “targeted enforcement.”

These concepts would become the cornerstone for a four-phase plan launched by Border Patrol in 1994, beginning in California and West Texas, that concentrated agents and resources in high-traffic areas of the border. The idea was that an increased risk of being arrested would not only act as a deterrent but also redirect would-be border-crossers to more remote areas where it would be easier to observe and apprehend them. These tactics included the introduction of new technologies like motion sensors, flood lights, new roads and fencing, as well as an automated fingerprint system (IDENT) to identify criminals after arrest. A strategic plan issued by Border Patrol in 1994 called for a four-phase approach to controlling the entire U.S. border, beginning with the San Diego and El Paso corridors. However, the plan lacked a timeline and a definition of

“control,” suggesting only that control would be indicated by increased illegal traffic to other areas of the border ([U.S. Department of Justice](#)).

1996 Immigration Reform and the Rise of Mandatory Detention

All of this required more funding and manpower. The U.S. Commission on Immigration Reform called for both of these in its first interim report to Congress in September 1994. It also recommended more resources for agent training, a rapid response team, expanded enforcement authority (wiretapping and asset forfeiture, for example), more border fencing, and more cooperation with the Mexican and Canadian governments ([U.S. Commission on Immigration Reform](#)).

Congress delivered on much of this in the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which codified Border Patrol’s aggressive new strategy into law, greatly expanding immigration enforcement in the country’s interior and establishing the basic framework of our current deportation regime. At its most basic level, IIRIRA increased the number of people eligible for deportation by expanding the crimes for which immigrants can be deported. The law did this primarily by increasing the penalties on immigrants who had violated U.S. law, either by illegally entering the country or by breaking some other law. Significantly, IIRIRA mandated that some immigrants be held in detention until their deportation cases were resolved. Deportations had been steadily increasing for years but picked up pace after the IIRIRA’s passage, with a sharp increase in formal removals (which require a court order and carry legal consequences for subsequent violations, as opposed to returns, which do not). Apprehensions also increased throughout the late-1990s, reaching a peak of 1.6 million in 2000. The vast majority of those apprehended and deported were Mexican nationals.

Recognizing that tighter border security between ports of entry might incentivize attempts to cross at ports of entry with fraudulent documents, Congress also doubled the number of customs inspectors between 1994 and 1997. By 1998, INS’s budget was \$3.6 billion and the agency employed 8,000 Border Patrol agents and 2,000 inspectors at land ports of entry (93 and 75 percent of these, respectively, were deployed on the southwest border) ([Meyers, 12](#)). During this time, in accordance with the IIRIRA, INS developed an automated entry-exit system to identify visa overstays and track entries and exits of foreign students, a system INS had first proposed following the 1993 World Trade Center bombing.

All of these developments, including a focus on information technology and intelligence-gathering outlined in INS’s Northern Border Strategy (rolled out in 2000), were precursors to the approach the U.S. government would take along the border after the terrorist attacks of September 11, 2001.

From 9/11 to the Current Crisis

Border Security as National Security

Because the 9/11 hijackers entered the country legally through ports of entry, the reforms instituted after the attacks did not fundamentally change the federal government’s law enforcement approach to border security. But it did solidify a rising trend among both policymakers and the American public at large that border security should be thought of as an aspect of national security and that it must encompass more than just the southwest border.

Two new laws, the 2001 USA Patriot Act and the 2002 Enhanced Border Security and Visa Entry Reform Act, made changes to visa policies and procedures, as well as increased information sharing and international cooperation. INS was abolished in 2003 and reorganized under the Department of Homeland Security (DHS), which included the newly created Bureau of Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS). Border Patrol fell under the purview of CBP, as did port of entry inspectors.

CBP was oriented specifically around addressing the threat of terrorism in addition to all the legacy responsibilities of INS, and the inclusion of antiterrorism made its way into the Border Patrol’s official priorities soon after this massive reorganization. In practice, that meant Border Patrol would become a more military-style agency focused on operations and intelligence than it had been under the INS, with an explicit strategy of maintaining what it called “operational control” over the northern and southern borders. Border Patrol defined this as “the ability to detect, respond, and interdict border penetrations in areas deemed as high priority for threat potential or other national security objectives” ([Office of Border Patrol, 3](#)). This meant more agents and money flowed into CBP from Congress as Border Patrol staffing more than doubled in a decade, from about 9,000 agents in 2000 to more than 20,000 in 2010.

