



STATE OF ARIZONA

JANICE K. BREWER  
GOVERNOR

June 23, 2010

EXECUTIVE OFFICE

The Honorable Barack Obama  
The President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

Thank you for the opportunity to visit with you in person during my recent trip to Washington, D.C. As you know, the issue of border security is foremost in the thoughts of many Arizonans and Americans alike, and I appreciated the chance to personally relate to you my concerns and outline my proposed solutions.

Mr. President, the need for action to secure Arizona's border could not be clearer. Recently, my office received a number of calls from constituents concerned at reports of new sign postings in interior counties of Arizona warning residents not to access federal lands due to criminal activity associated with the border. These warnings signal to some that we have handed over portions of our border areas to illegal immigrants and drug traffickers. This is unacceptable. Instead of warning Americans to stay out of parts of our own country, we ought to be warning international lawbreakers that they will be detained and prosecuted to the fullest extent of the law. We ought to be establishing measures to ensure that illegal traffic of any sort is kept to an absolute minimum, and that Americans are safe and secure within our own borders.

When we visited, you committed to present details, within two weeks of our meeting, regarding your plans to commit National Guard troops to the Arizona border and expend \$500 million in additional funds on border security matters. You also discussed sending members of your senior staff to Arizona to discuss your plans. While I am pleased the 28<sup>th</sup> has been set for a meeting time and we have reviewed a copy of the Department of Homeland Security's "Southwest Border Next Steps" Press Release, I am still awaiting details on National Guard deployments and how the proposed additional border security funding will *specifically* affect Arizona (and the other Border States). As I mentioned to you on June 3<sup>rd</sup>, it is very difficult to have much of a dialogue without specific details regarding your proposals. I strongly urge you to request your staff provide us with missing details of your proposals prior to the meeting on the 28<sup>th</sup>.

While we await the specific details of your border security plans, I wanted to take the time to reemphasize some of what I shared with you and respond further to some of what we discussed. In essence, I have proposed a four-point Border Surge strategy, as outlined in my recent letter to Senator Charles Schumer, summarized as follows:

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### **1. National Guard Personnel and Aviation**

I believe a significant number of troops operating with a legitimate mission set is an essential part of any strategy to secure the border. I appreciate your commitment of 1,200 troops and the promise that Arizona would receive the largest contingent. I am concerned, however, that more is required, such as the deployment of 6,000 personnel proposed by Senators Jon Kyl and John McCain for the entire southwestern border.

In addition, I want to make sure that these troops have legitimate missions that:

- Support federal, state and local law enforcement—all three!
- Serve as a blocking force to stop illegal crossing activities.
- Employ the troops in a way that speaks loudly to all—both north and south of the border—that the U.S. is serious about this matter.

As part of your commitment, I also hope that you order a significant increase in aviation resources supporting border security operations on the ground. After meeting and talking to various experts, I am persuaded that aviation support is critical to the effort on the ground. Any effort will fail absent the ability to coordinate ground assets from the air, particularly given the nature of much of Arizona's border region terrain. I respectfully ask that you give serious consideration to my May 20, 2010 correspondence, which makes a very reasonable request for a reallocation of National Guard OH-58 helicopter assets in order to make a Border Surge effective. Your support of this request can make a significant difference between a winning effort versus a losing effort.

### **2. Border Fence**

In short Mr. President, we need to complete, reinforce and then maintain the border fence. In my April 6, 2010 letter to you I proposed inmate labor and other methods (i.e., purchasing instead of leasing equipment) as a means to bring down construction/maintenance costs. I certainly support efficient and effective Ports of Entry where both American and Mexican border officials can allow legal traffic and crossings. Everywhere else along the border, though, I strongly believe we must have fencing and barriers that are both substantial and monitored if the illegal crossings are to be minimized.

### **3. Enforce Federal Law and Appropriately Fund the Effort**

The United States must be prepared to detain, prosecute and then incarcerate convicted violators of United States laws. The current "no consequences policy" has resulted in a border security failure. I appreciate your general proposal to commit additional resources, but it is very difficult for me to comment without any details. It is without doubt, though, that the current border policy will continue to fail the State of Arizona without additional resources committed to the Border Patrol, Immigration and Customs Enforcement (ICE) personnel and detention facilities; prosecution; public defense; and federal prisons.

#### **4. Reimburse States for the Additional Burden of Illegal Immigration**

As I mentioned the very first time we met last year, I must continue the calls for Arizona to be reimbursed for expenses we are forced to carry because of our porous southern border. Arizona and a few other states are at a terrible disadvantage in good times, and an even worse position during bad times, because of the additional costs of illegal immigration. Just in terms of state prison costs, we estimate ongoing expenses at approximately \$150 million to incarcerate criminal aliens. While substantial on its own, this figure does not include law enforcement, prosecution and defense costs, or the enormous societal costs of the criminal behavior of those who are not even legally entitled to be here.

