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Mission:

**To make Legislative
recommendations to help
the Texas Border Region
grow and prosper
economically.**



November 19, 2008

The Honorable Barack Obama
President of the United States-Elect
Indiana Avenue and 6th Street, NW
Washington, DC 20004

Dear Mr. President-elect:

The Texas Border Coalition congratulates you on your election to be President of the United States.

We are a coalition of Texas officials on the U.S.-Mexico border, mayors, county judges, county attorneys, commissioners, economic development officials and private businessmen and women. We speak on behalf of 2.1 million Americans in 14 border counties along the 1,250-mile Texas-Mexico border. Ours is a region of contrasts, exhibiting differences and similarities of language, culture, tradition, and economy. The multi-national, multi-cultural nature of our communities on both sides of the international boundary gives our region a distinct sense of place.

We write today to ask for your help in fulfilling campaign promises that speak directly to our region and sense of place. We write to ask for your immediate action upon being inaugurated to put a moratorium on the construction of the wasteful border fence that is destructive to our communities, is not working, is lethal to people and wildlife and eventually will have to be torn down.

As of our writing, over 120 miles of Texas fence near the Rio Grande are planned. Four of those miles have been contracted and limited construction has commenced, although this morning no activity is taking place. About 30 of those miles are contracted for construction but dirt has not yet been turned. The balance has not yet been contracted, but the Department of Homeland Security has pledged to have contracts in place by December 31, 2008 for all but about 15 miles of it.

Like you, the Texas Border Coalition supports smart and effective measures that will achieve true border security, such as the Vega Project in Laredo, the Eagle Pass Park project, the Brownsville Weir and Reservoir project, and the clearing of the banks of the Rio Grande – north and south – of vegetation such as carrizo cane and



salt cedar that provide hiding places for illegal border-crossers and put our Border Patrol agents at risk. We support physical barriers in areas where they make sense and are agreed to by elected county and municipal officials. We support smarter, more effective solutions where fences won't work including radar, cameras, sensors and more effective deployment of Border Patrol agents.

The contracts that the Department of Homeland Security plans to have in place before you are sworn into office will cost American taxpayers over \$16 million per mile for some sections; the entire project will cost more than \$50 billion in total. That is equal to the entire U.N. budget for combating poverty in Africa, the United Kingdom's annual defense budget and the cost of building the Channel Tunnel connecting Britain and France.

It won't work, a fact that Homeland Security Secretary Michael Chertoff admits to, acknowledging that illegal crossers will go around, over, through and under it. Border Patrol officials liken it more to a "speed bump" since it is only intended to slow down the immigrants by three to four minutes. The fence is more gap than barrier: the fence covers less than 370 of the 1,969 miles of U.S.-Mexican border, less than 1 mile in 5. Arizona landowner Bill Odle has begun collecting ladders used by crossers near his home. His neighbor Glenn Spencer says people on the Mexican side can get on the roof of a pickup truck, climb a few feet over the fence, drop down onto the posts on the U.S. side and then jump down to the ground. Border crossers in New Mexico abandon plasma torches after they cut through the fence. Border Patrol has discovered more than 30 tunnels under the fence. Around, over, through and under: it won't work.

At a time when our national government is projected to spend over \$1 trillion more than it has in revenue in the current fiscal year, there is no possible excuse for wasting \$50 billion on a program that we know -- and even its strongest advocates admit -- will fail to accomplish its mission.

In Texas, the fence is being built more than a mile from the border, trapping people – workers, families, farmers, ranchers, retirees – and wildlife on the Mexican side. When fire, flood, medical crisis or crime requires evacuation, emergency or law enforcement, emergency personnel won't be able to rescue people or property. Wildlife won't be able to access the life-giving resources of the Rio Grande. People and wildlife – in many cases, endangered species – will die. Being the only southern border state that is separated from Mexico by a river, the Texas border requires a unique solution because one-size-does-not-fit-all.

Furthermore, illegal border crossing won't be controlled until the U.S. has a well-run immigration system that expands avenues for legal workers and cracks down on illegal hiring. When immigration is reformed, we won't need a Border Fence, although we will continue to require beefed up Border Patrol and Customs forces to halt illegal drug smuggling. The Border Fence will be torn down.

During your campaign for presidency, you stated that you would "reverse that policy" of building a wall, "that the key is to consult with local communities," and that "having border patrolled, surveillance, deploying effective technology, that's going to be the better approach."



In Berlin, you noted, "The walls between the countries with the most and those with the least cannot stand. These now are the walls we must tear down."