Border Fencing

In 2000, the southwest border had just 76 miles of fencing, reflecting the fact that physical barriers had not been a priority prior to 9/11. That changed with the Secure Fence Act of 2006, which authorized the construction of hundreds of miles of border fencing, mostly in California, Arizona, and New Mexico. In Texas, where nearly all borderlands

are privately owned, fence construction was much slower and more difficult owing to eminent domain proceedings, and today fencing is concentrated in only a few urban areas along the Texas-Mexico border. But by 2011 much of the rest of the border was fenced, a total of about 650 miles of fencing at a cost of \$2.3 billion.

Other security elements such as access roads, sensors, lighting, and cameras augmented the fencing itself, and added to the cost and complexity of fenced portions of the border. Maintenance and repair costs for this fencing have fluctuated over the years, from \$1.8 billion in 2008 to \$400 million in 2012 ([Federation for American Immigration Reform](#)). A Government Accountability Office (GAO) report from 2017 found that from 2010 to 2015, the fence was breached more than 9,200 times at a repair cost of \$784 per breach ([U.S. Government Accountability Office, 29](#)).

That report did not weigh in on the overall effect fencing had on border security and enforcement but concluded that Border Patrol needed metrics to assess the contributions of fencing to border security. Indeed, the effectiveness of border fencing on border security has been much disputed. Some experts maintain it has little effect other than to drive migrants away from fortified crossing points to more remote and dangerous areas, citing a statistical correlation between the construction of fencing in one area and the rise in migrant deaths in another ([Jones](#)). Others, including numerous CBP and Border Patrol officials in testimony to Congress, claim that barriers and fencing “have significantly improved control of the border” ([Aguilar, 3](#)) and contributed to a drop in apprehensions since their peak in 2000.

Apprehensions Fall as Violence Surges in Mexico

Apprehensions have indeed dropped dramatically over the past two decades (although they sharply increased in FY2019). The primary causes of this decrease remain unclear. By April 2009, 613 miles of fencing authorized by the 2006 law had been completed, and during that time apprehensions continued to fall and would continue to do so until 2012 ([U.S. Border Patrol](#)).

Fence construction did, however, coincide with the global recession and a sharp rise in U.S. unemployment, which historically has been a major factor on migration flows from Mexico (less demand from U.S. employers has generally

meant fewer migrants crossing the border to seek employment). However, since the economic recovery there has not been a corresponding rise in illegal immigration from Mexico. In fact, overall apprehension levels on the southwest border in recent years have been relatively low, comparable to the mid-1970s, despite the presence of fencing, technology, and some 17,000 Border Patrol agents (compared to about 1,400 agents in the mid-70s).

Although migration is down, illegal activity along the border remains high. Indeed, the drug war in Mexico has brought enormous instability to Mexican towns and cities along the Rio Grande over the past decade, which has in turn fueled cross-border crime—not just drug trafficking but also human trafficking and migrant smuggling. After winning the Mexican presidency in 2005, Felipe Calderón launched a war on powerful drug cartels across the country.

Within two weeks of taking office in December 2006, Calderón sent 6,500 troops to the state of Michoacán, inaugurating a new government policy of using the Mexican military to disrupt and dismantle cartel organizations. As a result of these efforts, drug violence exploded across the country. Ciudad Juárez, just across the Rio Grande from El Paso, became one of the most violent cities in the world. In just a few years, homicides there increased tenfold, from about 300 in 2007 to more than

3,100 in 2010—more than were killed in all of Afghanistan that year ([Mora](#)). Homicides subsided between 2014 and 2016 but have since increased, with 1,247 killings in 2018 ([Timmons](#)).

Something similar has been playing out all along the border as cartels factions fight for control of drug trafficking routes. Crime, particularly homicides and kidnappings, has become rampant in border towns like Reynosa (across from McAllen) and Nuevo Laredo (across from Laredo). In Reynosa, the largest city in the state of Tamaulipas, factions of the splintered Gulf cartel have turned to kidnapping and extortion of migrants as a source of income, charging migrants between \$1,000 and \$1,500 per person to cross the Rio Grande. By some accounts, it has become the main source of income for cartels in that area, more lucrative even than drug trafficking ([Root](#)). This is not unique to Reynosa; all across the borderlands, migrant smuggling has become a major industry in recent years. One recent report from the RAND Corporation estimated that smuggling organizations

In some areas, kidnapping and extortion of migrants have become more lucrative even than drug trafficking. All across the borderlands, migrant smuggling has become a major industry .

and cartels made as much as \$2.3 billion of migrant smuggling in 2017 ([Greenfield et al.](#)).