We are hundreds of millions of dollars short of what we should receive to relieve the disproportionate law enforcement/jail/prison, health care and education burdens we face due to our porous southern border and rampant illegal immigration. It is simply unfair for the federal government to force Border State taxpayers to carry these burdens.

#### **Immigration Reform**

You shared with me your thoughts about the matter of immigration reform and I am grateful you listened to mine. As I mentioned in our meeting, the phrase “comprehensive immigration reform” is code for “amnesty” to many in Arizona and elsewhere in our Nation. Many Americans are still waiting for the reforms that were promised by the federal government in the 1980s when amnesty was granted to thousands of illegal immigrants. Until we establish a secure border, and reestablish trust with the public that our international borders are meaningful and important, and enforcement of federal immigration law is not an idle threat, any discussion of “comprehensive reform” is premature.

Let’s first block illegal entry into the United States and enforce current law, and then other discussions, including immigration reform, might then, and only then, make sense to the public. I am committed to a serious discussion of legitimate reform—but not any false front for amnesty—when the federal government halts the free flow of illegal immigrants and illegal drugs across the southwestern border.

#### **Arizona’s Law**

You also shared some concerns about a “patchwork” approach to policy. This makes sense to me, but the failure of the federal government has driven frustration levels to the point that tolerating the status quo is no longer acceptable for Arizona. From my perspective, the single most significant factor behind the passage this year of SB 1070 and HB 2162 (the follow-up bill with amendments to SB 1070) was the frustration of Arizona elected officials, and the public we serve, regarding the failure of the federal government over the years to effectively address the problem of illegal immigration.

The growing concerns over spillover violence, the increased awareness of kidnappings, the spread of drop houses in neighborhoods throughout metropolitan areas, the scourge of the drug trade and the oppressive financial burdens posed by illegal immigration—burdens even more difficult to shoulder in this economic downturn—all contributed to accelerating the public’s frustration.

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I am 100% committed to fair and just enforcement of the new Arizona law. I have made it clear that civil rights will not be compromised. The first step has been educating and training law enforcement, as well as the public, on the details of the law—a step I have already ordered in Arizona.

Instead of any discussion about suing Arizona and not cooperating with the efforts of local Arizona law enforcement to address illegal immigration, the federal government should reassure Arizona (and other states) that securing the border and enforcing federal immigration laws are duties to which the federal government will make a renewed and sincere commitment.

When the public sees consistent evidence of federal commitment, I am convinced the demand for state actions will wane. State and local governments have plenty to do and will be happy to stay out of border security and immigration law enforcement—along with the expenses of such work—if the federal government takes a firm and effective grip on the problem.

### Conclusion

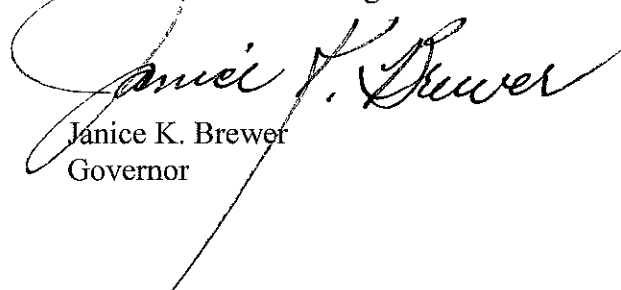
In closing, I want to assure you that I am looking to develop a solution, not have a standoff, with you and the federal government. Illegal immigration is a serious problem and I am sincerely committed to seeing something done to curb it. The real challenges at hand are about violent crime, huge taxpayer burdens, the rule of law and ensuring that our southern border does not become an open door for radical terrorists. Commerce with other countries is important to me and Arizonans—I truly want a vibrant and positive relationship with Sonora, other Mexican States and the rest of the world. Federal immigration law, however, must be honored and enforced, and our border must represent an effective means to help ensure our sovereignty and security.

I remain eager to receive the specific details of your proposals and to have the follow-up meeting with your senior staff. It is disappointing that we are such a short time away from the meeting and Arizona and the other Border States still are awaiting the specific details of what you are proposing. There is still time, however, to ensure the meeting next week is productive.

Finally, I want to re-extend the invitation I made to you to come to Arizona yourself, visit with families living along the southwestern border and see the situation firsthand. My prior visits to the border and the air survey of the Cochise County region have been very important to shaping my perspectives and thinking. Governor Richardson joined me for one trip and I believe you would also benefit from such an experience.

And when you do come, lunch is on me!

Yours in service to the great state of Arizona,



Janice K. Brewer  
Governor