Mr. President-elect, those walls will be going up on January 20. Without your swift action, they keep going up unless you make them stop. We represent many of the communities that you suggest the government should consult with and at nearly every turn, the Department of Homeland Security has sought to elbow us aside, forcing us to file suit to claim our statutory rights.

We are anxious to meet with your Department of Homeland Security transition team. We firmly believe that a thorough review of the facts will lead them to recommend to you a moratorium on construction the day you are sworn in and a careful review of our nation's border security strategy as we move forward to secure America's homeland.

We welcome the opportunity to join you on that journey.

Sincerely,

Chad Foster
Mayor of Eagle Pass and
Chairman of the Texas Border Coalition

Enclosure: Editorials in support of a border fence moratorium



Recent Editorials and Columns Supporting a Border Wall Moratorium

Border fence: Legislature should join opposition
El Paso Times Staff
11/17/2008 12:00:00 AM MST

Opponents of the border fence want Texas state legislators to rally behind the cause. That's a good idea.

El Paso County Attorney José Rodríguez was in Austin last week talking with members of the Mexican-American Legislative Caucus. He asked that the Texas Legislature file legal briefs in support of lawsuits lodged by El Paso governmental and environmental bodies.

Rodríguez said, "I asked them to pass a resolution opposing further erection of the fence ... to show support for communities like El Paso. We think that the state of Texas has been entirely too quiet. As a state we should be on the forefront of this issue."

He's right. State legislators, who must be sensitive to border issues no matter what their district, should join border colleagues, governments and other groups and unite in opposition to the fence.

There are many reasons to argue against the fence, running the gamut from aesthetic to environmental. A perfect case in point is occurring in El Paso with the Rio Bosque Wetlands Park.

This ecological jewel in the Lower Valley, painstakingly revived through a partnership between the city of El Paso and the University of Texas at El Paso, could be severely harmed by the fence running nearby. In the words of Gloria Villaverde, president of the Friends of the Rio Bosque, a preservation organization committed to the park, "In nature, things need to be in balance." She said the fence will create "the possibility for habitat fragmentation; it cuts off migratory patterns as well as gene flow."

And that's just one fence-connected problem, one of hundreds or thousands of such concerns along the border.

More attention should be paid to getting increased numbers of "boots on the ground" - Border Patrol agents - and more use of high-tech electronic surveillance equipment.

We urge Texas legislators to heed Rodríguez's call and to join with the Texas Border



Coalition, the city and county of El Paso and others in opposing the border fence.

The fence is more a measure of desperation than a well-thought-out plan for border security. It's just not a good idea.

Obama could earn points with Texans and save money by canceling the border fence
BY BUD KENNEDY
Fort Worth Star Telegram
Fri, Nov. 14, 2008

We don't know yet what Barack Obama plans for Texas.

But if the new administration wants to save money, one place might be along the multibillion-dollar Texas-Mexico border fence.

Washington decided last week to postpone building 14 miles of the fence in Hidalgo and Starr counties west of McAllen. That \$105 million segment, originally booked for completion by Dec. 31, must be redesigned to fix flood problems, federal officials said.

Border leaders met Thursday in Austin to ask Texas lawmakers to help delay, re-engineer or halt the "Texas Border Wall."

"There are so many reasons why this is a bad idea," said state Rep. Eddie Lucio III, a Brownsville Democrat, in a phone interview after the Mexican American Legislature Caucus' hearing.

"The folks in the Valley have gathered a lot of good research about how this will affect our environment, our wildlife and the economy, not to mention the incursions on Texans' property rights and water," he said.

Like many Valley leaders, he wants more Border Patrol officers and better equipment to secure the border, along with Rio Grande improvements to create an environmentally friendly but effective natural barrier.

Sierra Club and Audubon officials testified at the hearing, concerned that wildlife refuges that have become major Valley tourist attractions will be left in a federal no man's land behind the fence.

Not many Texas leaders ever wanted a fence anyway.

Even Gov. Rick Perry has called the idea "idiocy," although he supports adding fencing through the busy Reynosa-McAllen and Matamoros-Brownsville metropolitan regions.



On the campaign trail, Obama said only that local leaders deserve more say-so over how the border fence crosses their communities. But South Texas hopes were lifted last week when Obama named one of those local leaders, University of Texas-Brownsville President Juliet V. Garcia, to his White House transition team.

Garcia and the university sued in federal court to stop the fence from slicing through the college campus and severing a golf course. Instead, UT-Brownsville raised its fence to 10 feet, with Garcia describing it as a vine-covered, "very friendly fence."

Lucio said Valley leaders want Garcia's help in Washington.

"She's been a strong advocate against the border wall," he said. "She's seen the problems of this plan firsthand."