The Current Crisis

The vast majority of those now crossing the border—and furnishing cartels and smugglers with enormous profits—are Central American families and unaccompanied minors (UACs), a dramatic demographic shift that began in 2014 with the unaccompanied minor crisis and has largely continued. Several factors contributed to this surge, including the 2008 Trafficking Victims Protection Reauthorization Act (TVPRA), which mandates that within 72 hours of determining that a child is an unaccompanied minor, and is from a country other than Mexico or Canada, the child is to be transferred by Border Patrol into the custody of the Office of Refugee Resettlement, and from there placed with family or friends in the U.S. while they await a hearing.

Another factor is Obama administration policies that may have been misunderstood in Central America. In 2014, a leaked Border Patrol memo summarizing interviews with children detained at the border suggested the surge in unaccompanied minors was driven by the perception that under the Obama administration's policies they will be allowed to stay. The memo stated that migrants said they were coming “to take advantage of the ‘new’ U.S. law that grants a free pass or permit” from the U.S. government, which they referred to as *permisos* in their home countries ([Nakamura](#)). What may account for this perception is President Obama's announcement of Deferred Action for Childhood Arrivals (DACA) program, announced on June 15, 2012. Although DACA was intended as a temporary program to allow children of illegal immigrants to avoid deportation and get renewable work permits, it only applied to those who had been residing in the U.S. continuously from June 15, 2007, to June 15, 2012.

Yet another factor behind the current crisis is the state of Central America's Northern Triangle. The majority of migrant families and minors now arriving at the southwest border come from Honduras, Guatemala, and El Salvador, which have been wracked by pervasive violence, corruption, poverty, weak rule of law, drug trafficking and organized crime. These countries consistently rank among the most violent nations in the world not at war ([Labrador](#)

[and Renwick](#)). Much of the violence stems from organized crime that grew out of decades of civil wars in the region (El Salvador, 1979-92; Guatemala, 1960-1996) that left hundreds of thousands dead.

Whatever the combination of factors motivating Central American families to emigrate, once they cross the U.S. Mexico border, they are turning themselves in to Border Patrol and claiming asylum. The vast majority are not trying to evade detection but are seeking out U.S. law enforcement once they cross into the U.S. This stands in marked contrast to previous waves of illegal immigration, which consisted mostly of single Mexican men crossing the border and attempting to evade detection as they traveled further into the U.S. interior seeking employment. Virtually the entire U.S. border security apparatus was built around detecting and apprehending people who did not want to be caught.

The majority of migrants now arriving at the southwest border come from Honduras, Guatemala, and El Salvador, countries wracked by pervasive violence, corruption, poverty, weak rule of law, drug trafficking and organized crime.

Today, U.S. authorities face a new and unprecedented challenge, with Border Patrol agents and CBP officers spending an increasing amount of time and resources not on border enforcement but on transporting and processing large groups of Central American families and children, which in turn has enabled cartels and human traffickers to more easily evade U.S. authorities and engage in illicit activities. With detention facilities at or near capacity, and thousands of migrants being apprehended daily, the border is now in a state of uncontrolled crisis.

Conclusion

Throughout the 183-year history of the southwest border, peace and security on either side of the Rio Grande have been determined less by the policies and goals of United States government than by forces beyond its immediate control—namely, the political stability of Mexico and the U.S. economy.

That's not to say U.S. border policy is irrelevant but that its effects have often been unintended. The end of the Bracero Program in 1964 turned large numbers of legally contracted farm workers into illegal immigrants, almost overnight, even though many of them continued to work for the same U.S. employers. The militarization of the border by successive American administrations beginning in the 1970s, although a logical response to the rise of drug trafficking and illegal immigration, made crossing the border much

more hazardous, which in turn helped create a black market for migration where none had existed before.

In order to have a peaceful and secure southwest border, the history briefly recounted above suggests that labor policy cannot be disentangled from border policy. The history of migrant flows suggests that immigration, both legal and illegal, is highly sensitive to labor demand from U.S. employers, and that controlling and regularizing cross-border labor flows should be an integral part of any comprehensive border security plan.

Likewise, the political stability of Mexico, whether during the upheavals of the Mexican Revolution or the drugs wars of recent decades, has been a crucial factor in the security of the southwest border. Periods of political stability in Mexico have coincided with binational, cooperative efforts to secure the border and control border crossings.

Securing the border must therefore involve more than just increased funding for barriers, personnel, and equipment—all of which are important elements to border security, but none of which will be sufficient without measures to control the flow of labor and promote political stability and cooperation south of the Rio Grande. ★

References

- Aguilar, David V. 2017. "[Written Statement for the Record](#)." U.S. Senate Homeland Security and Governmental Affairs, Committee Hearing on Fencing Along the Southwest Border. April 4.
- Balderrama, Francisco E. and Raymond Rodriguez. 2006. *Decade of Betrayal: Mexican Repatriation in the 1930s*. Albuquerque: University of New Mexico Press.
- Bruscino, Jr., Thomas A. 2008. "A Troubled Past: The Army and Security on the Mexican Border, 1915-1917." *Military Review* 88(4).
- Calavita, Kitty. 1992. *Inside the State: The Bracero Program, Immigration, and the I.N.S.* New Orleans: Quid Pro Books.
- Chapman, Leonard F. 1976. "Illegal Aliens: Time to Call a Halt!" *Reader's Digest*, October.
- Cumberland, Charles C. 1954. "Border Raids in the Lower Rio Grande Valley – 1915." *Southwestern Historical Quarterly* 57(3): 285-311.
- Federation for American Immigration Reform. 2019. [The Current State of the Border Fence: Fact Sheet](#). Federation for American Immigration Reform.
- Fehrenbach, T.R. 1968. *Lone Star: A History of Texas and the Texans*. New York: Tess Press, rev.
- Greenfield, Victoria A. and Blas Nunez-Neto, Ian Mitch, Joseph C. Chang, and Etienne Rosas. 2019. [Human Smuggling from Central America to the United States: What Is Known or Knowable About Smugglers' Operations and Revenues?](#) Homeland Security Operational Analysis Center, RAND Corporation.
- Gutiérrez, David G. 1995. *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity*. Berkeley: University of California Press.
- Harris III, Charles H., and Louis R. Sadler. 2015. *The Great Call-Up: the Guard, the Border, and the Mexican Revolution*. Norman: University of Oklahoma Press.
- Haverluk, Terrence. 1997. "[The Changing Geography of U.S. Hispanics, 1850-1990](#)." *Journal of Geography* 96(3):134-45.
- Henderson, Timothy J. 2008. [A Glorious Defeat: Mexico and Its War with the United States](#). New York: Hill and Wang.
- Hernandez, Kelly L. 2006. "[The Crimes and Consequences of Illegal Immigration: A Cross Border Examination of Operation Wetback, 1943-1954](#)." *Western Historical Quarterly* 37(4): 421-444.