Both Texas Republicans and Democrats must walk a careful line on border security.

Generally, Texans say we want a safe border. But hard-line border-hawk Republicans who scapegoat immigrants or bash Spanish have driven needed Latino votes away from the party in recent elections.

Juan Hernandez of Fort Worth, a former University of Texas at Dallas professor, was the director of Hispanic voter outreach for Republican presidential nominee John McCain.

"There were some lost opportunities for Republicans this election," he said Thursday. "McCain is very pro-family, pro-business, pro-trade — all important issues. But the stand some Republicans took was so far from what Hispanics want, it hurt McCain."

Obama lost Valley voters to Hillary Clinton in the Democratic primary, then won them back in the general election without ever talking about the border.

He has billions of reasons to talk about it now.

Steve Fischer
Act 1: deconstruct fence
Waco Herald-Tribune
Monday, November 17, 2008

ROCKPORT, Texas — Tear down those walls, Mr. Obama.

Begin the Obama presidency by tearing down the fence separating Mexico, both geographically and symbolically, from the United States.



Illustrate how this new America will respect and cherish our neighbors. Show those who predicted Democratic wasteful spending that you will save us the billions this "Fence to Nowhere" will cost.

This fence will not stop Mexicans coming into our country because where there's a will there's usually a way. More than one-third of our illegal immigrants cross legally, but overstay their visas. The fence itself already has breaches, allowing entry. It will, however, threaten already endangered ocelots, jacarundi and other species that depend on the Rio Grande.

The fence mars the border's natural beauty. Rain has made El Paso, The Big Bend and other river areas green this year, yet the vista of mountains, riverbed, Mexico and Texas is denigrated by the ugly metal fence.

When my mother immigrated legally to the United States, she was greeted by the Statue of Liberty and the grandest skyline in the world. Those entering from our southern border will instead see a Wal-Mart version of the Berlin Wall, in part made with imported Chinese steel and illegal immigrant labor.

There already have been costly delays due to flooding potential and the failure of Project 28, which used sensors to create miles of virtual fence but couldn't distinguish humans from livestock and bushes. Factoring in repairs and maintenance, the Congressional Research Service estimates that a 25-year life span on 700 miles of the 1952-mile fence would cost up to \$49 billion.

President George W. Bush has said, "Border security must adapt to the nation's changing needs." Currently, more Mexican nationals may be returning to Mexico than arriving. What George W. Bush couldn't do with a fence he achieved by wasteful spending in Iraq and signing pork-barrel budgets, and our sagging economy has now lost much of its employment appeal.

Online editions of many newspapers contain illiterate ranting about Mexicans destroying our economy, yet talk nothing about how obesity, cigarette smoking and the war in Iraq will, over time, cost us far more. People who never stayed in class long enough to compose a complete sentence rail about how Mexicans have ruined our schools and stolen their jobs. I can't help but believe there is a racist, xenophobic element to these one-issue extremists.

Recent Mexican President Vicente Fox described the border fence as "shameful." Current President Felipe Calderon and Mexico, supported by 27 countries, made a declaration at the Organization of American States expressing their disapproval. Opposition on our side of the border was in place even before the current financial crisis and will gain momentum as economic resources become scarcer.



Obama's ascendancy provides an immediate opportunity to show the promised "change." Obama and the Democrats can, by scraping this wall, mend fences with much of Latin America. Killing this wasteful government project will demonstrate the "compassionate conservatism" George W. Bush only promised and will finally begin to implement his father's "kinder and gentler" nation.

Steve Fischer has served as district attorney in the Rio Grande Valley and a professor of political science and criminal justice. He is currently president of the Aransas County Area Bar Association and an elected school board member in Rockport.

Cass and Seifert: Fix our Levees; tear down the Border Wall
Rio Grande Guardian
By Ann Williams Cass and Michael Seifert

BROWNSVILLE, November 13 - Everyone has questions for the president elect and new congress: What will you do to fix the economy, the health care system and the War in Iraq?

But what are we to make of the silence on immigration issues witnessed the last 22 months? How can we in the Rio Grande Valley of Texas raise our questions?

Who will be appointed as Secretary of Homeland Security--the appointed cabinet member who is the only person in this country who can waive any law by the authority of the Real ID Act? This is the person who waived 38 laws in Hidalgo County to construct the Wall/Levee.

Will the Secure Fence Act, calling for fence along the southern border, be repealed or will families continue to worry that they will lose their homes, lose their farm land, or lose access to the beauty of nature?

Still in shock that in the middle of the economic crisis Congress allocated an additional \$400 million to finish the Wall, are we too naïve to hope that this new leadership will re-allocate that money to the International Boundary and Water Commission to fix the levees in Hidalgo and Cameron counties? It would cost less than \$200 million to fix all the levees in both. Or do we have to continue to worry that we won't meet FEMA's deadline and end up paying exorbitant costs in flood insurance as they declare both counties flood zones?

Is it too naïve to hope that if that money is reallocated the county bond money could be used to fix the drainage system that failed during Hurricane Dolly, flooding colonias with water that in many places is still standing today, 3 months after the event? Doesn't that seem the most logical and just use of the money, particularly in



light of New Orleans after Katrina, and countless cities along the Mississippi and Missouri rivers that experienced devastating floods this spring because of failed levees? Or, do we continue to worry that when the next storm hits more people will find themselves knee deep in water for six months? Have we been terrorized into irresponsibility?

Here in the Rio Grande Valley, hurricanes are our terrorists. Their damage could easily leave 500,000 people homeless. Hurricane Dolly just brushed the Valley this year, and yet it cost us the loss of homes and dreams, health and economy. Dolly wasn't the only culprit – the real guilt lay in our lack of a stable levee and drainage ditch system. We need to raise our voices now: No Border Wall, fix our levees and drainage system! Please contact your congressional and state representatives and senators and tell them to tear down the Wall and fix our levees!!!

Ann Williams Cass is executive director of Proyecto Azteca in San Juan, Texas. The Rev. Michael Seifert is executive director Proyecto Digna in Brownsville, Texas, and pastor of San Felipe de Jesus Catholic Church in Cameron Park, Brownsville, Texas.

Obama and the Wall
Greg Harman
San Antonio Current
November 10, 2008

Homeland Security Secretary Michael Chertoff is not welcome in South Texas. In fact, there will be celebrations when he leaves office with his Boss Bush.

Still, Southwest Workers' Union border coordinator Ruben Solis predicts it may still be difficult to work with institutional Democrats in Congress to stop the Border Wall now under construction.

That means people need to keep pushing.

"The new administration is a transfer of the national agenda. So our point today is to begin to mold that national agenda as it refers to the border, border militarization, and immigrant rights," Solis said during a small protest outside the U.S. Federal Building in San Antonio today.

"So we want to send a clear message to Washington: We didn't just go and ... give (our vote) away. We own that vote. We have a responsibility to that vote and to the people we elected.

"Just because you voted, doesn't mean you go home and sit down and wait for somebody to do it for you."



Crossing the line
Valley Morning Star
DHS backs out of original promise to hold public tours of fence sites
November 12, 2008

It's hardly surprising, but it's still upsetting to learn that the Department of Homeland Security has once again gone back on its word to be up front with the American people about the ill-conceived and unwanted border fence.

The DHS pledged in April that it was "still planning community outreach" and would continue to seek public input regarding the project. In a Nov. 4 letter to the Texas Border Coalition, a group of border officials and community leaders, however, a DHS official wrote that the agency "cannot support including parties beyond immediate TBC members in the fence tours, with the possible exception of interested state and federal elected officials."

David Pagan, top adviser to the DHS' Customs and Border Patrol division, signed the letter, which expresses concerns that if it allowed the public on the "public" tours, protesters might show up. Of particular concern were landowners who were in litigation with the agency over losing their land to the fence.

The whole purpose of the tours, which the government, in its penchant for such things, assigned the code name "Operation Walk the Line," was to better inform the public about the fence that will drastically change the lives of many border residents, to the extent of rendering their homeland utterly useless.

TBC officials have rightly expressed their dismay at the sudden change in plans, saying they are "dumbfounded by CBP's continued resistance to consultation with local landowners and the community, and by CBP's unjustifiable demands for secrecy."

This is one more reason the American people made a clear vote for change last week. We've long grown tired of this administration's infatuation with secrecy, and blatant disregard for countless federal laws that demand public accountability.

Keeping things out in the open helps ensure that the government maintains policies and undertakes actions that are honest and can be justified. Officials should be able, and willing, to defend their actions.

Congress recently approved \$400 million additional funds for the fence project; the approval carried a request that the DHS improve consultation and assessment in disputed areas, like the South Texas area that would be covered by Walk the Line.



Lawmakers would do well to show they are serious about their request, and about holding DHS accountable, by rescinding the allotment until it receives assurances that Homeland Security will stop all the secrecy.

As a new president and Congress prepare to take over the reins of government, America is already becoming more hopeful and confident of a brighter future. However, that doesn't mean we should allow agents of the lame-duck administration free rein to thumb their noses at the public and at the laws under which they still must serve.