- Masanz, Sharon D. 1980. "[History of the Immigration and Naturalization Service](#)." Congressional Research Service, Library of Congress, 96th Congress, 2nd Session.
- Hoffman, Abraham. 1974. *Unwanted Americans in the Great Depression: Repatriation Pressures 1929-1939*. Tucson: University of Arizona Press.
- Immigration and Naturalization Service, US Department of Justice. 2000. [1998 Statistical Yearbook of the Immigration and Naturalization Service](#). Immigration and Naturalization Service, US Department of Justice.
- Johnson, Benjamin Heber. 2003. *Revolution in Texas: How A Forgotten Rebellion and its Bloody Suppression Turned Mexicans Into Americans*. New Haven and London: Yale University Press.
- Jones, Reece. 2016. [Borders and Walls: Do Barriers Deter Unauthorized Migration?](#) Migration Policy Institute.
- Kluger, Richard. 2007. *Seizing Destiny: How America Grew from Sea to Shining Sea*. New York: Knopf.
- Labrador, Rocio Cara, and Danielle Renwick. 2018. "[Central America's Violent Northern Triangle](#)." *Council on Foreign Relations*, June 26.
- Lindsey, Robert. 1979. "[Criticism of Chavez Takes Root in Farm Labor Struggle](#)." *New York Times*, February 7.
- Massey, Douglas S., and Karen A. Pren. 2012. "[Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America](#)." *Population and Development Review* 38(1): 1-29.
- Massey, Douglas S., Jorge Durand, and Karen A. Pren. 2016. "[Why Border Enforcement Backfired](#)." *American Journal of Sociology* 121(5): 1557-1600.
- Meyers, Deborah Waller. 2005. *From Horseback to High-Tech: U.S. Border Enforcement*. Migration Policy Institute.
- Mora, Edwin. 2011. "[More Civilians Killed Last Year in One Mexican Border Town Than All Afghanistan](#)." *CNS News*, February 25.
- Nakamura, David. 2014. "[Influx of minors across Texas border driven by belief that they will be allowed to stay in U.S.](#)" *Washington Post*, June 13.
- Ngai, Mae M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton: Princeton University Press.
- Office of Border Patrol. 2004. *National Border Patrol Strategy*. U.S. Customs and Border Protection. [Internet Archive](#). Accessed May 24, 2019.
- Polk, James K. 1846. "[May 11, 1846: War Message to Congress](#)." Transcript from University of Virginia Miller Center.
- Root, Jay. 2019. "[How one migrant family got caught between smugglers, the cartel and Trump's zero-tolerance policy](#)." *Texas Tribune*, March 7.
- Rytina, Nancy. 2002. *IRCA Legalization Effects: Lawful Permanent Residence and Naturalization through 2001*. U.S. Immigration Naturalization Service, Office of Policy and Planning, Statistics Division.
- Sheridan, Philip H. 1888. *Personal Memoirs of P. H. Sheridan. 2 vols*. New York: Charles L. Webster & Co.
- Timmons, Patrick. 2019. "[Across Mexico border from safe El Paso, violence surges in Juárez](#)." *UPI*, January 23.
- U.S. Border Patrol. 2019. "[U.S. Border Patrol Monthly Apprehensions \(FY 2000 - FY 2018\)](#)." Accessed May 2.
- U.S. Commission on Immigration Reform. 1994. *1994 Report to Congress: Restoring Credibility*. Homeland Security Digital Library.

- U.S. Congress. 1845. [*Joint Resolution for Annexing Texas to the United States*](#). Approved March 1.
- U. S. Congress, House. 1860. [*Difficulties on the Southwestern Frontier*](#). 36th Congress; 1st Session. H. Exec. Doc. 52.
- U.S. Congress, House. 1864. [*Prerogative of the House as to Foreign Relations*](#). 38th Congress; 1st Session. Journal, p. 464.
- U.S. Customs and Border Protection. 2018. "[Border Patrol History](#)." Last modified October 5. Accessed April 29, 2019.
- U.S. Customs and Border Protection. 2019. "[Border Patrol Agent Staffing By Fiscal Year \(FY 1992-2018\)](#)." Accessed May 1.
- U.S. Department of Homeland Security. 2017. "[2017 Yearbook of Immigration Statistics Table 39. Aliens Removed or Returned: Fiscal Years 1892 to 2017](#)." Last Published Date: April 9, 2019.
- U.S. Department of Homeland Security. 2019. [FY 2019 Budget-in-Brief](#). U.S. Department of Homeland Security.
- U.S. Department of Justice, Office of the Inspector General. 2000. [Border Patrol Efforts Along the Northern Border](#). U.S. Department of Justice, Office of the Inspector General.
- U.S. Government Accountability Office. 2017. [Southwest Border Security: Additional Actions Needed to Better Assess Fencing's Contributions to Operations and Provide Guidance for Identifying Capability Gaps](#). U.S. Government Accountability Office.
- "[Warning Sent to Pershing: President and his Cabinet Discuss Most Serious Breach Since Vera Cruz](#)." 1916. *New York Times*, June 17.

ABOUT THE AUTHOR



John Daniel Davidson is a senior correspondent at the *Federalist* and a senior fellow for the Texas Public Policy Foundation's Right on Immigration initiative. Since the unaccompanied minor crisis emerged in 2014, he has done extensive reporting on border and immigration issues. His writing has also appeared in the *Wall Street Journal*, *National Review*, *Texas Monthly*, the *Guardian*, and elsewhere. He lives in Austin, Texas.

About Texas Public Policy Foundation

The Texas Public Policy Foundation is a 501(c)3 non-profit, non-partisan research institute. The Foundation's mission is to promote and defend liberty, personal responsibility, and free enterprise in Texas and the nation by educating and affecting policymakers and the Texas public policy debate with academically sound research and outreach.

Funded by thousands of individuals, foundations, and corporations, the Foundation does not accept government funds or contributions to influence the outcomes of its research.

The public is demanding a different direction for their government, and the Texas Public Policy Foundation is providing the ideas that enable policymakers to chart that new course.