Border fence should top Obama's agenda
Clovis New Mexico News
November 11, 2008

President Bush met with his successor, Barack Obama, on Monday and began discussing the transition from one administration to the other.

The Bush administration has 10 weeks left before Inauguration Day. His presidency doesn't end until then, and he certainly has the right to continue the policies and programs he has initiated and that he considers important.

However, the president should pay attention to the clear message voters gave last week — they want something different — and at least consider Obama's ideas and proposals in whatever decisions he makes for the remainder of his term.

Bush has shown he can be pragmatic, and work for compromise with all parties involved. That is what made him such a popular governor of Texas, and helped him win the presidency eight years ago. Unfortunately for him and for the country, after the horrific attacks on Sept. 11, 2001, Bush deferred much of his influence to Dick Cheney and the neocons, who began turning the administration into an oligarchy driven by paranoia and opportunism.

The lurch to the right has gone so far as to alarm many longtime Republican leaders, who are appalled at the systematic curtailment of individual rights and the blatant disregard for international law. Many question the interventionist military policy that appears to favor saber rattling to diplomacy.

And of course, among the primary concerns, especially along the southern border states, are policies that appear to foment outright hatred for Latin America that extends to people of Hispanic descent.

Last week's vote, and Bush's own disapproval ratings — public opinion of him is the lowest shown any president in modern history — should convince the president that



Americans simply don't want him to continue on the current course. His own administration, particularly Department of Homeland Security Secretary Michael Chertoff, apparently recognizes this, as evidenced by the urgency with which Chertoff wants to build the odious barrier between the United States and Mexico. His rush is akin to that of a misbehaving child who wants to finish his destruction before the adults come.

Well, the adults are on their way. Bush should recognize — and we hope — that the border fence could be one of the first things the new administration revisits. Bush should discuss this with Obama and the congressional leadership. If they agree the barrier does more harm than good, as we expect and hope they will, then the work should simply stop the project that has already cost this country billions in construction and legal costs, and much more in terms of national and international esteem from American citizens and Latin leaders.

Open discussions and a willingness to work together will help ensure a smooth presidential transition. President Bush can help this country, and regain lost favor, if his last days are dedicated to supporting the country rather than the neocons.

False Victory at the Border
New York Times
Published: July 5, 2008

How secure is the border? The opinion of government optimists is that it is way secure. So secure you wouldn't believe it — and not as secure as it will be.

That is the least the country should expect after all it has given up to lock the border down. Billions of dollars since the 1980s in fencing, razor wire, electronic sensors and vehicle barriers. A major deployment of 6,000 National Guard troops in 2006, to bolster the Border Patrol. The trashing of the Endangered Species Act, the Clean Water Act and a host of environmental and land-management laws. (When Congress ordered the homeland security secretary, Michael Chertoff, to build 670 miles of border fence by the end of this year, it decreed that no law or judge, no wild creature or endangered homeowner, should stop him. Last month, the Supreme Court declined to intervene in one of the many legal disputes the fence has provoked.)

The National Guard is leaving the border at the end of the month. And even though the border states want them to stay, the Bush administration is declaring victory. That's how good things are down there.

Too bad, though, that the results that restrictionists predict from victory — an end to illegal immigration, the expulsion of illegal immigrants, the restoration of jobs to American workers, the protection of American culture and language from a Hispanic



invasion — are not coming anytime soon. That's because fixing immigration has very little to do with any of the hustle and bustle along the 2,000-mile line from San Diego to Brownsville, Tex.

The Center for Comparative Immigration Studies at the University of California, San Diego, recently did the radical thing of talking to border-crossers about why and how they come. In a survey of undocumented immigrants from four Mexican states, it found that fewer than half are caught by the Border Patrol. Those who fail the first time try again and again, and their success rates for entering the country hover consistently above 90 percent. Sheriffs, police officers and elected officials in border communities — some of whom have ridiculed the fence and sued to block it — would readily confirm that.

The study offered another compelling example of enforcement gone awry: reports that illegal immigrants who are stymied by a tighter border are staying put, setting down roots and bringing their families over.

This is not to argue for giving up on enforcement. The real victory will come when a repaired, well-patrolled border coincides with a repaired, well-run immigration system that requires undocumented workers to come forward and be legalized, has expanded avenues for legal workers, including would-be citizens, and cracks down on illegal hiring as staunchly as it protects workers' rights.

There is a long list of things to do to make the immigration system correspond to American values and economic realities, and the country is doing just about none of them. We're paying a huge price to pay for an ineffective fence and some symbolic victories on the border.